

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0921

Date registered valid: 19 December 2022

Proposal: Discharge of conditions 14 (environmental standards review), 16 (acoustic insulation review) and 27 (electric car charging points) attached to planning permission ref: 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

Date of recommendation: 2 March 2023

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 5 January 2023 Expired: 26 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

Highways Services 11.01.2023 - the submitted electric vehicle charge point proposals are sufficient to allow them to recommend the discharge of this condition from a highway perspective.

Environmental Health 25.01.2023 - Advised that Condition 27 could be discharged, but condition 16 cannot be discharged as an insufficient number of apartments have been assessed. The applicant should assess at least 10% of the apartments for verification.
Updated comments 02.03.2023 - Advise that condition no.16 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: Approve

Article 35 Declaration

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

Condition no. 14 Environmental standards review

The content of the Environmental Standards and Energy Statement ref: Z43286 dated 14th December 2022 (which confirms that the measures carried out have resulted in an as built building reducing the total carbon emissions by 68,200Kg/CO₂/yr, equating to a 54% carbon reduction from the calculated baseline, together with the confirmation of the implementation of 27kwp photovoltaic panels, and the implementation of an efficient mechanical ventilation with heat recovery system) have been noted. On the basis of the content of Environmental Standards and Energy Statement ref: Z43286 dated 14th December 2022, and provided that the scheme has been implemented in accordance with the Environmental Standards and energy statement prepared by Element Sustainability stamped as received by the City Council, as Local Planning Authority, on the 8 March 2019, condition no.14 is discharged .

Condition no. 16 Acoustic insulation review

The content of the Noise Break-in Testing Report ref: Ref: Z43286 Stockport Road Survey 16-12-22 to 19-12-22 and content of the letter from Azymuth Acoustics ref: Z43286 dated 2nd February 2023, received 13th February 2023, have been examined and are considered to be satisfactory. Therefore, provided that the acoustic insulation of the development has been carried out in accordance with the noise impact assessment (ref. 26196/NIA1 (Rev 2)) prepared by Hann Tucker Associates stamped as received by the City Council, as Local Planning Authority, on the 8 March 2019, and taking account of the content of the Noise Break-in Testing Report ref: Ref: Z43286 Stockport Road Survey 16-12-22 to 19-12-22 and Content of letter from Azymuth Acoustics ref: Z43286 dated 2nd February 2023, condition no.16 is discharged on the basis that the acoustic measures are thereafter retained and maintained in situ ,

Condition no. 27 Electric car charging points

The provision of 6 electric car charging spaces (including a disabled user space) and the product installation specification shown on plan ref: LRW_7891_L(00)141- Location of EV Charging Bays , and EN_Easee_One_Productsheet_V1_00 have been examined and are considered to be acceptable . On the basis that the location and specification of the charging points on plan ref: LRW_7891_L(00)141- Location of EV Charging Bays , and EN_Easee_One_Productsheet_V1_00 are fully implemented prior to the first occupation of the development and thereafter made available and retained for as long as the development is in use, condition no.27 is discharged .

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) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA