

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0381

Date registered valid: 16 June 2022

Proposal: Discharge of Condition 4 (Car parking) and 6 (Fencing) associated with planning permission 126473/JO/2020

Address: 16 North Road, Clayton, Manchester, M11 4WE

Ward(s): Clayton & Openshaw Ward

Applicant: M Kehoe MTM Enterprises 121 Lord Lane, Manchester, M35 0SH

Agent (if any): Mr Paul Judge Paul Judge Design 49 Bideford Road, Stockport, SK2 5AX

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 10 August 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:

Printed: 21 June 2022 Expired: 12 July 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: No

Tree Preservation Order: No

Consultations & Notification Responses

Highway Services – The following comments have been received:

- i. Condition 4 – The submitted on-site parking layout is satisfactory and the discharge of condition 4 is recommended;
- ii. Condition 6 – The submitted fencing and gating layout is satisfactory and the discharge of condition 6 is recommended.

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

N/A

Condition(s) to be attached to decision for approval

4) The discharge of condition 4 (Car parking) is approved on the basis that the development is fully implemented in accordance with the detail of drawings referenced: Accessible entrance and parking layout Ref: MK01/1018/05/C stamped as received by the City Council as local planning authority on 9 August 2022. The implemented details shall be maintained in situ at all times thereafter.

6) The discharge of condition 6 (Fencing) is approved on the basis that the development is fully implemented in accordance with the detail of drawings referenced: Accessible entrance and parking layout Ref: MK01/1018/05/C and email from Paul Judge Design stamped as received by the City Council as local planning authority on 9 August 2022. The implemented details, including the colour treatment and specification of fencing, gates and bin enclosures, shall be maintained in situ at all times thereafter.

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
Area Team Boundary - Name: NORTH