

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131328/NMC/2021
Date registered valid: 12 August 2021
Proposal: Non-material amendment to the wording of condition 35 (off site highway works) (attached to application ref no 122000/FO/2018) to vary the trigger point for the submission of information.
Address: Victoria House , Great Ancoats Street, Manchester, M4 7BD
Ward(s):

Applicant: Forshaw Land and property Group C/o Agent
Agent (if any): Mr Daniel Ramsay Turley 1 New York Street, Manchester, M1 4HD
Case officer: Angela Leckie
Tel: 0161 234 4651
Email: angela.leckie@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 25 August 2021

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: N/A

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

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

See 122000

Description of development

See 122000

Consent is sought for a non material amendment to application ref no 122000 to re-word condition 35. This is required to reflect the programme as due to the phasing of the construction period as the detailed highway works will not be available prior to the construction of the development commencing. An amendment is therefore sought to the condition to allow the information required by condition 35 to be submitted prior to these works commencing

Consultations & Notification Responses

NONE

Issues

This amendment is not considered to prejudice the implementation of the highway works, but rather provide adequate timescales for the full development and ratification of the requested information and is therefore considered to be non material and acceptable.

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 OR Reasons for recommendation to refuse

1) Reason 1: Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are 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 changes will have no material impact upon the previously approved scheme and the works will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development.

2) Reason 2: The re-wording of condition 35 is required to reflect the programme as due to the phasing of the construction period, the detailed highway works will not be available prior to the construction of the development commencing. An amendment is therefore sought to the condition to allow the information required by condition 35 to be submitted prior to these works commencing

35) Notwithstanding the details contained within condition 2 above, prior to the commencement of the highway works as detailed on dwg 10122-A-B5D9-G200-P-00-003 a scheme of highway works and details of footpaths reinstatement shall be submitted for approval in writing by the City Council, as Local Planning Authority

For the avoidance of doubt this shall include the following:

(a) Final details of associated highway work (as appropriate to Plot E and adjacent public realm within this application) as detailed within Dwg 10122-A-B5D9-G200-P-00- 003; and

(b) Detailed designs in relation to the above to including materials, layout, junction protection, carriageway widths, kerb heights, street lighting, entry treatments, signing, lining and traffic management including installing dropped kerbs with tactile pavers across any vehicle access to the site and at adjacent junction crossing points, reinstatement of any redundant vehicle crossing points, installation of some guard railing to ensure pedestrians cross at the safest and most appropriate locations.

(c) A review of the TROs in the vicinity of the site to including securing disabled parking bays and a car club bay and final details of the loading bay.

The approved scheme shall be implemented and be in place prior to the first occupation.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

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

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

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

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)

Area Team Boundary - Name: CITY2