

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0122

Date registered valid: 28 February 2022

Proposal: Discharge of conditions 15 (electric vehicle charging points) and 17 (external lighting scheme) attached to planning permission ref:124359/VO/2019

Address: 27 Garratt Way, Manchester, M18 8HE

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr Paul Waite Manchester City Council Corporate Core Directorate, Town Hall, Manchester, M60 2LA

Agent (if any): Mr Tim Kilpatrick IBI Group Fourth Floor, Dantzic Building, Dantzic Street, Manchester, M4 2AL

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

Recommendation: Approve/Refuse

Date of recommendation: 28 April 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 3 March 2022 Expired: 24 March 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 –

Condition 15) Clarification is requested to confirm the number of EVC points on the site and how many parking bays they will serve. The submitted plans show two EVC points in the staff parking area and no EVC points in the public parking area. It is therefore recommended the condition is not yet discharged until this detail is clarified.

Condition 17) The information provided is sufficient to allow us to recommend the discharge of this condition from a Highways perspective.

Environmental Health – 25.03.2022

Condition 15 attached to the above can be discharged.

For condition 17 we will need additional information as to how lighting will be managed to avoid glare and overspill in to neighbouring properties. This should include information on lux levels and an assessment of the suitability of the lights for this area.

Updated comments 27.04.2022 - Condition no.17 can be discharged .

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/ Refuse

Article 35 Declaration

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

Condition no.15 Electric vehicle charging points

The Combined M&E External Layout plan ref: GCH-QUA-XX-XX-DR-N-7000 (C04); EV Car Chargers correspondence and specifications GCH-QUA-XX-XX-TS-E-0010 (C01); and Feeder Pillar document ref: GCH-QUA-XX-XX-TS-E-0012 (C01) have been examined .

Condition no.15 requires that *'Prior to the occupation of the accommodation hereby approved, finalised details of the Electric Vehicle Charging points , together with the infrastructure (ducting and capacity) shown on plan ref: GCH-MEP-XX-XX-DR-E-6300 P2 (External - Proposed electrical services layout) shall be submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with the approved details. All electric vehicle charging points , shall remain in situ whilst the use or development is in operation.'*

The approved plan ref: *GCH-MEP-XX-XX-DR-E-6300 P2 (External - Proposed electrical services layout)* shows the provision of 10 electric vehicle charging points within the public parking area, and condition no.15 relates to the submission of the finalised details of the Electric Vehicle Charging points , together with the infrastructure (ducting and capacity) shown on plan ref: *GCH-MEP-XX-XX-DR-E-6300 P2 (External – Proposed electrical services layout)*

The plan submitted as part of this application in order to discharge condition no.15 is significantly different to the approved plan, in relation to the level of approved electric vehicle charging points , and only shows the provision of two electric vehicle charging points, within a staff parking area . A change as fundamental as what is now being proposed cannot be dealt with as part of a discharge of condition application. An application would need to be submitted to vary condition no.15 if the details on plan ref :*GCH-MEP-XX-XX-DR-E-6300 P2 (External - Proposed electrical services layout)* are not to be adhered to . Therefore, on the basis of the details shown on the submitted plan ref: Combined M&E External Layout plan ref: *GCH-QUA-XX-XX-DR-N-7000 (C04)* condition no. 15 is therefore not formally discharged.

Condition no.17 External lighting

The External – Proposed Electrical Services Layout ref: *GCH-QUA-XX-XX-DR-N-6300 rev.C04* (solely in relation to lighting locations and details) and External Lighting plan ref: *GCH-QUA-XX-XX-TS-E-0007 (C01)* received 4th April 2022 have been examined, and the details are considered to be acceptable . On the basis that the building lighting , and lanterns and columns are mid grey RAL 7046, and installed in full accordance with the locations and details on plan ref: External – Proposed Electrical Services Layout ref: *GCH-QUA-XX-XX-DR-N-6300 rev.C04* (solely in relation to lighting locations and details) and External Lighting plan document ref: *GCH-QUA-XX-XX-TS-E-0007 (C01)*, I can confirm condition no.17 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
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 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) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH2