Planning

Growth & Development

Delegated officer report for planning application

Application no.	140472/NMC/2024
Date registered valid:	12 August 2024
Proposal:	Non Material Change to application 137549/VO/2023 to allow movement of position of door entrance 1.5 metres to the left (west) and addition of window to rear elevation
Address:	Cringle Park, Crossley Road, Manchester,
Ward(s):	Levenshulme Ward
Applicant:	Mr Philip Schofield, Manchester City Council
Agent (if any):	Mr Philip Schofield, Manchester City Council
Case officer:	Ian Jarvis Tel: 0161 234 4079 Email: ian.jarvis@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	4 September 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

This application relates to part of Cringle Park, which covers an extensive area and contains a significant amount of greenery, located in an otherwise largely residential area in Levenshulme, and which is managed by Manchester City Council. As well as offering an extensive area for walking, the park contains a children's play area, multi-use games area (MUGA), tennis courts and a boxing club. Cringle Park also has an active 'Friends Of' group who support community events. At present there is a small mobile coffee shop, on a bicycle, which operates in the park and which serves drinks and snacks.

In close proximity to the Errwood Road boundary of the site, and near to the park entrance, which lies opposite the junction of Errwood Road and Crompton Road, planning permission was granted for the installation of a steel shipping container to be used as a cafe with adjoining unit to be used as accessible W.C and associated screening (137549/VO/2023 - Approved 7 September 2023).

It was proposed to site a used steel shipping container, with a flat roof and dimensions of approximately 12 metres long x 2.4 metres wide x 2.3 metres high. The facility would be run and managed by a private company providing hot drinks and food with an indoor seating area for 14 people.

It was also proposed to attach a WC unit, to the main container, also with a flat roof, and with dimensions of 3 metres long x 2.4 metres wide x 2.3 metres high. In addition, attached to the WC, it is proposed to create a bin store surrounded by a 1.2 metre high timber picket fence.

It is now proposed to revise the scheme as follows:

- A door, on the front elevation, is to be moved by approximately 1.5 metres.
- A new window is to be introduced, onto the rear elevation, to add additional natural light to the internal seating area.
- Some internal changes are also proposed, to provide less kitchen space and more seating space.

It is considered that these revisions represent minor design changes, and it is not considered that these proposed changes significantly alters the appearance or impact of the proposed works. The scale of works, and footprint/height, of the unit, are unaltered and the changes are not easily visible from the street.

It is not therefore felt that the works would have a more detrimental impact upon adjoining occupiers, or visual amenity of the location, or adversely affect the character of the area, compared to the works previously approved.

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

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

1) The details of the proposed amendments relate to:
The repositioning of a door, on the front elevation
The introduction of a new window on the rear elevation
Internal alterations

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

Drawings numbered CFP-MCC-LP-45501-DR-A-0001 and CFP-MCC-LP-45501-DR-A-0002, dated 26 January 2023
Design and Access Statement dated July 2023
Arboricultural Impact Assessment dated June 2023
Waste Management Strategy dated 6 July 2023
All stamped as received by the City Council, as Local Planning Authority, on 13 July 2023.

Drawings numbered MCC-LP-45501-DR-A-0003 and CFP-MCC-LP-45501-DR-A-0004, dated 9 July 2024 and stamped as received by the City Council, as Local Planning Authority, on 10 July 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.

3) Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed changes will have no material impact upon the previously approved scheme and the works will not adversely affect visual or residential amenity within the area.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M