

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142376/NMC/2025

Date registered valid: 11 March 2025

Proposal: Non-material amendment to planning permission referenced 131891/FO/2021 to allow removal of glazed spandrel panels to the external walls and their replacement with a stepped recessed brick detail

Address: Land on the Corner of Victoria Avenue and Chain Road, Manchester

Ward(s): Higher Blackley Ward

Applicant: Terra Nova Development Ltd

Agent (if any): Mr Adam Collinge, Bowker Sadler Architecture

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 31 March 2025

Application details

Type of application: Non-Material Change Application

Development type: Notifications

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 development site, formerly occupied by the Lion and Lamb public house, situated at the junction of Chain Road and Victoria Avenue.

The building was demolished some years ago and currently a substantially implemented development comprising 12 dwellinghouse and apartment blocks presently under construction.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site is located within a predominately residential area. The prevailing character is largely two-storey, terraced or semi-detached properties. Nearby is a primary school, local shops and leisure facilities.

Description of development

Non-material amendment to planning permission referenced 131891/FO/2021 which allowed for the erection of 12, two storey dwellinghouses (Use Class C3a), together with the erection of a three-storey building to form 20 residential apartments (Use Class C3a) with associated car parking, landscaping, boundary treatment and other associated works.

The amendments in this case relate to the replacement of central spandrel panels to the apartments block (block 2) with matching, recessed brickwork.

The developer is experiencing difficulties in getting the warrant provider (NHBC) to sign off the stacked/linked windows of the apartment block. Whilst the windows have been constructed in

line with the approved planning drawings, NHBC have asked for them to be removed and replaced with curtain walling (single combined window) and be pressure tested. The building has not been constructed/detailed to accommodate a curtain wall therefore it is anticipated that a retrofit pressure test will not pass. An alternative solution would be for the spandrel panels to be recessed brickwork.



Example of approved south elevation (Block 2) – Arrow indicating spandrel panel to be replaced with matching brickwork



Proposed south elevation (Block 2) – Arrow indicating matching brickwork as alternative treatment

Consultations & Notification Responses

None Required

Policy

Relevant policy is set out below:

-Manchester Core Strategy (2012) – Relevant policies SP1, H1, H3, EN1, EN3, EN4, EN5, EN6, EN9, EN10, EN14, EN15, EN16, EN17, EN18, EN19 and DM1.

-Unitary Development Plan for the City of Manchester (1995) – saved policy DC7, DC18, DC19, DC20 and DC26.

-Places for Everyone Joint Development Plan.

-Guide to Development in Manchester SPD (2007).

-Residential Quality Guidance.

-National Planning Policy Framework (NPPF).

Relevant Planning History

139142/NMC/2024

Non-material amendment to condition 8 (ground conditions), 14 (ES), 17 (noise) and 21 (SBD) attached to planning permission 131891/FO/2021 to allow for phased occupation of the houses (Plots 1-4 and Plots 5-12) and the apartments (Plots 13-32). *Approved 13 March 2024.*

137827/NMC/2023

Non-material amendment to planning permission referenced 131891/FO/2021 to allow raised parapets and raising of cill to ground floor window to block 2. *Approved 22 August 2023.*

137197/NMC/2023

Non-material amendment to planning permission referenced 131891/FO/2021 to allow alterations to the main roof and entrance canopy. *Approved 14 June 2023.*

131891/FO/2021

Erection of 12, two storey dwellinghouses (Use Class C3a) together with the erection of a three-storey building to form 20 residential apartments (Use Class C3a) with associated car parking, landscaping, boundary treatment and other associated works. *Approved 17 March 2022.*

135103/FO/2022

Change of use from existing open space to private garden in connection with planning permission referenced 131891/FO/2021. *Approved 8 December 2022.*

Issues

Materiality

Given the nature of the change, it is considered that there would be a material impact to the envisaged building appearance which would affect visual amenity and the character and appearance of the area.

It is believed that the elevational alteration would change the visual appearance of the elevations such that the proposed changes are considered to be of a material nature.

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

Paragraph One

The proposed amendment relates to the removal of spandrel panels and their replacement with matching recessed brickwork to the apartment block.

Paragraph Two

Following an assessment of the details submitted, the proposed amendments are considered to be of a material nature.

The City Council is not satisfied that the proposed changes would not have an impact upon the character of the building, the residential amenity of nearby occupiers or upon the visual appearance of the area.

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

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH AREA