

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** CDN/22/0815

**Date registered valid:** 11 November 2022

**Proposal:** Discharge of conditions 11a (noise), 17 (lighting), 21 (bird boxes), 23 (solar panels) and 24 (waste) attached to planning permission referenced 125033/VO/2019

**Address:** Abraham Moss Leisure Centre , Crescent Road, Manchester, M8 5UF

**Ward(s):** Crumpsall Ward

**Applicant:** Mr Neil Fairlamb Manchester City Council

**Agent (if any):** Mr michael kavanagh Ellis Williams Architects

**Case officer:** Janine Renshaw-Livesey  
Tel: 0161 234 4555  
Email: [janine.renshaw-livesey@manchester.gov.uk](mailto:janine.renshaw-livesey@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 30 January 2023

## **Application details**

**Type of application:** Approval of condition application

**Development type:** Notifications

**Date of site visit:**

**Standard consultations:**

Printed: 17 November 2022

Expired: 8 December 2022

**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

### **Article 35 Declaration**

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

11) The following information has been submitted in respect of this planning condition;

Acoustic Performance by Guardian, stamped as received on the 11 November 2022, LP44107-RAM-B01-XX-RP-Y-43003 Acoustic Report by Ramboll, stamped as received on the 11 January 2023, and the email from Ellis Williams dated 23 January 2023.

The above information has been considered and is acceptable in order to discharge this planning condition. Condition 11a is therefore formally discharged.

17) The following information has been submitted in respect of this planning condition;

External Lighting Calculations by BDP and LP44107-CHT-B01-XX-DR-E-63050 REV P01 Lighting Layout, stamped as received on the 11 November 2022.

The above information has been considered and is acceptable in order to discharge this planning condition. Condition 17 is therefore formally discharged.

21) The following information has been submitted in respect of this planning condition;

The Bat and Bird Box Scheme by TEP, stamped as received on the 11 November 2022.

The above information has been considered and is acceptable in order to discharge this planning condition. Condition 21 is therefore formally discharged.

23) The following information has been submitted in respect of this planning condition;

Technical Information by Crown House Technologies and Solar Panel Modules by bre, stamped as received on the 11 November 2022.

The above information has been considered and is acceptable in order to discharge this planning condition. Condition 23 is therefore formally discharged.

24) The following information has been submitted in respect of this planning condition;

Bin Store Plan and Waste Management Strategy, stamped as received on the 11 November 2022.

The above information has been considered and is acceptable in order to discharge this planning condition. Condition 24 is therefore formally discharged.

## **Appendix 1 – List of consultees & neighbours notified**

Highway Services  
Environmental Health  
Greater Manchester Ecology Unit  
Metrolink

## **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) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Middle) -  
Area Team Boundary - Name: NORTH AREA