

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0458

Date registered valid: 18 June 2021

Proposal: Discharge of condition1 (timeframe), 2 (specified plans) 4a (odour mitigation measures) and no.4b (installation of odour mitigation plant and equipment) attached to planning permission referenced 129845/FO/2021

Address: Iceland Manufacturing Limited , Hammerstone Road, Manchester, M18 8BW

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr Robert Lishman Iceland Manufacturing Ltd Hammerstone Road, Manchester, M18 8BW

Agent (if any): Mr Ray Robinson RRDS Ltd Studio 2 1st Floor, The Ffwrwm High Street, Caerleon, Newport, NP18 1AG

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 2 July 2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 28 June 2021 Expired: 19 July 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

Environmental Health - has advised that on the basis of the confirmation received from the planning agent that everything has been installed in accordance with the submitted plans, the conditions can be discharged. They have advised that will need a verification report in order to discharge condition 4c to ensure the odours are being abated effectively.

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) On the basis the submitted email dated 2nd July 2021, that the development has been implemented within 3 years of the date of the consent condition no.1 is discharged .

2) On the basis of the submitted photographs and content of the emails dated 16th June 2021, and 2nd July 2021 I can confirm that condition no.2 is discharged.

4a) On the basis of the submitted photographs and content of the email dated 16th June 2021 confirming that the measures specified in 4a (which required that fumes, vapours and odours shall be extracted and discharged from the premises in accordance with the measures detailed in the conclusion of the Vacuum Chamber emissions sampling & analysis report revision A Dated:25th March 2021 ref: OSIL/C/01720 received 1st May 2021; plan ref: C1661-001 rev.C (Detailed Arrangement of 1.27m dia. X 1200 high deep bed Cucarb filter); and C1661-003 rev.0 (Process Flow diagram); received 3rd May 2021; Vacuum Cooling System - Description of Plant). Supporting documentation dated May 2021; and Graff 1000L underground tank detail received 18th May 2021; Plan ref: LM-8EQ-USV-SP1A-DR01-01 (Overall Site Plan showing Drainage Routes and underground services); and OSIL drain outlet drawing Version 01; received 24th May 2021) have been implemented I can confirm that condition no.4a has been complied with.

4b) Condition 4b required that prior to the equipment and plant being brought into use, confirmation was required that the approved scheme in part (a) has been fully implemented. On the basis of the submitted photographs and content of the email dated 16th June 2021, confirming that the measures specified in 4a have been implemented I can confirm that condition no.4a has been complied with.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3

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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH2