Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/23/0856
Date registered valid:	21 March 2024
Proposal:	Application to discharge conditions 5a (acoustics) and 6 (waste) attached to planning permission 137508/FO/2023.
Address:	61 Reddish Lane, Manchester, M18 7JH
Ward(s):	Gorton & Abbey Hey Ward
Applicant:	Mr Tony Mak
Agent (if any):	Mr Sabin Zannou LDM Group
Case officer:	Ian Jarvis Tel: 0161 234 4079 Email: ian.jarvis@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	16 May 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:
Printed: 27 March 2024 Expired: 19 April 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: Not applicable

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

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

Clement Acoustics External Building Fabric Report dated 23 April 2024 (ref:18907-EBF-01), stamped as received by the City Council, as Local Planning Authority, on 23 April 2024.

Email from Sabin Zannou, dated 15 May 2024, which confirms that the discharge of condition 5b is not being sought at this time.

The information is considered to be acceptable and condition 5a is now formally discharged.

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

Drawing numbered A1-001b rev B, stamped as received by the City Council, as Local Planning Authority, on 23 April 2024.

Waste Management Strategy dated 24 April 2024 and stamped as received by the City Council, as Local Planning Authority, on 24 April 2024.

Email from Sabin Zannou, dated 15 May 2024, which confirms that the waste collection vehicle will be able to access the proposed waste receptacles via the rear alleyway.

The information is considered to be acceptable and condition 6 is now formally discharged, subject to the approved details being implemented as part of the development and remaining in situ whilst the use or development is in operation.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

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 Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA