

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/0147

Date registered valid: 19 February 2025

Proposal: Discharge of condition 3 (CMP) attached to planning permission referenced 139997/FO/2024

Address: Land At Welcomb Street, Manchester

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Joe Burnett NSJV Ltd

Agent (if any): Mr Patrick Stone Spawforths

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

Recommendation: Refuse

Date of recommendation: 23 April 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 26 February 2025 Expired: 19 March 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 – 28.02.2025

Have considered the Construction Management Plan submitted for the above CDN application and can provide the following comments:

1. Site working hours should be provided and should be in compliance with [MCC's recommended hours](#).
2. Site contact details should be displayed on site hoarding/fencing for use by members of public.

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

Further comments 24.03.2025

The revised CMP now includes acceptable working hours and site contact details, however it states that *"In the event that any work outside of these hours is required, advance notice will be given to the local council and nearby residents."* Any proposed construction/demolition works outside of [MCC's recommended hours](#) must be applied for via: [Apply for consent: noise from construction sites](#).

Highway Services – 17.03.2025 In regard to Condition 3 (CMP) a Construction Management Plan has been submitted.

The CMP confirms that the project duration is 56 weeks.

The CMP confirms that the primary access point for construction vehicles will be via Welcomb Street via Ashton Old Road. A secondary access will be provided for staff and light vehicles from Bessemer Street at the rear of the site.

Car parking will be in place within the site boundary for contractor parking. The CMP suggests that construction vehicles, vans and small trucks will have space within the site. It is requested that a Traffic Management Plan is provided for comment.

It is requested that information in regard to the management of access and deliveries is provided. A banksman should be in place to manage deliveries and offloading materials.

The CMP confirms that 2 HGVs per day associated with materials, 20-25 staff and light vehicle movements per day and 2-3 HGVs per week for waste removal.

MCCs Highways and Network Management Team have reviewed the submitted documents and have asked that the following details are requested

- o Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within the site.
- o Arrangements for the turning of vehicles.
- o Arrangements to receive abnormal loads or unusually large vehicles.
- o Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available.
- o Any necessary temporary traffic management measures.
- o Measures to protect vulnerable road users (cyclists and pedestrians).

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004) Email highwaylicences@manchester.gov.uk.

Dust management will be in place.

A dilapidation survey should be carried out on the surrounding roads and footways. It is requested that a copy of the survey is provided to Highways.

The information is currently insufficient to allow us to recommend the discharge of the condition from a Highways perspective

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: Refuse

Article 35 Declaration

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

3) The Construction Management Plan (CMP), Project : City Works 4, Issue number 3 dated 04.03.2025 received 7th March 2025 has been reviewed. It is considered that insufficient information to enable condition no.3 to be discharged at this time.
Further details relating to:

- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within the site.
- Arrangements for the turning of vehicles.
- Arrangements to receive abnormal loads or unusually large vehicles.
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available.
- Any necessary temporary traffic management measures.
- Measures to protect vulnerable road users (cyclists and pedestrians).

are needed to be provided for consideration.

Appendix 1 – List of consultees & neighbours notified

Highway Services
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 250m 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 (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 (Middle) -

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Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

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Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: NORTH AREA