

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/23/0173

Date registered valid: 13 March 2023

Proposal: Discharge of conditions 6 (external equipment), 8a (ground conditions) and 9 (CMP) attached to planning permission referenced 133527/FO/2022

Address: Land Adjacent To Steelworks Tavern, Preston Street, Manchester, M18 8DA

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr H Sookasian

Agent (if any): Mr Jonathan Renshaw Ebrdesigns.com Ltd

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

Recommendation: Approve

Date of recommendation: 7 February 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 24 March 2023 Expired: 14 April 2023

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

Article 35 Declaration

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

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

Drawing numbered ebr/00731-AO.7, stamped as received by the City Council, as Local Planning Authority, on 13 March 2023.

On the basis that no externally mounted ancillary plant, equipment and servicing will be provided on site, as indicated on this drawing, the submitted information is considered to be acceptable and condition 6 is now formally discharged.

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

Arg Design Phase 1 Desk Top Study dated March 2021, stamped as received by the City Council, as Local Planning Authority, on 10 May 2023.

Summary Findings of Ground Contamination Tests document, stamped as received by the City Council, as Local Planning Authority, on 28 June 2023.

Visqueen Low Permeability Gas Membrane document dated 19 July 2023 and stamped as received by the City Council, as Local Planning Authority, on 2 August 2023.

The information is considered to be acceptable and condition 8a is now formally discharged. When the development commences, the development shall be carried out in accordance with these approved details and a Completion/Verification Report shall be submitted to and approved in writing by the City Council.

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

Construction Method Statement, dated February 2023, stamped as received by the City Council, as Local Planning Authority, on 13 May 2023.

The information is considered to be acceptable and condition 9 is now formally discharged, subject to the development only being carried out in accordance with the approved Construction Management Plan.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Flood Zones Type 2 (low to medium risk) -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA