

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131986/NMC/2021

Date registered valid: 20 October 2021

Proposal: Non material amendment application to planning permission reference 121791/FO/2018 to allow the development to take place without altering levels to the frontage of the building to create a level access.

Address: 506 Wilmslow Road, Manchester, M20 4BT

Ward(s): Withington Ward

Applicant: Mr David Feltham, Feltham Management Limited, 20 Aldwych Avenue, Manchester, M14 5NL

Agent (if any): Mr Alyn Nicholls, Alyn Nicholls, Chartered Town Planner 140 Denby Lane, Upper Denby, Huddersfield, HD8 8UN

Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 16th November 2021

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

The application site relates to a 2 storey semi-detached property which is currently in use as two self-contained flats. The property is representative of the style and type of properties found along this stretch of road with varying styles further along Wilmslow Road. The site lies close to Withington Village located within the Withington Conservation Area. St. Pauls Church is positioned opposite the site with St. Cuthberts Church on Palatine Road adjoins the rear of the site. From 514 onwards the road is commercial and includes shops and the Red Lion P. H. The site has very little amenity space to the front and hardstanding amenity space to the rear with some soft landscaping along the curtilage of the site to the rear.

Listed building:	Not applicable
Conservation area:	Withington Conservation Area 1983
Tree Preservation Order:	Not applicable

Description of area

The surrounding area is predominantly residential in character, a number of properties on this stretch of road have been converted into flats.

Description of development

Non material amendment application to planning permission reference 121791/FO/2018 to allow the development to take place without altering levels to the frontage of the building to create a level access.

Consultations & Notification Responses

Not required for this type of application

Policy and Issues

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The relevant Core Strategy policies for this application are as follows:

SP1 - Spatial Principles
DM1 - Development Management 1
T2 - 'Accessible area of opportunity and need'
EN3 - Heritage

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant UDP policies for this application are:

DC 5 - Flat Conversions
DC18 - Conservation Areas
DC26 - Development and Noise

The Guide to Development in Manchester SPD

Manchester Residential Quality Guidance 2016

National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Materiality

Section 96A of the 1990 Act (as inserted on 1st October 2009 by sec.190 of the Planning Act 2008) allows a local planning authority in England to make a change to any planning permission relating to land in its area if it is satisfied that the change is not material. In deciding whether a change is material, the authority must have regard to the effect of the change, together with any previous non-material changes, on the planning permission as originally granted.

This application relates to non-material amendments to planning approval reference 121791/FO/2018 for Conversion of existing apartment building to create three new flats making five in total, alterations to elevations and creation of light wells. This application was allowed on appeal on 9th December 2019.

Following a consideration of the proposed amendments and given the nature and scale of the development the amendments are non-material in nature. The amendments are not considered to give rise to new issues in terms of access and are considered acceptable.

Overall it is considered that the proposed revisions are of a minor nature and would have no more impact upon either visual or residential amenity than the approved scheme. The amendments would accord with policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework (NPPF) and saved policy DC5, 18 and 26 of the UDP

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

The proposed amendment relates to the front elevation to allow the development to take place without altering levels to the frontage of the building to create a level access.

Following an assessment of the details submitted, the Council 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 have no significant material impact upon the appearance of the development and it is also considered that the proposals would not have any impact on the amenity of residential properties or on the visual amenity of the wider area.

1) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Received 20th October 2021 numbered 506-OD-0003 Rev 01 WIP Proposed Floor Plans

Received 20th October 2021 numbered 506-OD-0006 Rev 01 WIP Proposed Site Plan

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies CC10 of the Unitary Development Plan for the City of Manchester.

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

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

Conservation Area - Withington Conservation Area 1983

Area Team Boundary - Name: SOUTH