

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0536

Date registered valid: 4 August 2022

Proposal: Discharge of condition 16b (ground conditions verification) attached to planning permission referenced 124359/VO/2019

Address: Gorton Community Hub, 27 Garratt Way, Manchester, M18 8HE

Ward(s): Gorton & Abbey Hey Ward

Applicant: Paul Waite Manchester City Council Corporate Core Directorate, Town Hall, PO Box 532, Manchester, M60 2LA

Agent (if any): Tim Kilpatrick IBI Group Fourth Floor, Dantzic Building, Dantzic Street, Manchester, M4 2AL

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 28 August 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 9 August 2022 Expired: 30 August 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

Environmental Health – Condition no.16b can be discharged.

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:

Article 35 Declaration

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

16b) The submitted letter from planning agent ref: 50786-TK-20220804-L-1.01 dated 4 August 2022 confirming there have been no instances of contamination during the above works, together with the content of the letter from Curtins Consulting Ltd GCH-CUR-XX-XX-RP-G-0004_Remediation Strategy dated 28th July 2022 have been noted .

On the basis of the content of the two letters referenced above condition no.16b is discharged.

Appendix 1 – List of consultees & neighbours notified

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 Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH AREA