

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0735

Date registered valid: 13 October 2022

Proposal: Discharge of condition 14 (surface water drainage) attached to planning permission referenced 132327/FO/2021

Address: 197 - 201 Mount Road, Manchester, M18 7GG

Ward(s): Longsight Ward

Applicant: Mr Ozma Khan

Agent (if any): Ms Ozma Khan

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24 January 2023

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:

Printed: 1 November 2022 Expired: 22 November 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

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

1) The following information has been assessed as satisfactory by the City Council's Flood Risk Management team.

Micro drainage calculation provided by HBL received by e-mail dated 24 January 2023;

E-mail from United Utilities dated 20 December 2022 confirming discharge acceptance;

E-mail with attached details dated 20 December 2022;

Car park sub void design received by e-mail dated 5 December 2022;

Drainage maintenance schedule provided by HBL (Ref: 9883-HBL-XX-XX-RP-D-0001/Rev P01) received by e-mail dated 5 December 2022;

Car Park drainage plan (Ref: 9883-HBL-XX-XX-DR-D-0002/Rev P02) received by e-mail dated 5 December 2022

Pre development discharge calculations received by e-mail dated 5 December 2022;

Drainage documentation provided by Earth Environmental and Geotechnical received by the City Council as Local Planning Authority on 13 October 2022.

Subject to implementation of the agreed details, condition 14 can be discharged.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management
Highway Services

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA