MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/25/0284
Date registered valid:	1 May 2025
Proposal:	Discharge of condition no. 1 (implementation) attached to planning permission 133782/FO/2022.
Address:	Opal House, Wythenshawe Hospital, Floats Road, Manchester, M23 9LT
Ward(s):	Baguley Ward
Applicant:	Charly Wilson, Origin Planning Services Ltd
Agent (if any):	
Case officer:	Sue Wills Tel: 0161 234 4524 Email: sue.wills@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	12 May 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:
No consultations have been printed and sent.

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

Description of development
Conditions nos.3 (external plant and equipment) and 4 (borehole details and tree replacement mitigation) from planning permission 133782/FO/2022 were discharged on 28.11.2023.

Consultations & Notification Responses

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 polices 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. 1 (implementation time frames)

1. The content of the letter dated 6th March 2025 from the planning agent, which includes photographic evidence of the installation of the plant room, together with written confirmation that the installation of the ground source heat pumps has been completed has been noted. On the basis of the content of the letter dated 6th March 2025 from the planning agent, condition no.1 is discharged.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - Wythenshawe PD Restriction - Class B1(a) To C3
Article 4 Direction - Wythenshawe PD Restriction - Class B1(c) To C3
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA