Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/25/0260
Date registered valid:	19 March 2025
Proposal:	Discharge of Condition16 (Drainage) attached to planning permission 141101/JO/2024
Address:	7 Chapel Street, Manchester, M19 3QB
Ward(s):	Levenshulme Ward
Applicant:	Mr Keith Burke Burke Developments
Agent (if any):	Mr Ralph Taylor Paul Butler Associates
Case officer:	Carl Glennon Tel: 0161 234 4530 Email: carl.glennon@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	9 May 2025

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:
Printed: 25 April 2025 Expired: 17 May 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: No

Tree Preservation Order: No

Consultations & Notification Responses

Flood Risk Management Team – No objection to the discharge of condition 16 on the basis that the development is implemented in accordance with the submitted revised drainage strategy.

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

N/A

Condition(s) to be attached to decision for approval

16) The discharge of condition 16 is approved on the basis that the development is implemented in accordance with document referenced: Chapel Street Levenshulme Manchester Drainage Strategy Ref: R-00142 - 001- DS-0 dated March 2025 (Revision D dated 8 May 2025) by Sea Consulting Engineers received by the City Council as local planning authority on 8 May 2025.

Appendix 1 – List of consultees & neighbours notified

United Utilities Water PLC
MCC Flood Risk Management

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA