

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/0660

Date registered valid: 19 July 2024

Proposal: Discharge of conditions 15 (drainage) and 18a (ground conditions) attached to planning permission referenced 131356/FO/2021

Address: Vacant Land To The North/Rear Of 111-117 North Road Manchester

Ward(s): Clayton & Openshaw Ward

Applicant: Mrs Yam Brindle & Yam (Solicitors)

Agent (if any): Mr Philip Lambert Philip Lambert Architecture

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

Recommendation: Approve

Date of recommendation: 29 August 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:

Printed: 30 July 2024 Expired: 20 August 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: No

Tree Preservation Order: No

Consultations & Notification Responses

Environmental Health – No objection to the discharge of Condition 18a. the discharge of Condition 18a. The outstanding items of concern (from the previous CDN request) have been addressed by the submitted Geo-environmental Appraisal.

Flood Risk Management Team – No objection to the discharge of condition 15 subject to the implementation of the development in accordance with the approved details.

United Utilities – No objection to the discharge of condition 15.

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

N/A

Condition(s) to be attached to decision for approval

15. The discharge of condition 15 (Drainage) is approved on the basis that the development is implemented in accordance with the following drawings and documents:

- i. Proposed Drainage GA drawing Ref: 23282/1001 rev.P03
- ii. Drawing SHE-0049-1000-0800-1000 H Ref 1047 Hydro – Brake Optimum
- iii. Inspection Summary dated 08.11.2023 by Sewer Drainage Specialist
- iv. Drainage Strategy Report 113 -117 North Road Manchester dated 24.05.2023 Ref: 22697-0001 P01 by SBS.

The approved and implemented details shall be maintained in situ thereafter.

18. The discharge of condition 18a (Ground conditions) is approved on the basis that the development is implemented in accordance with the following document referenced:
113 – 117 North Road Manchester Geo-Environmental Appraisal Ref: GRO-23050-4802 (Final)
Revision dated 16 July 2024 1.2

Appendix 1 – List of consultees & neighbours notified

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
Area Team Boundary - Name: NORTH AREA