

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0875

Date registered valid: 2 December 2022

Proposal: Discharge of condition 4 (materials) of planning permission ref.133770/JO/2022

Address: Barclay House , 35 Whitworth Street West, Manchester, M1 5NG

Ward(s): Deansgate Ward

Applicant: Power Living (Barclay House) Barclay House, 35 Whitworth Street West, Manchester, M1 5NG

Agent (if any): Mr DK Seddon Howard & Seddon ARIBA 64 Washway Road, Sale, M33 7RE

Case officer: Gerry Reilly
Tel: 0161 234 4163
Email: gerry.reilly@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 13 December 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

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:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Issues

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

1) Condition 4 (materials) is hereby discharged as the following documents/information and clarifications have been submitted and accepted as demonstrating compliance with the condition

Drawing

Stone Details 15,209 BR100 Amendment F

Documents

Document entitled Powder Coating Finishes by Jacksons Fencing JSW 84 Issue 01 received by the City Council as Local Planning Authority on 2nd December 2022

Document entitled SENTRY RESIDENTIAL JSW 43 Issue 02 received by the City Council as Local Planning Authority on 2nd December 2022

Material Samples

BBS Brick and Stone Ltd Prata Dupla (Finepitched) Granite
BBS Brick and Stone Ltd Portland Stone

The submitted information allows for Condition 4 (materials) to be discharged. No further details are required for Condition 4 as a whole and therefore Condition 4 is fully discharged.

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

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: CENTRAL