

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132563/NMC/2021

Date registered valid: 21 December 2021

Proposal: Non material amendment to planning permission referenced 130586/VO/2021 to allow minor increase in the size of ground floor plant room to north elevation of all 3 apartment blocks and alterations to the boundary fence-line to Plots 58 & 63 (side/rear) to accommodate 2no. hydrobrakes

Address: Silk Street, Newton Heath, Manchester, M40 1HE

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Regina Khanum Manchester City Council Level 8 Town Hall Extension, PO Box 532, Manchester, M60 2LA

Agent (if any): Mr Mike Mason MCAU Eastgate, 2 Castle Street, Manchester, M3 4LZ

Case officer: Jennifer Atkinson
Tel: 0161 234 4517
Email: jennifer.atkinson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 10 January 2022

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 23 December 2021

Expired: 13 January 2022

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

The application site is approximately 0.7 hectares and currently comprises vacant land and hardstanding which is used for car parking. The topography of the site is relatively flat but rises more steeply towards Droylsden Road. The site does not contain any significant vegetation, however, there are some trees located in the eastern part of the site close to Droylsden Road. The Rochdale Canal and towpath border the northern boundary of the site.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application site is located in the Newton Heath District Centre which contains a mixture of commercial and high street uses, industrial and residential. Educational and ecclesiastical uses are also present. The houses to the south west and east of the site are characterised by a typical mid-late 20th century estate layout incorporating a narrow range of standard house types. The properties are predominantly two storey semi-detached and terraced of red / brown brick construction with tiled roofs and private gardens. The properties south east of the site and immediately south west of the District Centre are historic red brick terraces with slate roofing.

To the North of the canal are the Martins Bakery site and Lidl supermarket. West of the site commercial buildings fronting Old Church Street back on to Smallwood Street. To the east, there are residential properties set back from Droylsden Road facing the direction of the application site. Due to the gradient of the land, the ground floor of the properties here are marginally lower than the surface level of Droylsden Road. South of Great Newton Street is the Sure

Start Children's Centre, south west of here is the Newton Heath Working Men's club. Parking to these facilities is to the rear/ side of the properties with access gained from Great Newton Street.

Description of development

Non material amendment to planning permission referenced 130586/VO/2021 to allow minor increase in the size of ground floor plant room to north elevation of all 3 apartment blocks and alterations to the boundary fence-line to Plots 58 & 63 (side/rear) to accommodate 2no. hydrobrakes

Consultations & Notification Responses

n/a

Issues

The proposal seeks two changes to the planning permission:

- Increase in size of plant room; and
- Alterations to boundary treatment at plots 58 and 63

Plant rooms

Within each apartment building there is a ground floor plant room to the rear along the canal boundary. The plant room was recessed within the rear elevation. The plant room requires enlargement to meet requirements. This will not exceed beyond the rear elevation of the building, instead being flush with the rear elevation.

The removal of the recess is welcomed and will result in not material change to the rear elevation in terms of its appearance.

Alteration to boundary treatment

The proposal would result in the removal of a small amount of rear garden from these plots to ensure essential drainage requirements can be easily accessible. The boundary treatment will therefore be altered to reflect this. Whilst the arrangement is not ideal, it is a small area which will be given over to hardstanding which will not have an unduly harmful impact on the appearance of the development.

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:

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

- 1) The proposed seek to increase in the size of ground floor plant room to north elevation of all 3 apartment blocks and alterations to the boundary fence-line to Plots 58 & 63 (side/rear) to accommodate 2no. hydrobrakes
- 2) Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will not result in any significant material alterations to the planning approval.

2) The development hereby approved shall be carried out in accordance with the following additional drawings:

02-001 Rev P06, 03-Apart-blk-01 Rev P05 and 90-010 Rev P03 stamped as received by the City Council, as Local Planning Authority, on the 21 December 2021

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

11) The boundary treatment shall be carried out in accordance with drawing 1184-90-010 REV P03 stamped as received by the City Council, as Local Planning Authority, on the 21 December 2021.

The approved details shall be implemented as part of the development and be in place prior to the first occupation of development.

The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

Reason - In the interest of visual amenity and security of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

17) The development hereby approved shall be carried out in accordance with the waste management profoma and drawing 1184-02-001 REV P06 stamped as received by the City Council, as Local Planning Authority, on the 21 December 2021.

The approved details shall be implemented prior to the first occupation of the development and thereafter retained and maintained in situ.

Reason - To ensure adequate refuse arrangement are put in place for the residential element of the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

22) Prior to the first occupation of the development hereby approved the car parking layout as indicated on drawing 1184-02-001 REV P06 stamped as received by the City Council, as Local Planning Authority, on the 21 December 2021, shall be surfaced, demarcated and made available. The approved car parking layout shall be implemented and thereafter retained and maintained.

Reason - To ensure sufficient car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

23) Prior to the first occupation of the development hereby approved, the 54 cycle spaces for the apartments shall be implemented and made available in accordance with 1184-02-001 REV P06 stamped as received by the City Council, as Local Planning Authority, on the 21 December 2021.

Prior to the first occupation of the dwellings, the siting, scale and appearance of a suitable cycle store for each dwellinghouse shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The cycle spaces shall be retained and maintained for as long as the development remains in use.

Reason - To ensure there is sufficient cycles provision at the development and the residents in order to support modal shift measures pursuant to policies SP1,T1, T2 and DM1 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Environmental Health

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 - Not Affected

Site of Biological Interest - Name: Rochdale Canal, Stott's Lane - Ducie Street Basin

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH1