

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/0575

Date registered valid: 18 June 2025

Proposal: Discharge of Condition 4 (CEMP) relating to application 134775/FO/2022

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: 15 July 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 30 June 2025 Expired: 21 July 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

Highways Services – Advise the submission comprises a covering letter stating hours of working – which they have no concerns with. This relates to Part B of Condition 4.

Regarding Part A – they assume this can be discharged as the developer is required to comply with the CEMP documents submitted as part of the initial application

Environmental Health - 30.06.2025 The submitted letter from Westchurch Homes states that site works have been commencing on Saturdays from 8am.

Saturday working hours should not be prior to 8:30am in accordance with [MCC's recommended hours](#).

15.07.2025 - They have confirmed that the developer will work with an 08:30 start on a Saturday, on this basis they can recommend discharge of the condition.

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 no.4 (CEMP)

4) Part a required the development shall be implemented in accordance with the CEMP dated August 2022 Version B- 20.01.2023 received 25th January 2023; and Construction Build Route plan ref: CBR001 rev.C received 23rd May 2023.

The content of the letter dated 17th June 2025 from Westchurch Homes confirming the working hours of site are 08.00 – 17.30 Mondays to Fridays, 08.30 – 13.00 on Saturdays and no work on Sundays and Bank Holidays has been noted , together with the confirmation that these hours of work have been adhered too since work started and will continue to be adhered too until the site is completed has been noted .

On the basis of compliance with CEMP dated August 2022 Version B- 20.01.2023 received 25th January 2023; and Construction Build Route plan ref: CBR001 rev.C received 23rd May 2023, and content of the letter dated 17th June 2025 from Westchurch Homes confirming the working hours of site (08.00 – 17.30 Mondays to Fridays, 08.30 – 13.00 on Saturdays and no work on Sundays and Bank Holidays), condition no.4 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 (Middle) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: NORTH AREA