

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0689

Date registered valid: 17 September 2021

Proposal: Discharge of planning conditions 19 (b) (Waste- commercial, 21 (Noise- commercial), 22 (Opening Hours) and 25 (Fume Extraction) associated with planning permission 122077/JO/2018

Address: Unit 3 9 Keepers Quay New Islington Marina Coppersmith Road & Winder Drive (Phase 2 New Islington) Ancoats Manchester M4 6HF

Ward(s): Ancoats & Beswick Ward

Applicant: Mr Chris Monkman

Agent (if any): Mr Richard Cossins DJR Food and Beverage Ltd

Case officer: Adam Mitchell

Tel: 01612344165

Email: adam.mitchell@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23.11.2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations: Printed 28.09.2021 Expired 19.10.2021

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

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 19 (b) (Waste – commercial) associated to planning permission 122077/JO/2018 is approved on the basis that the development follows in accordance with the following document referenced:

Refuse Strategy referenced SKM-(20)105 stamped as received by the City Council, as Local Planning Authority, 11 November 2021

Waste Collection Agreement referenced FS0005 stamped as received by the City Council, as Local Planning Authority, 9 November 2021

Waste Management referenced 'Freshstart-Quote' stamped as received by the City Council, as Local Planning Authority, 9 November 2021

The information is considered to be acceptable and condition 19 (b) is now formally discharged.

- 2) Condition 21 (Noise- commercial) associated to planning permission 122077/JO/2018 is approved on the basis that the development follows the agreed upon scheme in the following document referenced:

Noise Assessment Report referenced AA0364 stamped as received by the City Council, as Local Planning Authority 15 July 2021.

The information is considered to be acceptable and condition 21 is now formally discharged.

- 3) Condition 22 (hours of operation) associated to planning permission 122077/JO/2018 is formally discharged on the basis that the premises shall not open outside the following hours:

-Monday to Thursday 08:00- 23:30
- Friday to Saturday 08:00- 00:00
-Sunday 09:00- 23:00

- 4) Condition 25 (Fume Extraction) associated to planning permission 122077/JO/2018 is approved on the basis that the development follows the agreed upon scheme in the following document referenced:

Certification of Calibration referenced N/37263 stamped as received by the City Council, as Local Planning Authority 17 September 2021.

Certificate of Calibration referenced N/37249 stamped as received by the City Council, as Local Planning Authority 17 September 2021.

Certificate of Calibration referenced N/37248 stamped as received by the City Council, as Local Planning Authority 17 September 2021.

Commissioning Acceptance Certificate stamped as received by the City Council, as Local Planning Authority 17 September 2021.

Vent Installation Ground Floor Level referenced C000- M01 stamped as received by the City Council, as Local Planning Authority 4 November 2021

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

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

Area Team Boundary - Name: NORTH1