

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0130

Date registered valid: 3 March 2022

Proposal: Discharge of conditions 15 (waste management) and 16 (landscaping) relating to planning permission ref: 130379/JO/2021

Address: Elevate, 123 Clarence Road, Manchester, M13 0ZL

Ward(s): Rusholme Ward

Applicant: Mr James Litherland Placefirst Ltd 6th Floor Imperial Court , 2 Exchange Quay , Salford , M5 3EB

Agent (if any):

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 26 April 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 11 March 2022 Expired: 1 April 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:

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

15) The following information has been submitted for approval in respect of this planning condition:

Waste Management Strategy dated 15 June 2020

Drawings numbered 0622-P3A-XX-XX-DR-A-SK040, P01 and 0622-P3A-XX-XX-DR-A-SK022 rev P11 and 0622-P3A-XX-XX-DR-A-75002 rev P01

All stamped as received by the City Council, as Local Planning Authority, on 3 March 2022

The information is considered to be acceptable and condition 15 is now formally discharged, subject to the approved scheme being implemented as part of the development remaining in situ whilst the use or development is in operation.

16) The following information has been submitted for approval in respect of this planning condition:

Drawings numbered D164.001 rev A and D164.002, stamped as received by the City Council, as Local Planning Authority, on 3 March 2022

The information is considered to be acceptable and condition 16 is now formally discharged, subject to the approved scheme being implemented not later than 12 months from the date the apartments are first occupied, and that if within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

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
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH2