

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142617/NMC/2025

Date registered valid: 3 April 2025

Proposal: Non-material amendment to planning permission reference 140742/FH/2024 to allow: changes to the rear window size.

Address: Flat Above, 309 Great Western Street, Manchester, M14 4BZ

Ward(s): Moss Side Ward

Applicant: Mr Jabril Muridi

Agent (if any): Mr M Ahmed, M1 Architecture Ltd

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 29 April 2025

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: Not applicable

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 property that is the subject of this application is a 2 storey brick built terraced property, within a small parade of commercial units, some of which have residential to the upper floors, and some are in use as storage for the commercial units below. The ground floor of number 309 is commercial, with the first floor and loft providing a 2 bedroom duplex residential flat. There is a small yard area to the rear, this accessed through a gated alleyway which runs along the rear of the property. To the front of the property, the commercial use sits to the back of the pavement with a forecourt frontage.

Description of area

The area is predominantly residential with small pockets of commercial along this stretch and on the opposite side of the road, with the side streets being residential terraces too.

Description of development

The proposal seeks to make alterations to planning permission reference 140742/FH/2024 to allow: changes to the rear window size.

Consultations & Notification Responses

Not required.

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 the 11th of July 2012:

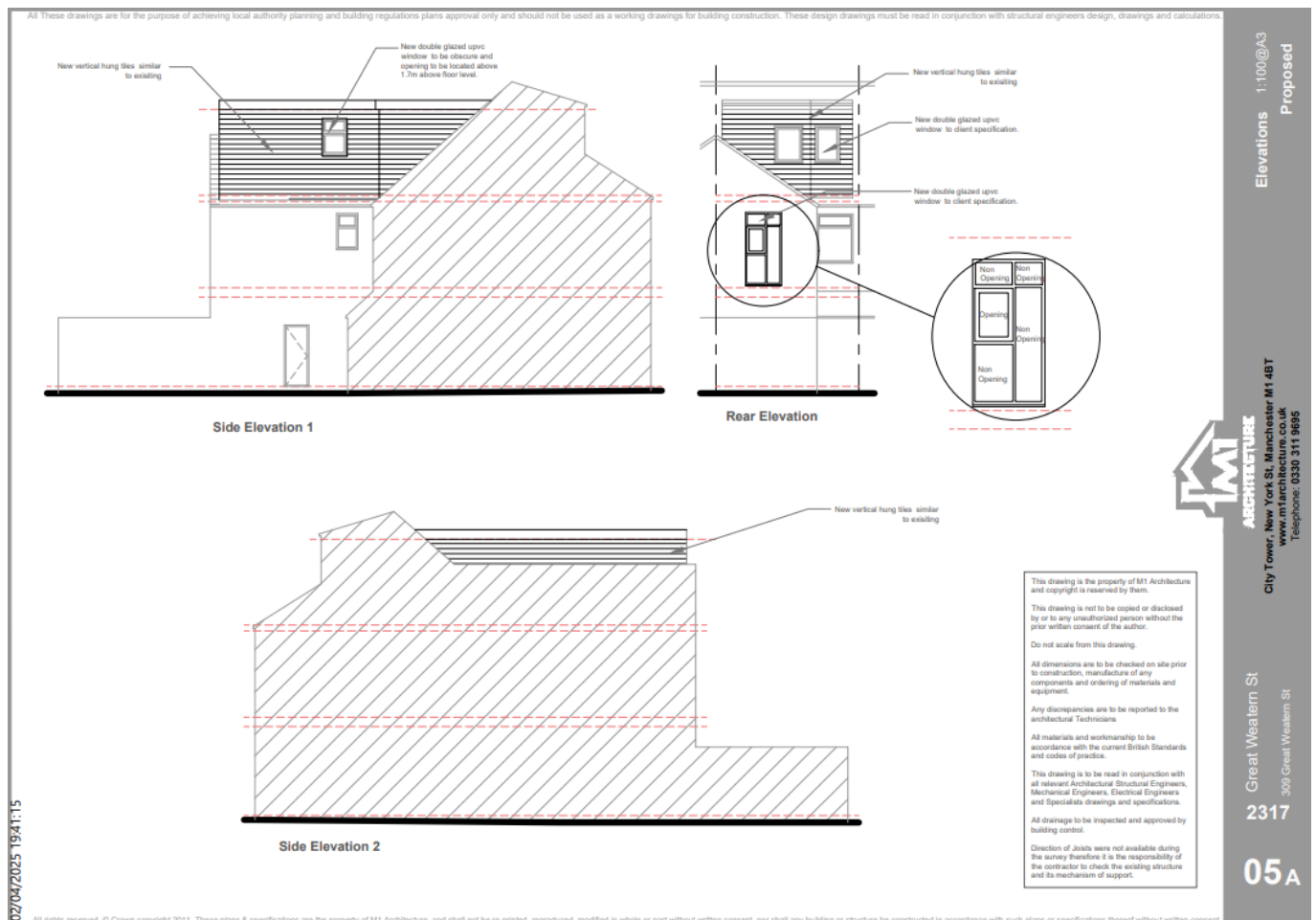
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles

The National Planning Policy Framework (NPPF, 2024)

- Chapter 12 – Achieving Well-Designed Places

Places for Everyone - is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

- Policy JP-P1 – Sustainable Places



Submitted proposed elevations of 142617/NMC/2025



Approved elevations of 140742/FH/2024

Issues

Materiality Section 96A of the Town and Country Planning Act 1990 allows a local planning authority in England to make a change to any planning permission relating to land in its area if they are 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.

The address of the application site, as listed on the submitted application form, is the flat above No.309 Great Western Street, Manchester, M14 4BZ.

The application form indicates that the proposal seeks to make alterations to planning permission 140742/FH/2024.

However, planning permission 140742/FH/2024 relates to No.222 Greame Street, Manchester, M14 4JQ, rather than the flat above No.309 Great Western Street, Manchester, M14 4BZ.

As these addresses differ, as well as the plans submitted under the respective applications (142617/NMC/2025 and 140742/FH/2024), it is not possible to approve the application.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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: Refuse

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

- 1) The proposed amendments relate to alterations to the rear window size of planning permission 140742/FH/2024.
- 2) Following an assessment of the planning submission, it is confirmed that the application cannot be supported as the address of the application site, as listed on the submitted application form, differs from the address listed under planning permission 140742/FH/2024.

As such, the proposal cannot be determined as non-material under section 96A of the Town and Country Planning Act 1990.

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
Area Team Boundary - Name: SOUTH AREA