

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0679

Date registered valid: 16 September 2021

Proposal: Discharge of conditions 9 (secured by design), 11 (re-surfacing works) and 25 (biodiversity) attached to planning permission ref: 127087/JO/2020

Address: Site Of Former Bellamy Court , Abbey Hey Lane, Manchester, M18 8DU

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr Mike Bagot Rowlinson Constructions Limited London House, London Road South, Stockport, SK12 1YP

Agent (if any): Miss Bryony Preston Pozzoni Woodville House, 2 Woodville Road, Altrincham, WA14 2FH

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

Recommendation: Approve

Date of recommendation: 14 December 2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 21 September 2021

Expired: 12 October 2021

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 - the submitted resurfacing works proposals are sufficient to allow them to recommend the discharge of condition no.11 from a highway perspective

Design for Security - have advised that they have looked at the plans, have no objection to the discharge of condition 9.

GMEU - advised that the original submission included no additional biodiversity enhancements. Following additional information submitted on 6th December 2021, GMEU have advised that the revised information submitted is satisfactory, and have recommended that the first part of the condition, as it relates to the submission and approval of the scheme, 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

Article 35 Declaration

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

9) The submitted Secure by Design Gold Award Certificate Gorton Mill House ref: 2016/0092/SBD/01 Dated 26th August 2021 has been noted. On the basis of the submitted award certificate condition no.9 is discharged.

11) The information shown on plan refs: 3384-SHD-00-ZZ-DR-C-0202 rev.P4 -S38 & S278 Highways Works - Kerbing and Surfacing; and 3384-SHD-00-ZZ-DR-C-0218 rev.P1 -S38 & S278 Highways Works - Vehicle Tracking & Sightline Visibility received 16.09.2021 has been examined and is considered to be satisfactory. On the basis that the development is implemented in full accordance with the details on plan refs: 3384-SHD-00-ZZ-DR-C-0202 rev.P4 -S38 & S278 Highways Works - Kerbing and Surfacing; and 3384-SHD-00-ZZ-DR-C-0218 rev.P1 -S38 & S278 Highways Works - Vehicle Tracking & Sightline Visibility, condition no.11 is discharged.

25) The Planting plan ref: 3380.03 rev. C and Gorton Lane Extra Care - Biodiversity Enhancements Notes dated 3rd August 2021 received 16.09.2021, as updated by Biodiversity Enhancements document by Leigh Ecology Limited and 3380.02 rev. E Landscaping Plan 3380.02 rev. E received 06.12.2021, have been examined and are considered to be satisfactory. On the basis that the development is implemented in full in accordance with the measures detailed in the plans and documents specified, above condition no.25 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Greater Manchester Police
Greater Manchester Ecology Unit

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
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH2