

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/23/0043

Date registered valid: 23 January 2023

Proposal: Discharge of condition 4 (bin storage), 7 (bike storage), 9 (roller shutters) and 12 (CMP) attached to planning permission referenced 134660/FO/2022

Address: 145-149 Cheetham Hill Road, Manchester, M8 8LY

Ward(s): Cheetham Ward

Applicant: Parisian

Agent (if any): Mr Saghir Hussain Create It Studio Architects

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

Recommendation: Approve

Date of recommendation: 23 March 2023

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:

Printed: 1 February 2023 Expired: 22 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 waste management strategy and bin storage details shown on drawing referenced A1448(02)AP003/P1, received by the City Council as Local Planning Authority on 23 January 2023, with further clarification provided by e-mail dated 21 March 2023 to show the size of the bin store and the number of bins/containers, is acceptable. Subject to implementation of the agreed details, condition 4 can be discharged.

2) The cycle store details shown on drawing referenced A1448(02)AP004 and the associated brochure, received by the City Council as Local Planning Authority on 23 January 2023 is satisfactory. Subject to implementation of the agreed details, condition 7 can be discharged.

3) The details of the roller shutters shown on drawing referenced A1448(02)AP005/P2, received by the City Council as Local Planning Authority on 23 January 2023, is satisfactory. Subject to implementation of the agreed details, condition 9 can be discharged.

4) The details contained with the Construction and Environmental Management Plan (Ref: A1448), received by the City Council as Local Planning Authority on 23 January 2023 are satisfactory. Subject to implementation of the agreed details, condition 12 can be discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

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) -
Area Team Boundary - Name: NORTH AREA