

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134702/FO/2022

Date registered valid: 16 August 2022

Proposal: Elevational alterations including installation of rear flue in association with sub-division of Class E unit

Address: 250 Fog Lane, Manchester, M20 6EL

Ward(s): Didsbury East Ward

Applicant: Mr Hamid Nawaz 250 Fog Lane, Manchester, M20 6EL

Agent (if any): Mr Nadir Khan NK Architects 57 Broad Oak Lane, Manchester, M20 2EA

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation:

Date of recommendation:

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 16 September 2022

Standard consultations:

Printed: 21 September 2022 Expired: 28 September 2022

Neighbour notifications

Printed: 21 September 2022 Expired: 28 September 2022

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 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

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Location Plan referenced 493.00A and drawing referenced 493.05A received by the City Council as Local Planning Authority on 16 August 2022 and 21 September 2022 respectively.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) The ground floor unit hereby approved shall not be used for any other purpose other than Class E of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of Class E.

Reason - In the interests of residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework.

Informatives

1) Any new signage may require a separate application for advertisement consent.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Environmental Health

246 Fog Lane, Manchester, M20 6EL
246A Fog Lane, Manchester, M20 6EL
Ground Floor, 250 Fog Lane, Manchester, M20 6EL
First Floor, 250 Fog Lane, Manchester, M20 6EL
199A Fog Lane, Manchester, M20 6FJ
191 Fog Lane, Manchester, M20 6FJ
Emery House, 195 Fog Lane, Manchester, M20 6FJ
197A Fog Lane, Manchester, M20 6FJ
33 Norwood Avenue, Manchester, M20 6EX
31 Norwood Avenue, Manchester, M20 6EX
First Floor, 248 Fog Lane, Manchester, M20 6EL
Ground Floor, 248 Fog Lane, Manchester, M20 6EL
248 Fog Lane, Manchester, M20 6EL
199 Fog Lane, Manchester, M20 6FJ
Ladbroke's, 193 Fog Lane, Manchester, M20 6FJ
197 Fog Lane, Manchester, M20 6FJ
244 Fog Lane, Manchester, M20 6EL

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
Area Team Boundary - Name: SOUTH AREA