

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/0239

Date registered valid: 12 March 2025

Proposal: Discharge of conditions 7b (noise verification), 8b (external plant verification) and 9 (waste management) attached to planning permission referenced 138801/VO/2023.

Address: Ground Floor And First Floor, 69 Dickenson Road, Manchester, M14 5AZ

Ward(s): Rusholme Ward

Applicant: Louise Stonall Manchester City Council

Agent (if any): Andrew Unsworth Manchester City Council

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

Recommendation: Approve

Date of recommendation: 29th April 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 25 March 2025 Expired: 15 April 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

Highway Services – 31.03.2025

CONDITION 9 - WASTE MANAGEMENT A waste management pro-forma has been submitted, however, detailed plans showing the proposed bin store, collection point and servicing arrangements have not been provided. As such, Highways recommend that Condition 9 is not yet discharged.

Additional Highways comments 24.04.25

In regard to Condition 9 (Waste Management) the applicant has confirmed waste storage and collection arrangements. Plan 69D-MCC-B01-GF-DR-B-0040-S5 details the bin store and collection point. The information is sufficient to allow them to recommend the discharge of the condition from a Highways perspective.

Environmental Health – 08.04.2025

EH are in receipt of a Noise Verification report by E3P.

It states that the room measured had mechanical ventilation, can you confirm this was on high when measuring the internal dBs. If so, the noise conditions can be discharged.

Further comments (1) 29.04.2025

Based on their previous reply below, the report states that there is mechanical ventilation. Furthermore, this is stated on page 7 of the acoustic verification report by e3p dated March 25;

'It was noted at installation that mechanical ventilation was installed'

EH are in receipt of a Noise Verification report by E3P.

It states that the room measured had mechanical ventilation, can you confirm this was on high when measuring the internal dBs. If so, the noise conditions can be discharged.

Therefore, they express confusion as to why there now appears to be no mechanical ventilation.

Further comments (2) 29.04.2025

This can be discharged; however it should not be stated that there is mechanical ventilation when it is not present.

Further comments (3) 29.04.2025

They stated measurements were undertaken in plot 16 as that was identified as the worst one, so as long as the glazing is the same in the other plots you mention, it will be sufficient.

Further comments (4) 29.04.2025

The waste arrangements are accepted.

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. 7b (noise verification)

7b) The Post Completion Noise Testing and Verification Report – Plot 16 report ref: 51-120-R2-1 Dated March 2025, as revised by the content of planning agent's emails dated 23rd April 2025 and 29th April 2025 has been reviewed and is considered to be satisfactory. On this basis condition no.7b is discharged.

Condition no.8b (external plant verification)

8b) The Post Completion Noise Testing and Verification Report – Plot 16 report ref: 51-120-R2-1 Dated March 2025, as revised by the content of planning agent's emails dated 23rd April 2025 and 29th April 2025 has been reviewed and is considered to be satisfactory. On this basis condition no.8b is discharged.

Condition no. 9 (waste management)

9) The completed waste strategy proforma has been reviewed in conjunction with the contents of the agent's email dated 9th April 2025 and Proposed site plan – Waste management plan ref: 69D-MCC-B01-GF-DR-B-0040-S5 received 9th April 2025. On the basis that the development is implemented in accordance with the details in the documentation and plan referenced above, and remain in situ whilst the use or development is in operation, condition no.9 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Appendix 2 – Planning constraints

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA