

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/0132

Date registered valid: 22 February 2024

Proposal: Application to discharge condition 5 (Off-site Highway Works) attached to planning permission referenced 137572/JO/2023

Address: Hammerstone Road Depot, Hammerstone Road, Manchester, M18 8EQ

Ward(s): Gorton & Abbey Hey Ward

Applicant: Anna Lucas, Manchester City Council

Agent (if any): Mr Andrew Thompson, Fletcher-Rae

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

Recommendation: Approve

Date of recommendation: 11 March 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 5 March 2024 Expired: 26 March 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

Highways Services - In regard to Condition 5 (Off-Site Highways Works) plans and details relating to all the off-site highways works have been provided. MCCs Statutory Approvals Team have assessed the documents and have confirmed they are satisfied with the proposals. Therefore, the information is sufficient to allow us to recommend the discharge of the condition from a Highways perspective.

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 (off site highway works)

5) The highway works details shown on plan refs:

- HRD-CUR-XX-00-DR-C-95-001_P03 Section 278 General Arrangement
- HRD-CUR-XX-00-DR-C-95-002-P05 Section 278 Site Clearance
- HRD-CUR-XX-00-DR-C-95-003-P05 Section 278 Construction Detail
- HRD-CUR-XX-00-DR-C-95-004-P05 Section 278 Kerbing
- HRD-CUR-XX-00-DR-C-95-005_P02 Section 278 Road Markings
- HRD-CUR-XX-00-DR-C-95-006_P02 Section 278 Swept Path Analysis
- HRD-CUR-XX-00-DR-C-95-007_P01 Section 278 Junction Visibility
- HRD-CUR-XX-00-DR-C-95-008-P01 Section 278 Standard Details

have been reviewed and are considered to be satisfactory. On the basis that the development is implemented in full accordance with the details on the plans referenced above, condition no.5 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA