

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139979/NMC/2024

Date registered valid: 9 May 2024

Proposal: Non Material Amendment to planning application 138220/FO/2023 to alter the approved site plan (alterations to the external layout and car parking arrangements)

Address: 124 Longley Lane, Manchester, M22 4SP

Ward(s): Northenden Ward

Applicant: Miss Emma Billington Daycare4Dogs

Agent (if any): Miss Kelly Paddick Euan Kellie Property Solutions Limited

Case officer: David Lawless
Tel: 0161 234 4543
Email: david.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 3 June 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/area

This application relates to 124 Longley Lane, a light industrial building located within the Sharston Industrial Estate. It comprises of circa 1,300m² of floorspace, mostly at ground floor level but with a mezzanine level located at the front part of the building. The building was most recently occupied by Siltint, a precision engineering firm who undertook light industrial activities at the premises.

The surrounding building comprises a mix of industrial and commercial uses. On the opposite side of Longley Lane there are residential properties, located on Bronington Close, with the closest property (no. 11) located circa 67 metres away from the front of the site. Also located on the opposite side of Longley Lane, directly opposite the site, is the Longmire Centre, which is an Adult Education Centre and a children's day nursery. The property is accessed directly from Longley Lane.

Listed building: No

Conservation area: No

Tree Preservation Order: No

Description of development

In December 2023 the applicant obtained planning permission (138220/FO/2023) for the following:

Change of use of building to accommodate dog daycare centre (sui generis), including the installation of 2 metre high boundary treatment

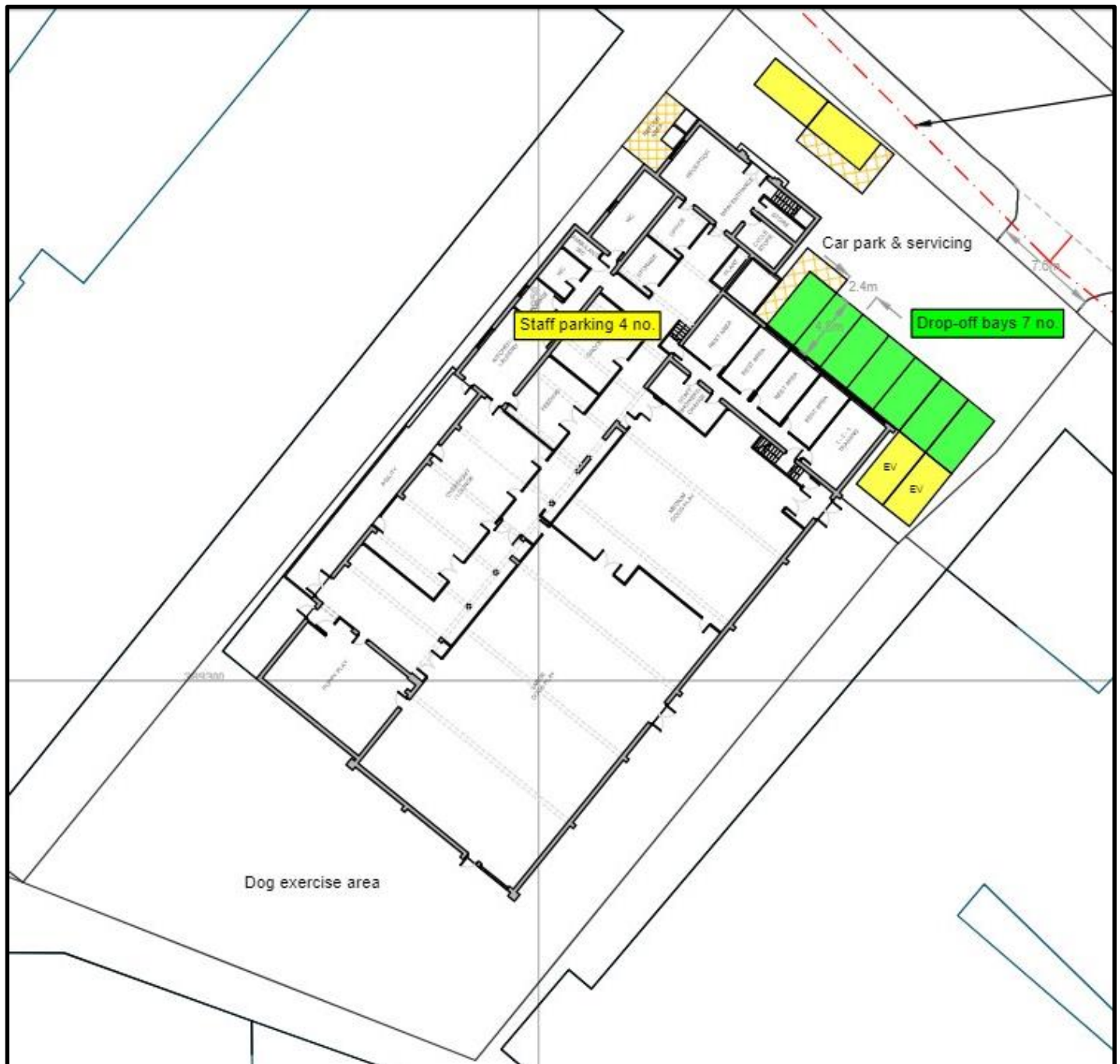
The applicant is now proposing to alter the approved site plan in order to undertake alterations to the external layout and car parking arrangements to allow for:

- A greater number of drop-off spaces for customers dropping off /collecting their dog(s) by car.
- A greater number of staff car parking spaces.
- An extended external exercise area for the dogs.

Previously approved layout:



Proposed layout:



Consultations & Notification Responses

Highway Services – No objections to the proposed layout.

Policies

The National Planning Policy Framework (December 2023) – The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The Places for Everyone Plan – This plan was adopted on 21 March 2024, as such the Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance. The relevant policy is set out below:

Policy JP-Strat9 (Southern Areas) – This policy states that the economic competitiveness, distinctive local neighbourhood character and environmental attractiveness of the southern areas will be protected and enhanced. There will be a strong emphasis on making as much use as possible of suitable previously developed (brownfield) land and promoting the roles of the areas' town centres and its other key assets.

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below:

Policy SP1, Spatial Principles – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, Development Management – This policy states that all development should have regard to a number of specific issues, the most relevant of which are:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.

- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Community safety and crime prevention.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Flood risk and drainage.

Policy EC2, Existing Employment Space – States that the Council will seek to retain and enhance existing employment space and sites.

Policy EC10, Wythenshawe – Advocates support for development involving economic development and job creation particularly within existing industrial areas such as Sharston Industrial Estate.

Issues

Car Parking Layout – The car parking layout has been amended to allow the provision of a greater number of spaces, i.e. seven, for customers to use when dropping off/collecting their dog(s). This has been achieved through the provision of tandem spaces which would only be used by staff. This has also allowed for the outside space along the side of the building to be utilised for exercising dogs.

The staff car parking provision includes one larger space for accessible use, two electric vehicle charging spaces and a cycle store, which is unchanged from the approved layout. The site access width also remains unchanged. Furthermore, the movements in and out of the car parking spaces for use by staff would not occur at the same time as the drop-off spaces (for use by customers) are in use, limiting the potential for conflict. The amended layout increases the number of drop-off spaces to seven whilst also seeking to minimise potential conflict between car park users, and providing cycle parking provision as per the approved layout.

Highway Services were consulted and they have raised no objections to the proposal. Accordingly, it is not considered that the proposal would have a detrimental impact upon existing levels of pedestrian and highway safety.

Visual and Residential Amenity – It is not considered that the proposed amendments would have a detrimental impact upon the existing levels of visual and residential amenity enjoyed within the vicinity of 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

Article 35 Declaration

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

1) The details of the proposed amendments are:-

a) Alterations to the external layout and car parking arrangements

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 are considered to be acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will have no material impact upon the levels of residential and visual amenity and pedestrian and highway safety enjoyed within the vicinity of the site.

3) Condition 2). The development hereby approved shall be carried out in accordance with the following drawings received on 29 September 2023:

- a) Location plan
- b) 2288-PL-EX-000 LOCATION PLAN
- c) 2288 -PL-PR-100 REV 4 PROPOSED GROUND FLOOR PLAN
- d) 2288 -PL-PR-100 REV 4 PROPOSED FIRST FLOOR & MEZZ PLAN
- e) 2288 -PL-PR-102 REV 4 PROPOSED ROOF PLAN
- f) Preliminary Bat Roost Assessment and Nocturnal Bat Survey Report (Collington Winter Environmental)
- g) Operational Management Strategy

And the following drawing received on 9 May 2024:

- h) SK22364-104 PROPOSED SITE LAYOUT & ACCESS ARRANGEMENTS

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

Article 4 Direction - Wythenshawe PD Restriction - Class B1(c) To C3

Article 4 Direction - Wythenshawe PD Restriction - Class B1(a) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 45M

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA