

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/23/0003

Date registered valid: 5 January 2023

Proposal: Discharge of condition 14 (landscaping), 28 (bird and bat box locations) and 31 (solar PV) attached to planning permission referenced 130586/VO/2021

Address: Land Bounded By The Rochdale Canal, Smallwood Street, Great Newton Street And Droylsden Road, Manchester

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Regina Khanum Manchester City Council

Agent (if any): Mr Mike Mason MCAU

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21 March 2023

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:

Printed: 19 January 2023 Expired: 9 February 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 landscaping scheme shown on drawing referenced 6581.01/F, received by the City Council as Local Planning Authority on 5 January 2023 is acceptable. Subject to implementation of the agreed scheme prior to first occupation of the development, condition 14 can be discharged.

2) The number, siting and appearance of the bat and bird box locations, shown on drawing referenced 90-050/CO1, received by the City Council as Local Planning Authority on 5 January 2023, is satisfactory. Subject to implementation of the agreed details prior to first occupation of the development, condition 28 can be discharged.

3) The proposed solar PV panels to the roof shown on drawing referenced P0176/EVPV and accompanying photographs, received by the City Council as Local Planning Authority on 5 January 2023, are acceptable. Subject to implementation of the agreed details, condition 31 can be discharged.

Appendix 1 – List of consultees & neighbours notified

Neighbourhood Team Leader (Arboriculture)
Greater Manchester Ecology Unit

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
Site of Biological Interest - Name: Rochdale Canal, Stott's Lane - Ducie Street Basin
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