MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140204/NMC/2024
Date registered valid:	5 June 2024
Proposal:	Non-material amendment to planning approval reference 135604/FO/2022 to enable: detaching plots 7, 8, 32, 33, 47, 48, 59 & 60, the repositioning of the following Plots 7-10, 29-34, 47-52, 57-61 and Garages to plots 6-9, 30-34, 48 & 58-61
Address:	Land To The Rear Of 354 Wilbraham Road, Manchester
Ward(s):	Chorlton Park Ward
Applicant:	Mr Thomas Miller, Anwyl Homes
Agent (if any):	
Case officer:	Jennifer Connor Tel: 0161 234 4545 Email: jennifer.connor@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	

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 site extends to approximately 2.22 hectares and comprises an irregular shaped parcel of land. The site identified for the new housing is a roughly rectangular shaped parcel of land, which extends to 2 hectares. 354 Wilbraham Road and its associated garage are within the site boundary (the house to be retained, the garage to be demolished). The site also includes an area of land identified for ecological mitigation, which extends to 0.22 hectares. This land is owned by Maine Road Football Club and currently comprises some tree planting and grassland.

The site is secured on all boundaries by fencing and gates. Its last known use was as playing pitches (primarily football), this use ceased in 2016. Access to the site is obtained from Wilbraham Road.

There are trees at the site boundaries, the trees are not protected by a Tree Preservation Order.

It is located within Flood Zone 1 where a low probability of flooding is anticipated (less than 1 in 1,000 annual probability).

Surrounding the site to the north is housing on Brantingham Road; to the east is Maine Road Football Club, beyond which is the St Margaret's Centre and Playing Field. To the south are residential properties on Wilbraham Road and to the west are residential properties on Morville Road.

The area is predominately residential and Wilbraham Road is served by regular frequency bus routes. Chorlton Tram stop is 750m away from the site. The immediate section of A6010 Wilbraham Road includes for on-road advisory cycle lane markings in each direction, with a number of local side road routes representing 20mph quiet street routes. Additional cycling corridors link to A6010 Wilbraham Road including: the B5217 Barlow Moor Road (recently up-graded as part of Chorlton bee-line cycle route works) and Alexander Road South, which both provide cycle friendly infrastructure links towards Manchester city centre; and, signed on-road connections to the south, connecting to the segregated off road 'Fallowfield Loop Line' walking /

cycle route (towards Withington and Fallowfield). The site therefore benefits from being in a highly accessible location.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

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Consultations & Notification Responses

None

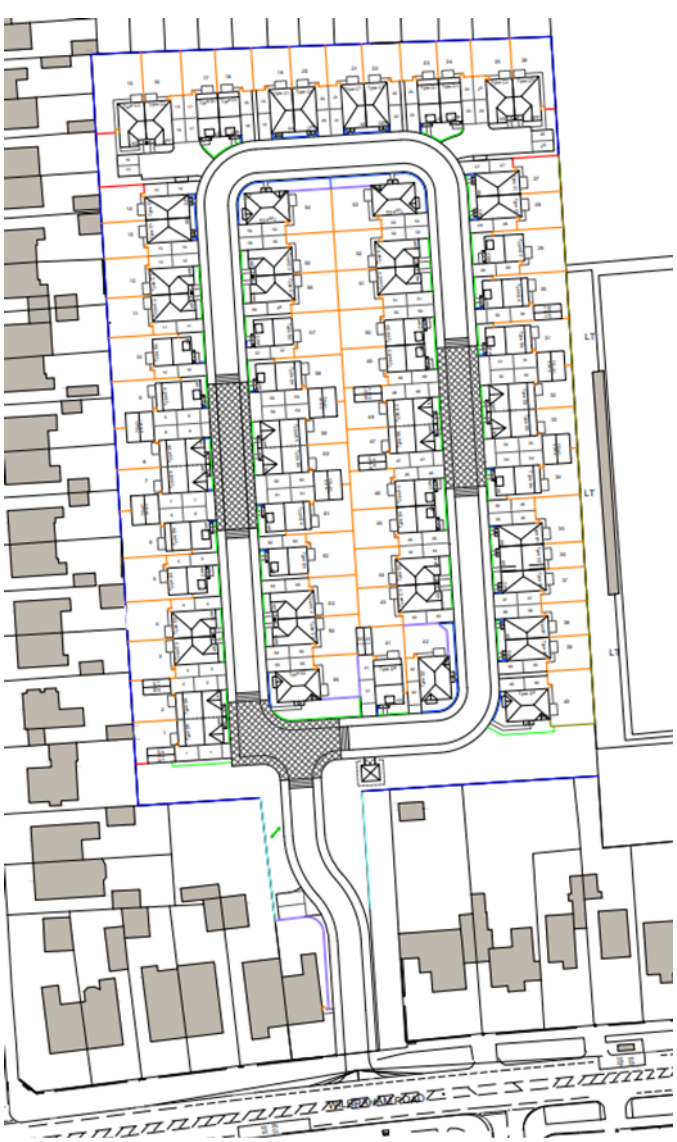
Issues

Materiality

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.

It it is considered that the proposals are non-material in nature and do not give rise to significant visual or residential amenity impacts greater than considered under the principal planning approval. As a result of the proposed amendments changes are required to condition 2 of the planning approval to reference the proposed update elevations.

Approved site plan and revised site plan



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

PARA 1 - The proposed amendments relate to detaching plots 7, 8, 32, 33, 47, 48, 59 & 60, the repositioning of the following Plots 7-10, 29-34, 47-52, 57-61 and Garages to plots 6-9, 30-34, 48 & 58-61

PARA 2 - Following an assessment of the details submitted, the Council 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 have no significant material impact upon the appearance on the development within the streetscene or character of the wider area. It is also considered that the proposals would not have any impact on the amenity of any existing residential properties.

SPL as amended -

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

Application form, relevant land ownership certificate (duly signed) and relevant planning application fee;
Covering letter prepared by Asteer Planning;
Supporting Planning Statement (including Affordable Housing Statement) prepared by Asteer Planning;
Agronomy Report prepared by STRI;
Air Quality Assessment prepared by Redmore Environmental;
Aboricultural Impact Assessment and Arboricultural Method Statement prepared by Tyler Grange;
Broadband Connectivity Assessment prepared by GTech Surveys;
Construction Environmental Management Plan prepared by Anwyl Homes;
Crime Impact Statement prepared by Greater Manchester Police;
Design and Access Statement (including Residential Standards Statement, Waste Management Strategy, Blue and Green Infrastructure Statement) prepared by APD;
Ecological Impact Assessment prepared by Tyler Grange;
Ecological Enhancement Strategy prepared by Tyler Grange;
Environmental Standards Statement prepared by Watt Energy;
EV Charging Specification;
Flood Risk Assessment and Drainage Strategy prepared by RSK;
Heritage Statement prepared by RPS;
Landscape Ecological Management Plan prepared by Tyler Grange;
Landscaping scheme prepared by Tyler Grange;
Lighting Impact Assessment prepared by BWB;
Local Labour Proposal prepared by Anwyl Homes;
Noise Impact Assessment prepared by E3P;
Playing Pitch Mitigation Strategy prepared by Sports Planning Consultants;
Phase I Geoenvironmental Site Assessment prepared by E3P;
Phase II Geoenvironmental Site Assessment prepared by E3P;

Statement of Community Involvement prepared by UK Networks;
Transport Assessment prepared by Focus; and,
Television and Radio Reception Impact Assessment prepared by GTech Surveys.
Waste Proforma prepared by APD
Demolition Plan DP01 Rev A APD
Existing Site Layout ES01 Rev A APD
Housetype Pack HT01 APD
Location Plan LP01 Rev C APD
Illustrative Sections SE01 Rev B APD
Illustrative Street Scenes SS01 APD
Key Plan – Illustrative Streetscenes KP01 APD

Received 28 November 2022

Affordable Housing Layout AF01 Rev D
Boundary Treatment Plan BT01 Rev E
EV Charging Point Layout EV01 Rev D
Hard Surfacing Layout HS01 Rev D
Land Use Plan LU01 Rev C
Materials Layout ML01 Rev D
Waste Management Plan WM01 Rev D
Planning Layout PL01 Rev G
Driveway Dimension Layout DD01 Rev C
Drainage Appraisal 10-01 Rev P7
Soft Landscape Drawing (1 of 3) 14807_P05(1) Rev A
Soft Landscape Drawing (2 of 3) 14807_P05(2) Rev C
Soft Landscape Drawing (3 of 3) 14807_P05(3) Rev A
Completed Construction Local Labour KPI Proposal and Reporting Template
Updated Waste Proforma
Updated Phase I Desk Study 15-811-R1-6 Dated: January 2023
Updated Phase II Geoenvironmental Site Assessment 15-811-R2-6 Dated: January 2023
Remediation and Enabling Works Strategy 15-811-R3-2 Dated January 2023
Archaeological Evaluation SA/2023/1
Updated BNG Metric

Received 26 January 2022

Planning Layout Revision E
Cartmel Detached A_CART_C-1

Received 05 June 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.

Informative – Please check there are no other plans altered as a result of the non-material amendment, such as boundary treatment/landscaping

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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA