

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136919/P3GPA/2023

Date registered valid: 12 May 2023

Proposal: Prior Approval for change of use of first floor to residential flat (Class C3)

Address: 1192 Rochdale Road, Manchester, M9 6FR

Ward(s): Charlestown Ward

Applicant: Miss Stacey Duncan

Agent (if any):

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Withdrawn Withdrawn

Date of recommendation: 5 July 2023

Application details

Type of application: Prior Approval - Class E to mix inc C3

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 17 May 2023 Expired: 7 June 2023

Neighbour notifications

Printed: 17 May 2023 Expired: 7 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:

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: 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
MCC Flood Risk Management

1192A Rochdale Road, Manchester, M9 6FR
1190A Rochdale Road, Manchester, M9 6FR
Pharmacy, Tesco Superstore, 3 Victoria Avenue East, Manchester, M9 6HW
Tesco Superstore, 3 Victoria Avenue East, Manchester, M9 6HW
The Avenue Library And Learning Centre, Victoria Avenue East, Manchester, M9 6HW
Chambers And Perkins, 1196 Rochdale Road, Manchester, M9 6FR
4A Victoria Avenue, Blackley, Manchester, M9 6QL
4 Victoria Avenue, Blackley, Manchester, M9 6QL
Jct 20 Dental Clinic, 1190 Rochdale Road, Manchester, M9 6FR

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA