

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129351/FO/2021

Date registered valid: 15 April 2021

Proposal: Change of use of single storey building to existing builder's yard to create 4 commercial kitchen units for distribution to local outlets/storage (Use Class B2) together elevational alterations and the installation of external plant equipment

Address: 5 Johnson Square, Oldham Road, Manchester, M40 7PS

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Malik Malik Investments Limited 162 Finney Lane, SK8 3PU

Agent (if any): Mr Muneeb Lokasher ML Design 4 Fairview Avenue, Manchester, M19 2AN

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

Recommendation: Withdrawn

Date of recommendation: 1 July 2021

Application details

Type of application: Full Application Consent

Development type: Minor Industry

Date of site visit: 13 May 2021

Standard consultations:

Printed: 20 April 2021 Expired: 11 May 2021

Neighbour notifications

Printed: 20 April 2021 Expired: 11 May 2021

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: Withdrawn

By e-mail dated 30 June 2021.

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Greater Manchester Ecology Unit
Network Rail

3 Johnson's Square, Manchester, M40 7QW
1 Johnson's Square, Manchester, M40 7QW
Flat 7, Johnson House, 327 Oldham Road, Manchester, M40 7PS
Flat 6, Johnson House, 327 Oldham Road, Manchester, M40 7PS
Flat 5, Johnson House, 327 Oldham Road, Manchester, M40 7PS
Flat 4, Johnson House, 327 Oldham Road, Manchester, M40 7PS
Flat 3, Johnson House, 327 Oldham Road, Manchester, M40 7PS
Flat 2, Johnson House, 327 Oldham Road, Manchester, M40 7PS
Flat 1, Johnson House, 327 Oldham Road, Manchester, M40 7PS
325 Oldham Road, Manchester, M40 7PS
313 - 317 Oldham Road, Manchester, M40 7PS

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 High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1