

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0436

Date registered valid: 27 June 2022

Proposal: Discharge of condition no. 17 (Tree Works/ Bird Nesting Season)
attached to planning permission ref: 129197/FO/2021

Address: Former Jackson's Brickworks Site, Ten Acres Lane, Newton Heath,
Manchester

Ward(s):

Applicant: Nuvu Development Limited C/o Agent, Manchester

Agent (if any): Mr John Cooper, Deloitte LLP, The Hanover Building, Corporation
Street, Manchester, M4 4AH

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 13 July 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:

Printed: 29 June 2022 Expired: 20 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: Not applicable

Tree Preservation Order: Not applicable

Description of area

Description of development

Consultations & Notification Responses

Greater Manchester Ecological Unit -Based on the information provided, and their knowledge of the site, they have no objections to the discharge of Condition 17.

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

Condition no.17

The submitted Ten Acres – Breeding Bird checks Version 3 dated 13th May 2022 by Amenity Tree Care Limited has been examined , and is considered to be acceptable.

On the basis of the content of the Ten Acres – Breeding Bird checks Version 3 dated 13th May 2022, I can confirm that condition no.17 is discharged.

Appendix 1 – List of consultees & neighbours notified

Greater Manchester Ecology Unit

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 - Not Affected

Site of Biological Interest - Name: Rochdale Canal, Stott's Lane - Ducie Street Basin

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

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