

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0710

Date registered valid: 3 October 2022

Proposal: Discharge of conditions 3 (materials), 5 (car parking), 6 (ground conditions), 11 (EV charging points) in relation to planning application 133828/VO/2022

Address: New Moston Primary School , 16 Moston Lane East, Manchester, M40 3QJ

Ward(s): Moston Ward

Applicant: Mr Robert Massey Manchester City Council

Agent (if any): Miss Claire Parker Cassidy + Ashton Group Ltd.

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23 January 2023

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 7 October 2022 Expired: 28 October 2022

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 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

3) The following information has been submitted in respect of planning condition 3,

CAA-B01-XX-DR-A-2101 REV P3

CAA-B01-XX-DR-A-2101 REV P5

Brick Sample Telford Red Smooth and Marley Roof Tile Smooth Grey, stamped as received on the 3 October 2022.

Therefore, condition 3 is discharged.

5) The following information has been submitted in respect of planning condition 5

CAA-B01-XX-DR-A-1003 P7 and Appendix A and F, stamped as received on the 3 October 2022

Therefore, condition 5 is discharged.

6) The following information has been submitted in respect of planning condition 6(a),

Phase 3 Remediation Statement, Preliminary Risk Assessment by G7 Geotect Limited, Historical Maps, Environmental and Geographical Information, Cola Information, Environmental

Information, Plans and Maps by Groundsure, Investigation Report by Amey, Ground Survey Sheet 1, Ground Survey Sheet 2 and Ground Survey Sheet 3 by Groundsure, stamped as received on the 3 October 2022.

Therefore, to fully satisfy part (b) of condition 6, an updated verification report needs to be submitted, once additional sampling has been done and the results are available.

11) The following information has been submitted in respect of planning condition 11,

CAA-B01-XX-DR-A-1003 P7 and Appendix A and F, stamped as received on the 3 October 2022

Therefore, condition 11 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH AREA