

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0689

Date registered valid: 27 September 2022

Proposal: Discharge of condition 4 (gas membrane details) from planning approval 133258/FH/2022

Address: 39 Armitage Avenue, Manchester, M12 5GN

Ward(s): Longsight Ward

Applicant: Mr. Mazhar Iqbal 39 Armitage Avenue, Manchester, M12 5GN

Agent (if any): Mr. Niamat Ali NA Design 47 Egerton Road South, Chorlton Cum Hardy, Manchester, M21 0YW

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 15 November 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 3 October 2022 Expired: 24 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:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

1. Environmental Health

We have reviewed the submitted details and have no objection to the discharge of the above condition.

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

4) The measures shown on the submitted information: "Gas Membrane Detail" document and "Visqueen Low Permeability Gas Membrane" document, both received by the City Council as Local Planning Authority on 27 September 2022 are considered to be acceptable. On the basis that the development is implemented in accordance with the details in the above information, prior to occupation of the proposed extension, condition 4 is 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 Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA