

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0064

Date registered valid: 14 July 2022

Proposal: Discharge of conditions 5 (Site management Strategy), 7 (Cycle storage and fencing), 8 (cycle enclosure), 9 (waste), 10 (noise), 11 (Fume extraction), 12 (noise attenuation of plant), 13 (Gate design) and 14 (CCTV and lighting) attached to planning permission ref: 129778/FO/2021

Address: The Huntington, Northmoor Road, Manchester, M12 4HP

Ward(s): Longsight Ward

Applicant: Mr Iqbal, The Huntington Northmoor Road, Manchester, M12 4HP

Agent (if any): Architecture & Interior Design Ltd 51 Coleshill Road, Birmingham, B36 8DT

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve & Refuse

Date of recommendation: 8 September 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:

Printed: 20 July 2022 Expired: 10 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: No

Tree Preservation Order: No

Consultations & Notification Responses

Environmental Health -

- i. Condition 9 (waste) - No objection to the discharge of this condition.
- ii. Condition 10 (noise) - No information submitted for this condition.
- iii. Condition 11 (Fume extraction) - No information submitted for this condition. The applicant should consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval. The strategy should include risk assessments for odour and noise and be based on appropriate guidance such as that published by EMAQ titled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' dated September 2018. Details should also be provided in relation to replacement air.
- iv. Condition 12 (noise attenuation of plant) No information submitted for this condition.

Highways – No objection to the discharge of conditions 5, 7, 8, 9 and 13.

GM Police Design for Security – No objection to the discharge of conditions 7, 8, 13 & 14.

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 & Refuse

Article 35 Declaration

N/A

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

5) The discharge of condition 5 (Site management strategy) is refused as the submitted details relate to a site management during construction plan. Condition 5 requires the submission of a site management plan relating to the operational phase of the development. The requirements of condition 5 should be reviewed and appropriately responded to.

7) The discharge of condition 7 (Cycle storage and fencing) is approved on the basis that the specified 2 metre high railings to the north of the building incorporate a bow top detail to match the specification of drawing referenced Proposed fence and gate detail Ref: 13,954/09 Amendment C is implemented as part of the development; which shall be further undertaken in accordance with the following details, as stamped as received by the City Council on 8 February 2022, is approved on the basis the development is undertaken in accordance with the following drawings:

Proposed bike store plans and elevations Ref: 13,954/06 Amendment A

Proposed site plan 3.0

Proposed fence and gate detail Ref: 13,954/09 Amendment C (excluding gate elevations)

The implemented measures shall be maintained in situ at all times thereafter.

8) The discharge of condition 8 (Cycle storage) is approved on the basis that the following details, stamped as received by the City Council on 8 February 2022, is approved on the basis the development is undertaken in accordance with the following drawings:

Proposed bike store plans and elevations Ref: 13,954/06 Amendment A

Proposed site plan 3.0

The implemented measures shall be maintained in situ at all times thereafter.

9) The discharge of condition 9 (waste) is approved on the basis that the following details, stamped as received by the City Council on 8 February 2022, are implemented upon commencement of the authorised use and maintained in situ at all times thereafter:

Proposed site plan Ref: 3.0 (detailing the position of segregated waste storage enclosures);
Proposed store plan and elevation Ref: 13,954 /08 Amendment A (Class E waste enclosure);
Bespoke Deacon bin store enclosures (Class C3 – 2 door and Class E – 5 door).

10) The discharge of condition 10 (noise) is refused as insufficient information has been provided for assessment and therefore requirements of the specified condition have not been satisfactorily addressed.

11) The discharge of condition 11 (Fume extraction) is refused as insufficient information has been provided for assessment and therefore requirements of the specified condition have not been satisfactorily addressed.

It is advised that a suitably qualified ventilation engineer be consulted and a kitchen fume extract strategy report is submitted for approval. The strategy should include risk assessments for odour and noise and be based on appropriate guidance such as that published by EMAQ titled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' dated September 2018. Details should also be provided in relation to replacement air.

12) The discharge of condition 12 (noise attenuation of plant)) is refused as insufficient information has been provided for assessment and therefore requirements of the specified condition have not been satisfactorily addressed.

13) The discharge of condition 13 (Gate design) is refused as the appearance of the proposed vehicular and pedestrian access gates would be incongruously related to the adjoining low wall and relating boundary treatment and would therefore be harmful to the appearance of the streetscene. The height and the opening width of the referenced gates has not been specified.

14) The discharge of condition 14 (CCTV and lighting) is approved on the basis that CCTV cameras are not proposed and that the lighting relates to the following lighting specifications are implemented prior to the commencement of the use:

Edit Pimlico LED Outdoor Up and Down wall light in anthracite
Eterna 30W Cool White LED polycarbonate IP44 floodlight with PIR Sensor – Black.

The lighting shall be positioned in accordance with the detail of the drawings stamped as received by the City Council on 8 February 2022 and referenced Proposed elevations Ref: 5.0 and Proposed elevations Ref: 5.0. The implemented details shall maintained in situ at all time thereafter.

If any lighting installed as part of the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

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) -
Area Team Boundary - Name: NORTH