

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132709/NMC/2022

Date registered valid: 18 January 2022

Proposal: Non material amendment to planning permission referenced 120725/JO/2018 to allow for the removal of an external car parking space to accommodate additional street trees.

Address: Unit 5 Bentinck Street Industrial Estate, Bentinck Street, Manchester, M15 4LN

Ward(s): Hulme Ward

Applicant: Mr Gary Jackson De Trafford Brooke Court, Lower Meadow Road, Wilmslow, SK9 3ND

Agent (if any): Lynsay Ewart Paul Butler Associates 31 Blackfriars Road, Salford, M3 7AQ

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 16 February 2022

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

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

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

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) Following an assessment of the details submitted, I confirm that the proposed amendment is considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed amendment would not have a material impact upon the previously approved scheme, would not adversely affect visual or residential amenity within the area, would not have a material impact upon the overall quality of the development, and there are no material planning considerations to indicate otherwise.

It should be noted that this letter of consent does not supersede the decision notice attached to planning permission 120725/JO/2018. These documents should be read in conjunction with one another. Therefore, the conditions previously applied to planning permission 120725/JO/2018 still apply to this development. However, due to the acceptance of the amendments outlined above, the following amended condition applies:

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings

A421_P_01
A421_P_02
A421_P_15
A421_P_16
A421_P_22
A421_P_23
A421_P_29

all stamped as received by the Local Planning Authority on 5 July 2017

A421_P_40_A
A421_P_41_A

both received via email on 13 November 2017

A421_P_50
A421_P_51
A421_P_52

all stamped as received by the Local Planning Authority on 5 July 2017

A421_P_100_A
A421_P_101_A
A421_P_102_A
A421_P_103_A
A421_P_104_A

all stamped as received by the Local Planning Authority on 21 August 2017

A421_P_15
11002_UG_L006 Rev P1

both stamped as received by the Local Planning Authority on 5 July 2017

SGG-JMA-ZZ-ZZ-DR-A-00-2011 Rev C02

SGG-JMA-ZZ-ZZ-DR-A-00-2013 Rev C02

SGG-JMA-ZZ-ZZ-DR-A-00-2014 Rev C02

all received via email on 17 January 2019

SGG-JMA-ZZ LG-DR-A-00 0001 Rev P06

stamped as received by the Local Planning Authority on 31 July 2018

as amended by the agent's email of 4 December 2017 with regard to the use of reinforced concrete

The submitted Crime Impact Statement, Version A, dated 29 June 2017, ref. 2014/0152/CIS/03,

The submitted waste management strategy

The submitted Noise Impact Assessment by REC, dated 4 September 2017, ref. AC103638-1R1

Stamped as received by the Local Planning Authority on 18 January 2022:

SGG-DEP-00-00-DR-L-0001 rev P10

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

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

Area Team Boundary - Name: CITY1