

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135805/FO/2022

Date registered valid: 18 January 2023

Proposal: Erection of a three storey building to form 3 no. retail units (Use Class E) and 4 no. self-contained flats (Use Class C3) on the upper floors with associated landscaping, car parking (1No.) and boundary treatments to the rear

Address: 92-96 Old Church Street , Newton Heath , M40 2JF

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Sajhad Ahmed iHealth Training Solutions Ltd

Agent (if any): Mr Zeeshan Haque XHAN Consulting

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

Recommendation: Withdrawn

Date of recommendation: 14 March 2023

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit:

Standard consultations:

Printed: 2 February 2023 Expired: 23 February 2023

Neighbour notifications

Printed: 2 February 2023 Expired: 23 February 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
Greater Manchester Police

8 Scotland Street, Manchester, M40 1LJ
32 Scotland Street, Manchester, M40 1LJ
22 Scotland Street, Manchester, M40 1LJ
20 Scotland Street, Manchester, M40 1LJ
16 Scotland Street, Manchester, M40 1LJ
26 Scotland Street, Manchester, M40 1LJ
Newton Heath Working Mens Club, Old Church Street, Manchester, M40 2JN
65 Old Church Street, Manchester, M40 2JN
14 Scotland Street, Manchester, M40 1LJ
28 Scotland Street, Manchester, M40 1LJ
Unit 9, Rosedale Shopping Centre, Old Church Street, Manchester, M40 2JL
CITYSCAPE ESTATES LTD, Units 2-3, Rosedale Shopping Centre, Old Church Street, Manchester, M40 2JL
86 Old Church Street, Manchester, M40 2JF
Unit 12, Rosedale Shopping Centre, Old Church Street, Manchester, M40 2JL
Unit 10, Rosedale Shopping Centre, Old Church Street, Manchester, M40 2JL
Unit 1, Rosedale Shopping Centre, Old Church Street, Manchester, M40 2JL
Iceland Frozen Foods, Old Church Street, Manchester, M40 2JS
Netto Foodstores Ltd, Old Church Street, Manchester, M40 2JL
Ladbrooks, 88 - 90 Old Church Street, Manchester, M40 2JF
Newton Heath Working Mens Club, 67 Old Church Street, Manchester, M40 2JN
Unit 5, Rosedale Shopping Centre, Old Church Street, Manchester, M40 2JL
Unit 7, Rosedale Shopping Centre, Old Church Street, Manchester, M40 2JL
Unit 6, Rosedale Shopping Centre, Old Church Street, Manchester, M40 2JL
59 - 61 Old Church Street, Manchester, M40 2JN
53 Old Church Street, Manchester, M40 2JN
24 Scotland Street, Manchester, M40 1LJ
Unit 8, Rosedale Shopping Centre, Old Church Street, Manchester, M40 2JL
63 Old Church Street, Manchester, M40 2JN
57 Old Church Street, Manchester, M40 2JN
55 Old Church Street, Manchester, M40 2JN
6 Scotland Street, Manchester, M40 1LJ
34 Scotland Street, Manchester, M40 1LJ
30 Scotland Street, Manchester, M40 1LJ
18 Scotland Street, Manchester, M40 1LJ
12 Scotland Street, Manchester, M40 1LJ
10 Scotland Street, Manchester, M40 1LJ

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
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH AREA