

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0202

Date registered valid: 31 March 2022

Proposal: Discharge of condition 4 (gas membrane) attached to planning permission referenced 132297/FH/2021

Address: 4 Burnthorp Avenue, Manchester, M9 8JU

Ward(s): Higher Blackley Ward

Applicant: Mr & Mrs Kusi 4 Burnthorp Avenue, Manchester, M9 8JU

Agent (if any): Mr Tom Maudsley TM Architecture 12 Blencathra Close, Middleton, M24 5AL

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

Recommendation: Approve

Date of recommendation: 20.05.2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 8 April 2022 Expired: 29 April 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:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Environmental Health: have reviewed the gas protection measures proposed for the above site and they can accept the information submitted and recommend discharge of the condition based on the information submitted

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:

Article 35 Declaration

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

- 4) The following information has been submitted in respect of this planning condition:

Drawings: Sections ref. B1-ZZ-DR-A-4000

The above information has been considered and is acceptable in order to discharge this planning condition. Condition 4 is therefore formally discharged.

Appendix 1 – List of consultees & neighbours notified

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

Historic Landfill Site 250m Buffer -

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Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH1