

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0441

Date registered valid: 29 June 2022

Proposal: Discharge of conditions 6 (surface water drainage), 12 (landscaping) and 14 (sustainability) attached to planning permission ref: 122030/FO/2018

Address: Land Off Gate Street/Victoria Street, To The Rear Of Nos 2-24 Range Street & 1-33 Hovis Street, To The Rear Of Nos 2-24 Range Street & 1-33 Hovis Street, Manchester

Ward(s): Clayton & Openshaw Ward

Applicant: Ms Victoria Nield Mosscares St Vincents Housing Group 7th Floor
Trafford House, Chester Road, Manchester , M32 0RS

Agent (if any): Simon Dennis Bernard Taylor Partnership Ltd Elizabeth House , 486
Didsbury Road, Heaton Mersey, Stockport, SK4 3BS

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

Recommendation: Approve

Date of recommendation: 1 August 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 1 July 2022 Expired: 22 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:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Arboricultural officer- The landscaping plan does not include any trees and therefore they have no comment to make from an arboricultural perspective.

Flood Risk Management 08.07.2022- The information submitted and uploaded onto the planning portal on 29th June 2022 has been considered.

In order to discharge the drainage planning condition, further information is needed to confirm that the proposed drainage design is adequate to manage flood risk.

The outstanding evidence required:

- Photographic evidence of flow control installation.
- Clarification on who is responsible for maintaining the attenuation tanks
- Confirmation on if any access agreements have been put in place for maintaining the tanks

and flow controls.

- What restrictions are to be put in place for any extensions/building over the tanks?

29.07.2022 - Following the review of the additional information they recommend that condition 6 is discharged.

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

6) The Drainage Strategy ref: 9001-WML-00-XX-DS-C-0001 rev.P02 April 2022 , and planning agent email dated 27th July 2022, including responses to drainage queries raised, lease details and photographic evidence of flow control installation are considered to be acceptable. On the basis that measures in the Drainage Strategy ref: 9001-WML-00-XX-DS-C-0001 rev.P02 April 2022 , and content of the email from the planning agent email dated 27th July 2022, including responses to drainage queries raised are implemented and thereafter managed and maintained for as long as the development remains in use, condition no.6 is discharged

12) The hard landscaping scheme on plan ref: GS-BTP-00-SP-DR-A-3373 201 rev.P2 and Schedule of External Landscaping Materials has been examined. On the basis that the development is implemented in accordance with drawing ref: 3373 S2 110 rev. stamped as received by the Local Planning Authority on the 28th January 2019, and the hard landscaping scheme on plan ref: GS-BTP-00-SP-DR-A-3373 201 rev.P2 , together with the Schedule of External Landscaping Materials, and the approved hard and soft landscaping scheme is implemented not later than 12 months from the date of commencement of works, condition no.12 is discharged.

14) The submitted Building Regulation compliance Sap rating documentation for nos. 1- 9, and 2-12 Gate Street and Energy Performance Certificates (EPC) for nos . 1- 9, and 2-12 Gate Street confirming that each property has achieved an Energy Rating – B has been noted . On the basis of the submitted documentation condition no.14 is discharged.

Appendix 1 – List of consultees & neighbours notified

Neighbourhood Team Leader (Arboriculture)
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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA