

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/0706

Date registered valid: 1 August 2024

Proposal: Discharge of conditions 6 (EV Charging), 7a (Acoustic Survey and Overheating Assessment) and 8a (External plant) 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: **17th October 2024**

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 15 August 2024 Expired: 6 September 2024

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 - In regard to Condition 6 (EV Charging) 'Plan 69D-MCC-B01-GF-DR-B-0015-S4' details the proposed EV Charging points in the car park and the EV Charger Spec confirms that 7.4KW are proposed. The information is sufficient to allow us to recommend the discharge of the condition from a Highways perspective

Environmental Health – 10./09.2024 The EV condition can be discharged. They are in receipt of an overheating assessment, however , they seek confirmation which apartments will have MVHR.

No external equipment has been submitted.

Further comments 23.09.2024

Having reviewed the AVO, they have included all the figures, however they will need to analyse these. If they are not using mechanical ventilation, they need to demonstrate how many hours (and which hours) the windows would be open for.

Further comments 14.10.2024

They need to specify the hours/periods that windows need to be open.

The acoustician should put the outcome of the TM59 assessment into context (by following the AVO guide) i.e. hours of opening Vs level of internal noise level (bedroom/living room) = impact (significance).

Further comments 16.10.2024

Based on the reports sent, NSE4 can be discharged and Environmental Health await the verification report .

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. 6 (EV Charging)

6) The proposed site plan ref: 69D-MCC-B01-GF-DR-B-0015-S4 rev. C and EV Charger Specification document dated 23rd April 2024 ref: DXH45618 69 Dickenson Road, received on 1st August 2024 have been reviewed. On the basis that the development is implemented in accordance with the measures within the plan and document specified above, and that the Electric Vehicle Charging arrangements remain available for use so long as the use is in operation, condition no.6 is discharged.

Condition no. 7a (Acoustic Survey and Overheating Assessment)

7a) The following plans and documents have been examined and the measures are considered to be acceptable.

- Proposed Ground Floor Power plan ref: 69D-MCC-B01-GF-DR-E-0012 rev.C
- Ground Floor Mechanical Services Layout plan ref: 69D-MCC-B01-GF-DR-M-0101-S3 rev. T03
- First Floor Mechanical Services Layout plan ref: 69D-MCC-B01-01-DR-M-0102-S3 rev. T03
- Overheating Assessment report dated June 2024 document ref: 27/067/OA/01
- Particular Mechanical Specification dated 21st November 2024 document ref: DXH 45618 -rev.T01
- Noise Impact Assessment dated May 2024 document ref: 51-120 rev. R1-2
Received 1st August 2024 .
- Email confirming no residential units would have MVHR dated 18th September 2024
- Mechanical Services Schematic ASHP System plan ref: 69D-MCC-B01-ZZ-DR-M-0110-S5 rev.C02 received 24th September 2024
- Acoustic Ventilation and Overheating Residential Design Guide dated January 2020 Version 1.1received 16th October 2024.

On the basis that the development is implemented in accordance with the measures within the plan and documents specified above. Condition no.7a is discharged.

Condition no. 8a (External plant)

8a) The content of the email dated 18th September 2024 confirming no external plant is proposed due to the omission of the ASHP system is noted. On this basis no further action is required in respect of condition no.8a.

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
Area Team Boundary - Name: SOUTH AREA