

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0405

Date registered valid: 17 June 2022

Proposal: Discharge of Conditions 3 (Construction Management Plan), 4 (Car Park Management Plan), 5 (Materials) and 11 (Bird box design and siting details) attached to planning permission 132866/FO/2022

Address: Strawberry House, New Smithfield Market, Whitworth Street East, Manchester, M11 2WJ

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Tony Hopson Barton & Redman Strawberry House, Whitworth Street East, Manchester, M11 2WJ

Agent (if any): Mr Leon Armstrong Mosaic Town Planning Bloc, 17 Marble Street, Manchester, M2 3AW

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

Recommendation: Approve

Date of recommendation: 28th July 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 22 June 2022 Expired: 13 July 2022

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 -For condition 3, the submitted Construction Management Plan is sufficient to allow them to recommend the discharge of this condition from a highway perspective. For condition 4, the submitted Car Park Management Plan is sufficient to allow them to recommend the discharge of this condition from a highway perspective.

Environmental Health 08.07.2022 - have the following comments:-

Condition 3 (Construction Management Plan)

The proposed hours are not in accordance with the MCC construction hours of Monday - Friday: 7.30am - 6pm, Saturday: 8.30am - 2pm and Sunday / Bank holidays: No work.

The CEMP states that there "will be no excavation activities on this project, therefore there will be no mud or dirt being generated. The fixing plates are located on the tarmac and bolted to the

ground at 4 points". They have included measures to control dust in the CMP, but as this is a prefabricated building it seems unlikely that this development will give rise to any dust problems.

Have no comments to make regarding conditions 4 (Car Park Management Plan), 5 (Materials) and 11 (Birdbox design and siting details),

Updated comments 26.07.2022

Have advised that they have reviewed the submitted revised CEMP and advise that condition no.3 can be discharged.

GMEU - have no objection to the proposed bird box or proposed location, but have advise that if mounting on the building is an issue, then alternatively one of the existing trees along the southern boundary may suffice. They have no objection to the discharge of condition 11.

Issues

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

3)Condition 3 (Construction Management Plan)

The Construction and Environmental Management Plan dated 16th June 2022 revision 2 received on 19th July 2022 has been considered together with the details shown on the Swept Path Analysis plan ref :3693-SP01, and the measures are considered to be satisfactory . On the basis that the development is implemented in accordance with the measures in the Construction and Environmental Management Plan dated 16th June 2022 revision 2 received on 19th July 2022 and the details on the Swept Path Analysis plan ref :3693-SP01, and the measures are in place for the duration of the construction period condition no.3 is discharged .

4)Condition 4 (Car Park Management Plan)

The Barton & Redman, New Smithfield Market , Manchester – Service and Car Park Management Plan – June 2022 has been considered together with the details shown on the Swept Path Analysis plan ref :3693-SP01 , and the measures are considered to be satisfactory . On the basis that the development is implemented in accordance with the measures in the Barton & Redman, New Smithfield Market , Manchester – Service and Car Park Management Plan – June 2022 and the details on the Swept Path Analysis plan ref :3693-SP01, and the measures are in place for the duration the temporary structure is in situ, I can confirm condition no.4 is discharged.

5)Condition 5 (Materials)

The Frame Technical Specification by Aganto; Single Skin Steel Cladding Technical Specification by Aganto - colouration Goosewing Grey; Fabric Membrane Specification Sheet Structure 650 PVC coated polyester - colouration white, have been examined . On the basis the development is implemented using the materials specified above , condition no.5 is discharged.

11)Condition 11 (Bird box design and siting details)

The location of the Bird box on Elevation D on the Proposed site plan, and the RSPB Classic Nest box Product ID :R401639 have been examined and are considered to be satisfactory. On the basis that the development is implemented in accordance with the location of the Bird box on Elevation D on the Proposed site plan, and the RSPB Classic Nest box Product ID :R401639 condition no.5 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Ecology Unit

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA