

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138359/NMC/2023

Date registered valid: 19 October 2023

Proposal: Non-material amendment to planning permission referenced 126507/FO/2020 to allow change of 3 no. external ground floor double door openings to windows

Address: 67 Old Market Street, Blackley, Manchester, M9 8DX

Ward(s): Harpurhey Ward

Applicant: Mr Ed Jackson, Palatine Contracts Ltd c/o FBJ Construction

Agent (if any): Mr Nick Harden, Edifice Building Consultants Ltd

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 30 October 2023

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: 27 October 2023

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

The application site relates to a development site for apartments, following the demolition of a large 5 storey former mill building. The construction of the apartments is under way.



View of development site from Old Market St

The building occupies a commanding position, situated at the corner of Old Market Street and Domett Street, bounded by a two-storey residential estate to the south along Westgate Avenue and Domett Street, and a bowling green and associated three storey public house to the east. On the opposite sides of Old Market Street and Domett Street are informal areas of open space, beyond which there are two storey residential properties and a parade of retail units.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

With the exception of a small local centre containing a number of local shops and services a short distance to the west along Old Market Street and a public house (Ye Golden Lion) which adjoins the site to the east, the immediate area is predominantly residential in character comprising a combination of two storey dwellinghouses and to the west, large purpose-built apartment blocks.

Description of development

A non-material amendment is sought to planning permission referenced 126507/FO/2020 which allowed for the erection of a 4-storey building to accommodate 18 no. apartments (12 x 2 bedroom and 6 x 1 bedroom) - (Class C3), together with off road car parking, boundary treatment and landscaping.

In this case, the amendment relates to the replacement of 3 no. ground floor, double doors with windows, to match those to be used elsewhere on the building.

The registered social landlord who is to occupy the building has security concerns regarding the placement of double doors at ground floor level. It is therefore proposed to replace these doors with windows.

Consultations & Notification Responses

None Required.

Relevant Planning History

126507/FO/2020

Erection of 4 storey building to accommodate 18 no. apartments (12 x 2 bedroom and 6 x 1 bedroom) - (Class C3) together with parking, boundary treatment and landscaping, following demolition of existing building. *Approved 20 October 2020.*

118599/FO/2017

Erection of 4 storey building (including roof-space) to form 19 x 2 bedroom and 1 x 1 bedroom apartments (Class C3) together associated car parking spaces, landscaping and boundary treatment following demolition of existing building. *Approved 9 August 2018.*

Policy

Relevant policy is set out below:

- Manchester Core Strategy (2012) – Relevant policies SP1, EN1 and DM1.
- Guide to Development in Manchester SPD (2007).
- Residential Quality Guidance.

-National Planning Policy Framework (NPPF).

Issues

Materiality

Given the nature of the change, it is not considered that there would be any material impact to the appearance of the building, given the same window type is proposed to that to be used elsewhere on the building. The fenestration would therefore be matching.

The proposed alterations would not result in any undue impact to residential or visual amenity and would not significantly undermine the original design intent.

It is not believed that alterations would not raise any new issues, since the conclusions of technical assessments approved as part of the host permission would be the same. The proposed amendment would therefore comply with all relevant, overarching policy and guidance. The proposed change is therefore considered non-material.

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

The proposed amendment relates to the change from double doors to the ground floor apartments referenced as G01, G02 and G03 to matching windows.

Following an assessment of the details submitted, I can confirm that the proposed amendment is 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 change will not result in any significant or material alterations to the host planning permission.

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

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

Drawings referenced 6489_PL01, 6479_PL05 and 6479_L01 received by the City Council as Local Planning Authority on 13 March 2020 and drawings referenced 727-PL. SP01/B, 727-PL.2.01, 727-PL.3.02/A, 727-PL.3.03/A and 727-PL.WS/A, received by the City Council as Local Planning Authority on 19 October 2023.

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

Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH AREA