MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/23/0532
Date registered valid:	2 August 2023
Proposal:	Discharge of conditions 8 (obscured glazing), 9 (highways), 10 (cycle storage), 12 (boundary treatment), 20 (drainage), 24 (bat and bird boxes) and 25 (landscaping) attached to planning permission referenced 133433/FO/2022.
Address:	1523 Ashton Old Road, Manchester, M11 1GR
Ward(s):	Clayton & Openshaw Ward
Applicant:	Miss Rachel McDonnell
Agent (if any):	
Case officer:	Carl Glennon Tel: 0161 234 4530 Email: carl.glennon@manchester.gov.uk
Recommendation:	Approved and Refused
Date of recommendation:	11 March 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:
Printed: 10 August 2023 Expired: 31 August 2023

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 – The following comments have been received:

i. Condition 9 (Highways) - Drawing '23065-AJF-ZZ-ZZ-DR-C-010' confirms that highways and footpath reinstatement is proposed along Ashton Old Road and Club Street. Plans 'Road Markings & Signage / 23065AJF-ZZ-ZZ-DR-C-022' demonstrates the proposed signage. The information is sufficient to recommend the discharge of the condition 9.
ii. Condition 10 (Cycle Store) – The proposed details meet Highways requirements.
iii. Condition 12 (Boundary Treatment) – The northern, eastern and southern boundary treatments are considered to be acceptable. The western boundary treatment adjacent to Plot 1 parking space should be amended to ensure that all fencing / railings adjacent to the adopted highway are visually to a height of 600 mm above ground level. It is recommended that the design of the boundary treatment is reviewed to ensure that upper section of the boundary treatment secure appropriately permeability.

Flood Risk Management Team – Further information is required in respect of the proposed drainage scheme.

Greater Manchester Ecology Unit – The following comments have been received:

i. Condition 24 (Bird and Bat Boxes) – No objection to the discharge of condition 24.

ii. Condition 25 (Landscaping) – The proposed landscaping will result in a net enhancement and there is no objection to the discharge of condition 25.

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: Approved and refused

Article 35 Declaration

N/A

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

8. The discharge of 8 (Obscured glazing) is approved on the basis that the development is implemented in accordance with the glazing specification detailed on drawing referenced: Windows & Door Elvations Ref: PS-RM-ZZ-ZZ-DR-A-33100 Rev. P2 (including the attainment of obscured glazing equating to Level 5 on the Pilkington Glass Scale.

9. The discharge of condition 9 (Highways) is approved on the basis that the development is implemented in accordance with drawings referenced:

Proposed pavement & kerbing layout (Overview Plan) Ref: 23065-AJF-ZZ-DR-C-010 Rev. R1
Vehicle tracking Ref: 23065-AJF-ZZ-DR-C-012 Rev. R1
Pavement and kerbing details Ref: 23065-AJF-ZZ-DR-C-013 Rev. R1

Road markings & signage Ref: 23065-AJF-ZZ-DR-C-022 Rev. R1
The required works shall be fully implemented prior to the first occupation of any part of the development and maintained in situ thereafter.

10. The discharge of condition 10 (Cycle storage) is approved on the basis that the development is implemented in accordance with the details specified document referenced: Grant Haze '3 Bike Shed – Police Approved'. The authorised cycle storage units shall be located on the positions shown on approved drawing referenced: Site location plan (Proposed) Ref: 0000_70400 Rev P04 and maintained in situ thereafter.

12. The discharge of condition 12 (Boundary treatment) is refused as satisfactory details have not been submitted. The following additional information is required:
i. Confirmation that the siting of fencing and associated fencing will not conflict with attenuation tanks below.
ii. The western boundary treatment adjacent to Plot 1 parking space should be amended to ensure and wall and railing that is visually permeable from a distance of 600mm upwards.

20. The discharge of condition 20 (Drainage) is refused as insufficient detail has been submitted to demonstrate that appropriate site drainage would be achieved.

24. The discharge of condition 24 (Bat and bird boxes) is approved on the basis that upon occupation of the development the specified Schwegler 2FE wall mounted bat shelter and Vivara Pro Woodstone single chamber house sparrow nest boxes are installed to the gable elevation of plots 01 and 03 as specified on drawings referenced: The Grove Site Landscaping GA plan BG- EWA- ZZ- ZZ- GA- A- 70405 Rev P0. The implemented bat and bird boxes shall be maintained in situ thereafter.

25. The discharge of condition 25 (Landscaping) is approved on the basis that the development is implemented in accordance with details and planting specified on drawing referenced: The Grove Site Landscaping GA plan BG- EWA- ZZ- ZZ- GA- A- 70405 Rev P0. The hard and soft landscaping shall be implemented before the occupation of the development and tree planting completed within the first full planting season following the completion of the development. The phases of the landscaping scheme shall be maintained in situ at all times following their implementation. If within a period of 5 years from the date of the planting, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Informative

Condition 20 – The following additional information is required:

i. The submitted maintenance plan / schedule (23065-AJF-ZZ-ZZ-RP-D-001) should provide additional clarity for each SuDS component. Section 3.1 indicates responsibility will lie with both Property Owner / Management company. Given the attenuation tank and hydro-brake is situated solely within the plot 1 boundary, it is essential both components are included within a shared management plan between all plots.
ii. Maintenance plan should be updated and related to the attenuation tank maintenance schedule.
iii. Given the low discharge rate of 2.0l/s it is recommend the maintenance plan is updated to reflect monthly inspections of chamber SW06 to ensure a free-flowing outlet.
iv. The proposed drainage strategy has been updated since previous approval under application no. CDN/22/0610. The tank appears to be situated directly below the proposed

fencing . The developer should confirm if this is a timber fence structure and identify any conflict between foundations and attenuation tank.
v. It is noted, manhole CS01 invert level has been reduced by circa 200mm. The developer should confirm the existing invert level for the “direct connection 1 (CS2)” and , to ensure a free flowing outfall is still achievable. The drawing should also be updated prior to approval, to accurately reflect the existing combined public sewers invert level.

Appendix 1 – List of consultees & neighbours notified

Highway Services
MCC Flood Risk Management
Greater Manchester Ecology Unit

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA