

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** CDN/22/0717

**Date registered valid:** 14 October 2022

**Proposal:** Discharge of condition 7 (waste management) attached to planning permission referenced 134022/FO/2022

**Address:** 1169 Oldham Road, Manchester, M40 2FU

**Ward(s):** Miles Platting & Newton Heath Ward

**Applicant:** McDonalds Restaurants Ltd 11- 59 High Road, East Finchley, N2 8AW

**Agent (if any):** Mrs Sarah Carpenter Planware, Limited St Andrews Castle, 33 St Andrews Street South, Bury St Edmunds, IP33 3PH

**Case officer:** Steven McCoombe  
Tel: 0161 234 4607  
Email: [steven.mccoombe@manchester.gov.uk](mailto:steven.mccoombe@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 21 December 2022

## **Application details**

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

**Development type:** Notifications

### **Standard consultations:**

Printed: 20 October 2022 Expired: 10 November 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**

## **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 detailed on drawing referenced 12824\_AEW\_0434\_0018 and within the accompanying Refuse Storage and Recycling Statement, received by the City Council as Local Planning Authority on 5 October 2022, is satisfactory. Subject to implementation of the agreed details, condition 7 can be discharged.

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

Highway Services  
Environmental Health

## **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) -  
Area Team Boundary - Name: NORTH AREA