MANCHESTER CITY COUNCIL

# Planning

## Growth & Development

## Delegated officer report for planning application

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| **Application no.** | CDN/25/0711 |
| **Date registered valid:** | 23 July 2025 |
| **Proposal:** | Discharge of Condition 4 (Materials), 16 (Refuse), 24 (Landscaping) and 32 (Sub-station design) attached to planning permission 139997/FO/2024 |
| **Address:** | Land At City Works, Welcomb Street, Openshaw Manchester |
| **Ward(s):** | Clayton & Openshaw Ward |
| **Applicant:** | Mr Joe Burnett, NSJV Ltd |
| **Agent (if any):** | Mr Sam Gallimore, AEW Architects |
| **Case officer:** | Sue Wills<br>Tel: 0161 234 4524<br>Email: sue.wills@manchester.gov.uk |
| **Recommendation:** | Approve |
| **Date of recommendation:** | 24 August 2025 |

**Application details**

**Type of application:** Approval of condition application

**Development type:** Notifications

**Standard consultations:**
Printed: 4 August 2025 Expired: 26 August 2025

**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**

Highways Services - In regard to Condition 16 (Waste Management) plans have been submitted to confirm the location of the bin store and collection point. The submitted information is sufficient to allow us to recommend the discharge of the condition from a Highways perspective.

Environmental Health - Have considered the waste management details submitted for the above CDN application and can confirm that they would have no objection to the discharge of condition 16.

**Issues**

**Other Legislative Requirements**
**Equality Act 2010**
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

**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 polices 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**

Condition 4 (Materials)
4) The details in the External Materials Schedule ref: 12481-AEW-XX-XX-SH-A-0670-S2-P01 received 23rd July 2025 have been considered in conjunction with the details on:
Unit 1 proposed elevations 12481 – AEW- B1-XX-DR-A – 0602 rev.P03
Unit 2 proposed elevations 12481 – AEW- B1-XX-DR-A – 0622 rev.P03
Unit 3 proposed elevations 12481 – AEW- B1-XX-DR-A – 0642 rev.P02
Unit 4 proposed elevations 12481 – AEW- B1-XX-DR-A – 0662 rev.P03
received 22.08.2025 and the flashing detail in email from planning agent dated 1st September 2025 have been examined.
On the basis that that development is implemented in accordance with the External Materials Schedule ref: 12481-AEW-XX-XX-SH-A-0670-S2-P01 in the locations referenced on the elevational plans specified above condition no.4 is discharged.

Condition no. 16 (Refuse)
16) The details on the refuse store plan ref: 12481-AEW-XX-XX-DR-A-0510-S4-P01 received 23rd July 2025 to be sited in the locations on proposed site pan12481-AEW-XX-XX-DR-0503-S4-P20Proposed Site Plan have been reviewed.

On the basis that that development is implemented in accordance with the details shown on the plans referenced above and the approved refuse storage arrangements remain in situ whilst the use or development is in operation, condition no.16 is discharged.

Condition no.24 (Landscaping)

24) The details on the Proposed Landscape Plan ref: RE 4198-01 Rev J received 23rd July 2025 have been considered in conjunction with the Grounds Maintenance Specification received 1st September 2025 and Landscaping Statement received 8th September 2025, and are considered to be satisfactory. On the basis that that development is implemented in accordance with the details shown on the plan referenced above, that the arrangements for management and maintenance in the documents specified above implemented not later than 12 months from the date the buildings are first occupied, and if within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective in the development, another tree or shrub of the same species and size as that originally planted shall be planted at the same place within the development; condition no.24 is discharged.

Condition no. 32 (Sub-station design)
32) The details on the GRP Unit Specification and Earthing General Arrangement plan ref: N25-069-SUB- Colour Green received 23rd July 2025. On the basis that the substation is coloured green and implemented in accordance with the details on the plan referenced above in the location shown on New Substation design Proposed site plan ref: 12481-AEW-XX-XX-DR-A-0503 rev. P17 condition no.32 is discharged.

**Appendix 1 – List of consultees & neighbours notified**

Highway Services
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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA