

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0077

Date registered valid: 27 January 2021

Proposal: Discharge of conditions 4b (landscaping), 5 (Secure by design), 8 (ground conditions) and 19 (acoustic insulation of external plant) relating to the extra care building phase, attached to planning permission referenced 118379/JO/2017

Address: Brunswick Neighbourhood, Manchester, M13 9TQ

Ward(s): Ardwick Ward

Applicant: Mr Craig Nemeth Vistry Partnerships North West (formerly Galliford Try) Innovation House , Kelburn Court, Birchwood, WA3 6UT

Agent (if any): Mr David Tye Paul Butler Associates Ltd 31 Blackfriars Road, Salford, M3 7AQ

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

Recommendation: Approve

Date of recommendation: 1 March 2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 8 February 2021 Expired: 1 March 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

Arboricultural officers - The mitigation planting for this site looks good and they have no further comments from an arboricultural perspective.

Environmental Health 12.02.2021 – Have reviewed the information submitted to discharge condition 19 (acoustics) and it is sufficient to address the condition.

26.02.2021-Plan ref: 118379 Condition 8
The above condition can be discharged.

GMEU - Checking aerials from 2009 indicate this part of the area had relatively good tree covers some of which areas till present, with the proposed landscape plan

indicating adequate numbers of trees are being proposed along with ornamental shrub planting. Therefore, in terms of this site I would say adequate mitigation is being provided and would have no objection to the discharge of condition 4b. This is however assuming that this areas is not providing additional compensation for adjacent phase.

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:

Article 35 Declaration

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

4) The hard and soft landscaping scheme for the Extra Care Building detailed on the following drawings has been examined and considered.

- o M4976-169-C Rev 16 Extra Care General Arrangement, Gillespies
- o M4976-172-C Rev 06 Extra Care Levels, Gillespies
- o M4976-181-C Rev 03 Extra Care Planting Plan, Gillespies

It is noted that a landscaping scheme for the Extra Care Building has previously been agreed as part of the discharge of condition application ref: CDN19/0747 which approved hard and soft landscaping for Block AS, Block Y, Phases C, R, T, AR and P, and the Extra Care Building on 18 November 2019. The previously approved drawings were M4976-169-C Rev 08, 'Extra Care General Arrangement' and M4976-181-C Rev 00, 'Extra Care Planting Plan' also by Gillespies. It is acknowledged that the current application has been submitted as changes have become necessary to accommodate design adjustments and end user requirements, but that the materiality of the proposals remain broadly similar to the landscaping scheme previously approved.

It is further noted that the landscaping scheme under consideration includes minor revisions to

pedestrian routes to allow improved operation of the external area; adjustments to tree planting, including retaining two existing trees; changes to the location of lawn and ornamental planting areas to allow for improved planting arrangements and improved maintenance; and the installation of tactile hazard pavement to the Brunswick Street landscaping frontage.

The submitted hard and soft landscaping scheme is considered to be satisfactory. On the basis that the hard and soft landscaping scheme on plan refs:M4976-169-C Rev 16 Extra Care General Arrangement, M4976-172-C Rev 06 Extra Care Levels, and M4976-181-C Rev 03 Extra Care Planting Plan, is fully implemented, and if within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, condition no.4b is discharged in relation to the Extra Care Building Phase of the development.

5) The submitted Secure by Design accreditation certificate for the Brunswick Village Extra Care Building dated 02.02.2021 has been noted. On the basis that the Brunswick Village Extra Care Building has achieved Secure by Design Accreditation, I can confirm that condition no.5 is discharged in respect of the Extra Care Building Phase.

8) The Letter from E3P ref: 14-207- V11 (and appendices) relating to the Garden Validation at the Extra Care building site in Brunswick to Mr Sonlay at Chandos House dated 20th January 2021 has been examined and the contents are considered to be acceptable. I can therefore confirm that condition no.8 in regard to the Extra Care Building Phase is discharged.

19) The External Plant Noise Assessment by Vistry Partnerships reference :60648042 Noise/01 27th January 2021, has been examined and is considered to be satisfactory. On the basis the development is implemented in accordance the assessment, condition no.19 is discharged in respect of the Extra Care Building Phase.

Environmental Health
Neighbourhood Team Leader (Arboriculture)
Greater Manchester Ecology Unit
Environmental Health

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