

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0771

Date registered valid: 6 June 2022

Proposal: Discharge of conditions 13 (Hours), 15 (Noise Plant), 23 (Fumes), 24 (Noise use) and 30 (Refuse) attached to application ref no 111026/FO/2016/C1 (as amended by 116413, 116450, 126191, 126825 and 128348) (blocks 5 and 6)

Address: Level 5, Circle Square, 9 Nobel Way, Manchester, M1 7FT

Ward(s): Deansgate Ward

Applicant: Oxford Property Trading Ltd C/o Agent

Agent (if any): Mr Liam Gooding LDM House, 46 Great Ancoats Street, Manchester, M4 5AB

Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 01.09.2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 12 July 2022 Expired: 2 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application relates to an area of the City known as Circle Square which is bounded by Princess Street, Charles Street, Oxford Road and Brancaster Road. The site has been the subject of a major regeneration initiative which has been delivered over the past 3-4 years creating a new mixed use neighbourhood comprising a mix of offices, residential accommodation with a ground floor mixed commercial offer around a new public square and riverside walkway.

The site is located within part of the City Centre known as The Corridor which contains a high concentration of commercial, cultural and education facilities and is considered to be the geographical heart of Manchester's 'knowledge economy'. The Corridor is a key focus of investment within the City and represents a major opportunity to secure added-value economic growth.

Description of development

Planning permission is sought for the discharge of conditions of 13 (Hours), 15 (Noise Plant), 23 (Fumes), 24 (Noise use) and 30 (Refuse) attached to application ref no. 111026/FO/2016/C1 (as amended by 116413, 116450, 126191, 126825 and 128348) (blocks 5 and 6).

Consultations & Notification Responses

Environmental Health have reviewed the information submitted for the conditions stated above and they can accept the information submitted and recommend discharge of the conditions 13, 15, 23, 24 and 30 based on the information submitted.

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

Article 35 Declaration

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

13) The following information has been submitted for approval in respect of planning condition 13 (Hours):

- Opening hours 10:23:00 7 days a week as stated in an email correspondence with agent dated 09 May 2022 received by the City Council as Local Planning Authority on 09 May 2022.

The submitted information is considered acceptable and condition 13 (Hours) attached to planning permission ref. 111026/FO/2016/C1 (as amended by 116413, 116450, 126191, 126825 and 128348) (blocks 5 and 6) is hereby discharged provided the development is carried out in accordance with the above information.

15) The following information has been submitted for approval in respect of planning condition 15 (Noise Plant)

- Email correspondence with agent stating that no external plant equipment is proposed within the unit dated 22 August 2022 received by the City Council as Local Planning Authority on 22 August 2022

The submitted information is considered acceptable and condition 15 (Noise Plant) attached to planning permission ref. 111026/FO/2016/C1 (as amended by 116413, 116450, 126191, 126825 and 128348) (blocks 5 and 6) is hereby discharged provided the development is carried out in accordance with the agreed details.

23) The following information has been submitted for approval in respect of planning condition 23 (Fumes):

- Email correspondence with agent stating that no facilities are proposed within the unit dated 09 May 2022 received by the City Council as Local Planning Authority on 09 May 2022

The submitted information is considered acceptable and condition 23 (Fumes) attached to planning permission ref. 111026/FO/2016/C1 (as amended by 116413, 116450, 126191, 126825 and 128348) (blocks 5 and 6) is hereby discharged provided the development is carried out in accordance with the agreed details.

24) The following information has been submitted for approval in respect of planning condition 24 (Noise Use):

- Email correspondence with agent stating that no facilities are proposed within the unit dated 09 May 2022 received by the City Council as Local Planning Authority on 09 May 2022

The submitted information is considered acceptable and condition 24 (Noise Use) attached to planning permission ref. 111026/FO/2016/C1 (as amended by 116413, 116450, 126191, 126825 and 128348) (blocks 5 and 6) is hereby discharged provided the development is carried out in accordance with the agreed details.

30) The following information has been submitted for approval in respect of planning condition 30 (Refuse):

-Waste Management Proforma received by the City Council as Local Planning Authority on 25 February 2022:

The submitted information is considered acceptable and condition 30 (Refuse) attached to planning permission ref. 111026/FO/2016/C1 (as amended by 116413, 116450, 126191, 126825 and 128348) (blocks 5 and 6) is hereby discharged provided the development is carried out in accordance with the above information.

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

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

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) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: CENTRL