Planning

Growth & Development

Delegated officer report for planning application

Application no.	139467/FO/2024
Date registered valid:	22 March 2024
Proposal:	Conversion of dwellinghouse to 3 x 1 bedroom flats (Class C3)
Address:	71 Ash Tree Road, Manchester, M8 5SA
Ward(s):	Crumpsall Ward
Applicant:	Yasmin Bibi
Agent (if any):	Mr Ryan Cunniff, RPC Architectural Design Ltd
Case officer:	Ian Jarvis Tel: 0161 234 4079 Email: ian.jarvis@manchester.gov.uk
Recommendation:	Withdrawn
Date of recommendation:	8 May 2024

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit:

Standard consultations:
Printed: 9 April 2024 Expired: 30 April 2024

Neighbour notifications
Printed: 9 April 2024 Expired: 30 April 2024

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:

Withdrawn by email dated 7 May 2024

Other Legislative Requirements
Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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: Withdrawn

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Flat 3, 69 Ash Tree Road, Manchester, M8 5SA
Flat 2, 69 Ash Tree Road, Manchester, M8 5SA
Flat 1, 69 Ash Tree Road, Manchester, M8 5SA
75 Ash Tree Road, Manchester, M8 5SA
Ground Floor, 77 Ash Tree Road, Manchester, M8 5SA
Flat 1, 75 Ash Tree Road, Manchester, M8 5SA
Flat 2, 67 Ash Tree Road, Manchester, M8 5SA
Flat 2, 65 Ash Tree Road, Manchester, M8 5SA
Crumpsall Park Lodge, Ash Tree Road, Manchester, M8 5SA
73 Ash Tree Road, Manchester, M8 5SA
26 Woodfield Road, Manchester, M8 5SD
19 Woodfield Road, Manchester, M8 5SD
Second Floor, 77 Ash Tree Road, Manchester, M8 5SA
First Floor, 77 Ash Tree Road, Manchester, M8 5SA
Flat 3, 75 Ash Tree Road, Manchester, M8 5SA
Flat 2, 75 Ash Tree Road, Manchester, M8 5SA
Flat 3, 67 Ash Tree Road, Manchester, M8 5SA
Flat 1, 67 Ash Tree Road, Manchester, M8 5SA
Flat 3, 65 Ash Tree Road, Manchester, M8 5SA
Flat 1, 65 Ash Tree Road, Manchester, M8 5SA

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: NORTH AREA