

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/0731

Date registered valid: 30 July 2025

Proposal: Discharge of condition 15 part c (Noise attenuation) attached to planning permission 142788/JO/2025.

Address: Land Off Louisa Street, Manchester

Ward(s): Clayton & Openshaw Ward

Applicant: Ms Kirsty Wright Westchurch Homes Limited

Agent (if any):

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

Recommendation: Approve

Date of recommendation: 1 October 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 5 August 2025 Expired: 27 August 2025

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 - 20.08.2025 Have considered the following reports submitted for the above CDN application:

Hepworth Acoustics - Letter Reports:

- Acoustic Verification Assessment – Plots 20-29, Ref: P22-313-M04v1, Date: 25 July 2025
 - o The report includes testing of 1no. kitchen/dining and 1no. bedroom of 2no. dwelling units (Plots 24-25).
 - o The approved acoustic scheme also applies to living rooms, therefore the report should clarify why this room type was not tested, for example due to internal layout arrangements.

- o Post-completion testing is required within a living room and also a bedroom within each test unit.
- Acoustic Verification Assessment – Plots 54-71, Ref: P22-313-M05v1, Date: 11 August 2025
 - o It is understood that 2no. 2nd floor bedrooms (Plots 70-71) were tested.*
 - o As stated above, post-completion testing is usually required in a living room as well as a bedroom within a dwelling unit, and the report should clarify why these rooms were not tested.

For completeness, confirmation should also be provided that mitigation measures were installed as per the acoustic scheme approved under permissions 142788/JO/2025 and 34775/FO/2022 (Hepworth Acoustics, Ref. P22-313-R01v2 dated August 2022), including acoustic fencing (imperforate, ≥ 10 kg/m² mass, ≥ 20 mm thickness), selected glazing and acoustic ventilator specifications, and measures for bedrooms in roof spaces* overlooking Venus Foods service yard (ceilings to have 2 layers of 15mm dense plasterboard).

*Section 5.12 of the August 2022 acoustic report includes the above recommendation for bedrooms in roof spaces overlooking Venus Foods service yard and refers to Figure 2: 'Proposed Site Layout & Noise Mitigation Scheme' within that report for applicable dwelling units. Figure 2 does not include this information, and this omission has been previously overlooked. Clarification is therefore required that the 2nd floor bedrooms in Plots 54-71 are the same as the stated bedrooms in roof spaces overlooking Venus Foods service yard.

Due to the above outstanding issues, they cannot currently recommend discharge of the condition.

Further comments 21.08.2025

Have advised that Hepworths have answered most of the points raised (and the responses are accepted), but confirmation is awaited that mitigation measures were installed as per the approved scheme, although if none of the dwellings or apartments had rooms in roof spaces then they don't require confirmation re the plasterboard.

They assume that's what the acoustician means when they say they're just responding to the verification measurement points.

Further comments 29.09.2025

The approved noise report (Hepworth Acoustics Noise Impact Assessment, ref. P22-313-R01v2 dated August 2022) states in section 5.4 that "*The acoustic fencing must ... have a surface mass no less than 10 kg/m² and be at least 20mm thick.*"

The information provided indicates that the fencing is 19mm thick, and no details are provided regarding its surface mass.

They cannot therefore currently recommend the full discharge of the condition, although we can confirm that all other matters regarding the acoustic attenuation aspects of the scheme have now been addressed.

Further comments 30.09.2025

Have no objection to the full discharge of condition 15.

Issues

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

Condition 15c (Noise attenuation)

15. c) The content of the plans and documentation referenced below has been reviewed.

-Acoustic Verification Assessment – Plots 20-29 Report ref: P22-313-M04 v1 received 30th July 2025

-Acoustic Verification Assessment – Plots 54-71 Report ref: P22-313-M05 v1 received 11th August 2025

-Email from the applicant's acoustician correspondence dated 20th August 2025.

-Applicant email dated 21st August 2025 confirming that all mitigation measures detailed in the approved noise report have been installed as specified.

-Visual of acoustic fence measurement received 29th September 2025

-Correspondence confirming Mass of 11.66kg/m² dated 30th September 2025 and Acoustic Fence Detail 2.2m & 3m Height Overall plan ref: AF01 rev.B received 30th September 2025.

The content of the plans and documentation related to Plots 20-29 and Plots 54-71 is considered to be acceptable.

The contents of the Memo ref: P22-313-M02v1 from Hepworth Acoustics in relation to Plot nos. 1-19 and 30 -53 was reviewed previously as part of discharge of condition application ref: CDN/24/1061 , and it was confirmed to you on 9th December 2024, that the recommendation within the Memo ref: P22-313-M02v1 that Plots 1-19 and 30-53 could be occupied without the need for a verification report was accepted , and that you had complied with the requirements of condition 16 part c in respect of plot nos. 1-19 and 30 -53.

On the basis of the plans and documentation specified above, and taking account of the compliance with the requirements of condition 16 part c in respect of plot nos. 1-19 and 30 -53 on 9th December 20254, I can confirm that condition no.15c is discharged.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3

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

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Historic Landfill Site 50m Buffer -

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) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: NORTH AREA