

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/0170

Date registered valid: 26 February 2025

Proposal: Discharge of Condition 9 (travel plan) attached to planning permission 137572/JO/2023

Address: Hammerstone Road Depot, Hammerstone Road, Manchester, M18 8EQ

Ward(s): Gorton & Abbey Hey Ward

Applicant: Anna Lucas Manchester City Council

Agent (if any): Mr Andrew Thompson Fletcher-Rae

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

Recommendation: Approve

Date of recommendation: 27 March 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 24 March 2025 Expired: 14 April 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:

Tree Preservation Order:

Description of area

Background

As part of application ref: CDN/24/0160, Hammerstone Road Travel Plan ref: 068065-CUR-XX-XX-T-TP-00004-P02 dated 27.02.2024 was reviewed, and the pre-commencement elements of condition no.9 parts i, ii,iii, and iv were discharged on 19.03.2024.

However, before condition no.9 could be fully discharged, a revised Travel Plan which took into account the information about travel patterns gathered pursuant to part (ii) was required be submitted to and approved in writing, within six months of the first use of the development. This application responds to the outstanding matter.

Consultations & Notification Responses

Highway Services - In regard to Condition 9 (Travel Plan) a revised Travel Plan has been submitted and includes the results of the staff travel plans (part ii of the condition wording). The Travel Plan will continue to commit to annual travel surveys. The information is sufficient to allow them to recommend the discharge of the condition from a Highways perspective.

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.9 – Travel Plan

9) The Travel Plan ref: 068065-CUR-XX-XX-T-TP-00004 Revision: P04 Issue Date: 08 October 2024 has been reviewed and is considered to be satisfactory. On the basis that the development is implemented in accordance with the content of the Travel Plan referenced above, condition no.9 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Appendix 2 – Planning constraints

[illegible]

[illegible]