

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 141493/NMC/2024

**Date registered valid:** 14 November 2024

**Proposal:** Non material change to planning permission 139720/JO/2024 to enable changes to the siting of the substation, and elevational alterations in respect of the areas of glazing to windows into smaller panels

**Address:** Site Of Former Victoria Park Probation Centre, Laindon Road, Manchester, M15 5YJ

**Ward(s):**

**Applicant:** C/o Agent Britannia Victoria Limited

**Agent (if any):** Mrs Louisa McCarthy, AshtonHale

**Case officer:** Sue Wills  
Tel: 0161 234 4524  
Email: [sue.wills@manchester.gov.uk](mailto:sue.wills@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 28 November 2024

## **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**

This application relates to a site of a former day nursey and probation offices and community centre that were vacant for several years. The site is currently under construction for the development of 72 homes (41 apartments and 31 houses). The site is located in Rusholme Ward, and is broadly rectangular in shape, and covers 0.65 ha. The site is currently bounded by a mix of boundary treatments, including stone walling with copings, brick walls, and high galvanised palisade fencing.

**Listed building:** Not applicable

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable

### **Description of area**

The site is bounded by a mix of two and three storey residential properties. To the west of the site is a three-storey residential dwelling currently under construction.

### **Previously approved scheme**

Consent was granted for a residential development (Use Class C3), comprising 72 units, with associated hard and soft landscaping, access and associated works following demolition of existing buildings. The proposal included 72 residential units of accommodation, consisting of a mix of 41 apartments and 31 houses. The block of apartments comprised 37 units, with 4 additional apartments, in the form of two apartments in the unit at each end of the terrace of dwellinghouses facing Laindon Road within the south of the site. The mix of accommodation was in the form of 25, 1 bed and 16 two bedroom apartments, with house types comprising, 15 three bedroom, 15 four bedroom dwellinghouses, and 1 six bed townhouse, therefore providing a range of 1,2,3,4, and 6 bedroom accommodation. The proposed residential development comprised a mix of market housing, an offer of 6 x 1 bed apartments within the scheme as discounted market sale units with disposal on a discounted market sale basis at 80% of market value, and affordable rent dwellings (through Registered Provider grant funding). The proposed buildings ranged from two and a half storeys up to four storeys in height. The scheme

predominantly included the provision of two and a half storey houses across the site, with the proposed apartment building being four storeys in height and located to the north of the application site. The layout plan for the site included two vehicular access points from Laindon Road. One served the apartments and provided access to parking spaces to the rear of one the terraces of houses fronting Laindon Road. The other further south on Laindon Road served the remainder of the proposed development. 100% parking provision was provided for the dwellinghouses – 32 spaces in total, and 18 spaces to serve the proposed apartments (including 2 for disabled users). Amenity space was provided for dwellinghouses through small front gardens and private rear garden areas, and with areas of shared amenity space within the curtilage of the proposed apartment block. Subsequently, a variation of condition application to vary Condition no. 2 (specified plans) and 12 (waste management strategy) attached to planning permission 135848/FO/2022 to amend House Type 6a (Plot 63), specifically to extend the rear of the property further into the rear garden by 1.45m, to allow for a revised internal layout, which would also involve the introduction of patio doors at ground floor level facing onto the side garden area, was approved In June 2024

A subsequent non-material amendment application ( ref: 140330/NMC/2024) to allow the re-siting of plot no.42 to the back of pavement alongside the access road into the site, and the associated re-positioning of plots nos. 43 to 53 by 0.52m northwards of their previously approved siting, with the provision of a widened route alongside the side gable of plot no.53 with an associated grassed strip within the curtilage of plot no.53 running along the southern boundary was approved on 12<sup>th</sup> July 2024. The reasoning for the change was to allow scaffolding to be erected on the southern end of the block for construction and maintenance purposes.

### **Description of development**

Consent is sought for the fenestration of the windows on the front elevations to be subdivided into smaller glazed panes i.e. three rather than two at first floor level and two rather than 1 at ground floor level . The window sizes and locations would remain as previously approved. The planning agent has advised that the weight of the window glazing as approved means that it would not possible or safe to manhandle the units into position.

In addition, the positioning of the substation has been moved away from the side boundary to allow for access for maintenance, and away from the footpath to allow the doors to open without blocking the footpath. The substation has moved west by approximately 1.8m which retains more existing boundary wall and stone post. Pedestrian access around the substation has been maintained with the path wide enough to manoeuvre bins. Correspondence has been submitted which confirms that the revised arrangements are in accordance with the requirements of the Network Owner.

### **Consultations & Notification Responses**

Not applicable

### **Issues**

#### **Policy Context**

These include Core Strategy policies SP1 (Spatial Principles); Policy DM1 (Development Management); Policy H1 (Overall Housing Provision); Policy H5 (Central Manchester); Policy H8 (Affordable Housing); Policy T1 (Sustainable Transport); Policy T2 (Accessible areas of opportunity and needs); Policy EC2 (Existing Employment Space); Policy EC8 (Central Manchester); Policy EN1 (Design principles and strategic character areas); Policy EN4 (Reducing CO2 emissions by enabling low and zero carbon development); Policy EN6 (Target framework for CO 2 reductions from low or zero carbon energy supplies); Policy EN 8 (Adaptation to Climate Change); Policy EN9 (Green Infrastructure); Policy EN14 (Flood Risk);

Policy EN15 (Biodiversity and Geological Conservation); Policy EN16 (Air Quality); Policy EN18 (Contaminated Land); and Policy EN19 (Waste); Saved UDP policies DC7 (disabled access) , DC18.1(Conservation Areas) and DC26 (noise), and the guidance provided within the Places for Everyone Plan, the National Planning Policy Framework, NPPG, the Guide to Development in Manchester Supplementary Planning Document, Manchester Residential Quality Guidance (2016), Providing for Housing Choice – Supplementary Planning Document and Planning Guidance (2008), Residential Growth Strategy (2016) , Strategic Housing Land Availability Assessment (2022), Manchester's Great Outdoors – a Green and Blue Infrastructure Strategy for Manchester (2015), and Manchester Climate Change Framework: 2020-2025 and Manchester Zero Carbon Framework (2020).

#### 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 scheme relate to the subdivision of glazing to the front elevations of the dwelling houses into a greater number of glazed panes i.e. three rather than two at first floor level, and two rather than 1 at ground floor level. The window sizes and locations would remain as previously approved, and there are no other changes proposed to the layout in respect of the houses.

In addition, the positioning of the substation has been moved away from the side boundary to allow for access for maintenance, and away from the footpath to allow the doors to open without blocking the footpath. The substation has moved west by approximately 1.8m which retains more existing boundary wall and stone post. Pedestrian access around the substation has been maintained with the path wide enough to manoeuvre bins.

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

#### **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**

Paragraph One

The revisions to the approved scheme relate to the subdivision of glazing to the front elevations of the dwelling houses into a greater number of glazed panes i.e. three rather than two at first floor level and two rather than 1 at ground floor level. The window sizes and locations would remain as previously approved, and there are no other changes proposed to the layout in respect of the houses.

In addition, the positioning of the substation has been moved away from the side boundary to allow for access for maintenance, and away from the footpath to allow the doors to open without blocking the footpath. The substation has moved west by approximately 1.8m which retains more existing boundary wall and stone post. Pedestrian access around the substation has been maintained with the path wide enough to manoeuvre bins.

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

Paragraph Two

Following an assessment of the details submitted, I can confirm that the proposed amendment is 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 not result in any significant material alterations to the planning approval.

Condition no.2 ( Specified plans)

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

Location Plan ref: A662-P-001 A;

Existing Elevations plan ref: A662-P-016;

Maintenance block plan ref: A662-P-103;

Street Elevations plan ref: A662-P-110 A;

Street Elevations plan ref: A662-P-111 A;

House type 6 A elevations ref: A662-P-168A;

House type 6A section ref: A662-P-175;

Block 1 roof plan ref: A662-P-202A;

Block 1 Elevations plan ref: A662-P-210C;

Block 1 Sections plan ref:A662-P-220B;

Blocks 2 , 5 and 7 elevations plan ref: A662-P-310A;  
Block 3 elevation plan ref: A662-P-410;  
Block 4 elevation plan ref: A662-P-510;  
Block 4 elevation plan ref: A662-P-610;  
Block 8 elevation plan ref: A662-P-810;  
House type 4A Envelope Section Detail plan ref: A662-P- 901;  
Design and Access Statement dated October 2022;  
Air Quality Assessment dated October 2022 ref: VPPC-BWB-XX-ZZ-LA-RP-0001-AQA;  
Floor Areas Schedule ref: A662-P- 901 rev.E;  
Broadband Connectivity Assessment Issue 1.2 20.12.2022;  
Construction Methodology and Management Strategy dated October 2022;  
Crime Impact Statement Version ref.2022/0422/CIS/01, Version B dated 25.10.22;  
Environmental Standards Statement ref: 2482-CWC-XX-XX-RP-002 dated 22.10.2022;  
Fire Statement ref: MA22098 dated 13.10.2022;  
Copy of Public Consultation invitation;  
Lighting Impact Assessment ref: PPC-BWB-00-XX-RP-E-0001\_LIA dated October 2022;  
Local Labour Agreement dated 31.10.22;  
Demolition Method Statement /Risk Assessment ref: A2466 dated 31.08.2022;  
Outline Fire Safety Strategy rev.02 dated 16.12.2022;  
Television and Radio Reception Impact Assessment version 1.2;  
Utility Planning Statement ref: 2482-CWC-XX-XX-RP-ME-0001 dated 30th September 2022;  
Topographical Survey plan ref: A6622-P-003;  
Preliminary Ecological Assessment and Preliminary Roost Assessment Issue 2 23.09.2022;  
Archaeological Desk Based Assessment ref: SA/2022/102 Version 1 dated September 2022  
Phase 1: Preliminary Risk Assessment ref: CL-602-LKC 21 1679-01 dated August 2022;  
Phase 2 Geo-environmental Investigation , Risk Assessment and remediation strategy ref: CL-602-LKC 21 1679-02 dated September 2022;  
Received 23rd December 2023

Agent email 6th December 2022 regarding viability ;

Agent email 6th January 2023 regarding viability ;

Flood Risk Assessment and Outline Drainage Strategy ref: FRA 22 1121 v3 dated January 2023 received 19th January 2023;

Viability Assessment Dated December 2022 received 2nd March 2023

Stage 1 Road Safety Audit Response Report Ref: 82328-CUR-XX-XX-T-TP-00004 Revision: P02 Issue Date: 27 February 2023 received 21st February 2023.

Daylight and Sunlight report ref: 2220 dated 09 March 2023;  
received 15th March 2023

Access; House Type 6A Plan (A662\_P\_156C); Block 1 Plans (A662\_P\_200F); Block 1 Plans (A662\_P\_201F); Block 2, 5 and 7 Plans (A662\_P\_300B); Block 3 Plans (A662\_P\_400B); Block 4 Plans (A662\_P\_500B); Block 6 Plans (A662\_P\_600B); Block 8 Plans (A662\_P\_800B);

Received 11th April 2023;

LA90 dated received 11th April 2023;

Access plan ref: A 662 -P- 102 rev.B; received 18th April 2023;

Letter from Arcon Housing Association regarding affordable housing dated 22nd May 2023.

Viability Assessment review received 23rd May 2023.

Victoria Park Environmental Standards Statement Ref: 2482-CWC-XX-XX-RP-0002 dated 31.05.2023;

Noise Impact Assessment report ref: 30113/NIA1 rev.2 dated 1 June 2023;

Block plan ref: A 662 -P- 002 rev.H;

Servicing plan ref: A 662 -P- 101 rev.D;

Arboricultural Impact Assessment and Method Statement revision D Ref: MG/6765/AIA&AMS/REVD;'

Tree protection plan ( sheet 1 of 2 ) - Demolition Phase 6785 .04 rev.D;

Tree protection plan ( sheet 2 of 2 ) - Construction Phase 6785 .05 rev.D;

Landscaping Plan ref: 6765.03 rev.D;

Transport Statement ref : 82328-CUR-XX-XX-T-TP-00001 Revision: P07 Issue Date: 05 June 2023;

Interim Travel Plan ref: 82328-CUR-XX-XX-T-TP-00002 Revision: P06 Issue Date: 05 June 2023;

received 2nd June 2023

External Works Details ( wall and railing design and railing above plinth boundary treatment )  
plan ref: A662-P-920;

External Works plan ref: A 662 -P- 105 rev.F;

Site Plan ref: A 662 -P- 100 rev.V received 22nd June 2023

As revised by plan refs:

External Lighting Plan 2482-CWC-XX-00-DR-E-6301 T3

Site Plan ref: A 662 -P- 100 rev.X

Block plan ref: A 662 -P- 002 rev.K

Email from Bell Munro dated 23rd November 2023 confirming no impacts of revisions in regard to surface water drainage.

Received 15th December 2023

AS FURTHER REVISED by plan refs:

Block plan ref: A62\_P\_002 rev.M

Site Plan ref: A 662 -P- 100 rev.Z

Servicing plan ref: A 662 -P- 101 rev.F;

Access plan ref: A 662 -P- 102 rev.D;

House Type 6A Plan ref: A662\_P\_156 rev.G

House type 6 A elevations ref: A662-P-168 rev. B;

House type 6A section ref: A662-P-175 rev.B;

Received 26th April 2024

AS FURTHER REVISED by plan refs:

External works plan ref: A662-T-101 rev.D

Site Plan ref: A662\_P\_100 rev.AB

received 20th June 2024

AS FURTHER REVISED by plan refs:

Block Plan ref: A662\_P\_002 rev. P

Site Plan ref: A662\_P\_100 rev. AC

External Works Plan ref: A662\_T\_101 rev. E

House type 6 A elevations ref: A662-P-168 rev. C;

Block 1 Elevations plan ref: A662-P-210 rev. D;

Blocks 2 , 5 and 7 elevations plan ref: A662-P-310 rev. B;

Block 3 elevation plan ref: A662-P-410 rev. A;

Block 6 elevation plan ref: A662-P-610 rev.A;

Block 8 elevation plan ref: A662-P-810 rev.A;

Received 12<sup>th</sup> November 2024

DESIGN AND PLANNING ( ref: EAN-DP-001 )

EAN APPENDIX A FOR ENA ENGINEERING RECOMMENDATION G81-PART 1  
FRAMEWORK FOR NEW LOW VOLTAGE HOUSING DEVELOPMENT INSTALLATIONS  
rev.01

Received 1<sup>st</sup> November 2024

Block 4 elevation plan ref: A662-P-510 rev. A received 28<sup>th</sup> November 2024.

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.11 Waste Management

11) a) The development shall be implemented in accordance with the Waste Management Strategy received on 23rd December 2022 and Servicing plan ref: A 662 -P- 101 rev.F. received 26th April 2024, and Site Plan ref: A662\_P\_100 rev. AC received 12<sup>th</sup> November 2024. The servicing plan shall remain in situ whilst the dwellings and apartments are occupied.

b) Finalised details of the design of the bin stores submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason - In the interests of amenity and public health, pursuant to policies EN19 and DM1 of the Manchester Core Strategy (2012).

Condition no.20 – Obscure Glazing

20) The windows at first floor level in the rear (eastern) elevation of Block 8 on plan refs: A662-P-800 B, and Block 8 A662-P- 810 A, shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent , and maintained in perpetuity .

Reason - In the interest of privacy and to protect the amenity and living conditions of adjacent properties and in accordance with policies EN1, SP1 and DM1 of the Manchester Core Strategy (2012).

Condition no.23 ( Landscaping)

23) a)The landscaping scheme for the development shall be implemented in accordance with Landscape Proposals ref: 6765.03 rev. D received 20th June 2023, as revised by the External Works plan ref: A662-T-101 rev. E received 12<sup>th</sup> November 2024.

b)The approved landscaping scheme and arrangements for management and maintenance 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 in the development, another tree or shrub of the same species and size as that originally planted shall be planted at the same place within the development.

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 Manchester Core Strategy (2012).

Condition no.31 ( Boundary Treatment)

31) a) The wall and railing boundary treatment to the Daisy Bank Road frontage, and the railing above plinth design treatment to the front garden of Block nos . 5,6, 7 and 8, shall be implemented in accordance with External Works details plan ref: A662-P-920 . Finalised details of the railings shall be submitted approved in writing by the City Council as local planning authority, prior to implementation.

b) Notwithstanding the boundary treatment details annotated on the External works plan ref: A662-T-101 rev. E received 12<sup>th</sup> November 2024, finalised details of the boundary treatment to rear gardens and the eastern and southern boundary of the site , including finalised location and elevational designs shall be submitted approved in writing by the City Council as local planning authority, prior to implementation.

The approved scheme shall be implemented in full before the dwellings are first occupied and retained as such thereafter.

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 in order to comply with Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

## **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

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH AREA