

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0200

Date registered valid: 30 March 2022

Proposal: Discharge of condition 26 (street lighting) attached to planning permission referenced 125474/FO/2019

Address: Land Adjacent To Mayton Street, Manchester,

Ward(s): Clayton & Openshaw Ward

Applicant: Ms Victoria Young One Manchester Lovell House, 6 Archway, Manchester, M15 5RN

Agent (if any): Mr Daniel Tomlinson GWP Architecture 1 Lidgett Lane, Leeds, LS8 1PQ

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 12 April 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:

Printed: 8 April 2022 Expired: 29 April 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: No

Tree Preservation Order: No

Description of area and development

The discharge of condition requests relates to the discharge of condition 26 relating to the residential development of open land following the approval of planning permission ref: 125474/FO/2019 relating to the erection of 23 houses. The surrounding area is residential.

Consultations & Notification Responses

Highway Services – No objection.

GMP Design for Security – No comments received.

Although GMP were consulted, the remit of condition no.26 relates to the appearance and specification of the lighting columns to be installed in the positions shown on the approved drawings ref: Street Lighting - 1914-GWP-01-01-DR-A-(PA)-0014 Rev P04. It is not considered that the appearance and specification of the lighting column would significantly affect the future discharge of the secured by design condition [No 3].

Issues

Design – The proposals involves the installation of a metal 6 metre lighting columns adjacent to a footpath bisecting centrally positioned open space within the site. The lighting unit would operate at 30% luminance in the dusk to dawn period until activated when the lighting would increase to 100% illumination. These details are considered to be acceptable subject to a caveat in the condition discharge decision requiring the on-going maintenance of the columns and lighting units, including motion sensors.

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

N/A

Condition(s) to be attached to decision for approval

26) The discharge of condition 26 (street lighting specification) is approved on the basis that following submitted details are implemented as part of the development and prior to the first occupation of the development:

- i. Solar Illumination (manufacturers) specification sheet detailing a 6 metre high 20 watt lighting column with motion sensor referenced: SL33 20W 6M Column;
- ii. Document illustrating illumination spread for lighting column specification referenced: SL33 20W 6M Column.

Upon first occupation of the development, the lighting columns, including motion sensors, shall be installed in the positions shown on drawing referenced Street Lighting - 1914-GWP-01-01-DR-A-(PA)-0014 Rev P04 and maintained in operational condition at all times in thereafter.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Greater Manchester Police

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 High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH2