

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0668

Date registered valid: 20 September 2021

Proposal: Discharge of condition 15 (Bat Survey) associated with planning permission 126507/FO/2020

Address: 67 Old Market Street, Manchester, M9 8DX

Ward(s): Harpurhey Ward

Applicant: Mr Ed Jackson, FBJ Construction Ltd Unit, 138 Green Lane, Stockport, SK6 3JG

Agent (if any): Mr Nick Harden Edifice Building Consultants Ltd Unit 138, Green Lane, Stockport, SK6 3JG

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 12 October 2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 20 September 2021 Expired: 11 October 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:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Issues

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) The information contained with the following surveys, received by the City Council as Local Planning Authority on 13 September 2021 is satisfactory:

Bat Survey PRA dated 27.01.21;

Bat Survey Dusk Emergence Survey dated 06.06.21;

Bat Survey Dawn to Return to Roost Survey dated 19.07.21;

On the basis of the above surveys, condition 15 can be discharged. Please note, the applicant is reminded that under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition, all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed. It is advised that a bat consultant be on site during demolition works.

Appendix 1 – List of consultees & neighbours notified

Greater Manchester Ecology Unit

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

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH1