MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/23/0512
Date registered valid:	24 July 2023
Proposal:	Discharge of conditions 9 (CMP) attached to planning permission referenced 104931/FO/2014/N2
Address:	Cameron House, Brunswick Street, Manchester, M13 9SG
Ward(s):	Ardwick Ward
Applicant:	Mr James Quinn, GGC Polygon Manchester Ltd
Agent (if any):	Mr Tom Flanagan, Paul Butler Associates
Case officer:	Sue Wills Tel: 0161 234 4524 Email: sue.wills@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	29 November 2023

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:
Printed: 8 August 2023 Expired: 29 August 2023

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

Consultations & Notification Responses

Environmental Health – 21.08.2023

The CMP should include a more thorough section about the control of noise and vibration. As a minimum, this section should include details of machinery and equipment to be used and their expected noise levels, the identification of the noisiest activities and who these activities / work may impact, duration of these activities, site wide noise and vibration mitigation measures with reference to BPM to be adopted on site specifically for the noisier or more intrusive activities, the maximum site noise level and vibration levels at the site boundary particularly during the nosier activities, details of monitoring including how monitored (continual noise and vibration loggers) location of monitoring in relation to receptors, how the site supervisor is alerted if the noise /vibration limit is approached or exceeded and details of what action is taken where the maximum site noise and / or vibration levels (once agreed) are approached or exceeded (such as work shall cease until the cause of the exceedance has been identified and where necessary, an alternative method of work established). In addition, the CMP should include: Dust suppression measures; Compound locations where relevant; Details of an emergency contact telephone number; A community consultation plan and; Sheeting of construction vehicles.

Further comments 29.09.2023
The information submitted is insufficient. The information is mainly focused on health and safety provision. The reminder of the comments reiterate those received on 21.08.2023

Further comments following revised CMP 21.11.2023
The information is sufficient to discharge condition 9.

Highways Services - Insufficient information has been provided in order to fully assess the application, it is therefore recommended that the condition is not yet discharged. Further information is required to show the effect on the highway, any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements should be discussed with the MCC Highway Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk highwaynetworkmanagement@manchester.gov.uk

12.09.2023 (following revised CMP)
This condition can be discharged from a Highways perspective. The applicant will need to have discussions with Highways in regard to the effect on the highway. Any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements should be discussed with the MCC Highway Applications and Network Resilience teams via Email -highwaylicences@manchester.gov.uk
highwaynetworkmanagement@manchester.gov.uk

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 polices 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

Condition no.9 – CMP
9)The Construction Phase Health and Safety Plan rev.14 - Project SONA dated November 2023 has been examined and is considered to be acceptable . On the basis that the development is implemented in accordance with the Construction Phase Health and Safety Plan rev.14 - Project SONA dated November 2023 is implemented for the duration of the construction period.

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA