

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136549/NMC/2023

Date registered valid: 24 March 2023

Proposal: Non material amendment to planning permission referenced 134332/FO/2022 to allow change in canopy height

Address: Openshaw Workshops , Cornwall Street, Manchester, M11 2NS

Ward(s): Clayton & Openshaw Ward

Applicant: Greater Manchester Combined Authority Greater Manchester Police

Agent (if any): Mrs Samantha Austin Fordingbridge Plc

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 4 April 2023

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: N/A

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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The development is related to an existing car parking area and positioned to the south of a 3 storey multi-use building approved under planning permission ref: 118695/FO/2017. The perimeter of the site is screened by substantial boundary treatments. Given the configuration of the existing buildings the visual impact would be predominantly contained within the application site.

Description of development

This non-material amendment relates to planning permission ref:

134332/FO/2022 - Erection of canopy to parking bays

The details of the proposed amendments relate to an increase in the height of the main canopy (attached to the southern elevation of the building) from 4.3 metres to 4.6 metres. The height of the secondary canopy to the eastern elevation accords with the approved details, i.e., 3 metres.

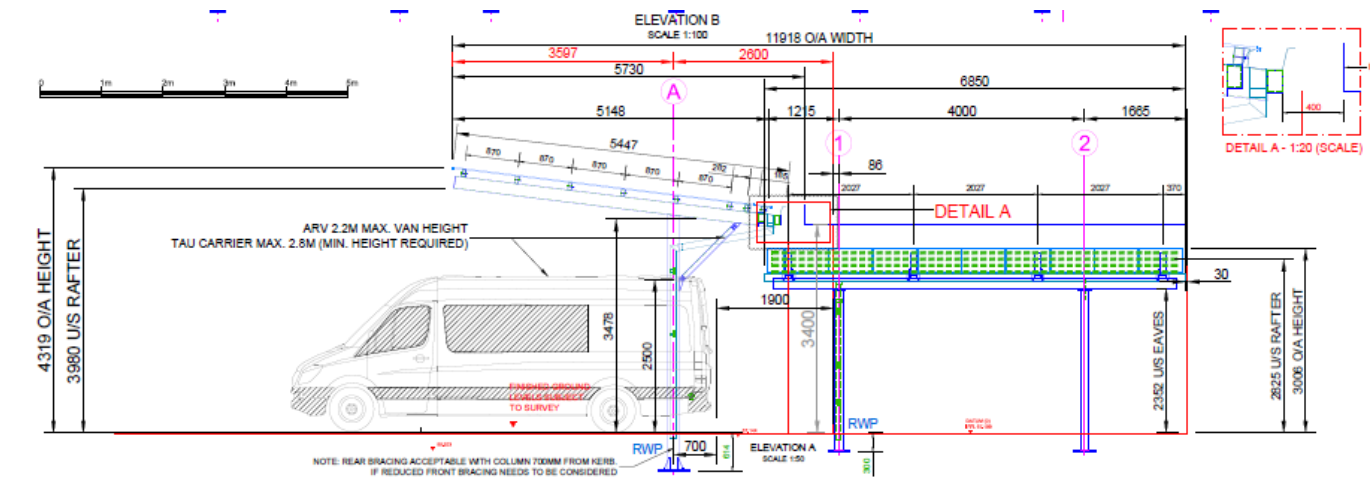


Fig. 1 - Heights approved under planning permission ref: 134332/FO/2022

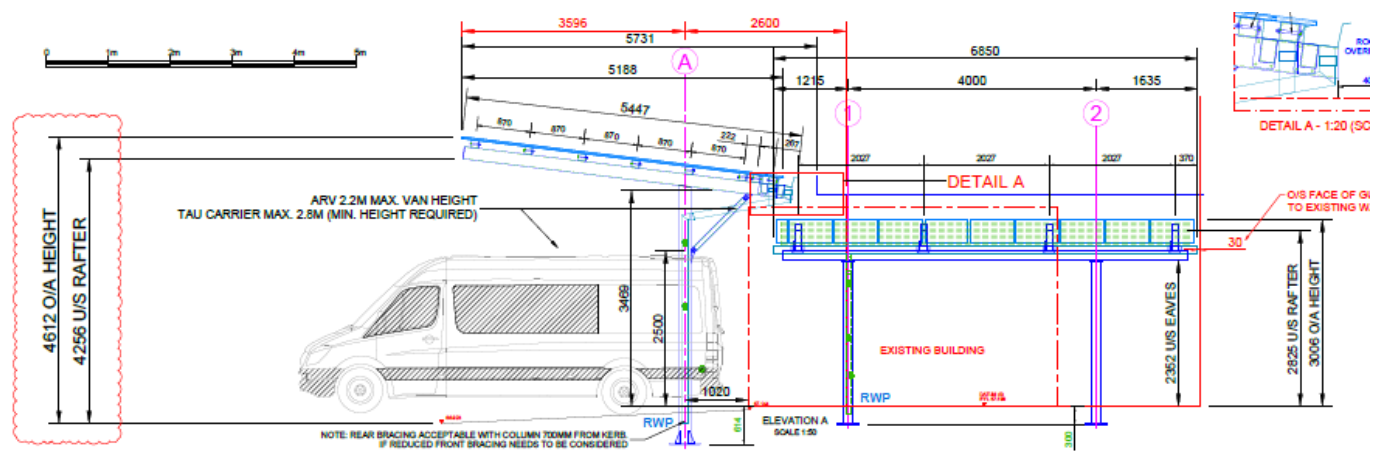


Fig. 2 – Implemented canopy heights

Consultations & Notification Responses

None required

Issues

Policy - The proposed development was fully assessed with regard to the NPPF, Core Strategy and saved policies of the Unitary Development Plan and allow the relevant guidance.

The following guidance and policies are considered to be relevant to the proposed amendment.

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It provides a mechanism through which locally-prepared plans for housing and other development can be produced.' It states that 'at the heart of the Framework is a presumption in favour of sustainable development.' However, the Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Furthermore, the statutory status of the development plan remains as the starting point for decision making. In 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. It is

considered that the development accords with the objectives of the NPPF as expressed in Chapter 12: Achieving well-designed places.

Planning Practice Guidance (PPG) - On 6 March 2014, the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In the following assessment of the proposed development has been given to the following aspects of the PPG:

- i. Consultation and pre-decision matters
- ii. Design
- iii. Health and well-being

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The development and its amendment continues to accord with the following policies:

- i. Policy SP 1 Spatial Principles
- ii, Policy DM1 Development Management

Principle of the development - The amendments are limited to the main canopy and have resulted in a marginal impact in its height and appearance. The secondary element of the canopy has been constructed as approved. The site is located in and enclosed complex that is screened by high walls. There would be no apparent impact of the surrounding area associated with the increase in the height of the canopy. The principle of the development therefore remains acceptable.

Design – The design, appearance and relationship of the two component parts of the canopy to the existing building would not be affected by the changes in height. A condition has been re-attached relating the development to the revised drawings and previously approved materials.

Height – The increase in the height of the canopy is considered to be acceptable as it constitutes a marginal change to the authorised development.

Layout – Unaffected by the amendment.

Conclusion - The amended development is considered to be acceptable, in relation to its design, appearance, function and relationship to the existing building.

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

Article 35 Declaration

N/A

The details of the proposed amendments relate to an increase in the maximum height of the main canopy (attached to the southern elevation of the building) from 4.3 metres to 4.6 metres. The height of the secondary canopy to the eastern elevation accords with the approved details, i.e., it has a maximum height of 3 metres.

Following an assessment of the details submitted, I can confirm that the proposed amendment is considered to be of a non-material nature and is acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed change will have no material impact upon the character of the development or upon the visual or residential amenity of nearby occupiers.

Therefore, I can confirm that the proposed amendments are hereby approved subject to the following conditions.

Condition(s) to be attached to decision for approval

2) The development hereby approved shall be carried out in accordance with the following drawings and documents stamped as received by the City Council as local planning authority on 11 July 2022, 14 July 2022, 22 March 2023 and 23 March 2023:

Application forms for a Non-Material Amendment Following a Grant of Planning Permission
Location plan with red edge Ref: 8195/LP-01
Block plan Ref: 8195/BP
Steel cantilever canopy: General arrangement plan & elevations Ref: 8195/GA-01 Rev.

F.

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 for the City of Manchester.

3) The development shall be fully implemented in accordance with the following materials and specifications as referenced in the submitted application forms received on 11 July 2022 in relation to planning permission ref: 134332/FO/2022:

Canopy frame - Steel with polyester coating in grey (RAL 7030);
Roof - Triple walled polycarbonate.

The canopy shall be maintained in the approved materials at all times thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

N/A

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA