

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136744/NMC/2023

Date registered valid: 14 April 2023

Proposal: Non-material amendment to planning permission referenced 129852/FO/2021 to alter the wording of condition 13 (environmental standards) to allow for a revised environmental statement

Address: Former Chatsworth Mill, Williams Road, Gorton, M18 7AY

Ward(s): Gorton and Abbey Hey Ward

Applicant: Mangrove Estates Ltd / Jigsaw Homes

Agent (if any): Mr Matthew Gray, Grays Architecture Ltd

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

Recommendation: Approve

Date of recommendation: 27 April 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 derelict, vacant site, measuring approximately 0.41 hectares in area, formerly occupied by Chatsworth Mill - a large, two storey, former mill, housing industrial uses, as well as an associated, smaller, single storey building to the rear. These structures have since been demolished following prior approval being granted for demolition (Ref: 128053/DEM/2020).

The site is bounded by Williams Road to the west, two storey, terraced dwellinghouses along Chatsworth Road to the east, a large three storey former mill (Victoria Works) and dwellinghouses along Williams Street to the south and Roots restaurant, its associated car park and the rear of a tyre fitting/hand car wash business to the north.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site is situated within a mixed-use area, just off the main east/west arterial route of Hyde Road, with Gorton district centre a short distance to the north. Hyde Road contains a variety of commercial premises, including a hand car wash and tyre fitting business, as well as Roots restaurant which neighbour the site to the north. A petrol filling station and Aldi supermarket lie opposite the junction with Williams Road.

Immediately opposite the site is an operational railway line screened by vegetation, with Belle Vue station situated a short distance to the north-west. To the east are two-storey, terraced residential dwellinghouses along Chatsworth Road. The rear garden areas of which adjoin the application site.

To the south, the site is bounded by a large, three-storey industrial warehouse (Victoria Works), beyond which at the terminus of Williams Road are further industrial premises, as well terraced dwellinghouses along Williams Street.

Description of development

Non-material amendment to condition planning permission referenced 129852/FO/2021 which allowed for the erection of a 4 storey block to front Williams Road, to comprise a total of 40 residential apartments (Class C3) – 24 x 1 bedroom and 16 x 2 bedroom apartments.

The amendment relates to the wording of attached condition 13 (environmental standards) in order to allow for a revised environmental statement to replace that detailed within the original condition. The updated report allows for updated energy standards.

Consultations & Notification Responses

None Required.

Issues

Materiality

The amended condition wording would reference updated energy standards to be achieved and would have no material impact on the delivery of the scheme. The alteration would not raise any new amenity, highway or air quality issues since the conclusions of technical assessments approve as part of the host permission would be the same. The proposed amendment would still will meet all local and national requirements in terms of energy provision, building fabric and carbon reduction. ON this basis, the proposed change is considered acceptable.

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

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

1) The proposal seeks to alter the wording of condition 13 to reference an updated, replacement Environmental Standards statement.

2) 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 material alterations to the host planning permission.

13) The development hereby approved shall be implemented out in accordance with details contained with the Energy Statement produced Zero 3 (Ref: 22-083 - issue C) received by the City Council as Local Planning Authority on 14 April 2023. A post construction review certificate/statement shall be submitted for approval, prior to first occupation of the development hereby approved.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

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

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH AREA