MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141489/NMC/2024
Date registered valid:	13 November 2024
Proposal:	Non-material amendment to planning permission referenced 131045/FO/2021 to replace ground floor French doors to the apartments with windows
Address:	Land to the rear of Whitehouse Club, Phase 2 - 24 Apartments, Middleton Road, M8 4JZ
Ward(s):	Crumpsall Ward
Applicant:	Dappa Homes
Agent (if any):	Mr Matthew Gray, Grays Architecture Ltd
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: steven.mccoombe@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	13 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

To application site relates to the rear of the Whitehouse Club – a social club. The site relates to former playing fields which were last known to be used in 2006. The site which now forms a development site following the granting of the host permission to which the proposed non-material amendment relates, is accessed by Middleton Road to the eastern boundary of the site and is surrounded on all sides by residential properties. The properties which lie to the north and west of the site are two storey in nature whilst the properties to the south are a mixture of low rise apartment buildings.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The surrounding area is characterised by two storey residential properties; those on Windsor Crescent, Whitehouse Avenue and Edenfield Road are all two storey semi-detached properties.

The properties to the south are low rise apartments no greater than 3-4 storeys. The site is situated immediately adjacent to the administrative boundary of Bury Metropolitan Borough Council which bounds the site to the west and north. There are numerous trees around the perimeter and within the centre of the site which form a mature landscape and buffer to the surrounding residential properties that abut the site boundaries. Middleton Road is a major arterial road route connecting this part of north Manchester to the City Centre. Heading northwards along Middleton Road is a junction with the M60 outer ring road. The site is well connected to local amenities being within a short walk to Bowker Bank Metrolink stop together with a 15 minutes walk to Heaton Park.

Description of development

A non-material amendment is sought to planning permission referenced 131045/FO/2021 which allowed for the Erection of a three-storey building to for 24 apartments (Use Class C3a) together with erection of 50, two storey dwellinghouses (Use Class C3a) with associated external works, car parking, landscaping and other associated works.

In this case, the change relates to the replacement of previously approved ground floor French doors to the ground floor apartments with windows.

The change is required due to security concerns.

No changes are proposed to the elevation drawings. The size of the opening and style of window frame are to remain the same, with the only difference being the change in opening style from French doors to windows.

A revision to the approved drawings condition is required to reflect the drawing (proposed floorplan) to be substituted.

Consultations & Notification Responses

None Required.

Issues

Materiality

The proposed change is considered non-material and would have a negligible impact to the host permission.

The replacement of the ground floor French Doors with windows would enhance security, following the concerns of the applicant regarding anti-social and criminal behaviour in the area.

The size of the opening and style of window frames are to remain the same, with the only different being the change in opening styles. As such, there would be no material impact to the design character of the building or to visual amenity.

Whilst the changes would alter access arrangements, the principal access to the internal access core leading to the main entrance door would remain. On this basis, the change is considered non-material and acceptable. All overarching development plan policies and national guidance would still be complied with.

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 polices 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

The proposed amendment relates to the replacement of ground floor French doors to the apartments with windows.

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 change will not result in any significant or material alterations to the host planning permission.

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:

Drawings

274-034 and SK001 received by the City Council, as Local Planning Authority, on the 12 November 2021

02, 03, 04, 05, 06, 16, 18, 101, 150, 151, 152, 153, 154, 155 and 165 received by the City Council, as Local Planning Authority, on the 12 July 2021.

160/B received by the City Council, as Local Planning Authority, on the 13 November 2024.

Phasing Plan 4050/101 REV AA received by the City Council, as Local Planning Authority, on the 12 December 2023

Supporting information

Design and access statement, Phase II and Phase III ground conditions report, crime impact assessment, air quality report, Tree survey, Transport statement, flood risk assessment, Environmental Standards, BRUKL report, landscaping scheme, Risk Assessment, Noise Assessment received by the City Council, as Local Planning Authority, on the 12 July 2021

Waste management strategy received by the City Council, as Local Planning Authority, on the 20 July 2021.

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.

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