

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130879/NMC/2021

Date registered valid: 28 June 2021

Proposal: Non-Material Amendment to vary conditions 2 and 7 attached to planning permission ref: 120104/JO/2018 to enable the use of Country Red Smooth and Olympic Red Multi bricks for the development.

Address: Land Adjacent To Kingsbridge Road And Camelia Road, Manchester, M9 5SN

Ward(s): Harpurhey Ward

Applicant: Mr M Ajmal Prime Developers Ltd Unit 2 Brook House, Old Wood Lane, SK8 2PE

Agent (if any): Mr Barry Tang Tang and Associates Ltd - Chartered Architects Entrance W1, First Floor, Westwood House, Greenwood Business Centre, Manchester, M5 4QH

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21 July 2021

Application details

Type of application: Non-Material Change 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

This application relates to the site of the former Lord Lovatt public house. It is located on the upper plateau of the Irk Valley. The site is bounded by social housing to the east, comprising a mix of two storey terrace houses and four storey maisonettes, with the River Irk to the west, and a cemetery to the south on the opposite side of Camelia Road. To the north-west of the site, beyond the tree boundary is a steep embankment before an area of open land to the river. The site fronts onto Kingsbridge Road.

Planning History

Outline planning permission was granted on 16th December 2003 for the erection of 16 dwellings, with all matters other than access reserved. The approved access comprised a small cul-de-sac off Kingsbridge Road into the site.

A Reserved Matters application for the erection of residential development comprising 15 houses with associated parking was approved 13.06.2005 subject to conditions.

A further outline planning application with access and layout (with other matters reserved) for the creation of 12 dwellinghouses was granted on 23rd July 2015 (ref:107054/OO/2014/N1), subject to conditions.

A further Reserved matters application for the approval of landscaping, scale and appearance following outline planning permission for the erection of 12 dwellinghouses (Ref: 107054/OO/2014/N1) was granted on 6th January 2016 (ref:110464/MO/2015/N1)

The previously approved reserved matters application sought approval for landscaping, scale and appearance following the approval of the outline planning permission for 12 dwellinghouses including details of access and layout in July 2015.

The previously approved development took access from Kingsbridge Road, and involved the erection of 12 dwellinghouses. This aspect of the scheme would remain The approved layout was in the form of 3 pairs of semi-detached houses facing onto Kingsbridge Road, and a further 3 pairs of dwellinghouses facing onto the turning head/culs-de-sac at the rear of the Kingsbridge Road dwellings. Each property had front and rear gardens, with a driveway accommodating a parking space in front of the proposed dwelling or partly alongside the gable of the proposed dwelling.

The approved dwellings were to be two storeys in height (with further accommodation within the roof space), built in traditional materials i.e. brick work, with tiled pitched roofs, and would have 4 bedrooms.

A further application ref: 120104/JO/2018 seeking a variation of condition no. 2 (approved drawings) attached to planning permission 110464/MO/2015/N1 to allow for revisions to elevational design, car parking arrangements and associated landscaping amendments was approved on 27th September 2018.

Description of development

As part of application ref: 120104/JO/2018, the development was to be implemented using Ibstock Roughdales - Red Multi Rustic bricks, with brickwork detailing in Aldridge Smooth Red, and smooth grey Marley Modern roof tiles in the construction of the development. This aspect of the development was conditioned (condition no.7), with the materials also being referenced on the approved proposed elevation plan (condition no.2). Due to issues arising in regard to sourcing sufficient quantities of the approved materials, this application seeks to vary condition no.7 to enable the use of different materials, namely, to enable the use of Country Red Smooth and Olympic Red Multi bricks for the development., which are similar in appearance.

Consultations & Notification Responses

No consultations or neighbour notifications were carried out for this non material change application.

Issues

Policy Context

These include policies SP1, H1, H2, H3, H8, EN6, EN14, DM1 EC1, EC2, EC5, CC5, T1, T2, EN1, EN3, EN8, EN9, EN10, EN11, EN12, EN14, EN15, EN16, EN18, EN19 and DM1 of the Core Strategy, saved UDP policy HC5e, and the guidance provided within the National Planning Policy Framework (Sections 5, and 12), NPPG, the Guide to Development in Manchester Supplementary Planning Document, North Manchester Strategic Regeneration Framework, and Planning Guidance.

Non material change

The proposed amendments have been assessed, and it can be confirmed that the changes are considered to be of a non-material nature and are considered to be acceptable to the City Council as the Local Planning Authority. The revisions to the approved brick samples relate to the use of bricks of similar colouration and appearance.

It is considered that the proposed revisions would not have a detrimental impact in terms of the visual appearance, and amenity of the adjoining residential properties.

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 amendments relate to the substitution of the previously approved bricks for the use of Country Red Smooth and Olympic Red Multi bricks for the development.
- 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 have no significant material impact upon the visual amenity of the buildings or on the amenity of any nearby properties.

Condition no. 2) The development hereby approved shall be carried out in accordance with the drawings numbered :-

Phase 1 Desk Study & Preliminary Contaminated Land Risk Assessment ref: 5651/PKH V1.00 September 2014 stamped as received by the Local Planning Authority on 8th October 2014;
Crime Impact Statement Version A: 12th November 2014 stamped as received by the Local Planning Authority on 26th November 2014;

Extended Phase 1 Habitat Survey dated 29th January 2015, and Highway Statement stamped as received by the Local Planning Authority on 2nd February 2015;
Tree Survey stamped as received by the Local Planning Authority on 16th February 2015;

Plan ref: NK335.00 (site location plan) stamped as received by the Local Planning Authority on 8th October 2014;
Plan ref: 161214 CP-01 (site survey) stamped as received by the Local Planning Authority on 2nd February 2015;
NK335.01C and NK335.02 C and updated Design and Access Statement received by the Local Planning Authority by e-mail on 6th July 2015;

E-mail dated 15th July 2015 from Nadir Khan in regard to Code for Sustainable Homes level 3 rating .

Plan ref: 335.23 (Proposed GA plan); 335.24 (proposed elevations); 335.30 (Window schedule); 335.35 (front door entrance details) ; 335.38 (refuse area and details) (as revised by plan ref: 335.22B) ; 335.39 (Driveway detail) , 001-ND051-D-00 (Landscaping/planting plan) date stamped as received 2nd November 2015

Environmental Noise Survey dated December 2015; plan refs: 335.41(feather board fencing detail), 335.44 (part site plan to show retained tree T1) date stamped as received 21st December 2015

Plan ref: 335.22 rev.C (proposed site plan with GA plan), 335.25 rev.B (Proposed Street Scene elevations 1 of 2), 335.26 rev.A (Proposed Street Scene elevations 2 of 2), 335.40 rev.B (Elevation of Camelia Road and details of retaining wall) date stamped as received 30th December 2015.

As amended by plan ref: 9149 -211 rev.C (floor plans) and 9149 -220 rev.C (elevations) stamped as received 31st May 2018.

9149-001 rev.A (Site edged red) received by email dated 22nd June 2018 confirming site edged red is the same as previously approved site edged red ref: NK.335.00 Site location plan; 9149/101 rev.F (proposed site plan) and 9149/221 rev.C (Kingsbridge Road and Camelia Road street scenes) received by e-mail 26th September 2018

As amended by plan ref: 9149 -220 rev.E (elevations) received 28th June 2021.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

Condition no. 7) The development shall be implemented in using Country Red Smooth and Olympic Red Multi bricks, and smooth grey Marley Modern roof tiles in the construction of the development, in the locations shown on plan ref: 9149 -220 rev. E (elevations) received 28th June 2021.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1, EN1, H1 and DM1 of the Manchester Core Strategy(2012).

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 - Not Affected

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

HSE COMAH Zone - H2654 OZ - Tennants Distribution Ltd Outer Zone

Flood Zones Type 2 (low to medium risk) -

Flood Zones Type 3 (high risk) -

Area Team Boundary - Name: NORTH1