

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139254/NMC/2024
Date registered valid:	22 February 2024
Proposal:	Non-Material Amendment to Planning Permission 135609/JO/2022 to allow for revisions to the design of the proposed dwellinghouses.
Address:	Oakwood Resource Centre, 177 Longley Lane, Manchester, M22 4HY
Ward(s):	Northenden Ward
Applicant:	Patrick Beesley, John Southworth
Agent (if any):	Mrs Suzanne Belfield, Arcus Consulting LLP
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	15 April 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

The Oakwood Resource Centre (177 Longley Lane) is a large single storey building set within 0.61 hectares. The building is set back from Longley Lane and is located to the rear of a children's nursery (Kid Start Ltd) and the Longmire Centre, which houses an NHS service. The Oakwood Resource Centre has been vacant for a number of years. To the rear of the site there is an area of open space, while to the east and west there are a number of dwellings. To the south of the sites lies the children's nursery and Longmire Centre. Access to the site is via an existing driveway that leads off Longley Lane.

Listed building: No
Conservation area: No
Tree Preservation Order: No

Description of development

The applicant obtained planning permission in October 2022 for the following:

133576/FO/2022 - Erection of 20 no. two storey residential dwellinghouses with associated car parking, landscaping, boundary treatments following the demolition of the existing building

They then obtained planning permission (135609/JO/2022) to vary conditions 2 (approved drawings) and 7 (retained trees) to allow for the removal of two existing trees.

The applicants are now applying for a non-material amendment to allow for the following revisions to the design of the dwellinghouses:

1. Amendments to windows to comply with current Building Regulations.
2. House Type 2 and 3 bathroom window position, amended to suit change of toilet and sink.
3. Corbel band on House Type 2 and 3, amended to return only 890 mm.

Consultations & Notification Responses

n/a

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.

In addition to the above, Section 5 (*Delivering a sufficient supply of homes*) and Section 12 (*Achieving well-designed and beautiful places*) are of relevance:

Paragraph 60 in Section 5 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

Paragraph 70 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

Paragraph 131 in Section 12 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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 policies are set out below:

Policy JP-H1 (Scale, Distribution and Phasing of New Housing Development) – This policy states that a minimum of 175,185 net additional dwellings will be delivered over the period 2022-2039, or an annual average of around 10,305. The new homes will be of good quality and design, adaptable, supported by the necessary infrastructure and amenities and their distribution will support the Plan's overall strategy which enables people to reduce the need to travel when taking advantage of our key assets.

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 H1, *Overall Housing Provision* – This policy states that new housing will be predominantly in the North, East, City Centre and Central Manchester, these areas falling within the Regional Centre and Inner Areas of Manchester. The proportionate distribution of new housing, and the mix within each area, will depend on:

- The number of available sites identified as potential housing sites in the SHLAA;
- Land values and financial viability;
- The need to diversify housing stock in mono-tenure areas by increasing the availability of family housing, including for larger families; and the availability of other tenures to meet the identified needs of people wishing to move to or within Manchester; and preserving and improving the quality of the existing housing stock; and
- The management of areas where Houses in Multiple Occupation predominate.

Proposals for new residential development (including accommodation for Gypsies and Travellers and Travelling Showpeople and purpose built student accommodation) should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed sited in sustainable locations and which takes account of
- the availability of developable sites in these areas;

- Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours.

Policy H7, Wythenshawe – The Council expects that Wythenshawe will accommodate only around 3% of new residential development over the lifetime of the Core Strategy. New high quality high density development will be encouraged within the district centres of Northenden, Baguley and Wythenshawe and upon small infill sites where it contributes to the stock of affordable housing and where it complements Wythenshawe's garden city character. There is also the potential for additional family housing for sale.

Policy H8, Affordable Housing – The requirements for affordable housing or an equivalent financial contribution, as set out in Providing For Housing Choice, or any future published SPD and Planning Guidance, currently apply to all residential developments on sites of 0.3 hectares and above or where 15 or more units are proposed.

Policy DM1, Development Management – This policy states that all development should have regard to a number of specific issues, of which the following are of most relevance for which more detailed guidance may be given within a supplementary planning document:-

- 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.
- Design for health.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.

Issues

Design – Despite the proposed minor amendments to the design of the proposed dwellings, all three house types would retain their traditional appearance. They would still be constructed from red facing brick with buff reconstituted stone cills and banding and would be topped by a pitched roof of grey concrete tiles. Overall, the design of the proposed dwellings is still considered acceptable.

Residential and Visual Amenity – It is not considered that the amendments to the design and layout of the proposed dwellings would have a detrimental impact upon the levels of residential and visual amenity enjoyed within the vicinity of the site.

Pedestrian and Highway Safety – The proposed amendments to the original scheme would not have a detrimental impact upon the levels of pedestrian and highway safety enjoyed along Longley Lane and the access road to 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

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

1) The details of the proposed amendments are:-

1. Amendments to windows to comply with current Building Regulations.
2. House Type 2 and 3 bathroom window position, amended to suit change of toilet and sink.
3. Corbel band on House Type 2 and 3, amended to return only 890 mm.

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:

- a) P-00A, received on 25 May 2022
- b) P-01D, received on 29 November 2022
- c) P-05A, received on 21 April 2022
- d) P-06C, received on 29 November 2022
- e) P-07 and P-08, received on 25 May 2022
- f) C10 Rev G - Type 1 Plans, received on 14 February 2024

- g) C11 Rev E - Type 1 Elevations, received on 14 February 2024
- h) C12 Rev G - Type 2 Plans, received on 14 February 2024
- i) C13 Rev E - Type 2 Elevations, received on 14 February 2024
- j) C14 Rev G - Type 3 Plans, received on 20 February 2024
- k) C15 Rev E - Type 3 Elevations, received on 20 February 2024
- l) C21 - Type 2A Plans, received on 14 February 2024
- m) C22 - Type 2A Elevations, received on 14 February 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.

Appendix 1 – List of consultees & neighbours notified

n/a

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 45M
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA