MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/21/0623
Date registered valid:	20 August 2021
Proposal:	Discharge of planning conditions 5 (Gas Membrane) and 6 (CMP) attached to planning permission 130942/FO/2021
Address:	128 Moston Lane, Manchester, M9 4HU
Ward(s):	Harpurhey Ward
Applicant:	Ms. Asibo Martina Rita 11 Dollond Street, Manchester, M9 4FF
Agent (if any):	Mr. Niamat Ali NA Design 47 Egerton Road South, Manchester, M21 0YW
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: steven.mccoombe@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	8 September 2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:
Printed: 2 September 2021 Expired: 23 September 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 polices 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 details of the gas membrane shown on a drawing received by the City Council as Local Planning Authority on 20 August 2021, is satisfactory. Subject to implementation of the agreed details, condition 5 may be discharged.

2) The revised construction environmental management plan received by the City Council as Local Planning Authority on 7 September 2021 is satisfactory. Subject to implementation of the agreed details, condition 6 may be discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

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 Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1