

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141198/NMC/2024

Date registered valid: 9 October 2024

Proposal: Non material amendment to planning permission 138763/FO/2023 to make elevational alterations to plots B and D

Address: Land Bounded By Rochdale Road, Shellard Road, Harrowby Drive, Johnny King Close, Thornton Street North, Stretton Close And Marston Street, Manchester

Ward(s): Harpurhey Ward

Applicant: Chris Billington DEX Construction Ltd

Agent (if any):

Case officer: Jennifer Atkinson
Tel: 0161 234 4517
Email: jennifer.atkinson@manchester.gov.uk

Recommendation: Approve

Date of recommendation:

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

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 is 4.7 hectares and is an irregular shape adjoining Marston Street on its northern boundary and Johnny King Close, Anslow Close, Thornton Street North and Stretton Close on its most eastern boundary. Shellard Road and Harrowby Drive adjoin the site to the south and Rochdale Road (A664) adjoins the site on its western boundary. Thornton Street, Churnet Street and Paget Street are all located within the red line boundary.

The application site a development site have been identified within the Manchester Brownfield Land Register since 2019 and have previously contained residential properties which were subject to clearance work under previous regeneration proposals for the area.

There are 29 existing properties within the site boundary, the Collyhurst Store and a substation located in the south eastern corner of the site. The site also includes existing trees and grassed areas.

Planning permission has recently been granted for a series of enabling works at the site. (Enabling works comprising the erection of site hoardings, removal of existing trees, site clearance, cut and fill excavation, remediation works and other associated ground works) 128788/FO/2020.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application site forms part of the Victoria North development area which is underpinned by the Northern Gateway Strategic Regeneration Framework. This framework seeks to deliver a significant number of new homes in the area some of which will be delivered in partnership with FEC the joint applicant of this planning application. The application site is situated within an established residential neighbourhood.

The area is dominated by 1960s properties were delivered as part of a new estate following clearance in the city centre. Manchester Communication Academy is located to the north of the site which is a mixed comprehensive High School serving the local community. Immediately east of the site is the existing Collyhurst Park and further residential properties.

The site is bounded to the west by Rochdale Road, which takes traffic into the City Centre to the south and also provides access to North Manchester. Beyond Rochdale Road is further residential development. The site is bounded by Shellard Road and Harrowby Drive to the south, beyond which are further residential properties.

Description of development

Non material amendment to planning permission 138763/FO/2023 to make elevational alterations to plots B and D

Consultations & Notification Responses

N/A

Issues

The changes seek to change the decorative brick work to plots B and D. The projecting brick work proposed will now be altered to vertical brick work.



Approved scheme



Proposed changes

The changes are considered to be acceptable. The proposal would retain decorative brick work to these plots but treated in a different way. These changes would retain the high quality appearance of the houses.

The changes are considered to be non material in 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: Approve

Article 35 Declaration

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

- 1) The changes proposed seek to make elevational alterations to plots B and D
- 2) The development hereby approved shall be carried out in accordance with the following additional drawings and documents:
 - 8871-BA-PB-XX-DR-A- (05)100 PL2 and 8871-BA-PD-XX-DR-A- (05)300 PL2 received by the City Council, as Local Planning Authority, on the 19 October 2024
 - Summary of changes document received by the City Council, as Local Planning Authority, on the 19 October 2024

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.

2) Following an assessment of the details submitted, I 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 not result in any significant material alterations to the planning approval.

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 High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: CENTRAL