MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/24/0737
Date registered valid:	8 August 2024
Proposal:	Discharge of conditions 4 (Construction Management Plan), 5 (Highway Works), 8 (Drainage Plan) and 9 (Drainage Maintenance) from planning approval reference 136204/FO/2023
Address:	Land At The Junction Of Varey Street And Cross Lane, Manchester,
Ward(s):	Gorton & Abbey Hey Ward
Applicant:	Mr Jon Scurr, R&M Property Group
Agent (if any):	Mrs Victoria Jane Saunders, Bernard Taylor Partnership
Case officer:	Janet Lawless Tel: 0161 234 4535 Email: janet.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	19 November 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:
Printed: 20 August 2024 Expired: 11 September 2024

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

Description of development

Consultations & Notification Responses

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 polices 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

4) The Construction, demolition and management plan and construction phase plan by R and M property group received 8th August 2024 have been assessed and are sufficient to enable full discharge of condition 4.

5) The information submitted by SCP relating to general arrangement, signing and lining, standard details, surface finishes and kerbing and site clearance shall be finalised through the section 278 agreement however is sufficient to discharge condition 5 Highway works.

8) The following information:
Storm Sewer Design submitted by Micro Drainage, received 8th August 2024
SCP Drainage Operations and Maintenance manual -Doc Ref: LC/230871/OMM REV B dated July 2024
SCP Drainage Flow Control Details received 8th August 2024
SCP Drainage Layout received 8th August 2024
Email from SCP Design re management received 1st November 2024

is sufficient to discharge condition 8 as long as implemented in accordance with the approved documentation.

9) The information submitted by SCP Drainage Operations and Maintenance manual -Doc Ref: LC/230871/OMM REV B dated July 2024 is sufficient to discharge condition 9 as long as implemented in accordance with the approved documentation.

Informatives

1) Whilst the information submitted with the application for the discharge of Condition 5 Highways is sufficient to discharge the condition. This is without the benefit of the Section 278 Agreement having been applied for and put in place. If when the Section 278 is agreed this requires any variations to the condition as discharged, then a further application to re-discharge the condition will be required.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management

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 -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA