MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	137718/FO/2023
Date registered valid:	31 July 2023
Proposal:	Change of use from (Class E) Retail to (Sui Generis) Hot Food Takeaway with erection of extraction flue to rear of premises.
Address:	33 Park Drive, Manchester, M16 0AF
Ward(s):	Whalley Range Ward
Applicant:	Mr Jamshed Bashir This N That Takeaway Ltd
Agent (if any):	Mr Ahmed Choudhry NADA Architects
Case officer:	Janine Renshaw-Livesey Tel: 0161 234 4555 Email: janine.renshaw-livesey@manchester.gov.uk
Recommendation:	Withdrawn Withdrawn
Date of recommendation:	21 September 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:
Printed: 14 August 2023 Expired: 4 September 2023

Neighbour notifications
Printed: 14 August 2023 Expired: 4 September 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:

Description of area

Description of development

Consultations & Notification Responses

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 WithdrawnWithdrawn

Article 35 Declaration

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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Whalley Range Forum

Flat 7, 98 Clarendon Road, Manchester, M16 8LA
52 Park Drive, Manchester, M16 0AH
Flat 3, 179 Clarendon Road, Manchester, M16 0EF
Flat 2, 179 Clarendon Road, Manchester, M16 0EF
Flat 1, 179 Clarendon Road, Manchester, M16 0EF
Flat 1, 110 Clarendon Road, Manchester, M16 0AL
Flat 5, 98 Clarendon Road, Manchester, M16 8LA
159 Clarendon Road, Manchester, M16 8LE
29 Park Drive, Manchester, M16 0AF
27 Park Drive, Manchester, M16 0AF
163 Clarendon Road, Manchester, M16 8LE
Flat 1, 98 Clarendon Road, Manchester, M16 8LA
Flat 4, 108 Clarendon Road, Manchester, M16 0AL
Flat 2, 108 Clarendon Road, Manchester, M16 0AL
181 Clarendon Road, Manchester, M16 0EF
177 Clarendon Road, Manchester, M16 0EF
183 Clarendon Road, Manchester, M16 0EF
175 Clarendon Road, Manchester, M16 0EF
169 Clarendon Road, Manchester, M16 0EF
179 Clarendon Road, Manchester, M16 0EF
Flat 2, 2A Lynwood Avenue, Manchester, M16 8JZ
Flat 1, 2A Lynwood Avenue, Manchester, M16 8JZ
167 Clarendon Road, Manchester, M16 0EF
185 Clarendon Road, Manchester, M16 0EF
Flat 3, 94 Clarendon Road, Manchester, M16 8LA
Flat 2, 94 Clarendon Road, Manchester, M16 8LA
Flat 1, 94 Clarendon Road, Manchester, M16 8LA
Flat 5, 96 Clarendon Road, Manchester, M16 8LA
Flat 4, 96 Clarendon Road, Manchester, M16 8LA
Flat 3, 96 Clarendon Road, Manchester, M16 8LA
Flat 2, 96 Clarendon Road, Manchester, M16 8LA
Flat 1, 96 Clarendon Road, Manchester, M16 8LA
31 Park Drive, Manchester, M16 0AF
Flat 5, 108 Clarendon Road, Manchester, M16 0AL
Flat 3, 108 Clarendon Road, Manchester, M16 0AL
Flat 1, 108 Clarendon Road, Manchester, M16 0AL
171 Clarendon Road, Manchester, M16 0EF
Flat 3, 98 Clarendon Road, Manchester, M16 8LA
Flat 2, 98 Clarendon Road, Manchester, M16 8LA
Flat 2, 110 Clarendon Road, Manchester, M16 0AL
165 Clarendon Road, Manchester, M16 8LE
161 Clarendon Road, Manchester, M16 8LE
173 Clarendon Road, Manchester, M16 0EF
Flat 6, 98 Clarendon Road, Manchester, M16 8LA
Flat 4, 98 Clarendon Road, Manchester, M16 8LA
Flat 3, 110 Clarendon Road, Manchester, M16 0AL
50 Park Drive, Manchester, M16 0AH

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA