

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0871

Date registered valid: 18 November 2021

Proposal: Discharge of condition no.8 (off-site car parking provision for residents) attached to planning permission ref: 126006/FO/2020

Address: 7 Rainforth Street, Manchester, M13 0RP

Ward(s): Longsight Ward

Applicant: Mr MB Shahzad KAAM Limited C/o Agent

Agent (if any): Mr Jack Appleton Broadgrove Planning & Development Sinclair House, 11 Station Road, SK8 5AF

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

Recommendation: Approve

Date of recommendation: 2 November 2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:

Printed: 23 November 2021

Expired: 14 December 2021

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 – Email dated 30 November 2021 recommended the discharge of condition 8 on the basis of the submitted information.

Issues

Duration of the lease – The agent has indicated that it has not been possible to secure a lease without an end date. The agent has confirmed the lease would be renewed before the end of the first 5 year lease and it is accepted that the owner would be liable to enforcement action if the lease is not renewed or the car parking otherwise not be made available. The agent has also confirmed that the spaces would be demarcated for use by apartments only.

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

8) The discharge of condition 8 is approve on the basis that the development is implemented in accordance with the arrangement for off-site car parking as set out in documents referenced:

- i. Letter from Estates Management Mcr Lt dated 1 April 2020 confirm the availability of 8 car parking spaces on a long-term lease in the car park of Longsight Business Centre.
- ii. Lease document ref: Parking at LBO Manchester M13 0WQ between Kaam Limited and Business Park (Mcr) Limited dated 7 September 2021 confirming and an initial contractual terms of 5 years between 1 November 2021 to 31 October 2026.
- iii. Site location plan Ref: 1265(02)AP000 Rev A showing the position of 8 residents car parking spaces.
- iv. Email dated 2 December 2021 from Broadgrove Planning & Development confirming arrangements to extend the contractual term of the lease beyond 31 October 2021 to cure on-going residents' car parking and demarcation of identified car parking spaces.

The arrangements for the provision of 8 demarcated off-site car parking with the grounds of Longsight Business Centre as show on of drawings ref: Site location plan Ref: 1265(02)AP000 Rev A shall be made available to residents prior to the occupation of any of the authorised apartments, and shall be maintained in situ 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 Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH2