

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0788

Date registered valid: 11 October 2021

Proposal: Discharge of planning condition 11 (Ground Conditions) associated with planning permission 117470/FO/2017

Address: 39 Mason Street, Manchester, M4 5FX

Ward(s): Piccadilly Ward

Applicant: Mr Irfan Mirza, Marchmount Manchester Ltd C/o Ackroyd Legal, 609 Cannon Wharf, London, SE8 5EN

Agent (if any): Miss Jessica Curran DEX Construction Group Via Email

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 22 November 2021

Application details

Type of application: Approval of condition application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 2 November 2021 Expired: 23 November 2021

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:

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: Approve

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

1) The Ground Investigation Survey produced by Soiltechnics, dated October 2021 (Ref: STT5475-G01/Rev/0), received by the City Council as Local Planning Authority on 18 October 2021, is satisfactory. Subject to implementation of the agreed details and meeting the full requirements of the condition, condition 11 can be discharged.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Environment Agency

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
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
Area Team Boundary - Name: NORTH1