

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/0198

Date registered valid: 3 March 2025

Proposal: Discharge of conditions 6 (highway works) and 32 (ecological enhancement) attached to planning permission referenced 138788/FO/2023

Address: Land At Mount Road, Manchester

Ward(s): Longsight Ward

Applicant: Miss Shannon Cooke Kellen Homes

Agent (if any):

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

Recommendation: Approve

Date of recommendation: 11 April 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 7 March 2025 Expired: 28 March 2025

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: Not applicable

Tree Preservation Order: Not applicable

Description of area

Description of development

Consultations & Notification Responses

Highway Services-

CONDITION 6

HIGHWAYS WORKS Highways Statutory Approvals have confirmed that the S278/S38 application is subject to legal review/sign-off. However, the applicant is reminded that the Highways legal team still await submission of the completed undertaking. Nevertheless, Highways recommend that Condition 6 can be discharged.

GMEU – 31.05.2025

Condition 32 – While the information on bat and bird boxes is satisfactory, there doesn't appear to be any details of the hedgehog gaps as required by the condition. They are therefore unable to recommend the condition be discharged at this time.

Further comments 10.04.2025

The information is satisfactory, and they advise that the condition can now be discharged.

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 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

Condition no. 6 (highway works)

6) The details shown on:

- Plan ref: 30571_4 _1 rev. C Typical Highway Details Sheet 1
- Plan ref: 30571_4 _2 rev. E Typical Highways Details Sheet 2
- Plan ref: 30571_4 _3 rev. B Typical Highways Details Sheet 3

-Plan ref: 30571_1_1 rev. I Highway & Drainage Layout Sheet 1
-Plan ref: 30571_1_2 rev. F Highway & Drainage Layout Sheet 2
-Plan ref: 30571_11_1 rev. F Kerbing & Surfacing Layout Sheet 1
-Plan ref: 30571_11_2 rev. F Kerbing & Surfacing Layout
have been reviewed and are considered to be satisfactory.

On the basis that the development is implemented in accordance with the approved details shown on the plans referenced above, and all the agreed works are completed prior to the first dwelling unit in the relevant phase being occupied, condition no.6 is discharged.

Condition no. 32 (ecological enhancement)

32) The details shown on Bat and Bird Box plan ref: KH007 A-920 received 3rd March 2025; and plan ref: 15860/P02 dated April 2025 received 9th April 2025, as clarified by the email from the applicant on 11th April 2025 confirming 3 hedgehog gaps per garden (1 at the rear of the gardens and then 2 on the side fences), together with the bird nest boxes and built in bat box designs received on 11th April 2025 have been examined and are considered to be acceptable.

On the basis the biodiversity enhancement measures detailed above are implemented in accordance with the approved scheme, prior to the occupation of the buildings within the relevant phase and retained at all times thereafter, condition no.32 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Greater Manchester Ecology Unit

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
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) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA