MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	137827/NMC/2023
Date registered valid:	10 August 2023
Proposal:	Non-material amendment to planning permission referenced 131891/FO/2021 to allow raised parapets and raising of cill to ground floor window to block 2
Address:	Land on The Corner of Victoria Avenue and Chain Road, Manchester
Ward(s):	Higher Blackley Ward
Applicant:	Terra Nova Development limited
Agent (if any):	Samuele Pretti, Bowker Sadler Architecture
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: steven.mccoombe@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	17 August 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

The application site relates to a development site, formerly occupied by the Lion and Lamb public house, situated at the junction of Chain Road and Victoria Avenue.

The building was demolished some years ago and currently a partially implemented development comprising 12 dwellinghouse and apartment blocks presently under construction.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site is located within a predominately residential area. The prevailing character is largely two-storey, terraced or semi-detached properties. Nearby is a primary school, local shops and leisure facilities

Description of development

Non-material amendment to planning permission referenced 131891/FO/2021 which allowed for the erection of 12, two storey dwellinghouses (Use Class C3a), together with the erection of a three-storey building to form 20 residential apartments (Use Class C3a) with associated car parking, landscaping, boundary treatment and other associated works.

The amendments in this case relate to the raising of the parapet to provide sufficient guarding for maintenance on the roof and the raising of cill to ground floor window facing Chain Road. Both changes relate to apartment Block 2. The amendments are required for safety reasons for maintenance as a result of the approved window dimensions.

Consultations & Notification Responses

None Required.

Policy

Relevant policy is set out below:

Manchester Core Strategy (2012) – Relevant polices SP1, H1, H3, EN1, EN3, EN4, EN5, EN6, EN9, EN10, EN14, EN15, EN16, EN17, EN18, EN19 and DM1.

Unitary Development Plan for the City of Manchester (1995) –saved policy DC7, DC18, DC19, DC20 and DC26.

Guide to Development in Manchester SPD (2007).

Residential Quality Guidance.

National Planning Policy Framework (NPPF).

Relevant Planning History

137197/NMC/2023

Non-material amendment to planning permission referenced 131891/FO/2021 to allow alterations to the main roof and entrance canopy. *Approved 14 June 2023*.

131891/FO/2021

Erection of 12, two storey dwellinghouses (Use Class C3a) together with the erection of a three storey building to form 20 residential apartments (Use Class C3a) with associated car parking, landscaping, boundary treatment and other associated works. *Approved 17 March 2022.*

135103/FO/2022

Change of use from existing open space to private garden in connection with planning permission referenced 131891/FO/2021. *Approved 8 December 2022.*

Issues

Materiality

Given the nature of the changes, it is not considered that there would be any material impact to the envisaged building appearance.

The proposed alterations would not result in any undue impact to residential or visual amenity and would not significantly undermine the original design intent. Due to the relationship of the building with nearby buildings, the slight height increase would have no material impact in terms of any impact to neighbouring living conditions or the appearance of the street-scene.

The increased parapet height is required for guarding for occasional maintenance of the roof, rather than installing a fall arrest system. This maintenance strategy would be safer, more cost-effective, and easier to implement. The resulting parapet would result in the building being 4 bricks higher (300mm).

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 changes are 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 polices 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 amendments relate to the raising of the parapet to provide sufficient guarding for maintenance on the roof and the raising of cill to ground floor window facing Chain Road. Both changes relate to apartment Block 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 acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes 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:

18- 002 1033 Rev J received by the City Council, as Local Planning Authority on 10 August 2023.

18-002 1031 Rev D, 18-002 1032 Rev D and 18-002 1034 Rev G received by the City Council, as Local Planning Authority on 6 June 2023.

18-002 1010 Rev E, 18-002 1011 Rev F, 18-002 1014 Rev A, 18-002 1030 Rev D, 18-002 1035 Rev E, 18-002 1036 Rev C, 18-002 1037 Rev D, 18-002 1038 Rev E, 18-002 1039 Rev C, 18-002 1040 Rev D, 18-002 1042 Rev C, 18-002 1043 Rev B and 333-01B (Landscape drawing) stamped as received by the City Council, as Local Planning Authority, on the 16 March 2022.

18-002 1012 Rev B, 18-002 1013 stamped as received by the City Council, as Local Planning Authority, on the 24 January 2022

12851.201B 12851.201E Proposed Drainage Layout issued today, 12851.203 12851.203 A S104 Catchment Areas Plan , 333-01-A, 21.B.12851/303, 21.B.12851/304, 21.B.12851/305 stamped as received by the City Council, as Local Planning Authority, on the 23 February 2022

101 Rev C, 201 Rev D, 202 Rev A and 206 stamped as received by the City Council, as Local Planning Authority, on the 28 February 2022

12851.201E Proposed Drainage Layout stamped as received by the City Council, as Local Planning Authority, on the 14 March 2022

Supporting information

Drainage maintenance plan letter and sewer map letter stamped as received by the City Council, as Local Planning Authority, on the 3 February 2022

Transport Assessment, Design and Access statement, affordable housing statement, air quality assessment, crime impact statement, economic statement, landscaping details, planning statement, local labour proposal, construction management plan, noise impact assessment, tree survey, ecology report, flood risk assessment stamped as received by the City Council, as Local Planning Authority, on the 11 October 2021

Local Benefit Proposal prepared by Terra Nova Developments stamped as received by the City Council, as Local Planning Authority, 22 December 2021

Micro drainage calculations stamped as received by the City Council, as Local Planning Authority, on the 3 and 28 February 2021

Phase 2 geo environmental investigation stamped as received by the City Council, as Local Planning Authority, on the 8 March 2022

12851 - Chain Road MicroDrainage Calcs 22 03 11 Full Network Incl Private stamped as received by the City Council, as Local Planning Authority, on the 14 March 2022

Waste management profoma stamped as received by the City Council, as Local Planning Authority, on the 15 March 2022

Chain Road Materials - Rev E (material tracker) stamped as received by the City Council, as Local Planning Authority, on the 16 March 2022

Energy and Environmental Statement Rev B stamped as received by the City Council, as Local Planning Authority, in the 16 March 2022

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the 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