

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/1208

Date registered valid: 31 December 2024

Proposal: Discharge of Conditions 6 (noise), 8 (site management), 12 (secured by design), 13 (boundary treatment), 14 (security glazing) and 20 (lighting) attached to planning permission 139745/FO/2024

Address: 1 Justin Close, Manchester, M13 9WX

Ward(s): Ardwick Ward

Applicant: Brachfeld

Agent (if any): Sam Golding Gold Sketch Studios Ltd

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24 February 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:

Printed: 14 January 2025 Expired: 4 February 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: No

Tree Preservation Order: No

Consultations & Notification Responses

Highway Services – No objection to the discharge of conditions 8 and 13.

Environmental Health – No objection to the discharge of conditions 6 and 20

Greater Manchester Police Design for Security – A CIS statement has been submitted. The discharge of the condition should be related to confirmation of the implementation of the specified security measures.

[Such a requirement would exceed the requirements of condition 12.]

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

N/A

Condition(s) to be attached to decision for approval

6) The discharge of condition 6 (Noise) is approved on the basis that the development is undertaking in accordance with the report referenced: Environmental Noise Assessment on behalf of EBSW Estates Ltd for the site at 1 Justin Close Manchester M13 9WX Report dated 6 December 2024 Report Ref: AA/24/12/EBSW/JC/NA. The approved scheme shall be implemented before the occupation of the apartments and retained in situ thereafter.

8) The discharge of condition 8 (Site management) is approved on the basis that the development is undertaking in accordance with the detail of document referenced External area management Ref: GSS24018 – 1 Justin Close Manchester by Gold Sketch Studios and drawings ref: GSS24018.2/502 Rev. 7. The approved details shall be implemented before the occupation of the apartments and retained in situ thereafter.

12) The discharge of condition 12 (Secured by Design) is approved on the basis that the development is undertaken in accordance with the details of document referenced: Crime Impact Statement at 1 Justin Close, Manchester for Debtal Architecture Ltd produced by GM Police Design for Security Ref: 2023/0096/CIS/01 Version 28.10.24 (including Section 4 Physical Security). The approved details shall be implemented prior to the occupation of the development and maintained in situ thereafter.

13) The discharge of condition 13 (Boundary treatment) is approved on the basis that the development is undertaken in accordance with the details of drawing Ref: Site – Existing & Proposed Ref: GSS24018.2/502 Rev 7. The approved details shall be implemented prior to the occupation of the development and maintained in situ thereafter.

14) The discharge of condition 14 (Security glazing) is approved on the basis that the development is undertaken in accordance with the recommendations for glazing specification set out in documents referenced: Crime Impact Statement at 1 Justin Close, Manchester for

Debtal Architecture Ltd produced by GM Police Design for Security Ref: 2023/0096/CIS/01
Version 28.10.24 Paragraph 4.3 Glazing (and its requirement that at least one pane of glass is compliant with BS EN 356 P1A). The approved details shall be implemented prior to the occupation of the development and maintained in situ thereafter.

20) The discharge of condition 20 (Lighting) - is approved on the basis that the development is undertaken in accordance with the details of drawing referenced: Site – External Lighting Design Ref: GSS24018.2 504 Rev. 2 and specifications referenced: Hiway 15 PIR motion sensor auto-adjust solar light Pro Solar and Palin Photocell 90130. The approved details shall be implemented prior to the occupation of the development and maintained in situ thereafter.

Lighting shall only be installed in accordance with the approved scheme unless any lighting installed as part of the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority is harmful to adjoining and nearby residential properties. In such circumstances and within 14 days of its written request, a scheme for the elimination of glare and/or light spillage shall be submitted to and approved in writing by the Council as local planning authority.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA