

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131703/FH/2021

Date registered valid: 20 September 2021

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

Address: 40 Gibwood Road, Manchester, M22 4BS

Ward(s): Northenden Ward

Applicant: Mr Ghaith Al-Zubaidi 40 Gibwood Road, Manchester, M22 4BS

Agent (if any): Mr Fadhil Al-Aboody Weller Avenue, Manchester, M21 7SG

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Withdrawn

Date of recommendation: 15 November 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 29th October 2021

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 28 September 2021 Expired: 19 October 2021

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

Detached residential property

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

Predominantly residential in nature comprising of large detached and semi-detached properties.

Description of development

Erection of a two- storey side and rear extension to form additional living accommodation

Consultations & Notification Responses

Local residents were informed- no representations were received.

Issues

Applicant advised that the proposal is overbearing with the extension resulting in detrimental impact upon both residential and visual amenity of the neighbouring properties and upon the character of the property itself and the area within which it is located.

The agent has elected to withdraw the application.

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- Discussions took place with the agent, however in this instance the proposal could not be supported and the agent elected to withdraw the application.

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

Appendix 1 – List of consultees & neighbours notified

38 Gibwood Road, Manchester, M22 4BS
43 Gibwood Road, Manchester, M22 4BR
42 Gibwood Road, Manchester, M22 4BS
41 Gibwood Road, Manchester, M22 4BR
39 Gibwood Road, Manchester, M22 4BR

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 45M
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH