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Our ref **EKPS/230707/KP**

Submitted via the Planning Portal

9 May 2024

FAO David Lawless

Dear Sir or Madam,

Application for a Non-Material Amendment to Planning Permission 138220/FO/2023 for Change of Use of 124 Longley Lane, Sharston Industrial Estate, Manchester, M22 4SP

On behalf of our client, Daycare4Dogs Limited ('the Applicant'), we are pleased to enclose an application for a non-material amendment in respect of the above planning permission, submitted under Section 96A of the Town and Country Planning Act.

Background

Planning permission ref: 138220/FO/2023 was granted on 7 December 2023 for the following development at 124 Longley Lane, Sharston Industrial Estate, Manchester, M22 4SP (herein referred to as the "Consented Scheme"):

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

Summary of the Proposed Changes

Since the Consented Scheme was approved in December 2023, the Applicant has revisited the proposed external layout, including car parking layout, and would like to amend the approved site plan to achieve a more functional layout of the site.

Explanation of Proposed Changes

Current Approved Layout

Condition 2 of the planning permission for the Consented Scheme lists the approved plans, including '2288-PL-PR-001 REV 4 PROPOSED SITE PLAN'. This shows an external layout comprising 5 'drop-off' spaces to the front of the building and 4 staff car parking spaces to the side of the building (including one larger 'accessible' space and two spaces to be served with EV chargers). This layout demonstrates a site access with a good width and a good amount of space at the front of the building. A turning area is shown next to the dog exercise area to the rear of the building to allow staff to turn their car and leave the site in a forward gear. It also shows a cycle store to the side of the building.

The turning head can also allow a small transit type vehicle (services deliveries) to enter and leave in a forward gear, albeit Daycare4Dogs does not typically receive deliveries as all supplies are generally bought to site by staff in their own private cars.

In the approved layout, refuse collection takes place at the front of the building in the drop-off area because it was assumed that this would take place at 5am (as it does currently at the existing operation on Bradnor Road) and there would be no customer cars on site at this time.

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RICS

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The level of parking/drop-off provided is based on the surveys undertaken of the existing site on Bradnor Road, which informed the Transport Note prepared by SKTP which was submitted with the Planning Application for the Consented Scheme.

Need for Proposed Amendments

The Applicant would like to amend the layout in order to achieve the following:

1. A greater number of drop-off spaces for customers dropping off /collecting their dog(s) by car.
2. A greater number of staff car parking spaces.
3. An extended external exercise area for the dogs[1].

Proposed Amended Layout

The car parking layout has been amended to allow the provision of a greater number of spaces (7 no.) for customers to utilise when they are dropping off/collecting their dog(s). This has been achieved through the provision of tandem spaces which will be used for staff car parking only. 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 EV charging spaces and a cycle store, which is unchanged from the approved layout. The site access width also remains unchanged.

Importantly, 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.

The proposed amended layout has been prepared by SKTP who advised on the original application. They have confirmed that the proposed amendments do not change the outcome of their Transport Assessment (Ref. 230928/SK22364/TS01(-02) dated 28 September 2023) and the proposed revisions are therefore considered to be non-material.

Basis of Determination

Section 96A of the Act allows a local planning authority ("LPA") in England to make a change to any planning permission where they are satisfied that the change is not material. Specific powers (at S.96A(3)) are also provided to remove or alter the wording of existing conditions.

S.96a(2) states that in deciding whether a change is material, an LPA must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.

Whilst there is no definition of what constitutes a non-material amendment, National Planning Practice Guidance ("PPG") recognises that it will be in the context of the overall scheme. Having regard to the information provided within this submission, and as already set out above, the proposals are considered to be non-material in this instance.

[1] Details of the proposed fencing/boundary treatment for this area has been submitted to discharge condition 10 of the planning permission for the Consented Scheme.

Supporting Plans and Documents

In addition to this covering letter, this application for a non-material amendment is supported by the following plan, which is submitted to replace approved plan 2288-PL-PR-001 REV 4 PROPOSED SITE PLAN' (as currently listed under Condition 2):

- Plan Ref. SK22364-104 'Proposed Site Layout & Access Arrangements' showing the location of car parking spaces with EV charging provision;
- Completed forms, certificates and fee.

I trust the submitted information is sufficient, however should you have any questions or require any further information, please do not hesitate to contact me by email or telephone (07904 225814).

Yours faithfully,

Kelly Paddick MCD MRTPI PIEMA
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