

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 132686/FH/2022

**Date registered valid:** 26 January 2022

**Proposal:** Erection of a single storey side and rear extension to form additional living accommodation

**Address:** 19 Leyburn Road, Manchester, M40 5GZ

**Ward(s):** Charlestown Ward

**Applicant:** Gary Burns 19 Leyburn Road, Manchester, M40 5GZ

**Agent (if any):** Mr Ryan Forber Plans 2 Extend Ltd The Print Centre , Johnson Street, Atherton, M46 0RB

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

**Recommendation:** WITHDRAWN

**Date of recommendation:** 15 March 2022

## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:**

### **Standard consultations:**

No consultations have been printed and sent.

### **Neighbour notifications**

Printed: 31 January 2022 Expired: 21 February 2022

### **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:** WITHDRAWN

**Article 35 Declaration**

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

## **Appendix 1 – List of consultees & neighbours notified**

8 Pentland Avenue, Manchester, M40 5GY  
32 Leyburn Road, Manchester, M40 5QZ  
11 Colgrove Avenue, Manchester, M40 5QY  
21 Leyburn Road, Manchester, M40 5GZ  
17 Leyburn Road, Manchester, M40 5GZ  
30 Leyburn Road, Manchester, M40 5QZ  
28 Leyburn Road, Manchester, M40 5QZ  
26 Leyburn Road, Manchester, M40 5QZ

## **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  
Coal Authority - Development High Risk - Name: DEVELOPMENT\_HIGH\_RISK\_AREA  
Coal Authority - Development Low Risk - Name: DEVELOPMENT\_LOW\_RISK\_AREA  
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface  
Historic Landfill Site 250m Buffer -  
Area Team Boundary - Name: NORTH1