

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0125

Date registered valid: 7 March 2022

Proposal: Discharge of Condition 4 (gas membrane) attached to planning permission 130956/FH/2021

Address: 16 Bolesworth Close, Manchester, M21 9BE

Ward(s): Chorlton Ward

Applicant: Nuala Todd, 16 Bolesworth Close, Manchester, M21 9BE

Agent (if any): Stephen Leighton, Leighton Architects, 21 Chandos Road, Manchester, M21 0SS

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27 April 2021

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: Not required

Standard consultations: Printed: 8 March 2022 Expired: 29 March 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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two storey semi-detached C3 dwellinghouse of reddish brown brick with a brown pantile gable roof and brown fenestrations. The property has not previously been extended and sits within a plot which includes a driveway and front and rear gardens.

Description of area

Bolesworth Close is a modern residential estate within Chorlton, comprising of pairs of identical semis with gardens and driveways. Many of these properties have already been extended or altered. The area benefits from its proximity to the District Centre and plenty of greenspace (Turn Moss, Ivy Green, the Mersey Valley).

Description of development

The applicant gained permission for a single storey side and rear wrap around extension with a porch, to provide additional living accommodation, in 2021 under ref 130956/FH/2021. They are now seeking to discharge condition 4 which relates to a gas membrane.

Consultations & Notification Responses

Environmental Health – Initially noted that although several visqueen datasheets had been submitted (for jointing tape and top hat units) there was no specification for the membrane itself. The agent then submitted this and the EnvH officer accepted it, stating *“I can now recommend discharge of the condition.”*

Hence, condition 4 attached to planning application 130956/FH/2021 can be formally discharged.

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

Condition(s) to be attached to decision for approval

3) Condition 4 - The details of the gas membrane provided by the sectional drawing numbered '20112/D/07' received on the 1st March 2022 and the 'Visqueen Low Permeability Gas Membrane' datasheet, received on the 18th March 2022, are considered to be acceptable. Therefore, providing that the development has been completed in accordance with the approved drawings and manufacturer's instructions, this formally discharges Condition 4 of planning approval 130956/FH/2021.

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
Historic Landfill Site 250m Buffer
Susceptible to Surf Water Flood (Less)
Area Team Boundary - Name: SOUTH