MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/24/0731
Date registered valid:	8 August 2024
Proposal:	Discharge of conditions 3 (Material Schedule), 4 (Details of EV Charging points), 5 (Designs of boundary wall treatment), 9 (Landscape design scheme), 12 (Scheme for Biodiversity), 13 (Environmental Standard Statement), 14 (bike store) and 18 (Sustainable drainage designs) from planning approval reference 134755/FO/2022
Address:	8 Fairfax Avenue, Manchester, M20 6AJ
Ward(s):	Didsbury East Ward
Applicant:	Mr Twana Gardi
Agent (if any):	Mr Saghir Hussain Create It Studio Architects
Case officer:	Janet Lawless Tel: 0161 234 4535 Email: janet.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	29 October 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit: N/A

Standard consultations:
Printed: 20 August 2024 Expired: 11 September 2024

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 development
Discharge of conditions 3, 4, 5,9,12,13,14 and 15

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 proposed materials submitted ref: A1544-Z100-A-01 MATERIAL SCHEDULE is considered acceptable and the development shall be constructed using the approved materials. Condition 3 is therefore considered discharged.

4) The submitted details drawing A1544 (02) AP010 P2 referencing the EV charging point specifications are acceptable and shall be incorporated into the development. Condition 4 is therefore considered fully discharged.

5) In regard to Condition 5 (Design of Boundary Wall Treatment) Plan 'A1544(02)AP007 / P2' details the proposed boundary treatments are considered acceptable and so long as the proposal is implemented in accordance with the approved details is considered discharged.

9) The details submitted plan ref: A1544(02)AP008 are considered acceptable an as long as the approved scheme as approved is implemented, the condition is considered discharged.

12) The information submitted has been assessed by GMEU and is considered satisfactory and subject to the implementation of the approved scheme can be considered discharged.

13) The information submitted by Energy Counsel Environmental Standards Statement Ref: Z65118 is considered acceptable, and this condition is considered discharged

14) The details as submitted drawing ref: A1 544 (02) AP009 P2 bike and bin store are considered acceptable to fully discharge this condition the development shall be implemented in accordance with the approved plans and remain in situ and maintained so long as the property is in use.

15) The information submitted By City Struct has been assessed by United Utilities and is acceptable. As such Condition 18 is considered fully discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Ecology Unit

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