

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137197/NMC/2023

Date registered valid: 6 June 2023

Proposal: Non-material amendment to planning permission referenced 131891/FO/2021 to allow alterations to the main roof and entrance canopy

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: 14 June 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 cleared 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 is currently vacant land and largely comprises hardstanding.

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 roof of the apartment block and the entrance canopy to the eastern elevation.

Currently the approved roof includes a shallow-pitch roof on the three-story block of flats at the corner of the site. The roof was designed not to be visible from street level, being behind a brick parapet. A flat roof solution is now proposed in place of the shallow pitch.



As approved roof view (shallow pitched roof)



Proposed amendment roof view (flat roof)

In addition, to the eastern elevation it is proposed to cut back the entrance canopy to the block of flats to improve buildability.

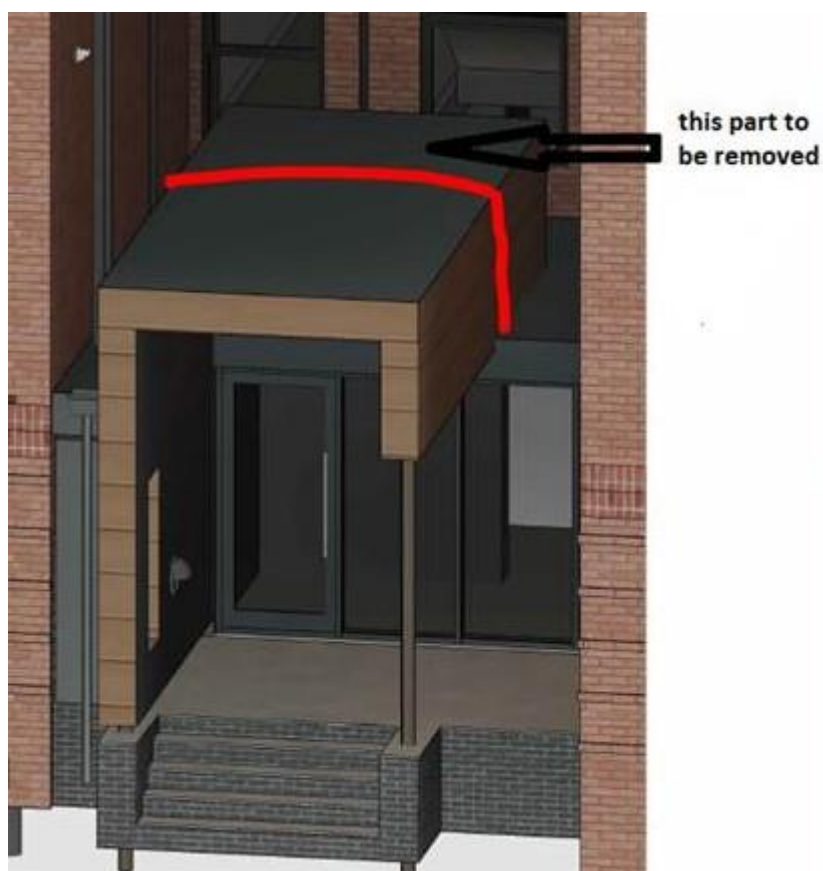


As approved entrance canopy



Proposed entrance canopy amendment

The below image shows the extent of the cut-back to the canopy.



Consultations & Notification Responses

None Required.

Policy

Relevant policy is set out below:

Manchester Core Strategy (2012) – Relevant policies 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

137198/JO/2023

Variation of conditions 2 (specified plans) and 11 (window reveals) attached to planning permission referenced 131891/FO/2021 to allow change to soffit specification. *Decision pending.*

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 original building appearance. The roof design as approved was designed to not be visible from the street level, due to the inclusion of a parapet and the extent of the cut back to the canopy is not considered excessive.

The proposed alterations would not result in any undue impact to residential or visual amenity, and do 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 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 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 amendments relate to roof alterations to the block of apartments to allow for a flat roof, together with amendments to the entrance canopy.

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 1031 Rev D, 18-002 1032 Rev D, 18-002 1033 Rev H 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