MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138521/FO/2023
Date registered valid:	16 November 2023
Proposal:	Change of use of part of ground floor from dwellinghouse (Class C3) to retail shop (Class E) with associated elevational alterations involving a shopfront.
Address:	206 Abbey Hey Lane, Manchester, M18 8TW
Ward(s):	Gorton & Abbey Hey Ward
Applicant:	Mr Prempal Singh
Agent (if any):	Mr Rashid Mehmood I. Planning Services
Case officer:	Ian Jarvis Tel: 0161 234 4079 Email: ian.jarvis@manchester.gov.uk
Recommendation:	Withdrawn
Date of recommendation:	26 January 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:
Printed: 21 November 2023 Expired: 12 December 2023

Neighbour notifications
Printed: 21 November 2023 Expired: 12 December 2023

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:

Withdrawn by email dated 26 January 2024

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: Withdrawn

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

25 Fleet Street, Manchester, M18 8TE
217 Abbey Hey Lane, Manchester, M18 8TN
215 Abbey Hey Lane, Manchester, M18 8TN
216 Abbey Hey Lane, Manchester, M18 8TW
212 Abbey Hey Lane, Manchester, M18 8TW
208 Abbey Hey Lane, Manchester, M18 8TW
204 Abbey Hey Lane, Manchester, M18 8TW
207 Abbey Hey Lane, Manchester, M18 8TN
29 Fleet Street, Manchester, M18 8TE
27 Fleet Street, Manchester, M18 8TE
23 Fleet Street, Manchester, M18 8TE
9 Dalehead Close, Manchester, M18 8TP
7 Dalehead Close, Manchester, M18 8TP
5 Dalehead Close, Manchester, M18 8TP
3 Dalehead Close, Manchester, M18 8TP
213 Abbey Hey Lane, Manchester, M18 8TN
211 Abbey Hey Lane, Manchester, M18 8TN
209 Abbey Hey Lane, Manchester, M18 8TN
205 Abbey Hey Lane, Manchester, M18 8TN
214 Abbey Hey Lane, Manchester, M18 8TW
210 Abbey Hey Lane, Manchester, M18 8TW
202 Abbey Hey Lane, Manchester, M18 8TW
221 Abbey Hey Lane, Manchester, M18 8TN
219 Abbey Hey Lane, Manchester, M18 8TN

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 -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA