

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/23/0494

Date registered valid: 18 July 2023

Proposal: Discharge of conditions 7 (drainage maintenance), 10 (cycle storage), 11 (EV charging), 12 (Travel Plan) and 21 (acoustic insulation) attached to planning permission referenced 129876/FO/2021

Address: Land At Junction Of Gorton Lane And Pottery Lane , Manchester , M12 5DF

Ward(s): Gorton & Abbey Hey Ward

Applicant: Sarah Tate One Manchester

Agent (if any): Mr Stuart McGrath OMI Architects

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

Recommendation: Approve

Date of recommendation: **18.09.2023**

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 26 July 2023 Expired: 16 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:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Highway Services 02.08.2023-

Condition no.10 - The submitted information is considered sufficient to discharge the associated condition.

Condition no. 11- The information provided is insufficient to allow us to recommend the discharge of this condition from a Highways perspective.

It is required, in line with MCC Residential Guidelines, that the provision of Electrical Vehicle charging points (minimum 7kW) are made available prior to the first occupation of any of the residential units.

Condition no.12 - The submitted information is considered sufficient to discharge the associated condition.

Environmental Health –

Condition 11

It isn't clear from the information submitted, how many EV charge points are to be provided. The applicant must also submit manufacturer information for the chargers installed.

Condition 21

The applicant must submit an acoustic verification report which confirms that the internal noise levels at the properties (not less than 10% to be tested and must include properties most affected by existing environmental noise) comply with the levels set out in the original acoustic report.

Further comments 05.09.2023

Condition no.21 - The additional assessment is not required, they had thought that there was a validation element to the original condition and there isn't. The condition can be discharged.

FRM - The information uploaded to the Planning Portal 18th July 2023 has been considered. Based on the drainage maintenance report (8790-CUR-00-XX-RE-C-002, Rev. V01) they have no further comments to make on condition 7, and recommend this condition is discharged.

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. 7 (drainage maintenance)

7) The content of the Drainage maintenance report (Site 1) ref: 8790-CUR-00-XX-RE-C-002 rev, V01 by Curtins Consulting Ltd is considered to be acceptable.

On the basis that the development is implemented in accordance with the measures in the Drainage maintenance report (Site 1) ref: 8790-CUR-00-XX-RE-C-002 rev, V01 condition no.7 is discharged.

Condition no. 10 (cycle storage)

10) The location and design details of the cycle storage shown on plan refs: Timber cycle enclosure & cycle ground anchor plan REF: 1405 -A2520(with metric and imperial measurements) ; Site 01- site layout ground floor plan ref: 8790-Omi-XX-OO-PL-L1040 rev.C04 (with the location of the timber cycle enclosure plan shown) and Oxford BruteForce Ground Anchor data sheet received 18th September 2023 has been examined.

It is acknowledged that the imperial measurements shown for the proposed wooden cycle store reflect the data from the suppliers of this product (email from planning agent 18.09.2023)

It is further noted that a timber cycle enclosure would be installed in the rear garden of each townhouse and semi-detached property, and be placed on the flag paving surface and securely anchored and fixed into the ground. Furthermore, that within the enclosure, a 'secured by design' cycle ground anchor (Oxford BruteForce Anchor) would also be fixed to the enclosure base/ground to allow bikes to be safely locked and stored inside (email from planning agent 18.09.2023).

On the basis that the cycle storage facilities are implemented in accordance with the details on plan refs: Timber cycle enclosure & cycle ground anchor plan REF: 1405 -A2520(with metric and imperial measurements) ; Site 01- site layout ground floor plan ref: 8790-Omi-XX-OO-PL-L1040 rev.C04 (with the location of the timber cycle enclosure plan shown) and Oxford BruteForce Ground Anchor data sheet; and the content of the email from the planning agent dated 18.09.2023 prior to the occupation of the dwellinghouses, and the cycle storage facilities retained and permanently reserved for bicycle parking, condition no.10 is discharged

Condition no. 11 (EV charging)

11) Details of Electric Charging Points provided by Drayton Beaumont Services Ltd shown on 4B6- Town House type 4 small power services layout plan ref: 8790-DBS-H1-ZZ-DR-E-5008 rev. C2 ; and Semi detached house electrical services layout plan ref: 8790-DBS-XX-XX-DR-E-5000 rev. C4; received 8th September 2023 which highlight the external socket (named IP65 External Socket) located on the external wall to the front of each house on site 1 have been examined .

This information has been considered in conjunction with the information received by email from planning agent dated 8th August 2023 (regarding the type of EV charging points to the

dwellinghouses), together with the content of the emails from agent dated 8th February and 9th March 2023, confirming the provision for the houses as a 2.3kw commando socket externally to each property for the provision of electric car charging with sockets wired from the internal consumer unit and connected to the electric meter for monitoring purposes.

On the basis the development is implemented in accordance with the plans specified above and the content of the email from the planning agent dated 8th February 2023, prior to the dwellings being occupied condition no.11 is discharged.

Condition no. 12 (Travel Plan)

12) The Site 1 Gorton Lane Interim travel plan by Curtins Consulting Ltd. Ref: 083448-CUR-00-XX-RP-TP-001 rev.V01 has been examined and is considered to be acceptable. On this basis the prior to occupation element of condition no.12 has been satisfied.

However, on the basis that the second element of the condition requires that :-

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority.

condition 12 cannot be formally discharged at this time.

Condition no. 21 (acoustic insulation)

The details on the plans and data specification set out below has been reviewed and are considered to be satisfactory.

-Ventilation Services Layouts 3B4P house plan ref: 8790-DBS-H2-ZZ-DR-M-5002 rev.C01;
-4 bed semi-detached townhouse ventilation services plan ref: 8790-DBS-H4-ZZ-DR-M-5005 rev.C01;
-Acoustic performance data sheets for Glazing Configuration by Guardian Glass (6.76mm Lami Glass /18mm Cavity / 4mm and 8.87mm Lami Glass /18mm Cavity / 6mm Float glass);
-MVHR ducting technical data sheet ref: 8790-DBS-XX-XX-SP-M-6014 rev.B
Received 18th July 2023;

On the basis that the development implemented in accordance with the Acoustic Planning Report Site 1 ref: 0405 /APR1 rev.4 dated 19th January 2021; and 3m acoustic fence location shown plan ref: L0161 Boundary treatment plan, as received by the City Council, as Local Planning Authority, on 29th March 2021, and the plans and glazing specifications received on 18th July 2023, condition no. 21 is discharged.

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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA