

28 July 2022

Delivered via Planning Portal

Jennifer Atkinson
Manchester City Council
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Dear Jennifer

**APPLICATION TO DISCHARGE CONDITIONS 5B, 11 12A, AND 21(A), PURSUANT TO PLANNING
PERMISSION REF: 124472/FO/2019 – KINCARDINE COURT, MANCHESTER, M13 9JA**

On behalf of our client, Unite Students ('the applicant'), I am pleased to enclose an application to discharge Conditions 5b, 11, 12a and 21(a) pursuant to the above planning permission at Kincardine Court, Manchester.

The application has been submitted via the Planning Portal (ref. PP-11431275) and comprises the following information:

Document Title	Drawing/ Document Number	Author	Condition
Completed Application Forms			
This Covering Letter			
SI Conclusions & Recommendations		Curtins	5b
Mechanical Plantroom Layout	500991-AME-ZZ-XX-DR-M-5102 C01	Abacus Consult / Ameon	12a
Air Conditioning – Technical Submittal	500991-AME-ZZ-XX-TS-M-5501 P01	Ameon	12a
Air Source Heat Pumps HW Generation –Technical Submittal	500991-AME-ZZ-XX-TS-M-5301 P01	Ameon	12a
Section 278 Signal Crossing General Arrangement	072071-CUR-00-ZZ-DR-D-90002-P06		21(a)

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Section 278 Signal Crossing Construction Details	072071-CUR-00-ZZ-DR-D-90003-P03	21(a)
Section 278 Construction Details	072071-CUR-00-ZZ-DR-D-90001-P01	21(a)

The requisite fee of £116.00 has been paid online via Planning Portal.

BACKGROUND

Full planning permission was granted by Manchester City Council ('MCC') on 06 December 2019 for the redevelopment of Kincardine Court (LPA ref. 124472/FO/2019) ("Kincardine Court Planning Permission"). The full wording of the approved development is as follows:

Erection of a part 4, part 5, part 6 storey extension to existing student accommodation building to form 25 additional student flats (comprising 100 bedrooms) (Use Class Sui Generis) to form 86 student flats in total (329 bedrooms) following removal, modification and reconfiguration of existing car parking, landscaping and boundary treatment together with the erection of a single storey water tank

Since the permission was granted, the proposed development has been subject to a Non-Material Amendment application (LPA ref. 130919/NMC/2021), which altered the internal layout to include a reduction in the number of bedrooms from 100 to 92. This application was approved in July 2021. Following this, a number of Conditions have been discharged via two Discharge of Conditions applications (LPA ref. CDN/21/0513) (LPA ref. CDN/21/0976).

At present, there is a live Discharge of Condition application for conditions 9, 10 15, 17, 18a, 19, 23, 24, 27 and 28 (LPA ref. CDN/22/0422).

A full history of the applications post approval can be seen below.

Summary of Applications Submitted

Application Type	Condition No. (If Applicable)	Reference	Status
Non-Material Amendment		130919/NMC/2021	Approved
Discharge of Condition	3a	CDN/21/0513	Discharged
Discharge of Condition	4	CDN/21/0513	Refused
Discharge of Condition	5a	CDN/21/0513	Discharged
Discharge of Condition	6	CDN/21/0513	Discharged
Discharge of Condition	4	CDN/21/0976	Discharged
Discharge of Condition	8	CDN/21/0976	Discharged
Discharge of Condition	9	CDN/22/0422	Pending
Discharge of Condition	10	CDN/22/0422	Pending
Discharge of Condition	15	CDN/22/0422	Pending
Discharge of Condition	17	CDN/22/0422	Pending

Discharge of Condition	18a	CDN/22/0422	Pending
Discharge of Condition	19	CDN/22/0422	Pending
Discharge of Condition	23	CDN/22/0422	Pending
Discharge of Condition	24	CDN/22/0422	Pending
Discharge of Condition	27	CDN/22/0422	Pending
Discharge of Condition	28	CDN/22/0422	Pending

DISCHARGE OF CONDITION

Condition 5b - Remediation Strategy and a Completion/Verification Report

Condition 5b requires development to be completed in accordance with the previously agreed Remediation Strategy, once complete a Completion/Verification Report shall be submitted to MCC prior to occupation of the development. The full wording of the condition is as follows:

When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority prior to the first occupation of the development. In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy

The enclosed SI Conclusions & Recommendations, an excerpt from the previous approved Remediation Strategy (doc ref. 072071-CUR-00-XX-RP-GE-001), has been submitted in relation to Condition 5b. There was no visual or olfactory evidence of contamination identified in the site soils. As a result of this, there was no remediation undertaken and therefore there is no Completion/Verification Report. On this basis, this information is sufficient to discharge Condition 5b.

Condition 11 – Environmental Standards Statement

Condition 11 requires the submission of a post construction review certificate/statement within a timescale to be agreed by MCC, stating:

The development hereby approved shall be carried out in accordance with the Environmental Standards statement stamped as received by the City Council, as Local Planning Authority, on the 7 August 2019. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

It is proposed that the post construction review certificate/statement shall be submitted for approval 6 months after first occupation of the development.

Condition 12a – Externally Mounted Equipment

Condition 12a requires the details any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council prior to the first occupation of the development, stating:

Notwithstanding, the acoustic report (ref. 9226.RP01.EBF.1) stamped as received by the City Council, as Local Planning Authority, on the 7 August 2019, (a) Prior to the first occupation of the development hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt, externally mounted plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5 db (L_{aeq}) below the typical background (L_{a90}) level at the nearest noise sensitive location.

The submitted documents provide detail of the externally mounted equipment, Mechanical Plantroom Layout (dwg ref. 500991-AME-ZZ-XX-DR-M-5102 C01), prepared by Abacus Consult / Ameen highlights the layout of the external plant deck (highlighted in green). Further, Air Conditioning – Technical Submittal (dwg ref. 500991-AME-ZZ-XX-TS-M-5501 P01), prepared by Ameen and Air Source Heat Pumps HW Generation –Technical Submittal (dwg ref. 500991-AME-ZZ-XX-TS-M-5301 P01), prepared by Ameen, provide the technical detail of the plant.

Condition 21(a) – Highways Works

Condition 21, in so far as it relates to the submission of a scheme of highway works and details of footpaths reinstatement/public realm requires the submission of such scheme prior to the occupation of the development, stating:

Prior to the first occupation of the development hereby approved, a scheme of highway works and details of footpaths reinstatement/public realm in relation to shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt this shall include the following:

- provision of a red/green men signalised crossing facilities at the signalised junction of Upper Brook Street/Booth Street East/Inchley Road;
- off site car club bay on the surrounding road network

This application relates to the first part of Condition 21, referred to as Condition 21(a). The submitted documents provide the requisite detail for the highway works and the footpath/public realm reinstatement, including signalised crossing facilities and an off-site car club bay.

CONCLUSION

In reviewing the information detailed above, I trust you have all the information that you require to validate this application and approve the details associated with Condition 5b, 11, 12a, and 21(a) pursuant to planning permission 124472/FO/2019. However, should you require any further information, please contact myself or my colleague Andrew Bickerdike (andrew.bickerdike@turley.co.uk).

Yours sincerely



Will Hannah
Assistant Planner

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