

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0418

Date registered valid: 4 July 2022

Proposal: Discharge of conditions 3 (materials), 4a (contaminated land), 11 (environmental standards), 17 (construction management plan) and 23 (off-site highway works) attached to planning permission ref: 127478/FO/2020.

Address: 12-16 Park Grove, Manchester, M19 3AQ

Ward(s): Longsight Ward

Applicant: Mr Raza Al-Raza Foundation

Agent (if any): Mr M. Amjad Hybrid Power Ltd

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: 7 July 2022 Expired: 28 July 2022

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 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:

Materials Schedule, stamped as received by the City Council, as Local Planning Authority, on 16 December 2022.

The information is considered to be acceptable and condition 3 is now formally discharged, subject to the development only being constructed using these approved materials.

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

Worms Eye Preliminary Risk Assessment (Desk Study) dated 25 April 2022

Worms Eye Proposed Investigation document dated 25 April 2022

Abstracts of Preliminary Risk Assessment document

All stamped as received by the City Council, as Local Planning Authority, on 4 July 2022.

Land Contamination Effects document, stamped as received by the City Council, as Local Planning Authority, on 29 August 2023.

Worms Eye Intrusive Report and Worms Eye Remediation Strategy both dated 25 March 2024 and stamped as received by the City Council, as Local Planning Authority, on 27 March 2024.

The information is considered to be acceptable and condition 4a is now formally discharged.

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

Design 4 Build Services Environmental Standards Statement, stamped as received by the City Council, as Local Planning Authority, on 4 July 2022.

The information is considered to be acceptable and condition 11 is now formally discharged, subject to the approved scheme being implemented as part of the development.

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

Design 4 Build Services Risk Assessment document, stamped as received by the City Council, as Local Planning Authority, on 21 June 2022.

Design 4 Build Services Construction Management Plan, stamped as received by the City Council, as Local Planning Authority, on 16 December 2022.

Sanderson Association Construction Traffic Management Plan, stamped as received by the City Council, as Local Planning Authority, on 10 January 2024.

The information is considered to be acceptable and condition 17 is now formally discharged, subject to the development being carried out in accordance with the approved construction management plan.

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

Drawing numbered 301027-001, stamped as received by the City Council, as Local Planning Authority, on 21 June 2022.

Drawings numbered ARF_MK_PARKGROVE_100_01 rev P02,
ARF_MK_PARKGROVE_200_01 rev P02, ARF_MK_PARKGROVE_500_01 rev P01,
ARF_MK_PARKGROVE_700_01 rev P03, ARF_MK_PARKGROVE_1200_01 rev P03 and
ARF_MK_PARKGROVE_100_01 rev P02

MK Ltd Section 278 Highways Works document

All stamped as received by the City Council, as Local Planning Authority, on 29 August 2023.

The information is considered to be acceptable and condition 23 is now formally discharged, subject to the development being implemented in accordance with the approved details, prior to the proposed accommodation first being brought into use.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Ecology Unit

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
Area Team Boundary - Name: NORTH AREA