

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0698

Date registered valid: 28 September 2022

Proposal: Application to discharge condition no. 6 (flood risk assessment) attached to planning permission 133938/FH/2022

Address: 42 Mersey Crescent, Manchester, M20 2YJ

Ward(s): Didsbury West Ward

Applicant: Mr Matthew Godwin, 42 Mersey Crescent, Manchester, M20 2YJ

Agent (if any): Mr Paul Reid, Reid Design Limited, 26 Raven Road, Timperley, Altrincham, WA15 6AP

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **16 November 2022**

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:

Printed: 5 October 2022 Expired: 26 October 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: No

Tree Preservation Order: No

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

Article 35 Declaration

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

6) The following information has been submitted in respect of planning condition 6 (Flood risk assessment):

- Application for Approval of Details Reserved by Condition, stamped and received by the City Council as Local Planning Authority on 28 September 2022.
- Drawing- Proposed- Floor Plans, numbered A103 REV B, stamped and received by the City Council as Local Planning Authority on 28 September 2022.
- Drawing- Proposed- Elevations, numbered A104 REV B, stamped and received by the City Council as Local Planning Authority on 28 September 2022.
- Drawing- Location Plan- Site Location & Block Plan, numbered A100 REV B, stamped and received by the City Council as Local Planning Authority on 28 September 2022.
- Flood Risk Assessment or Drainage- Flood Map, stamped and received by the City Council as Local Planning Authority on 28 September 2022.
- Flood Risk Assessment or Drainage- Flood Risk Assessment Data, stamped and received by the City Council as Local Planning Authority on 28 September 2022.

The above details are considered to be acceptable and condition 6 attached to planning permission referenced 133938/FH/2022 is formally discharged on the basis the development is fully implemented in accordance with the approved details.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

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 90M

Flood Zones Type 2 (low to medium risk) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA