

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141974/NMC/2025

Date registered valid: 23 January 2025

Proposal: Non-material amendment to planning permission reference 137733/FO/2023 to allow: amendment to bin stores to lockable and secure; amendment to size of bike store and corresponding alterations to areas of hard standing and grass; change in colouration of fascia's to grey to match doors and windows; amendments to front door and kitchen window; and, internal alteration to include store for HWHP cylinder

Address: Land On The Corner Of Old Market Street And Domett Street, Manchester, M9 8DX

Ward(s): Harpurhey Ward

Applicant: Jacqueline Brown Southworth John Builders Ltd

Agent (if any): Jessica Ward Bernard Taylor Partnership Ltd

Case officer: Jake Walther
Tel: 0161 234 1632
Email: jake.walther@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 17/02/2025

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/area

The application relates to 4no. dwellings (cottage flats) (Class C3) with associated landscaping and car parking. The site is located in within the boundary of the Harpurhey ward of the Manchester city region, to the north-east of the city centre. The site is well connected with bus stops, and amenities on Old Market Street, which runs along the north boundary of the site.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Non-material change application to planning permission reference 137733/FO/2023 to allow: amendment to bin stores to lockable and secure; amendment to size of bike store and corresponding alterations to areas of hard standing and grass; change in colouration of fascia's to grey to match doors and windows; amendments to front door and kitchen window; and, internal alteration to include store for HWHP cylinder

Consultations & Notification Responses

None

Issues

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.

Bin Stores

Proposed bin stores are to have lockable gates and brick surrounds, this is to meet Secure by Design requirements. The proposed changes would be minor and would be in keeping with the overall appearance of the scheme. It is therefore considered that the proposed changes would not have a material impact on the approved scheme and are acceptable.

Bike Stores

The proposal is for amendments to the size of the proprietary bike stores, reducing the size of the stores and the orientation of one of the stores, with associated changes to patio/lawn. The changes do not result in the loss of any cycle storage spaces and increases the amount of lawn space. The proposed changes would be minor and would not have a material impact on the approved scheme.

Fascia's

The proposed amendment would see the approved white fascia's amended to grey in colour, the purpose of which is to better match the approved grey windows and doors. The proposed changes would be minor and would be in keeping with the overall appearance of the elevations. It is therefore considered that the proposed changes would not have a material impact on the approved scheme and are acceptable.

Doors

The proposed amendment would see the front door pattern changed to reduce glazing, with the large glazing panel removed and replaced with two smaller glazing panels. The proposed changes would be minor and would be in keeping with the overall appearance of the elevations. It is therefore considered that the proposed changes would not have a material impact on the approved scheme and are acceptable.

Windows

The proposed amendment would see the approved bathroom windows amended to slightly smaller windows (1050mm) with the lower non glazed panel removed. The proposed changes would be minor and would be in keeping with the overall appearance of the elevations. It is therefore considered that the proposed changes would not have a material impact on the approved scheme or on residential amenity and are acceptable.

HWHP

The proposed amendments to the internal floorplans to allow for a Hot Water Cylinder Store, involves some slight internal changes to allow room for this. The proposed changes would be minor, It is therefore considered that the proposed changes would not have a material impact on the approved scheme and are acceptable.

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

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

1. NON-MATERIAL AMENDMENT

The proposed amendments relate to the following: Non-material amendment to planning permission reference 137733/FO/2023 to allow: amendment to bin stores to lockable and secure; amendment to size of bike store and corresponding alterations to areas of hard standing and grass; change in colouration of fascia's to grey to match doors and windows; amendments to front door and kitchen window; and, internal alteration to include store for HWHP cylinder at Land On The Corner Of Old Market Street And Domett Street. Following an assessment of the details submitted, we can confirm that the proposed amendments are 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. SPECIFIED PLANS

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

- DS-BTP-00-SP-DR-A-3784_105.15 - Proposed Site Plan NMA
- DS-BTP-00-E-DR-A-3784_107.7 - Proposed Street Elevations NMA
- DS-BTP-00-SP-DR-A-3784_108.8 - Site Boundary Plan NMA
- DS-BTP-00-SP-DR-A-3784_109.5 - Waste Management Plan NMA
- DS-BTP-00-SP-DR-A-3784_110.2 - EV Charging Plan NMA
- DS-BTP-01-ZZ-DR-A-3784_170.7 - House Type 5 Proposed Plans 00 NMA
- DS-BTP-01-E-DR-A-3784_171.7 - House Type 5 Proposed Elevations 00 NMA
- DS-BTP-01-ZZ-DR-A-3784_172.6 - House Type 5 Proposed Plans 01 NMA

Reason – To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM1, SP1 and EN1 of the Core Strategy and JP-P1 of Places for Everyone.

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