

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0263

Date registered valid: 30 March 2021

Proposal: Discharge of conditions 16a (noise) and 17a (external plant) attached to planning permission referenced 128960/FO/2020

Address: Connell Sixth Form College , 301 Alan Turing Way, Manchester, M11 3BS

Ward(s): Clayton & Openshaw Ward

Applicant: Connell Co-op College Connell Sixth Form College, 301 Alan Turing Way, Manchester, M11 3BS

Agent (if any): Mr Luke Khaira Darwin Group Ltd Shawbury Business Park, Shrewsbury, SY4 4EA

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 10 May 2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 6 April 2021 Expired: 27 April 2021

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Environmental Health (08.04.2021) - had the following comments regarding the above application and the submitted Inacoustic Noise Assessment, ref. 20-273 dated 29th March 2021:

Condition 16a (noise)

They noted that condition 16a refers to acoustic insulation of the building rather than the premises as recommended in our memo of 2 February 2021. However, the noise report provides a playground target noise level for evenings (50 dB LAeq(1 hour)) and states that "The noise level of the playground and MUGA may be noticeable but not intrusive and is considered acceptable in planning terms." They recommend that the estimated noise level at the nearest residential receptor from the use of the playground and MUGA be provided before they consider the discharge of this condition.

The report's conclusions regarding noise impacts from the operation of the classrooms on the nearest noise sensitive receptors is accepted (No Impact / Minor Impact).

Condition 17a (external plant)

The noise report's assessment that proposed external plant complies with the requirement for the rating level to be 5dB below the typical background level at the nearest noise sensitive location is accepted, and they have no objection to discharge of this part of the condition.

04.05.2021 - Following the referral of the updated Noise Assessment report ,and attached commentary ,condition no.16a can be discharged.

Issues

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

16) The Inacoustic- Connell Co-op College - Noise Assessment for Planning Condition Discharge version 2 (dated 05/03/21) received 19th April 2021 has been examined and is considered to be acceptable. On the basis of the content of the updated noise assessment condition no.16a is discharged.

17) The Inacoustic- Connell Co-op College - Noise Assessment for Planning Condition Discharge version 2 (dated 05/03/21) received 19th April 2021 has been examined and is considered to be acceptable.

It is noted that noise report's assessment confirms the proposed external plant complies with the requirement for the rating level to be 5dB below the typical background level at the nearest noise sensitive location. On the basis the proposed external plant is implemented in accordance with the Noise Assessment report, condition 17a is discharged.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH2