

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/25/0022

Date registered valid: 13 January 2025

Proposal: Discharge of conditions 5 (cycle shelter) and 6a (EV charging unit) attached to planning permission ref: 141366/JO/2024

Address: 63 – 65 Upper Chorlton Road, Manchester, M16 7RQ

Ward(s): Whalley Range Ward

Applicant: Mr Julian Hoe J Greenwood Ltd

Agent (if any): Mr Mark Harrison TADW Ltd

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

Recommendation: Approve

Date of recommendation: 11 February 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 17 January 2025 Expired: 7 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: Whalley Range Conservation Area 1992

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Highways Services - In regard to Condition 5 (Cycle Shelter) plans and specification have been provided. The information is sufficient to allow them to recommend the discharge of the condition from a Highways perspective.

In regard to Condition 6 (EV Charging Unit) plans and specification details have been provided. The information is sufficient to allow them to recommend the discharge of the condition from a Highways perspective.

Environmental Health - have looked at the above application and Condition 6 (EV Charging Unit) can 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. 5 (cycle shelter)

5) The design as shown on the covering note related to the discharge of condition no.5 , and the product specification sheet for the Hardy Cycle Shelter has been reviewed , together with confirmation from the planning agent that the colouration of the frame would be black (email dated 10.02.2025).

On the basis that the development would be implemented in accordance with the drawings and documents referenced above and all the agreed works completed prior to the proposed accommodation being brought into use, and would be retained thereafter, condition no.5 is discharged.

Condition no. 6a (EV charging unit)

6a) The details and design as shown on the covering note related to the discharge of condition no.6a , and the data sheet for the QUBEVB Smart EV charger has been reviewed, together with the details of the EVC charger location and proposed ducting on plan ref: 231332 11 rev. P6 .

On the basis that the development would be implemented in accordance with the drawings and documents referenced above, and that ducting to all the parking spaces shown on Proposed site plan ref: 231332 11 rev. P6 is implemented prior to the first occupation of the development hereby approved, condition no.6a is discharged.

