

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0881

Date registered valid: 6 December 2022

Proposal: Discharge of Conditions 3B (Local Labour) 5B (Remediation Validation Report), 9 (Sustainable Drainage), 15 (Noise and Vibration), 18 (Lighting), 20 (Terrace Opening Hours), 21 (Secure by Design), 29 (Signage) and 30 (Bird boxes) associated with planning permission 122945/FO/2019

Address: 328-336 Stockport Road, Manchester, M13 0LE

Ward(s): Ardwick Ward

Applicant: Rowlinson Constructions Ltd

Agent (if any): LRW Architects Leach Rhodes Walker

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

Recommendation: Approve /Refuse

Date of recommendation: 6 March 2023

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 20 December 2022

Expired: 10 January 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

Conservation area:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Highway Services - For condition 18, the submitted lighting proposals are sufficient to allow them to recommend the discharge of this condition from a highway perspective.

For condition 29, the submitted signing proposals are sufficient to allow them to recommend the discharge of this condition from a highway perspective

Greater Manchester Ecology Unit - Have no objection to the (partial) discharge of Condition 30 (bird boxes) attached to planning permission 122945/FO/2019. The bird boxes should be fitted to the trees as per drawing 7891_L(00)140,31/08/2022, and once in place the condition can be discharged in full.

Work and Skills officers- There is no information relating to local labour other than a mention on the covering letter re part B of the local labour agreement.

Before any local labour agreement condition could be discharged, they would need to see some figures, and attached a suggested KPI reporting sheet along with a copy of the local labour agreement for reference.

Flood Risk Management - The information submitted and uploaded onto the planning portal has been considered. They have no further comments and recommend the discharge of condition 9

Environmental Health- 11.01.2023

Condition 5b

The applicant should submit the waste transfer tickets for the soil removed from site before the condition can be discharged.

Condition 15

This condition can be discharged based on there being no external plant at the development.

Condition 18

This condition can be discharged.

Condition 20

The applicant has only provided a closing time for the terrace. What time will it be open from?

Updated comments 13.02.2023 re: condition no.20 following additional information.

The hours for the terrace are fine.

Updated comments 02.03.2023 re: condition no.5b following additional information.

The condition can be discharged.

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:

Article 35 Declaration

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

Condition 3B Local Labour

3b) The submitted list of post codes for local labour recruitment has been noted . However , on 28th December 2022 it was advised that this information would not be sufficient to discharge condition no.3b. It was advised Condition 3 B required the submission of a detailed report which took into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) below.

i) the measures proposed to recruit local people including apprenticeships

ii) mechanisms for the implementation and delivery of the Local Benefit Proposal

You were requested to complete and return a KPI reporting sheet which had been forwarded to you, so that it can be read in conjunction with the list of postcodes accompanying the submission to discharge condition no.3 B. You were also advised to submit a detailed report which took into account the information and outcomes about local labour recruitment pursuant to i) the measures proposed to recruit local people including apprenticeships; and ii) mechanisms for the implementation and delivery of the Local Benefit Proposal.

To date none of the outstanding information requested has been submitted for consideration and as such condition no.3b cannot be discharged at this time.

Condition 5B Remediation Validation Report

5b) The submitted Remediation Validation Report -Stockport Road, Longsight - Ref BEK-18469-4, dated November 2022 has been examined and W.Maher & Sons waste transfer notes (x2) received 13th February 2023 have been examined and are considered to be acceptable. I can therefore confirm condition no.5b is discharged.

Condition 9 Sustainable Drainage

9) The Transport and Infrastructure Design Development document Ref: ASR-BWB-GEN-XX-RP-D-0002 rev.P01 dated November 2022 has been examined and the content is considered to be satisfactory . I can therefore confirm condition no. 9 is discharged on the basis that the management and maintenance plan is retained for the lifetime of the development.

Condition 15 External Plant

15) The confirmation in correspondence dated 6th December 2022 ref:CJG/RW/KM/7891/C – 06 from the planning agent that there is no externally mounted plant within the development has been noted. On this basis no further action is required in connection with the discharge of condition no.15.

Condition 18 Lighting

18) Plan refs: DWH-SRA-E-00-001 Site Lighting Layout and DWH-SRA-E-00-002 Site Containment Layout have been examined and are considered to be acceptable .On the basis that the approved scheme is implemented in full prior to the first use of the residential accommodation and remains in operation for so long as the development is occupied, condition no.18 is discharged.

Condition 20 Terrace Opening Hours

The statement in correspondence dated 6th December 2022 ref :CJG/RW/KM/7891/C – 06 from the planning agent, of their client's confirmation that there will be no admittance beyond 11pm; that the roof terrace will be amenity space for residents – no music, and this will be managed by the appointed managing agent with appropriate notices served has been noted. Contents of a further email from the planning agent dated 23rd January 2023 stating their client's confirmation that the opening times would be 8am – 10pm is further noted.

Therefore, on the basis that the roof terrace has restricted opening from 8am to 10pm on a daily basis ;that no music would be played; and the use of the roof terrace would be managed by the appointed managing agent with appropriate notices, for as long as the building is occupied , condition no.20 is discharged .

Condition 21 Secure by Design

The submitted Secure by Design accreditation certificate dated 28th November 2022 has been noted . Condition no.21 is discharged on this basis.

Condition 29 Signage

The details on the Building Signage Drawing dated December 2022 are noted. This drawing also subsequently formed part of an application for the installation of non illuminated lettering sign to frontage of Chadwick House ref: 135672/AO/2022 approved on 16th January 2023. On the basis the development is implemented in accordance with the details on the plan referenced above, condition no.29 is discharged.

Condition 30 Bird boxes

The two no. robin and 2no. tree sparrow nesting boxes in the location shown on Ref : LRW_7891_L(00)140 Bird Box Locations and detailed specifications on plan ref: LRW_7891_L(00)140 Bird Box Locations have been examined and are considered to be satisfactory. On the basis that details on the plan referenced above are fully implemented and be in place prior to the first occupation of the development hereby approved and are thereafter be retained and maintained in situ, condition no.30 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
Work & Skills Team

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) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH AREA