

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136742/FO/2023

Date registered valid: 11 May 2023

Proposal: Change of use of club to create 6 x self contained apartments (Class C3) together with rear extensions and roof alterations including front, side and rear roof dormers

Address: 1390 Ashton Old Road, Manchester, M11 1JX

Ward(s): Clayton & Openshaw Ward

Applicant: Mr H Ali

Agent (if any): David Ormesher Holborrow & Ormesher

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

Recommendation: Withdrawn

Date of recommendation: 27 June 2023

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit:

Standard consultations:

Printed: 16 May 2023 Expired: 6 June 2023

Neighbour notifications

Printed: 16 May 2023 Expired: 6 June 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Withdrawn by email dated 26 June 2023

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: Withdrawn

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

1394 Ashton Old Road, Manchester, M11 1JX
1A Capital Road, Manchester, M11 1JZ
Flat 2, 1386 Ashton Old Road, Manchester, M11 1JU
Flat 1, 1386 Ashton Old Road, Manchester, M11 1JU
Citi Place, 1384 Ashton Old Road, Manchester, M11 1JU
Flat 9, 1384 Ashton Old Road, Manchester, M11 1JU
Flat 8, 1384 Ashton Old Road, Manchester, M11 1JU
Flat 7, 1384 Ashton Old Road, Manchester, M11 1JU
Flat 6, 1384 Ashton Old Road, Manchester, M11 1JU
Flat 5, 1384 Ashton Old Road, Manchester, M11 1JU
Flat 4, 1384 Ashton Old Road, Manchester, M11 1JU
Flat 3, 1384 Ashton Old Road, Manchester, M11 1JU
Flat 2, 1384 Ashton Old Road, Manchester, M11 1JU
Flat 1, 1384 Ashton Old Road, Manchester, M11 1JU
St Clements Rectory, Ashton Old Road, Manchester, M11 1HF
1396 Ashton Old Road, Manchester, M11 1JX
3 Capital Road, Manchester, M11 1JZ
2 Battersby Street, Manchester, M11 1LY
1 Capital Road, Manchester, M11 1JZ

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
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA