

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** CDN/23/0346

**Date registered valid:** 30 May 2023

**Proposal:** Discharge of condition 7 (CMP) attached to planning permission referenced 133125/FO/2022.

**Address:** Land Off Elizabeth Street, Manchester, M8 8BB

**Ward(s):** Cheetham Ward

**Applicant:** Mr Henry Martin Kier Trade City LLP

**Agent (if any):** Mr Brad Wiseman Savills (UK) Limited

**Case officer:** Steven McCoombe  
Tel: 0161 234 4607  
Email: [steven.mccoombe@manchester.gov.uk](mailto:steven.mccoombe@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 19 July 2023

## Application details

**Type of application:** Approval of condition application

**Development type:** Notifications

### Standard consultations:

Printed: 1 June 2023      Expired: 22 June 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

**Conservation area:**

**Tree Preservation Order:**

**Description of area**

**Description of development**

## Consultations & Notification Responses

## Issues

## 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**

1) The submitted Construction Environmental Management Plan dated and received by the City Council as Local Planning Authority on 19 July 2023, is satisfactory. Subject to implementation of the agreed details, condition 7 can be discharged.

## **Appendix 1 – List of consultees & neighbours notified**

Highway Services  
Environmental Health

## **Appendix 2 – Planning constraints**

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3  
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4  
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3  
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected  
Coal Authority - Development Low Risk - Name: DEVELOPMENT\_LOW\_RISK\_AREA  
Historic Landfill Site 250m Buffer -  
Historic Landfill Site 250m Buffer -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Middle) -  
Area Team Boundary - Name: NORTH AREA