

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0443

Date registered valid: 4 July 2022

Proposal: Discharge of conditions 1 (time period) 2 (materials), 3 (specified plans), 4 (CMP) and 15 (drainage) attached to planning permission referenced 127962/FO/2020

Address: 804-806 Oldham Road, Manchester, M40 2AB

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Gary Armstrong Armstrong Office furniture 29 Penny Meadow, Ashton-Under-Lyne, OL6 6HG

Agent (if any): Mr Stephen Earley Elite portal frames ltd Unit 11, Southlink Workshops, Southlink Industrial Estate, Oldham, OL4 1DP

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

Recommendation: Approved and Refused

Date of recommendation: 23 August 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 6 July 2022 Expired: 27 July 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: Approved and Refused

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

1) Condition 1 is for information and compliance purposes only. However, for completeness, subject to compliance with the agreed time period for implementation, condition 1 can be discharged.

2) No details of the proposed roof material have been submitted and the submitted brick, mortar and window frame samples are not of a sufficient quality. On this basis, condition 2 is not discharged.

3) Condition 3 is for information and compliance purposes only. However, for completeness, subject to adherence with the approved drawings, condition 3 can be discharged.

4) The submitted Construction Management Plan (CMP) is not sufficient to allow condition 4 to be discharged. The following information is required within an updated CMP:

- Details of any compound locations where relevant;
- Location, removal and recycling of waste details;
- Detail of an emergency contact telephone number;
- Details for the parking of construction vehicles;
- Details of the sheeting over of construction vehicles and preventing fugitive dust emissions.

Until such time that satisfactory details are received and agreed, condition 4 cannot be discharged.

15) The following information is outstanding:

- Evidence of UU agreement in principle to the proposed flows/connection. An email of acceptance will suffice;
- Details of how the scheme shall be maintained and managed after completion.

Until such time that satisfactory details are received and agreed, condition 15 cannot be discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA