

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131906/NMC/2021

Date registered valid: 19 October 2021

Proposal: Non material amendment to planning permission 129393/VO/2021 to allow reconfiguration of road widths, landscaping scheme and repositioning of plot D

Address: Land Bound By Rochdale Road, Shellard Road, Harrowby Drive, Johnny King Close, Thornton Street North, Stretton Close And Marston Street, Manchester, M40 7UZ

Ward(s): Harpurhey Ward

Applicant: Victoria Hunter Far East Consortium and Manchester City Council 2nd Floor Northern Assurance Building, 9-21 Princess Street, Manchester, M2 4DN

Agent (if any): Mr Jon Suckley Asteer Planning Suite 510, 275 Deansgate, Manchester, M3 4EL

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

Recommendation: Approve

Date of recommendation: 8 December 2021

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 19 October 2021 Expired: 9 November 2021

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 4.7 hectares and is an irregular shape adjoining Marston Street on its northern boundary and Johnny King Close, Anslow Close, Thornton Street North and Stretton Close on its most eastern boundary. Shellard Road and Harrowby Drive adjoin the site to the south and Rochdale Road (A664) adjoins the site on its western boundary. Thornton Street, Churnet Street and Paget Street are all located within the red line boundary.

The application site a development site have been identified within the Manchester Brownfield Land Register since 2019 and have previously contained residential properties which were subject to clearance work under previous regeneration proposals for the area.

There are 29 existing properties within the site boundary, the Collyhurst Store and a substation located in the south eastern corner of the site. The site also includes existing trees and grassed areas.

Planning permission has recently been granted for a series of enabling works at the site. (Enabling works comprising the erection of site hoardings, removal of existing trees, site clearance, cut and fill excavation, remediation works and other associated ground works) 128788/FO/2020.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application site forms part of the Victoria North development area which is underpinned by the Northern Gateway Strategic Regeneration Framework. This framework seeks to deliver a significant number of new homes in the area some of which will be delivered in partnership with FEC the joint applicant of this planning application.

The application site is situated within an established residential neighbourhood. The area is dominated by 1960s properties were delivered as part of a new estate following clearance in the city centre.

Manchester Communication Academy is located to the north of the site which is a mixed comprehensive High School serving the local community. Immediately east of the site is the existing Collyhurst Park and further residential properties. The site is bounded to the west by Rochdale Road, which takes traffic into the City Centre to the south and also provides access to North Manchester. Beyond Rochdale Road is further residential development. The site is bounded by Shellard Road and Harrowby Drive to the south, beyond which are further residential properties.

Description of development

Non material amendment to planning permission 129393/VO/2021 to allow reconfiguration of road widths, landscaping scheme and repositioning of plot D

Consultations & Notification Responses

Flood Risk Management Team – No issues with the proposed amendments

Highway Services - No issues with the proposed amendments

Issues

Planning permission was granted in June 2021 planning permission was granted for the following development:

City Council Development for the erection of 168, three and four storey dwellinghouses (Use Class C3a) and two, five and six storey apartment buildings to form 76 residential apartments (Use Class C3a) with associated ground floor flexible commercial unit (162 sqm) (Use Class E); and the creation of a new public park; all with associated car and parking, refuse storage, landscaping, public realm and other associated works and infrastructure following demolition of 29 existing residential dwellinghouses, the Collyhurst Village Store and associated car parking

Following further detailed design work since the planning application was granted, which was in response to further work at the request of Highway Services, amendments are proposed to the scheme to enable the highway layout meet adoptable standards.

The previous layout would not have met adoptable standards and this is a requirement from the applicant that they do.

The changes to the proposal are as follows:

Plot A:

- Incoming road widened to 5.5m, up to shared surface. Resulting in 700mm loss to planting buffer outside of the adopted highway, Shared across left and right hand side of the road.
- No effect on building locations.

Plot B:

- Widening of living street from 4.8m to 5.5m (Turning head). Loss of soft landscape verge either side of the carriageway to facilitate widening. Right hand planted verge converts to footpath.
- Western end of Churnet Street widened to 5.5m.
- No effect on building locations.

Plot C:

- Block of houses moved south 258mm to accommodate the increased road width in Plot D resulting in reduction in driveways from 6m to 5.5m for those houses only.

Plot D:

- Incoming road widened to 5.5m. Drives provided at 5.5m.
- Block of terraces moved east by 783mm
- Living street (turning head) widened to 5.5m. Right hand side planted verge converts to footpath.

Highway Services have confirmed that the proposed amendments would enable the roads to meet adoptable standards. In addition, although there are modifications to the highway layout, it would not affect the sustainable drainage strategy, which includes SuDs in the highway. This has been confirmed by the applicant and the Flood Risk Management Team.

The above amendments are considered to be non material in nature and are acceptable in this instance.

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 to allow reconfiguration of road widths, landscaping scheme and repositioning of plot D

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:

1994-EXA-00-GF-DR-L-100 Rev D, 1994-EXA-00-GF-DR-L-102 Rev A, 1994-EXA-00-GF-DR-L-103 Rev B, 1994-EXA-00-GF-DR-L-104 Rev B, 1994-EXA-00-GF-DR-L-203 Rev B, 1994-EXA-00-GF-DR-L-300 Rev B, 1994-EXA-00-GF-DR-L-301 Rev A, 1994-EXA-00-GF-DR-L-302 Rev B and 1994-EXA-00-GF-DR-L-303 Rev B stamped as received by the City Council, as Local Planning Authority, on the 13 October 2021.

1994-EXA-00-GF-DR-L-101 Rev C, 1994-EXA-00-GF-DR-L-105 Rev A, 1994-EXA-00-GF-DR-L-106 Rev A, 1994-EXA-00-GF-DR-L-107 Rev A, 1994-EXA-00-GF-DR-L-108 Rev B, 1994-EXA-00-GF-DR-L-150 Rev B, 1994-EXA-00-GF-DR-L-201 Rev C, 1994-EXA-00-GF-DR-L-304 Rev A, 1994-EXA-00-GF-DR-L-305 Rev A, 1994-EXA-00-GF-DR-L-306 Rev A, 1994-EXA-00-GF-DR-L-307 Rev A, 8871-BA-MP-XX-DR-A-(04)702 Rev PL2, 8871-BA-MP-XX-DR-A-(04)704 Rev PL2, 8871-BA-MP-00-DR-A-(04)706 Rev PL2, 8871-BA-PA-00-DR-A-(04)000 Rev PL2, 8871-BA-PA-01-DR-A-(04)001 Rev PL2, 8871-BA-PA-02-DR-A-(04)002 Rev PL2, 8871-BA-PA-03-DR-A-(04)003 Rev PL2, 8871-BA-PA-04-DR-A-(04)004 Rev PL2, 8871-BA-PA-05-DR-A-(04)005 Rev PL2, 8871-BA-PA-06-DR-A-(04)006 Rev PL2, 8871-BA-PB-00-DR-A-(04)100 Rev PL2, 8871-BA-PB-01-DR-A-(04)101 Rev PL2, 8871-BA-PB-02-DR-A-(04)102 Rev PL2, 8871-BA-PB-03-DR-A-(04)103 Rev PL2, 8871-BA-PB-04-DR-A-(04)104 Rev PL2, 8871-BA-PD-00-DR-A-(04)300 Rev PL2, 8871-BA-PC-00-DR-A-(04)200 Rev PL2, 8871-BA-PC-01-DR-A-(04)201 Rev PL2, 8871-BA-PC-02-DR-A-(04)202 Rev PL2, 8871-BA-PC-03-DR-A-(04)203 Rev PL2, 8871-BA-PC-04-DR-A-(04)204 Rev PL2, 8871-BA-PC-05-DR-A-(04)205 Rev PL2, 8871-BA-PD-01-DR-A-(04)301 Rev PL2, 8871-BA-PD-01-DR-A-(04)301 Rev PL2, 8871-BA-PD-03-DR-A-(04)303 Rev PL2 and 8871-BA-PD-04-DR-A-(04)304 Rev PL2 stamped as received by the City Council, as Local Planning Authority, on the 30 November 2021

SuDs strategy note update prepared by Civic stamped as received by the City Council, as Local Planning Authority, on the 30 November 2021

SuDs strategy note prepared by Civic stamped as received by the City Council, as Local Planning Authority, on the 12 November 2021

Covering letter stamped as received by the City Council, as Local Planning Authority, on the 13 October 2021

Email from Alice Routledge dated 8 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.

16) (a) The landscaping scheme shall be carried out in accordance with drawings 1994-EXA-00-GF-DR-L-303 Rev B, 1994-EXA-00-GF-DR-L-302 Rev B, 1994-EXA-00-GF-DR-L-300 Rev B, 1994-EXA-00-GF-DR-L-203 Rev B, 1994-EXA-00-GF-DR-L-104 Rev B, 1994-EXA-00-GF-DR-L-103 Rev B, 1994-EXA-00-GF-DR-L-100 Rev D stamped as received by the City Council, as Local Planning Authority, on the 13 October 2021 and 1994-EXA-00-GF-DR-L-201 Rev C

stamped as received by the City Council, as Local Planning Authority, on the 30 November 2021

(b) The approved landscaping scheme shall be implemented prior to the first occupation of each phase of the development. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it in that phase, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

17) Notwithstanding drawing 1994-EXA-00-GF-DR-L-522, 1994-EXA-00-GF-DR-L-521, 1994-EXA-00-GF-DR-L-307, 1994-EXA-00-GF-DR-L-306, 1994-EXA-00-GF-DR-L-305, 1994-EXA-00-GF-DR-L-304, 1994-EXA-00-GF-DR-L-204, 1994-EXA-00-GF-DR-L-202, 1994-EXA-00-GF-DR-L-107, 1994-EXA-00-GF-DR-L-106, 1994-EXA-00-GF-DR-L-105 and 1994-EXA-00-GF-DR-L-101 stamped as received by the City Council, as Local Planning Authority, on the 12 February 2021, drawing 1994-EXA-00-GF-DR-L-102 Rev A stamped as received by the City Council, as Local Planning Authority, on the 13 October 2021 and drawing 1994-EXA-00-GF-DR-L-150 Rev B stamped as received by the City Council, as Local Planning Authority, on the 30 November 2021, prior to any works associated with the proposed Park area, details of a hard and soft landscaping scheme (including appropriate materials and specifications) for the Park shall be submitted for approval in writing by the City Council as Local Planning Authority.

(b) The approved hard and soft landscaping scheme shall be implemented and be in place in line with the phasing plan agreed as part of condition 3 of this approval. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services

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

Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: NORTH1