

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137340/NMC/2023

Date registered valid: 19 June 2023

Proposal: Non Material Amendment to planning permission 130100/FO/2021 to allow for changes to the configuration of the extension building footprint; an increase in height by 80mm to the extension roof and 140mm to the main roof raised ridge; amendments to the internal layout.

Address: 402 Wilmslow Road, Manchester, M20 3BN

Ward(s): Old Moat Ward

Applicant: Mr Stuart Wall, Concorde No1 Ltd

Agent (if any): Mr Simon James, Simon James Arq Ltd

Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 17.07.2023

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 fronts Wilmslow Road just to the south of Withington District Centre and Withington Conservation Area.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Non Material Amendment to planning permission 130100/FO/2021 to allow for changes to the configuration of the extension building footprint; an increase in height by 80mm to the extension roof and 140mm to the main roof raised ridge; amendments to the internal layout.

Consultations & Notification Responses

None

Issues

The changes are:

1. Minor change to the configuration of the extension building footprint.
2. Small increase of height by 80mm to the extension roof and 140mm to the main roof raised ridge.
3. Internal layout amendments.

“1. Apartment areas.

The building owner is very keen to maximise the size of the flats. This does not involve the increase in numbers of bedrooms or bed spaces.

The intention is to improve the quality of the flats and each of the rooms. Each flat type remains within the approved Manchester Space Standards area ranges. We have had to significantly reduce the building owners' aspirations for the increase to the size of the flats to keep the amendments to a minimum.

The apartment area increases mainly affect the Flats that were in the 3 person 61 to 70m² range which remain in that range but move closer to 70m². The footprint is increased a small amount to achieve this and this benefits the 70m², 4 person flats and the 2 person 1bed flat which increase in size a small amount too.

New Building regulations which came into force in June 2022.

There are a number of ways in which the new building regulations impact on the proposal. Construction envelope elements and floor build ups have significantly increased in the last 18 months to satisfy the new regulations.

Energy conservation.

The new U Values require increased wall, floor, and roof build up. These increases have further pressure due to the requirement to achieve a higher minimum residential EPC levels based on more challenging SAPs calculation formulas. Comfort levels and improved EPCs now also have to be achieved without gas boilers as there is a push to phase these out and we have chosen to meet that new standard now.

Fire safety post Grenfell.

Fire spread, compartmentation, detection and evacuation standards have all increased in the period of time that the project has been in planning. This has an impact on the configuration of the flats, the introduction of sprinklers and a change of the often thinner insulation options that now do not satisfy spread of flame standards for materials with increased thicknesses.

Structural design.

New and increasing fire standards also affect the structural design. This is combined with the inevitable impact of a more detailed development of construction details together with value engineering the planning approved proposal.

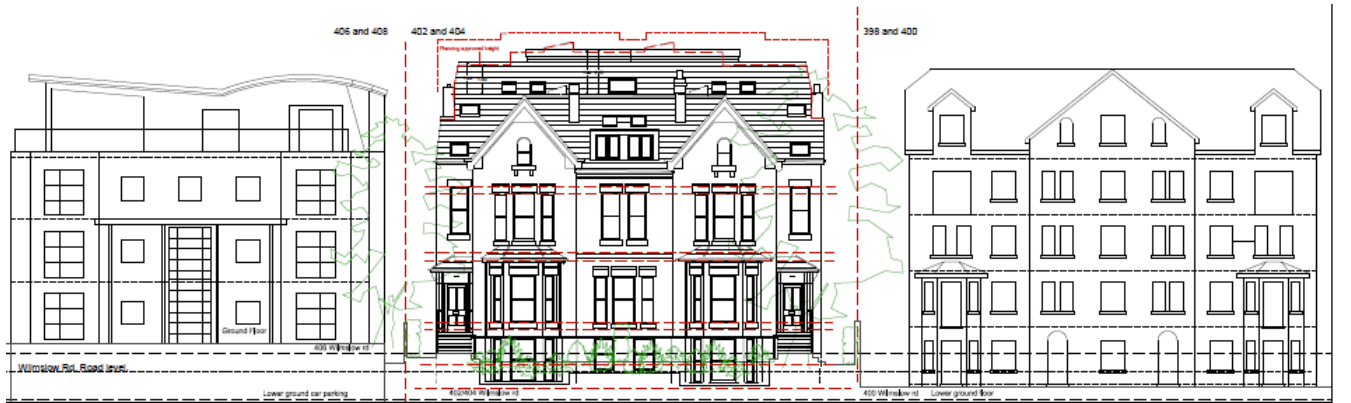
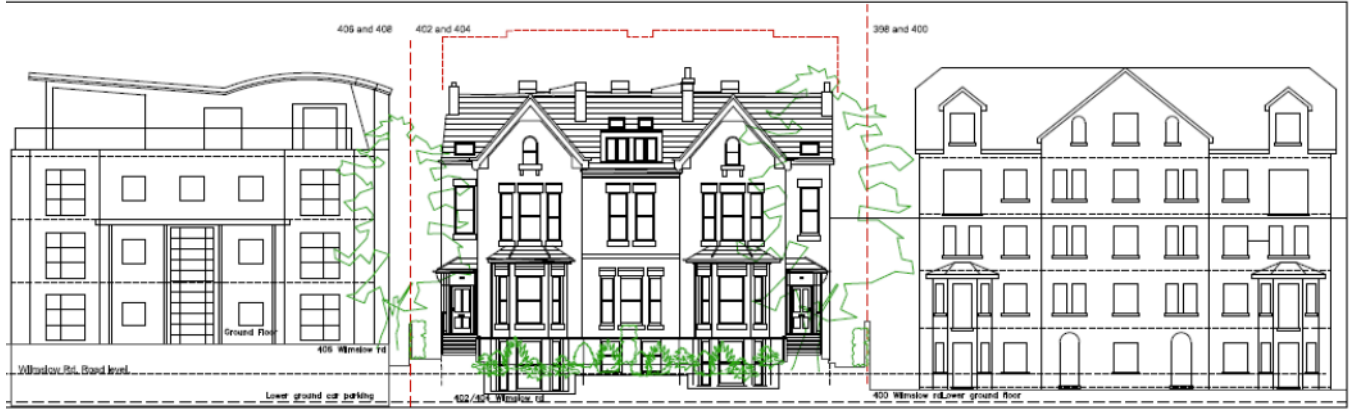
A decision was made that to satisfy all of the modern construction requirements with increasing safety margins the best way to build the extension would be with a steel frame and not load bearing walls. The steel frame is set out in a more orthogonal grid which has adjusted the footprint geometry a small amount to take into account the rhomboid form of the existing plan.

2. The above fire safety, energy conservation requirements have also increased the floor construction sandwich build-up dimension which has made a small cumulative impact on the overall height of the building.

3. Internal layouts amended to improve the area distribution to balance out the overall footprint between all the flat types, to absorb spaces needed to satisfy the new Fire safety requirements and to work to a practical steel frame configuration.

Scheme as proposed and previously approved

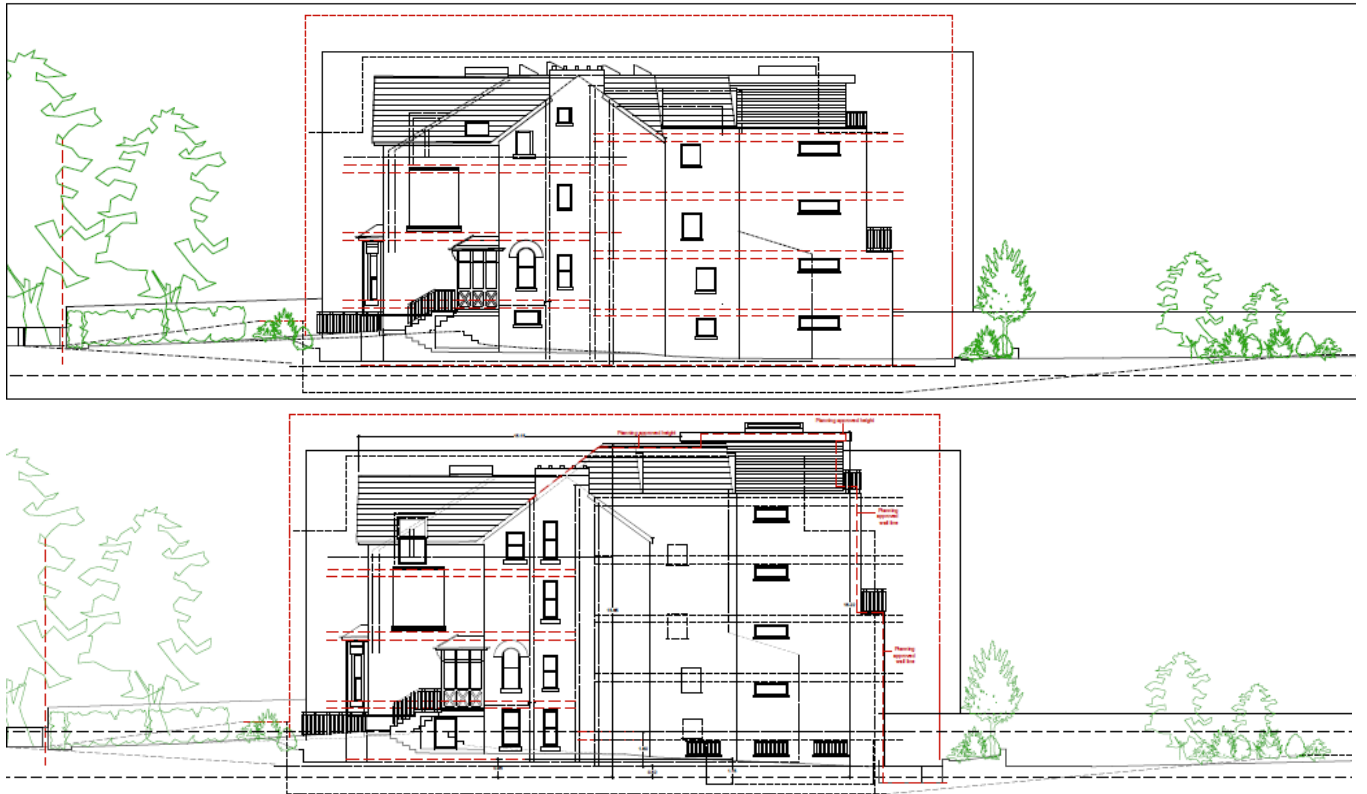
Front Elevation



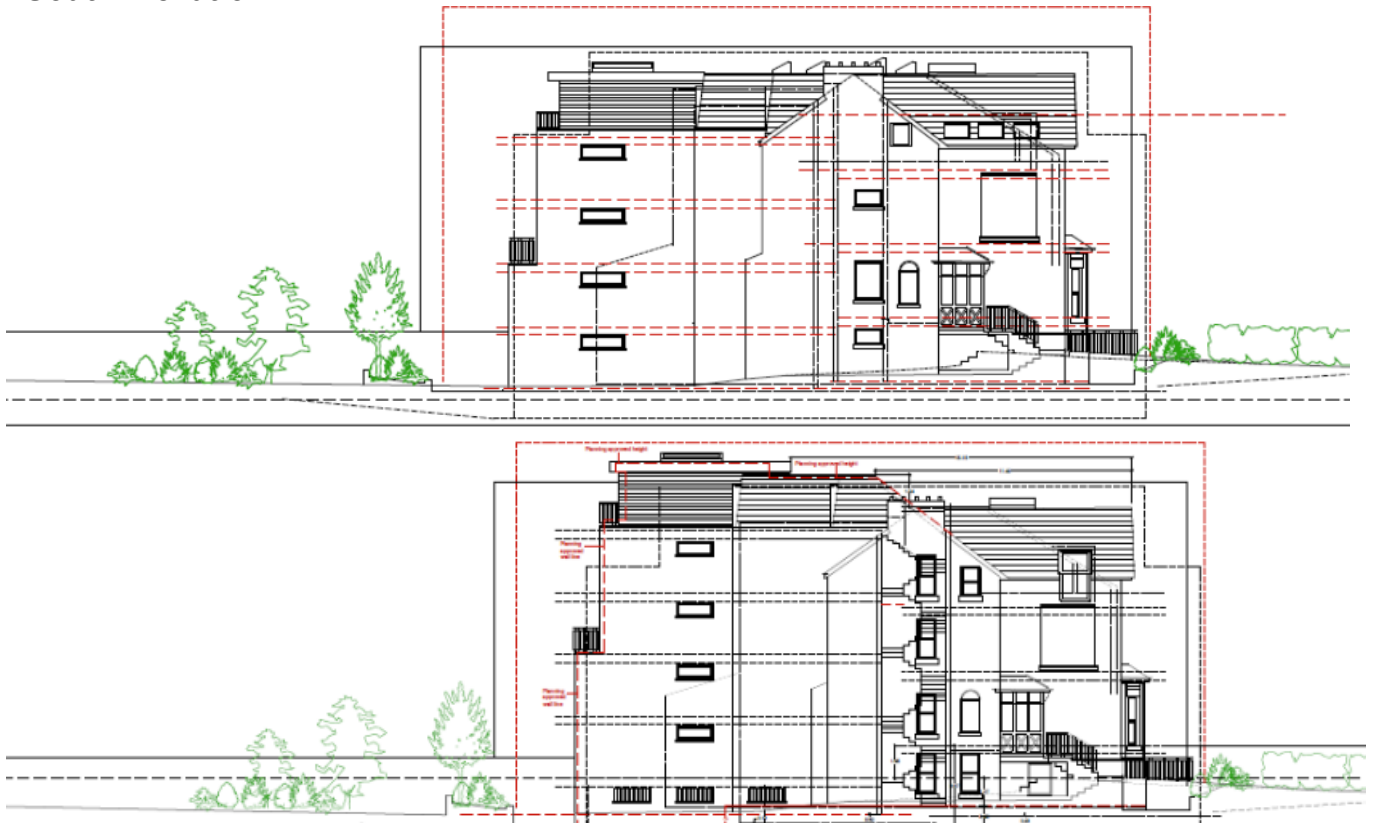
Rear Elevation



North Elevation



South Elevation



Following an assessment of the details submitted, it is confirmed that the proposed amendments are considered to be a material change. The City Council is not satisfied that the proposed changes would not have a significant impact upon the visual appearance of the area. As such the proposal cannot be determined as non-material under section 96A of the Town and Country Planning Act 1990

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: Refuse

Reasons for Refusal

1. The proposed amendment relates to changes to the configuration of the extension building footprint; an increase in height by 80mm to the extension roof and 140mm to the main roof raised ridge; amendments to the internal layout.
2. Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be a material change. The City Council is not satisfied that the proposed changes would not have a significant impact upon the visual appearance of the area. As such the proposal cannot be determined as non-material under section 96A of the Town and Country Planning Act 1990.

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
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: SOUTH AREA