

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/0086

Date registered valid: 30 January 2025

Proposal: Discharge of condition 9 (cycle storage), 10 (access) and 12 (landscaping) attached to planning permission referenced 130197/FO/2021

Address: 309 Dickenson Road, Manchester, M13 0NR

Ward(s): Rusholme Ward

Applicant: Mr Jonathan Lee Clarke-Tomlinson, JCT Building Services (NW) Ltd

Agent (if any): Mr James Mather, James Mather Architecture

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 4 April 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:

Printed: 5 February 2025 Expired: 26 February 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: No

Tree Preservation Order: No

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

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

9) The following information has been submitted for approval in respect of this planning condition:

Drawing numbered A2414_2002, stamped as received by the City Council, as Local Planning Authority, on 30 January 2025.

The information is considered to be acceptable and condition 9 is now formally discharged, subject to these facilities being installed, in accordance with these approved details and being permanently retained for bicycle storage.

10) The following information has been submitted for approval in respect of this planning condition:

Drawing numbered A2414_2001 rev B, stamped as received by the City Council, as Local Planning Authority, on 18 March 2025.

The information is considered to be acceptable and condition 10 is now formally discharged, subject to these approved details being implemented before the development is first brought into use.

12) The following information has been submitted for approval in respect of this planning condition:

Drawing numbered DR001 Rev B, stamped as received by the City Council, as Local Planning Authority, on 30 January 2025.

The Landscape Management Plan, stamped as received by the City Council, as Local Planning Authority, on 18 March 2025.

The information is considered to be acceptable and condition 12 is now formally discharged, subject to the approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Appendix 1 – List of consultees & neighbours notified

Highway Services

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

Area Team Boundary - Name: NORTH AREA