

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** CDN/24/0652

**Date registered valid:** 18 July 2024

**Proposal:** Discharge of condition 5 (external materials) attached to planning permission referenced 138335/FH/2023

**Address:** 38 Holwood Drive, Manchester, M16 8WS

**Ward(s):** Whalley Range Ward

**Applicant:** Jay + Stephen Swali

**Agent (if any):** Mr Kieran Hibbs kieranhibbsarchitecture

**Case officer:** Katie Raw  
Tel: 0161 234 4164  
Email: [katie.raw@manchester.gov.uk](mailto:katie.raw@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** **11 September 2024**

## **Application details**

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

**Development type:** Notifications

### **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:** No

**Tree Preservation Order:** No

## **Description of area**

## **Description of development**

## **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 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**

5) The following information has been submitted in respect of planning condition 5 (external materials):

- Application Form, stamped and received by the City Council as Local Planning Authority on 18 July 2024.
- Correspondence Specification Header and Sills, stamped and received by the City Council as Local Planning Authority on 27 August 2024.
- Correspondence- Materials to be Used, stamped and received by the City Council as Local Planning Authority on 5 September 2024.
- Photo- Brick Imperial Urban Weathered, stamped and received by the City Council as Local Planning Authority on 5 September 2024.
- Photo- Cills and Header Stone Stonecraft Fletcher Bank, stamped and received by the City Council as Local Planning Authority on 5 September 2024.
- Photo- Door Utility Door, stamped and received by the City Council as Local Planning Authority on 5 September 2024.
- Photo- Front Door Alchemy Black, stamped and received by the City Council as Local Planning Authority on 5 September 2024.
- Photo- K Rend Specification, stamped and received by the City Council as Local Planning Authority on 5 September 2024.
- Photo- Roof Wienerberger Sandtoft, stamped and received by the City Council as Local Planning Authority on 5 September 2024.
- Supporting Information- Window Finish, stamped and received by the City Council as Local Planning Authority on 5 September 2024.
- Drawing- Proposed- Elevations, numbered 102 REV U, stamped and received by the City Council as Local Planning Authority on 11 September 2024.

The above details are considered to be acceptable to discharge the condition 5 attached to planning permission referenced 138335/FH/2023 on the basis the development is fully 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) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH AREA