

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0294

Date registered valid: 24 May 2022

Proposal: Discharge of conditions 5 (car parking), 7 (BREEAM), 9 (Raised plateau design), 11 (repaving strategy) and 31 (cemetery gates) attached to planning permission referenced 115139/FO/2017

Address: Clarksville Farm , Crescent Road, Manchester, M8 5ZA

Ward(s): Crumpsall Ward

Applicant: Mr A Halpern New Park Commercial Ltd 4 The Cottages, Deva Centre , Trinity Way, Manchester, M3 7BE

Agent (if any): Mr DK Seddon Howard & Seddon ARIBA 64 Washway Road, Sale, M33 7RE

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

Recommendation: Approve

Date of recommendation: 29 November 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 31 May 2022 Expired: 21 June 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

Highways Services 19.07.2022 – Advise that it was their understanding that there currently wasn't an owner for the site and the works were not complete and could be subject to change. They advised there was not enough information to discharge Condition 9 and Condition 11. They recommended that the new owner started discussions with the S278 team and provide an update on plans and proposed works.

In regard to Condition 5 (Car Parking) Drawing PR/17/AH01/GA/01 REV G / General Arrangement Plan shows the location of the proposed driveways, details how they would be surfaced and demarcated. This information is sufficient to allow them to recommend the discharge of this condition from a Highways perspective.

In regard to Condition 9 (Raised Plateau) Highways do not have sufficient information to

allow them to recommend discharge of this condition from a Highways perspective. It was requested that the applicant discuss the proposed raised plateau with MCC Statutory Approvals Team.

In regard Condition 11 (Repaving Strategy) Highways do not have sufficient information to allow them to recommend discharge of this condition from a Highways perspective. It was requested that the applicant discuss the proposed repaving strategy with MCC Statutory Approvals Team.

The contractor should continue to liaise with the MCC Highways and Resilience Team, for associated hoardings/fencing highway licences and any temporary traffic regulation orders for the closures of any highway on a temporary basis. As part of the licensing and approvals process the routing of construction traffic and site access arrangements will be determined.

18.10.2022 - The highways officer recalls their predecessor having issues with the existing gradient of the unadopted length of Saddlecote Close due to the crossfall gradient exceeding MCC's maximum permitted gradient of 1:20. This was made worse by the fact that this location forms an adverse camber where motorists turn into the new development.

At the time the previous officers was in discussion with the developer, and the developer was looking into re-profiling the road to achieve a gradient no greater than 1:20 (this also involved the installation of a carriageway plateau to assist in lifting the channel levels at the lowest point). A drawing showing this accompanied the forwarded comments, but it was advised that there was some uncertainty if this was ever transferred in detail onto one of the scheme drawings.

As the submitted drawing forwarded does not show a plateau in the location mentioned above, nor does it show any new proposed levels, unless the developer has evidence that it was agreed with the previous officer not to construct the revised layout, they believe the condition in relation to the highway works cannot be discharged.

29.11.2022- Have advised they are able to recommend that Condition 9 and 11 to be discharged. Although Statutory Approvals have concerns about the proposals it is noted that there was an historic conversation between the developer and MCC which approved the June 2018 drawings. The recent information provided by the developer demonstrates that an agreement was in place that the works could go ahead based on those previously discussions held between MCC and the developer.

In regard to Condition 9 (Raised Plateau) the information is sufficient to allow them to recommend the discharge of this condition from a Highways perspective.

In regard Condition 11 (Repaving Strategy) the information is sufficient to allow them to recommend the discharge of this condition from a Highways perspective.

The contractor should continue to liaise with the MCC Highways and Resilience Team, for associated hoardings/fencing highway licences and any temporary traffic regulation orders for the closures of any highway on a temporary basis. As part of the licensing and approvals process the routing of construction traffic and site access arrangements will be determined.

Issues

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

5) The parking spaces shown on the Proposed Development Landscape Works General Arrangement Plan ref:PR/17/AH01/GA/01 REV G are considered to be acceptable. Therefore on the basis the car parking spaces are surfaced, demarcated and made available for use before the development is occupied, and then are available at all times whilst the buildings are occupied, condition no.5 is discharged.

7) The following submitted information has been examined.

- Air Permeability Test Certificates for Plots nos.1,15, 17,18, 33,38 and 39 ;
- Building Regulation Compliance for nos.34 -86 Saddlecote Close and nos. 69- 101 Saddlecote Close;
- Code for Sustainable Homes Calculation for water usage for the 4 bed semi detached houses;
- Electrical Installation Certificate for 79 Saddlecote Close;
- Energy Performance Certificate Energy Rating B for nos. 34 - 86 and 69-101 Saddlecote Close.

On the basis of the above documentation condition no.7 is discharged.

9) The submitted information referenced below has been examined.

- Section 38 – Proposed highway for adoption plan ref: J4284/HW04 rev.L and Highways Details J4284/HW05 rev.C received 5th May 2022
- Saddlecote Close existing plan ref: J7839 /SASD01 received 24th May 2022;
- Section 38 and 278 agreement dated 21st June 2019
- Raised plateau/speed cushion design ref: Insitu Speed Cushions Standard Design Detail C15 rev.A received 18th October 2022;
- Proposed kerb layout plan ref: J4284/HW03 rev.G 18th October 2022;
- Saddlecote Close Proposed Levels plan ref: J7839 /SASD02 ; Saddlecote Close Sections plan ref: J7839 /SASD03; Saddlecote Close legal plan ref: J7839 /SASD04; Remedial Iron Works plan ref: J7839 /SASD05; Saddlecote Close Private Works plan ref: J7839 /SASD06 (on the basis that the annotation referring to steps related to steps which are sited within the curtilage of the associated dwellinghouse) received 15th November 2022.

On the basis that the development is implemented in accordance with the details on the plans specified above before the development is completed, condition no.9 is discharged.

11) The submitted information referenced below has been examined .

- Section 38 – Proposed highway for adoption plan ref: J4284/HW04 rev.L and Highways Details J484/HW05 rev.C received 5th May 2022
- Saddlecote Close existing plan ref: J7839 /SASD01 received 24th May 2022;
- Section 38 and 278 agreement dated 21st June 2019
- Raised plateau/speed cushion design ref: Insitu Speed Cushions Standard Design Detail C15 rev.A received 18th October 2022;
- Proposed kerb layout plan ref: J4284/HW03 rev.G 18th October 2022;
- Saddlecote Close Proposed Levels plan ref: J7839 /SASD02 ; Saddlecote Close Sections plan ref: J7839 /SASD03; Saddlecote Close legal plan ref: J7839 /SASD04; Remedial Iron Works plan ref: J7839 /SASD05; Saddlecote Close Private Works plan ref: J7839 /SASD06 (on the basis that the annotation referring to steps related to steps which are sited within the curtilage of the associated dwellinghouse) received 15th November 2022.

On the basis that the development is implemented in accordance with the details on the plans specified above before the development is completed, condition no.11 is discharged.

31)The content of the Cemetery Gates document (ref: H&S Job no.12,490) revision A dated 2nd February 2022, has been examined .

It is noted that it is proposed to strip down, paint and re-use the existing cemetery gates which will be refurbished and painted black and installed in the existing location, and that a closed-shackle padlock similar to the keyed Alike CEN 4 Abus Silver Rock padlock is proposed to be used to lock the gates, complying with the secure by design recommendation. On the basis that the measures set out above are implemented in full before the development is completed, I can confirm that condition no.31 is discharged.

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Appendix 1 – List of consultees & neighbours notified

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 - Not Affected

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH