

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/20/0632

Date registered valid: 23 November 2020

Proposal: Discharge of Condition 3 (Materials), 4 (Noise Outbreak), 5 (External Plant and Equipment) . 7 (Contaminated Land), 8 (Refuse), 10 (Construction Management Plan), 11 (Sustainable Drainage), 12 (Separate Drainage), 15 (Roller Shutter), 16 (Boundary Treatment) attached to planning application reference 124560/FO/2019.

Address: The Shed, Reliance Street, Manchester,

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Paul Mckenna 3 Larch Close, Failsworth, M35 0SR

Agent (if any): Mr Joe Jennings ExtensionsNW Ltd 3 Cribden Street, Rawtenstall, Rossendale, BB4 8HZ

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approved and Refused

Date of recommendation: 20 May 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 25 November 2020

Expired: 16 December 2020

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: Approved and Refused

Article 35 Declaration

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

3) Insufficient information has been received in relation to the materials used on the development, namely, technical data and product specification. Therefore, condition 3 cannot be discharged.

4) The proposal shall be carried out in accordance with the Noise Impact Assessment by Professional Consult, dated 23 November 2020 ref: 20.198.1R1. However, in order to fully discharge condition 4 a list of activities /tools and the noise associated with them as well as the frequency and average usage time needs to be provided. Therefore, , condition 4 is not fully discharged.

5) The proposal shall be carried out in accordance with the Noise Impact Assessment by Professional Consult, dated 23 November 2020 ref: 20.198.1R1. However, in order to fully discharge condition 5 to ensure externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location, details of any external equipment will need to be submitted. Therefore, , condition 5 is not fully discharged.

7) No information has been received in relation to contaminated land. Therefore, condition 7 cannot be discharged.

8) Insufficient information has been received in relation to waste management details. Therefore, condition 8 cannot be discharged.

10) The following information has been submitted in respect of this planning condition

The Construction Management Plan, stamped as received on the 7 January 2021 and the Traffic Management Plan stamped as received on the 8 January 2021.

The above information has been considered and is acceptable in order to discharge this planning condition. Condition 10 is therefore formally discharged.

11) The following information has been submitted in respect of this planning condition:

Plan number 2542-04, stamped as received on the 5 October 2020 and 2542-04, stamped as received on the 8 December 2020.

The above information has been considered and is acceptable in order to discharge this planning condition. Condition 11 is therefore formally discharged.

12) The following information has been submitted in respect of this planning condition:

Plan number 2542-04, stamped as received on the 5 October 2020 and 2542-04, stamped as received on the 8 December 2020.

The above information has been considered and is acceptable in order to discharge this planning condition. Condition 12 is therefore formally discharged.

15) The following information has been submitted in respect of this planning condition:

Grey Aluminium (RAL 9007) Hormann SPU F42, stamped as received in the covering letter and the drawing number 2542-02, stamped as received on the 5 October 2020 and The Brochure by Hormann, stamped as received on the 10 November 2020.

The above information has been considered and is acceptable in order to discharge this planning condition. Condition 15 is therefore formally discharged.

16) There is insufficient information regarding the boundary treatment details to allow satisfactory discharge of condition 16. Therefore, condition 16 is not formally discharged.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management
Environmental Health
Highway Services

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 -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1