MANCHESTER CITY COUNCIL

# Planning

## Growth & Development

## Delegated officer report for planning application

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| **Application no.** | CDN/24/0907 |
| **Date registered valid:** | 3 October 2024 |
| **Proposal:** | Discharge of conditions 3 (materials) and 5 (shutters) attached to planning permission referenced 139207/FO/2024. |
| **Address:** | 172 Great Western Street, Manchester, M14 4SN |
| **Ward(s):** | Moss Side Ward |
| **Applicant:** | Mr Mohammed Sayda Sayda Trade Supplies Ltd |
| **Agent (if any):** | Mr Paul J Ormandy Ormandy Design Group |
| **Case officer:** | Janet Lawless<br>Tel: 0161 234 4535<br>Email: janet.lawless@manchester.gov.uk |
| **Recommendation:** | Approve |
| **Date of recommendation:** | 27 November 2024 |

**Application details**

**Type of application:** Approval of condition application

**Development type:** Notifications

**Date of site visit:** N/A

**Standard consultations:**
No consultations have been printed and sent.

**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:** N/A

**Tree Preservation Order:** N/A

**Consultations & Notification Responses**

**Issues**

**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 polices 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**

3) The information submitted including the email from Paul Ormandy received 25th November 2024 for the palette of materials to be used on the external elevations is considered acceptable and condition 3 materials is considered discharged so long as implemented in accordance with the approved details.

5) The specification including materials for the roller shutters as received 8th July 2024- Roller shutter details Revision B are considered acceptable and are sufficient to fully discharge Condition 5 subject to the scheme being implemented in accordance with the approved details.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA