

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0836

Date registered valid: 9 November 2021

Proposal: Discharge of conditions 5 (Drainage), 11 (Fumes), 12 (Plant), 13 (Waste), 15 (Off Site Highways Works), 17 (Traffic Management), 19 (Cycle Storage), 20 (Opening Hours), 25 (Bird and Bat Boxes), 26 (Roller Shutters), 27 (Boundary Treatment) and 29 (Community Use Strategy) associated with planning permission 124767/FO/2019

Address: 56 Bank House Road, Manchester, M9 8LT

Ward(s): Higher Blackley Ward

Applicant: Ms Sophie Nolan Tilbury Douglas Woodhouse Drive, Wigan, WN6 7NT

Agent (if any): Ms Sophie Nolan Tilbury Douglas Woodhouse Drive, Wigan, WN6 7NT

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@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: N/A

Standard consultations:

Printed: 14 January 2022 Expired: 4 February 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

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 following information has been submitted in respect of planning condition 5 (Drainage):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

- Flood Risk Assessment or Drainage, stamped and received by the City Council as Local Planning Authority on 13 December 2021.

- Flood Risk Assessment or Drainage, Flow Control, stamped and received by the City Council as Local Planning Authority on 13 December 2021.

- Photo, stamped and received by the City Council as Local Planning Authority on 17 March 2022.

The above details are considered to be acceptable and condition 5 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

11) The following information has been submitted in respect of planning condition 11 (Fumes):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

- Supporting Information- Ventilation Layout 1/3, numbered FS0831-HEC-B1-GF-DR-M-5701, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

- Supporting Information- Ventilation Layout 2/3, numbered FS0831-HEC-B1-GF-DR-M-5702, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

- Supporting Information- Ventilation Layout 3/3, numbered FS0831-HEC-B1-GF-DR-M-5703, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

- Supporting Information, Airedale Ventilation Services, stamped and received by the City Council as Local Planning Authority on 7 December 2021.

- Supporting Information- Summary Fan Data Sheet, stamped and received by the City Council as Local Planning Authority on 7 December 2021.

- Supporting Information- Kitchen Ventilation Canopies, numbered DR-Y-0003 P01, stamped and received by the City Council as Local Planning Authority on 8 December 2021.

-Supporting Information- Kitchen Ventilation Design Strategy, stamped and received by the City Council as Local Planning Authority on 4 January 2022.

The above details are considered to be acceptable and condition 11 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

12) The following information has been submitted in respect of planning condition 12 (Plant):

-Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

-Noise assessment or information- Acoustic Design Specification (14 November 2019), stamped and received by the City Council as Local Planning Authority on 9 November 2021.

-Supporting Information- Condition 12 Plant Noise Assessment (7 February 2022), stamped as received by the City Council as Local Planning Authority on 7 February 2022.

-Noise assessment or information- Condition 12 Plant Noise Assessment Validation Measurements (12 April 2022), stamped and received by the City Council as Local Planning Authority on 13 April 2022.

-Email Correspondence- Hours of Operation for the Plant, stamped and received by the City Council as Local Planning Authority on 19 April 2022.

The above details are considered to be acceptable and condition 12 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

13) The following information has been submitted in respect of planning condition 13 (Waste):

-Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

-Drawing- Proposed- External Works Details, numbered FS0831-DEP-00-XX-DR-L-0013 C04, stamped and received by the City Council as Local Planning Authority on 14 January 2022.

-Drawing- Proposed- Bin Store, numbered FS0831-JMA-01-ZZ-DR-A-900004-A5 C02, stamped and received by the City Council as Local Planning Authority on 14 January 2022.

-Waste Management- Waste Management Strategy Form, stamped and received by the City Council as Local Planning Authority on 14 January 2022.

-Drawing- Proposed- Surface Finishes and Indicative Levels, numbered FS0831-DEP-00-XX-DR-L-0001revN, stamped and received by the City Council as Local Planning Authority on 25 April 2022.

The above details are considered to be acceptable and condition 13 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

15) The following information has been submitted in respect of planning condition 15 (Off Site Highways Works):

-Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

-Supporting Information- Section 278 Plan, numbered FS0831-SUT-ZZ-XX-DR-C-650-001, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

-Supporting Information- Section 278, numbered FS0831-SUT-ZZ-XX-DR-C-650-002, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

The above details are considered to be acceptable and condition 15 attached to planning

permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

17) The following information has been submitted in respect of planning condition 17 (Traffic Management):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Supporting Information- Transport Brief, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

The above details are considered to be acceptable and condition 17 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

19) The following information has been submitted in respect of planning condition 19 (Cycle Storage):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Supporting Information- Letter, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

The above details are considered to be acceptable and condition 19 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

20) The following information has been submitted in respect of planning condition 20 (Opening Hours):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Supporting Information- Opening Hours, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

The above details are considered to be acceptable and condition 20 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

25) The following information has been submitted in respect of planning condition 25 (Bird and Bat Boxes):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Tree Survey or Information, Habitat Enhancement Plan, numbered FS0831-DEP-00-XX-DR-L-0032, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Ecology Report- Extended Phase 1 Habitat Survey Report, stamped and received by the City Council as Local Planning Authority on 14 January 2022.

The above details are considered to be acceptable and condition 25 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

26) Roller Shutters.

This condition has been discounted as it applies to internal roller shutters. No further action is required.

27) The following information has been submitted in respect of planning condition 27 (Boundary Treatment):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Supporting Information, Fencing to Retaining Wall Details, numbered FS0831-DEP-00-XX-DR-L-0033, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Drawing- Proposed- Surface Finishes and Indicative Levels, numbered FS0831-DEP-00-XX-DR-L-0001revN, stamped and received by the City Council as Local Planning Authority on 25 April 2022.
- Supporting Information- Outline Landscape Specification, numbered FS0831-DEP-00-XX-SP-L-0001 A, stamped and received by the City Council as Local Planning Authority on 25 April 2022.
- Photo (2 metre fence), stamped and received by the City Council as Local Planning Authority on 25 April 2022.
- Email Correspondence, stamped and received by the City Council as Local Planning Authority on 25 April 2022.
- Supporting Information- Fencing Details AS BUILT, numbered FS0831-DEP-00-XX-DR-L-0014 C02, stamped and received by the City Council as Local Planning Authority on 25 April 2022.

The above details are considered to be acceptable and condition 27 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

29) The following information has been submitted in respect of planning condition 29 (Community Use Strategy):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 9 November 2021.
- Supporting Information- Community Strategy, stamped and received by the City Council as Local Planning Authority on 9 November 2021.

The above details are considered to be acceptable and condition 29 attached to planning permission referenced 124767/FO/2019 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

Informatives

1) MCC records highlight that an underground unnamed culvert is located within close proximity to the site (approximately 20 m to the northwest of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

Appendix 1 – List of consultees & neighbours notified

Greater Manchester Police
Environmental Health
Greater Manchester Ecology Unit
Sport England
Highway Services
MCC Flood Risk Management

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 -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH1