

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132834/NMC/2022

Date registered valid: 3 February 2022

Proposal: Non-material amendment application to planning approval reference 130984/FO/2021 to allow reduction in size of window at ground floor and to incorporate a new entrance door to the flat above.

Address: 56 Lloyd Street South, Manchester, Manchester, M14 7HT

Ward(s): Whalley Range Ward

Applicant: Mr Richard Ward, Millerbrook Properties Ltd, 83 Fountain Street, Manchester, M2 2EE

Agent (if any): Mr Andrew Collier, C3 Design Consultancy, 1 Princes Terrace, Shrewsbury, SY4 1LP

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Withdraw

Date of recommendation: 2 February 2022

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: Not required

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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a part single part two storey terraced building together with a collection of storage units bounded by a brick wall. The existing retail unit faces Lloyd Street South and the storage rooms at the rear face Burdith Avenue. The first floor at the front, above the retail unit (No.56), was converted into a C3 apartment in 1992 (041742).

Description of area

The area is predominantly residential, mainly consisting of two storey red brick terraced dwellinghouses along Lloyd Street South, Burdith Avenue and beyond. The site lies within the Whalley Range ward and benefits from its proximity to several bus stops and Princess Road.

Description of development

In 2021 permission was granted for a new shop front to No's 56 and 58 (reference: 130984/FO/2021). The applicant is now seeking to make amendments to the design which they deem to be non-material changes.

Consultations & Notification Responses

None required for this type of application.

Policies

The following policies are considered relevant in the consideration of this application.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF, 2021)

Withdrawal

Email from agent on the 2nd March 2022:

Dear Connie

I have spoken to my client today and we will withdraw the application. I have now been instructed to apply for a variation of condition (specified plans). Many thanks for bringing this to my attention.

Kind regards,

Andrew Collier

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: Withdraw

Appendix 1 – List of consultees & neighbours notified

None

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH