

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142745/NMC/2025

Date registered valid: 17 April 2025

Proposal: Non-material amendment to planning approval reference 135508/JO/2022 to amend the site layout to change parking provision and bin store location

Address: Land To The Rear Of Chorlton Irish Club, Cross Road, Manchester, M21 9DJ

Ward(s): Chorlton Park Ward

Applicant: Southway Housing Trust Ltd

Agent (if any): Miss Lucy Furber, Icen Projects

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 19th May 2025

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: Non undertaken for this non-material amendment

Standard consultations:

Printed: 22 April 2025 Expired: 14 May 2025

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

Description of Area

The site measures 0.20 hectares and was formerly part of the car park for the Chorlton Irish Club located on Cross Road to the north of Beech Road Park. The site is bounded by the Chorlton Irish Club to the north which fronts High Lane and other residential property fronting High Lane.

To the east lies residential properties on the other side of Cross Road and to the west residential properties on Thornbridge Avenue. The site is less than 100m as the crow flies from commercial units fronting Barlow Moor Road to the east which form part of Chorlton District Centre. The site is within Chorlton ward on the boundary with Chorlton Park ward.

Description of development

Planning approval was granted under planning reference 132708/FO/2022 in September 2022 for the development of the car park to the Chorlton Irish Club to form a part three, part four storey development to provide 29 (10 x one and 18 x two bed and 1 x studio) residential units with associated vehicular and cycle parking, refuse store and landscaping.

Subsequent to the planning approval a variation to the affordable housing condition was made under application reference 135508/JO/2022.

Since the planning approval was granted, works have commenced on site to deliver the development and as part of design development a number of non-material amendments have been undertaken to the approval these include:

138660/NMC/2023 - Non-Material Amendment to planning permission 135508/JO/2022 to allow design amendments, comprising alterations to entrance features, upper floor balustrade from glass to metal railings, profile of windows, fenestration detailing, boundary treatment next to the entry gate, inclusion of 2 x hidden doors for fire escape purposes and increase in footprint by 150mm in length. Approved 22.12.2023

139334/NMC/2024 - Variation of condition no. 24 (affordable housing) attached to planning permission ref: 135508/JO/2022 to allow for alternative wording. Approved 11.03.2024

141421/NMC/2024 – Non-material amendment to planning permission referenced 135508/JO/2022 to allow changes to window specification. Approved 13.11.2024

In addition to the above applications have also been submitted to discharge conditions from the varied planning approval including: 3 (Materials), 5 (Drainage), 7 (Construction Management), 11 (Electric Vehicle Charging), 15 (Bird Boxes), 19 (Local Labour), 20 (Contaminated Land) and 24 (Affordable Housing) (CDN/25/0038)

The current application seeks further non-material amendments to the planning approval to amend the site layout to change parking provision and bin store location. A limited consultation with MCC Highways has been undertaken in this instance who raise no objections to the proposals and make the following observations:

- The relocation of the bin stores will reduce the drag distance for bin operatives to the previously approved collection point on Cross Road which is acceptable.
- Bin capacity is also confirmed as being the same as previously approved.
- The proposals indicate that one additional parking space will be provided. The plan and Transport Note confirms that the additional space will allow a disabled space to be used as a visitor space. If the disabled space is required by a resident than a standard space would be used as a visitor space. This is welcomed and acceptable in principle.

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.

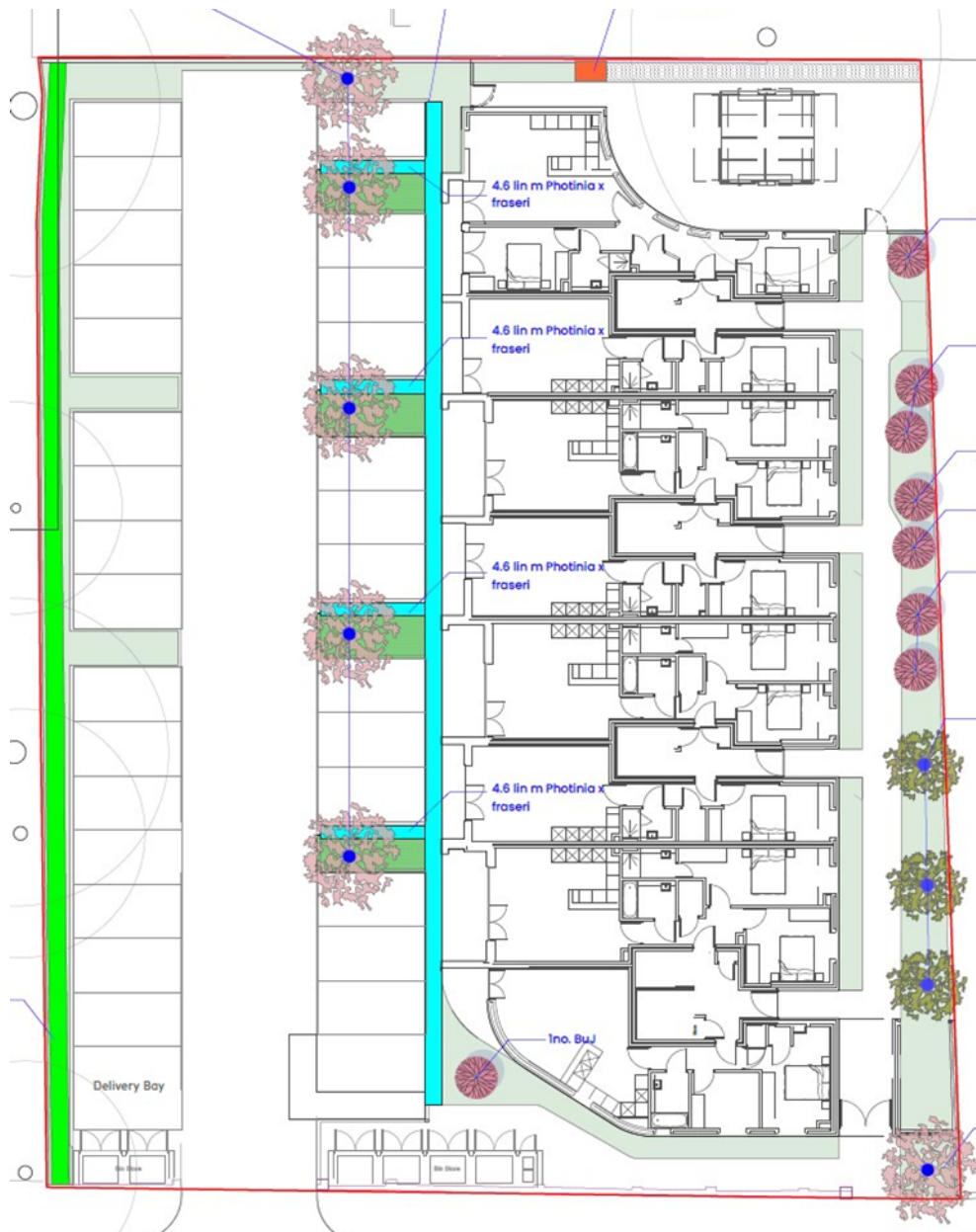
This application proposal relates to the site layout which is to be improved to aid the storage and collection of waste and re-arrange parking provision to include an additional space for the development. Previous amendments have related to the design and finish of the building and condition relating to affordable housing. As such the current application is not considered to give rise to cumulative impacts that would suggest the proposals have altered the primary consent in a material way.

The proposals allow for a more efficient site layout of the site and is within the previous site edge red plan for the development and the amendments are considered to be non-material in nature. MCC Highway Services have confirmed acceptance of the proposed amendments and the provision of an additional parking space is not considered material to the overall planning approval. It is believed that the relocated bin stores would reduce potential impacts on residential amenity of occupiers of the development.

The amendments would also require amendments to the hard and soft landscaping and positioning of some of the feature trees within the development. There is no reduction in the numbers of proposed trees.



Landscape plan as originally approved



Landscape plan as now proposed

An amendment to condition 2 is required to reflect the amended layout and other amendments are required to the landscaping condition (number 17) to reflect the consequential amendments to the location of some of the hard and soft landscaping.

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: Approve

1) The proposed amendments relate to:

- The relocation of the bin stores.
- One additional parking space to be provided.

2) 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 within the streetscene or character of the wider area. It is also considered that the proposals would not have any impact on the amenity of any existing residential properties.

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

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

Air Quality Assessment, prepared by Redmore Environmental
Crime Impact Statement, prepared by Greater Manchester Police
Phase II Ground Investigation Report, prepared by Sutcliffe
Waste Management Proforma
Received 17 January 2022

Phase I Preliminary Risk Assessment, prepared by GroundTech Consulting
Statement of Community Involvement, prepared by UK Networks
Tree Survey Plan, prepared by Cheshire Woodlands
Received 20 January 2022

(PL)001 Rev B Proposed site plan
(PL)002 Rev B Proposed Floorplans 01
(PL)003 Rev B Proposed Floorplans 02
(PL)004 Rev B Proposed Elevations 01
(PL)005 Rev B Proposed Elevations 02
(PL)006 Proposed Section AA
CGI views 01 & 02

227-LYR-XX-ZZ-DWG-L-1001- Rev 2 Landscape GA
227-LYR-XX-ZZ-DWG-L-2001- Rev 2 Softworks
227-LYR-XX-ZZ-DWG-L-3001- Rev 2 Illustrative Sections
227-LYR-XX-ZZ-RPT-L-0003 Landscape Chapter
Design & Access Statement

Environmental Standards Statement, prepared by Icen Projects
Noise Assessment, prepared by Professional Consult
Transport Statement, prepared by Mode
Heritage Statement, prepared by SLHA
Drainage Strategy including Flood Risk Assessment, prepared by Sutcliffe
Arboricultural Assessment (incl. Tree Protection Plan) prepared by Cheshire
Woodlands
Daylight and Sunlight Amenity Impact Assessment Report, prepared by Grey
Scanlan Hill
Received 16 June 2022

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.

17) The details of the hard and soft landscaping treatment scheme as set out within the approved drawing references:
227-LYR-XX-ZZ-DWG-L-1000- Rev 9 Landscape GA as received by the City Council as local planning authority on the 16th May 2025 and
227-LYR-XX-ZZ-DWG-L-3000- Rev 5 Softworks as received by the City Council as local planning authority on the 19th May 2025, shall be implemented not later than 12 months from the date the buildings are first occupied. 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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: SOUTH AREA