

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/0467

Date registered valid: 31 May 2024

Proposal: Discharge of Conditions 3 (Hours of Operation), 7 (Cycle Facilities) and 12 (Refuse) attached to planning permission 136050/FO/2023

Address: Army Reserve Centre, Ardwick Green North, Manchester, M12 6HD

Ward(s): Ardwick Ward

Applicant: Fabric Church

Agent (if any): Cait O Dowd AshtonHale Ltd

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 22 August 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 10 June 2024 Expired: 1 July 2024

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: Grade II

Conservation area:

Tree Preservation Order:

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 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

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

3) The following information has been submitted for approval in respect of this planning condition:

Letter from Ashton Hale, dated 30 May 2024, which confirms the following hours of operation:

Sunday - 8.30am to 3.00pm

Monday - 1.00pm to 5.30pm

Tuesday & Wednesday - 9.30am to 5.30pm

Thursday - 12pm to 5pm

The information is considered to be acceptable and condition 3 is now formally discharged, subject to the premises only operating in accordance with these approved hours.

7) The following information has been submitted for approval in respect of this planning condition:

Letter from Ashton Hale, dated 30 May 2024, which confirms that 6 indoor mounted bike racks and 12 outdoor bike racks, located outside the car park entrance, on Downing Street, have been provided on site.

Email from Cait O' Dowd, dated 2 August 2024, and accompanying photographs, which confirms cycle space numbers and location on site.

The information is considered to be acceptable and condition 7 is now formally discharged, subject to these cycle spaces remaining in situ whilst the use is in operation.

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

Better Waste Solutions Waste Management Contract Details document, dated January 2024, and stamped as received by the City Council, as Local Planning Authority, on 31 May 2024.

Email from Cait O' Dowd, dated 2 August 2024, and accompanying photographs, showing bin storage location on site.

Drawing number SAA.3821.1, stamped as received by the City Council, as Local Planning Authority, on 2 August 2024.

The information is considered to be acceptable and condition 12 is now formally discharged, subject to these approved arrangements being implemented as part of the development and remaining in situ whilst the use is in operation.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Appendix 2 – Planning constraints

Article 4 Direction - City Centre 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
Area Team Boundary - Name: NORTH AREA