

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/24/0829

Date registered valid: 30 August 2024

Proposal: Application to discharge condition 23 (Window Details and Reveals) attached to planning permission 138589/FO/2023.

Address: 63 - 65 Upper Chorlton Road, Manchester, M16 7RQ

Ward(s): Whalley Range Ward

Applicant: Mr Oliver Ingram Great Places Housing Group

Agent (if any): Mr Mark Harrison TADW Ltd

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 22 October 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 10 September 2024 Expired: 1 October 2024

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: Expired:

Press advert

Published: 17 September 2024 Expired: 8 October 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Issues

Concerns were expressed with the planning agent in regard to the use of PVC window frames, due to the location of the property in the Whalley Range Conservation Area . However, there are other examples of properties within the Conservation Area on the Upper Chorlton Road, which have PVC windows incorporated within their front facades (and other elevations) . The existing property has existing brown pvc windows to the windows on the front and other elevations. Whilst a timber window solution would have been the preferred approach, given the existing circumstances at the address, and in the vicinity of the site, the agent was asked, on

the basis timber was not put forward for use, to source the narrowest profile windows to support the triple glazed units for both the PVC and aluminium frames which are proposed .

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 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

Condition no. 23 (Window details and reveals)

23)The details contained in the documents, emails and plan referenced below have been reviewed.

-Letter dated 12th August 2024 from Windows and Doors Limited to J Greenwood (Builders) Ltd

-Casement windows TOTAL 70 specification sheet

Received 30th August 2024

-The use Fire rated windows with an aluminium frame and a 61mm profile to side southern gable confirmed by agent email dated 3rd October 2024.

-Condition. no 23 – (Windows) document as revised by addendum to application to discharge condition no.23 (Windows) relating to the incorporation of fire rated windows to the southern gable elevation.

-Aluprof aluminium window and wall systems specification document (ref: MB – SR50N EI)

Received 4th October 2024

-Agent email dated confirm that the proposed window section for the fire rated windows is MB-78, the frame reference is K518142 (the 61mm version), and all windows would be RAL 7016 in colouration dated 10th October 2024.

-Existing and proposed elevations plan ref: 231332 14 rev.P4 Received 21st October 2024.

- Agent email dated 22nd October 2024 original windows on the ground and first floor of the front elevation at Upper Chorlton Road were set back 90mm from the brickwork face, and the new replacement windows would be set back by the same amount.

On the basis that the development is implemented in accordance with the details referenced in the documents, emails and plan referenced above, condition no.23 is discharged.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Conservation Area - Whalley Range Conservation Area 1992

Hazard - Major Accident Hazard Pipeline - Upper Chorlton Road

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA