

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0186

Date registered valid: 24 March 2022

Proposal: Discharge of condition 4 (waste management), 5 (CMP), 6 (EV charging), 9 (boundary treatment), 10 (Travel Plan), 11 (Event Management Plan), 14 (noise), 17 (drainage), 18 (off site highway works) attached to planning permission referenced 129773/FO/2021

Address: Former Rileys, Kirkmanshulme Lane, Manchester, M18 7BA

Ward(s): Longsight Ward

Applicant: Mr Waqar Ahmed Former Rileys, Kirkmanshulme Lane, Manchester, M18 7BA

Agent (if any): Mr Umar Faruque, Lumitekton Ltd 275A Upper Brook St, Manchester, M13 0HR

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

Recommendation: Approve

Date of recommendation: 23 August 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:

Printed: 6 April 2022 Expired: 27 April 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 LU106 P105A, received by the City Council as Local Planning Authority on 24 March 2022, is satisfactory. Subject to implementation of the agreed details, condition 4 can be discharged.

2) The details contained within the submitted Construction Management Plan (Ref: December 2021 REVA (24.04.22) and Construction Method Layout drawing referenced LU106-P107, received by the City Council as Local Planning Authority on 5 May 2022 and 24 March 2022 respectively, are satisfactory. Subject to implementation of the agreed details, condition 5 can be discharged.

3) The electric vehicle charging specification and arrangement shown on drawing referenced LU106-P101, received by the City Council as Local Planning Authority on 24 March 2022 and 5 May 2022 respectively is satisfactory. Subject to implementation of the agreed details, to include all 12 charging points (6 now and 6 within 2 years of date of first implementation of the permission) condition 6 can be discharged.

4) The boundary treatment shown on drawing referenced LU106 P101 REVJ, received by the City Council as Local Planning Authority on 5 May 2022, is satisfactory. Subject to implementation of the agreed details, condition 9 can be discharged.

5) The Travel and Events Management Plan (Ref: J916 /TP) dated March 2022 and received by the City Council as Local Planning Authority on 25 March 2022, is acceptable. Subject to the ongoing implementation of the agreed details, condition 10 can be discharged.

6) The Travel and Events Management Plan (Ref: J916 /TP) dated March 2022 and received by the City Council as Local Planning Authority on 25 March 2022, is acceptable. Subject to the ongoing implementation of the agreed details, condition 11 can be discharged.

7) The details contained within the Noise Impact Assessment produced by Peak Associates (Ref: PA440), received by the City Council as Local Planning Authority on 24 March 2022, are satisfactory. Subject to the recommendation of the report being implemented, including installation of a noise limiter and its subsequent maintenance, condition 14 can be discharged.

8) The following information is satisfactory:

-Surface Water Drainage Design produced by Reford (Rev A) dated July 2022 and received by the City Council as Local Planning Authority on 25 July 2022;

-Filter Drain Detail drawing received by the City Council as Local Planning Authority on 13 July 2022;

-E-mail correspondence from Lumitekton dated 25 July 2022 and 2 August 2022;

-Drainage connection letter dated 3 August 2022;

Subject to implementation of the agreed details, condition 17 can be discharged.

9) The off-site highway works detailed on drawing referenced J916 mitigation fig 1 and associated details, received by the City Council as Local Planning Authority on 24 March 2022 and 5 May 2022, are satisfactory. Subject to implementation of the agreed details in accordance with a S.278 agreement, condition 18 can be discharged.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
MCC Flood Risk Management
Highway Services

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