

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/0137

Date registered valid: 14 February 2025

Proposal: Discharge of condition 16 (external plant and equipment) attached to planning permission reference 137572/JO/2023

Address: Hammerstone Road Depot, Hammerstone Road, Manchester, M18 8EQ

Ward(s): Gorton & Abbey Hey Ward

Applicant: Anna Lucas Manchester City Council

Agent (if any): Mr Andrew Thompson Horizon Fletcher-Rae

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

Recommendation: Approve

Date of recommendation: 16 April 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 20 February 2025 Expired: 13 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 -13.03.2025

The information submitted is insufficient to discharge the condition. The applicant has used 'predicted' noise levels for verification, the applicant must assess the noise when all equipment is in use as a 'worst' case and then provide the noise levels at the NSR using the appropriate calculations, prediction is not sufficient for verification. The applicant has not submitted the 'commissioning test report' to support the information contained within acoustic report also.

Further comments 16.04.2025

Have reviewed the Ramboll plant noise verification assessment reference 1620005855 dated 9th April 2025 and advise that the revised report includes actual measurements of the plant which have been used to calculate the ratings at the receptor as previously requested. It was

established that plant within the MCC compound could not be switched on as these items can't be manually adjusted and are set to specific requirement so actual measurements of these items were not included within the validation assessment which would normally be required.

However, looking at the distance of these 5 items to the receptors, the manufacturers noise data of these items in relation to other items of plant closer to the receptor and the Biffa plant compound and also considering the plant enclosure and the calculated rating at the receptors of the other plant, we can accept the calculated levels for the MCC compound when taking into account the measured noise level of the other items of plant and modelled rating at the receptors.

The report demonstrates that the installed plant in cumulative worst case operation will not exceed the criteria at the receptors and they can recommend discharge of the plant based on the assessment.

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 16 (external plant and equipment)

16) The content of the Ramboll Technical Note version 2 plant noise verification assessment reference 1620005855 dated 9th April 2025 received 11.04.2025 has been reviewed and is considered to be acceptable.

On the basis of the Ramboll Technical Note version 2 plant noise verification assessment reference 1620005855 dated 9th April 2025 received 11.04.2025, condition no.16 (parts a and b) 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

Flood Zones Type 2 (low to medium risk) -

Flood Zones Type 3 (high risk) -

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) -

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