

Application Number	Date of Appln	Committee Date	Ward
CDN/21/0079	25th Jan 2021		Deansgate Ward

Proposal Discharge of conditions 3 (plant noise) and 4 (plant screening) attached to previously approved planning application 126207/FO/2020

Location 11 St James Square, Manchester, M2 6DN

Applicant , St James Estates Limited, C/o Agent,

Agent Fraser Dann, WSP, 3 White Rose Office Park, Millshaw Park Lane, Leeds, LS11 0DL

Consultations

Environmental Health - Reviewed the Wardell Armstrong verification report reference RC/CMD/GM10442-007 dated 21st Jan 2021 and can accept the content. Based on the information provided we can recommend discharge of conditions 3 and 4.

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 the right to a fair hearing and to this end the Committee 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 approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation **APPROVE**

Conditions to be attached to the decision

1) The following information has been submitted for approval in respect of condition 3:

The 7 page letter and associated drawings by Wardell Armstrong, ref. RC/CMD/GM10442-007, dated 21 January 2021 and titled 'Noise Emissions from the

Proposed Smoke Vents - 11 St James Square, Manchester' and the 1 page Data Sheet by Wolter, both received by the Local Planning Authority on 25 January 2021

Drawing 432/38(02)021 B, received by the Local Planning Authority on 2 February 2021

Drawing 2155-P1-01, received by the Local Planning Authority on 25 January 2021

The Lang and Fulton screening specification, received by the Local Planning Authority on 2 February 2021

The information is considered to be acceptable and condition 3 will be formerly discharged so long as the development is carried out in accordance with the submitted information.

2) The following information has been submitted for approval in respect of condition 4:

Drawing 432/38(02)021 B, received by the Local Planning Authority on 2 February 2021

Drawing 2155-P1-01, received by the Local Planning Authority on 25 January 2021

The Lang and Fulton screening specification, received by the Local Planning Authority on 2 February 2021

The information is considered to be acceptable and condition 4 will be formerly discharged so long as the development is carried out in accordance with the submitted information.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: CDN/21/0079 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

**Environmental Health
Urban Design & Conservation**

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Environmental Health

Relevant Contact Officer : Carolyn Parry
Telephone number : 0161 234 4022
Email : carolyn.parry@manchester.gov.uk

