

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128359/00/2020

Date registered valid: 10 December 2020

Proposal: Outline application will all matters reserved for the erection of a 6 storey building comprising up to 668 sqm of ground floor retail and commercial units (Use Class E) and up to 141 residential apartments (Class C3) on the upper floors, together with access alterations to Bury New Road and associated works

Address: Land Adjacent To The Junction Of Fairy Lane And Bury New Road, Manchester, ,

Ward(s): Cheetham Ward

Applicant: Mr Apinder Ghura BOI Trading Company Ltd Euro Centre Units 1- 10, 116 - 118 Bury New Road, Manchester, M8 8EB

Agent (if any): Mr Mark Ketley BH Planning & Design Floor 3 , 1 Hood Street, Newcastle Upon Tyne, NE1 6JQ

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

Recommendation: Withdrawn

Date of recommendation: 11 March 2021

Application details

Type of application: Outline Consent

Development type: Smallscale Major Dwellings

Date of site visit: 5 January 2021

Standard consultations:

Printed: 14 December 2020

Expired: 4 January 2021

Neighbour notifications

Printed: 14 December 2020

Expired: 4 January 2021

Site notice

Posted: 5 January 2021

Expired: 26 January 2021

Press advert

Published: 22 December 2020

Expired: 12 January 2021

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 email dated 11 March 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
MCC Flood Risk Management
Greater Manchester Police
Greater Manchester Ecology Unit
Work & Skills Team

1 Willerby Road, Manchester, M8 9YG
9 Sandsend Close, Manchester, M8 8BX
Grosvenor G Casino Manchester, 2 Ramsgate Street, Manchester, M8 9SG
BOI TRADING COMPANY LIMITED, Unit 10, Eurocentre, 116 - 118 Bury New Road,
Manchester, M8 8EB
186 Bury New Road, Manchester, M8 8DY
1 Lok Fu Gardens, Manchester, M8 8JX
36 Sandsend Close, Manchester, M8 8BX
80 Derby Street, Manchester, M8 8JW
76 Derby Street, Manchester, M8 8EX
199 Bury New Road, Manchester, M8 8DY
7 Sandsend Close, Manchester, M8 8BX
5 Sandsend Close, Manchester, M8 8BX
26 Sandsend Close, Manchester, M8 8BX
2 Sandsend Close, Manchester, M8 8BX
14 Sandsend Close, Manchester, M8 8BX
2 Holbeton Close, Manchester, M8 8BA
92 Derby Street, Manchester, M8 8JW
96 Derby Street, Manchester, M8 8JW
73 Derby Street, Manchester, M8 8HE
Apartment E, 78 Derby Street, Manchester, M8 8EW
118 Fairy Lane, Manchester, M8 8YD
Apartment E, 76 Derby Street, Manchester, M8 8EX
22 Sandsend Close, Manchester, M8 8BX
30 Sandsend Close, Manchester, M8 8BX
28 Sandsend Close, Manchester, M8 8BX
9 Holbeton Close, Manchester, M8 8BA
98 Derby Street, Manchester, M8 8JW
86 Derby Street, Manchester, M8 8JW
46 Sandsend Close, Manchester, M8 8BX
11 Holbeton Close, Manchester, M8 8BA
32 Sandsend Close, Manchester, M8 8BX
6 Holbeton Close, Manchester, M8 8BA
3 Holbeton Close, Manchester, M8 8BA
75 Derby Street, Manchester, M8 8HE
Apartment F, 76 Derby Street, Manchester, M8 8EX
Apartment F, 78 Derby Street, Manchester, M8 8EW
Apartment D, 78 Derby Street, Manchester, M8 8EW
120 Fairy Lane, Manchester, M8 8YD
42 Sandsend Close, Manchester, M8 8BX
38 Sandsend Close, Manchester, M8 8BX
3 Sandsend Close, Manchester, M8 8BX
24 Sandsend Close, Manchester, M8 8BX
1 Sandsend Close, Manchester, M8 8BX
69 Derby Street, Manchester, M8 8HE

84 Derby Street, Manchester, M8 8JW
124 Fairy Lane, Manchester, M8 8YD
12 Sandsend Close, Manchester, M8 8BX
Princess Pottery Ltd, Fairy Lane, Manchester, M8 8DD
126 Fairy Lane, Manchester, M8 8YD
122 Fairy Lane, Manchester, M8 8YD
128 Fairy Lane, Manchester, M8 8YD
71 Derby Street, Manchester, M8 8HE
184 Bury New Road, Manchester, M8 8DY
Eurocentre, 116 - 118 Bury New Road, Manchester, M8 8EB
Cheetwood Primary School, Waterloo Road, Cheetham, Manchester, M8 8EJ
1 Holbeton Close, Manchester, M8 8BA
4 Holbeton Close, Manchester, M8 8BA
11 Sandsend Close, Manchester, M8 8BX
10 Sandsend Close, Manchester, M8 8BX
8 Holbeton Close, Manchester, M8 8BA
8 Sandsend Close, Manchester, M8 8BX
6 Sandsend Close, Manchester, M8 8BX
34 Sandsend Close, Manchester, M8 8BX
5 Holbeton Close, Manchester, M8 8BA
94 Derby Street, Manchester, M8 8JW
100 Derby Street, Manchester, M8 8JW
88 Derby Street, Manchester, M8 8JW
90 Derby Street, Manchester, M8 8JW
BOI TRADING COMPANY LIMITED, Unit 1 To 8, Eurocentre, 116 - 118 Bury New Road,
Manchester, M8 8EB
BOI TRADING COMPANY LIMITED, Unit 9, Eurocentre, 116 - 118 Bury New Road,
Manchester, M8 8EB
Apartment C, 76 Derby Street, Manchester, M8 8EX
Apartment C, 78 Derby Street, Manchester, M8 8EW
Apartment A, 76 Derby Street, Manchester, M8 8EX
20 Sandsend Close, Manchester, M8 8BX
16 Sandsend Close, Manchester, M8 8BX
10 Holbeton Close, Manchester, M8 8BA
7 Holbeton Close, Manchester, M8 8BA
Apartment D, 76 Derby Street, Manchester, M8 8EX
Apartment A, 78 Derby Street, Manchester, M8 8EW
Apartment B, 76 Derby Street, Manchester, M8 8EX
Apartment B, 78 Derby Street, Manchester, M8 8EW
82 Derby Street, Manchester, M8 8JW
40 Sandsend Close, Manchester, M8 8BX
18 Sandsend Close, Manchester, M8 8BX
13 Sandsend Close, Manchester, M8 8BX
48 Sandsend Close, Manchester, M8 8BX
44 Sandsend Close, Manchester, M8 8BX
4 Sandsend Close, Manchester, M8 8BX

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

Flood Zones Type 2 (low to medium risk) -
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Flood Zones Type 2 (low to medium risk) -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1