

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/1158

Date registered valid: 11 December 2024

Proposal: Discharge of conditions 3 (materials), 5 (waste management), 6a (ground conditions), 7a (noise), 8 (clean air intake), 9 (EV), 10 (drainage), 11 (cycle storage) and 12 (construction management plan) attached to planning permission referenced 137885/FO/2023.

Address: 1468 Ashton Old Road, Manchester, M11 1HH

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Patson Makangadza MSV Housing Group

Agent (if any): Amy Jones BTP (Bernard Taylor Partnership Ltd)

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve and refuse

Date of recommendation: 4 March 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:

Printed: 19 December 2024

Expired: 12 January 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

Consultations & Notification Responses

Highway Services –

Environmental Health –

Flood Risk Management Team – Object to the discharge of condition 10 due to:

- i. Failure to provide details of drainage arrangements.
- ii. Absence of UU agreement to connections to the wider drainage network.

United Utilities Water PLC – No comments received.

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 and Refused

Article 35 Declaration

N/A

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

3) The discharge of condition 3 (Materials) is approved on the basis that the development is implemented in accordance with the following materials and specifications confirmed in emails from Bernard Taylor Partnership dated 28 January 2025 and 5 February 2025:

- i. Michelmersh Clayburn Civic Red Multi brick
- ii. Michelmersh Hadley Red Smooth brick (boundary wall)
- iii. Staffordshire Blue Smooth solid brick (boundary wall detailing)
- iv. Edgemere Interlocking Concrete Slate in smooth grey (Main roof)
- v. Sobrano Brazilian dark grey slate
- vi. Buff stone for cills and lintels
- vii. Specification for stooped cill 150mm x 140mm Ref C1
- viii. Casement windows in white PVC-U
- ix. Document Ref: Technical information for Linar casement windows
- x. Black GRP composite doors
- xi. French doors in white PVC-U

5) The discharge of condition 5 (Waste management) is approved on the basis that the development is implemented in accordance with the arrangements for the storage of waste and recycling bins as detailed on drawing ref: Site as proposed 3764/S4/202 Rev.2. The implemented waste and recycling storage shall remain in situ at all times thereafter.

6) The discharge of condition 6a (Ground conditions) is refused as details have not been submitted to demonstrate that the development would be implemented with satisfactory mitigation measures to address identified ground conditions.

7) The discharge of condition 7a (Noise) is refused as details relating to additional ventilation and related attenuation measures as recommended in the submitted document ref: Lighthouse Acoustics Acoustic Planning Report, Ref. 1329/APR1, dated 4 December 2024, have not been provided.

8) The discharge of condition 8 (Clean air intake) is approved on the basis that the development is implemented in accordance with the details of document reference Air Quality Assessment for Ashton Old Road Manchester M11 1HL Report date: 6 December 2024 Report No. 103258 by Miller Goodall.

9) The discharge of condition 9 (Electric vehicle charging) is approved on the basis that the development is implemented in accordance with the arrangement for electric vehicle charging as detailed on drawings ref: Site as proposed 3764/S4/202 Rev.2.

10) The discharge of condition 10 (Drainage) is refused as a satisfactorily designed drainage layout has not been submitted and confirmation of agreement of connections to the wider drainage network has not been provided.

11) The discharge of condition, 11 (Cycle storage) is approved on the basis that the development is implemented in accordance with the arrangements for cycle storage as detailed in the submitted drawing referenced Site as proposed 3764/S4/202 Rev. 2 (confirming storage capacity for six cycles) and the cycle enclosure specification ref: Warrior 2 Horizontal Bike Locker. The cycle storage shall be implemented before the occupation of the development and maintained in situ thereafter.

12) The discharge of condition 12 (Construction management plan) is approved on the basis the construction phase of the development is implemented in accordance with document Ref: Construction Environmental Management Plan Project: Ashton Old Road MSV Housing Issue: Rev A 11/02/2025.

Informative

1) Condition 10 (Drainage) – The following additional details are required:

- i. Evidence of United Utilities' acceptance of proposed connection point to their network. An email will suffice.
- ii. At Condition discharge, the layout must be finalised with detailed design. Drainage layout must be updated to show confirmed connection point and invert level. This is to show that the proposed connection can be made, and the invert is suitable for a gravity connection from the proposed network. Please update the layout to show the confirmed connection option and the invert level, removing reference to more required checks.
- iii. Maintenance and management plan, including responsible party and a schedule of tasks/frequencies for the components.
- iv. Standard comment: The applicant must present a consistent package to discharge this condition (Including all layouts and calculations). The layout and calculations must be jointly updated to account for any edits required. When preparing a resubmission, the applicant must ensure the drainage layout and hydraulic calculations correspond, and that they can be cross-referenced for checks. This includes layout annotations and schedule printouts.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

MCC Flood Risk Management
United Utilities Water PLC

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