

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134730/NMC/2022

Date registered valid: 21 August 2022

Proposal: Non material amendment to planning permission 133143/VO/2022 to amend triggers within condition 21

Address: Red Bank Neighbourhood, Victoria North, Manchester

Ward(s):

Applicant: C/o Agent Manchester City Council C/o Agent

Agent (if any): Mr Ed Harvey Avison Young Norfolk House, 7 Norfolk Street,
Manchester, M2 1DW

Case officer: Jennifer Atkinson
Tel: 0161 234 4517
Email: jennifer.atkinson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 22.08.2022

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

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

The application site extends to approximately 15.74ha and comprises an irregular shaped parcel of land to the south of Red Bank Road, Manchester. The majority of the works proposed would be undertaken in Red Bank area.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

To the east and south of the application site are areas of hardstanding, trees and vegetation beyond which is the River Irk. Residential uses located at the Green Quarter and industrial uses associated with the Strangeways employment area are located to the north of the application site beyond Red Bank.

Description of development

Non material amendment to planning permission 133143/VO/2022 to amend triggers within condition 21

Consultations & Notification Responses

n/a

Issues

Condition 21 currently states:

Prior to the commencement of the development, a landscape and ecological management plan (30 year plan), including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted for approval in writing by the City Council as, the local planning authority.

The scheme shall include the following:

- *detailed soft and hard landscaping plans including planting schedule, and associated planting density for all new tree, scrub, groundflora and riparian corridor planting based on principles outlined in planting and habitats plan DR-L- 1008/P02.04 together with hard landscaping materials;*
- *details of maintenance regimes of all new or retained habitats;*
- *details of any new habitat created on site including SUDs ponds, swales.*
- *details of boundary treatment and river restoration techniques adopted alongside and within River Irk waterbody.*

The agreed landscape and ecological management plan shall be implemented and thereafter retained and maintained.

Reason- To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012) and the NPPF.

The applicant wishes to alter the condition as follows:

a) Prior to the commencement of the development any landscaping works, detailed soft and hard landscaping plans including planting schedule, and associated planting density for all new tree, scrub, groundflora and riparian corridor planting based on principles outlined in planting and habitats plan DR-L- 1008/P02.04 together with hard landscaping materials, shall be submitted for approval in writing by the City Council as the local planning authority.

b) Prior to first use of the development a landscape and ecological management plan (30 year plan), including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted for approval in writing by the City Council as, the local planning authority. The scheme shall include the following:

- *details of maintenance regimes of all new or retained habitats;*
- *details of any new habitat created on site including SUDs ponds, swales.*
- *details of boundary treatment and river restoration techniques adopted alongside and within River Irk waterbody.*

The agreed landscape and ecological management plan shall be implemented and thereafter retained and maintained.

Reason- To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012) and the NPPF.

This is to allow the landscaping details and the management plan to be submitted at different times reflecting the nature of when these documents will be ready in the development programme. The change is considered to be non material in nature.

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

1) The proposed seeks to amend triggers within condition 21

2) Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will not result in any significant material alterations to the planning approval.

21) a) Prior to the commencement of the development any landscaping works, detailed soft and hard landscaping plans including planting schedule, and associated planting density for all new tree, scrub, groundflora and riparian corridor planting based on principles outlined in planting and habitats plan DR-L- 1008/P02.04 together with hard landscaping materials, shall be submitted for approval in writing by the City Council as the local planning authority.

b) Prior to first use of the development a landscape and ecological management plan (30 year plan), including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted for approval in writing by the City Council as, the local planning authority. The scheme shall include the following:

- details of maintenance regimes of all new or retained habitats;
- details of any new habitat created on site including SUDs ponds, swales.
- details of boundary treatment and river restoration techniques adopted alongside and within River Irk waterbody.

The agreed landscape and ecological management plan shall be implemented and thereafter retained and maintained.

Reason- To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012) and the NPPF.

Appendix 1 – List of consultees & neighbours notified

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

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Flood Zones Type 2 (low to medium risk) -

Flood Zones Type 3 (high risk) -

Flood Zones Type 3 (high risk) -

Historic Landfill Site 250m Buffer -

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

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Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA
Area Team Boundary - Name: CENTRAL