



MANCHESTER
CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/21/0610
Date registered valid:	31 August 2021
Proposal:	Discharge of planning conditions 11 (Fumes), 14 (Secured by Design), 18 (Plant), 19 (Opening Hours), 23 (MUGA Community Use), 24 (Boundary Treatment), 25 (Landscaping) and 28 (Bat and Bird Boxes) associated with planning permission 126459/VO/2020
Address:	Land To North Of Camberwell Park School Manchester Brookside Road M40 9GN
Ward(s):	Charlestown Ward
Applicant:	Mr Andy Partington
Agent (if any):	Miss Claire Parker Cassidy & Ashton Group Ltd. 7 East Cliff Preston PR1 3JE
Case officer:	Adam Mitchell Tel: 01612344165 Email: adam.mitchell@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	09.11.2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations: Printed 07.09.2021 Expired 28.09.2021

Neighbour notifications:

Site notice: No site notice had been published

Press advert: No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of Site/Area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Consultations & Notification Responses

Environmental Health

Greater Manchester Police

Greater Manchester Ecology Unit

Sport England

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

- 1) The discharge of condition 11 (Fumes) attached to planning permission 126459/VO/2020 is approved on the basis that the development follows in accordance with the following document referenced:

Written Kitchen Extraction assessment referenced CPK-VES-XX-RP-ME-0001 stamped as received by the City Council, as Local Planning Authority, 5 November 2021.

Scheme of Kitchen Extraction referenced CPK-VES-XX-RP-ME-001 stamped as received by the City Council, as Local Planning Authority, on 16 August 2021.

External Plant Acoustics referenced CPK-VES-XX-RP-ME-002 stamped as received by the City Council, as Local Planning Authority, on 16 August 2021.

The information is considered to be acceptable and condition 11 is now formally discharged.

- 2) Secured by Design Accreditation has been sought and certified. Condition 14 attached to application 126459/VO/2020 can therefore be discharged.

- 3) The discharge of condition 18 (Plant) attached to planning permission 126459/VO/2020 is approved on the basis that the development follows in accordance with the following document referenced:

Acoustic Verification Report stamped as received by the City Council, as Local Planning Authority, on 29 July 2021

Plant Noise Verification Assessment stamped as received by the City Council, as Local Planning Authority, on 29 September 2021.

The information is considered to be acceptable and condition 18 is now formally discharged.

- 4) Condition 19 (hours of operation) attached to planning permission 126459/VO/2020 is formally discharged on the basis that the premises shall not open outside the following hours:

-Monday to Friday 06:30- 18:30

- 5) Condition 23 (MUGA Community Use) attached to planning permission 126459/VO/2020 is approved on the basis that the development follows in accordance with the following document referenced:

Email received on the 14 September 2021 stating: We can accept the use of the MUGA for staff and pupils of the school only and will not be used for community use or outside of school hours or term time. However, there is the potential for noise disturbance for the games area in use prior to 08:00 so we would recommend MUGA use hours be amended to 08:00 to 18:30.

The information is considered to be acceptable and condition 23 is now formally discharged.

- 6) Condition 24 (Boundary Treatment) attached to planning permission 126459/VO/2020 is approved on the basis that the development follows in accordance with the following document referenced:

Location Plan illustrating and detailing the proposed boundary treatments found within the Scheme of Kitchen Extraction referenced CPK-VES-XX-RP-ME-001 stamped as received by the City Council, as Local Planning Authority, on 16 August 2021.

The information is considered to be acceptable and condition 24 is now formally discharged.

- 7) Condition 25 (Landscaping) attached to planning permission 126459/VO/2020 is approved on the basis that the development follows in accordance with the following document referenced:
79005 HARD LANDSCAPING AND FENCING, stamped as received by the City Council, as Local Planning Authority on 16 August 2021.

The information is considered to be acceptable and condition 25 is now formally discharged.

- 8) Condition 28 (Bird and Bat Boxes) attached to planning permission 126459/VO/2020 prior to the first occupation of the development hereby approved, details of the number, siting and appearance of bat and bird boxes and swift boxes at the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented and be in place prior to the first occupation of the development hereby approved and shall thereafter be retained and maintained in situ.

Condition 28 is approved on the basis that the development follows in accordance with the following document referenced:

Drawing CPK-EWA-ZZ-ZZ-DR-L-79011 detailing the location and types of bat and bird boxes proposed to be fitted, stamped and received by the City Council, as Local Planning Authority on 16 August 2021.

The information is considered to be acceptable and Condition 28 is now formally discharged.

Appendix 1 List of consultees and neighbours notified

Environmental Health

Greater Manchester Police

Greater Manchester Ecology Unit

Sport England

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

Coal Authority- Coal Authority- Development Low Risk- Name: Coal bearing strata at surface

Area Team Boundary- Name: NORTH1