

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/23/0367

Date registered valid: 7 June 2023

Proposal: Discharge of conditions 4a (ground conditions), 5 (CMP), 6a (noise), 7 (air quality) and 17 (boundary treatment) attached to planning permission referenced 130197/FO/2021

Address: 309 Dickenson Road, Manchester, M13 0NR

Ward(s): Rusholme Ward

Applicant: Mr Jonathan Lee Clarke-Tomlinson JCT Building Services (NW) Ltd

Agent (if any): Mr Jonathan Lee Clarke-Tomlinson JCT Building Services (NW) Ltd

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 13 May 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 14 June 2023 Expired:

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

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

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

4) The following information has been submitted for approval in respect of this planning condition:

CCG Ground Investigation Report dated March 2023 (ref: CCG-C-23-13693) and stamped as received by the City Council, as Local Planning Authority, on 7 June 2023.

Letter from United Utilities dated 1 July 2022, with accompanying plan of water mains records
Letter from United Utilities dated 15 December 2022, with accompanying plan of sewer records
Cadent Gas overview map of site
CCG document titled 'Appendix D - Gas and Groundwater Monitoring'
All stamped as received by the City Council, as Local Planning Authority, on 28 July 2023.

The information is considered to be acceptable and condition 4a is now formally discharged, subject to the measures for investigating the site identified in the Site Investigation Proposal being carried out, before the development commences.

5) The following information has been submitted for approval in respect of this planning condition:

Construction Management Plan dated 24 July 2023 and stamped as received by the City Council, as Local Planning Authority, on 28 July 2023.

The information is considered to be acceptable and condition 5 is now formally discharged, subject to the development being carried out in accordance with the approved details.

6) The following information has been submitted for approval in respect of this planning condition:

Braiden Acoustics Ltd Noise Impact Assessment dated 1 November 2023 (ref: 11177 rev B) and stamped as received by the City Council, as Local Planning Authority, on 2 November 2023.

The information is considered to be acceptable and condition 6a is now formally discharged, subject to the approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

7) The following information has been submitted for approval in respect of this planning condition:

Construction Management Plan dated 5 June 2023 and stamped as received by the City Council, as Local Planning Authority, on 7 June 2023.

Wilkinson Cowan Partnership Pre-Construction Information document dated 13 December 2022 and stamped as received by the City Council, as Local Planning Authority, on 28 July 2023.

GLD document titled 'Outline Scope of Works / Performance Specification - Mechanical and Electrical Services'

Pod Point Fast Charging Solo 3 - Home Datasheet

Solo 3 - Technical File

All stamped as received by the City Council, as Local Planning Authority, on 1 September 2023.

The information is considered to be acceptable and condition 7 is now formally discharged, subject to the development being carried out in accordance with the approved details and remaining in situ whilst the use or development is in operation.

17) The following information has been submitted for approval in respect of this planning condition:

Drawing numbered 19584-0319 rev P-01 and Wienerberger Tuscan Red Multi sample document, stamped as received by the City Council, as Local Planning Authority, on 28 July 2023.

The information is considered to be acceptable and condition 17 is now formally discharged, subject to the development being carried out in accordance with the approved details

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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
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