

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132527/NMC/2021

Date registered valid: 16 December 2021

Proposal: Non material amendment to planning permission referenced 125678/FO/2019 to allow changes to the wording of the condition 9 (materials) to allow a change in the timescale for the submission of information

Address: Site Bound By Bendix Street To The North East, Chadderton Street To The South East, Goulden Street To The South West And Cross Keys Street To The North West, Manchester

Ward(s): Piccadilly Ward

Applicant: Mulbury Homes (Goulden Street) Ltd. C/o Agent

Agent (if any): Ms Ellen Sanderson-Clark Deloitte LLP 1 City Square, Leeds, LS1 2AL

Case officer: Jennifer Atkinson
Tel: 0161 234 4517
Email: jennifer.atkinson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 10 January 2022

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

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

This 0.14 hectares car park and locksmith building is bounded by Oldham Road, Thompson Street and Bendix Street and is rectangular in shape.

The site previously comprised a single storey locksmith building and associated car parking. The surrounding area is a mixture of residential and commercial developments together with temporary surface car parks.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The New Cross area is being transformed as part of the delivery of the New Cross Development Framework. It seeks to deliver a residential led redevelopment and regeneration of the area in order to provide new homes, in a sustainable location, to support the City's population growth.

Several developments have been completed or are near completion such as the Marriott Hotel, Stay City apart hotel and a residential scheme along Oldham Road. Other schemes have been granted planning permission or have recently commenced.

The area is highly sustainable. The Northern Quarter, Ancoats and NOMA are a short distance from the New Cross and provide access to a wide range of retail, amenities and services along with a vibrant evening economy. Victoria Station is a short walk from the site providing access to trains, trams and bus services.

Description of development

Non material amendment to planning permission referenced 125678/FO/2019 to allow changes to the wording of the condition 9 (materials) to allow a change in the timescale for the submission of information

Consultations & Notification Responses

N/A

Issues

Planning condition 9 of planning permission 125678 currently states:

Prior to the commencement of development, other than demolition and enabling works, samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The specification shall include the agreement of a materials panel which shall include samples and specifications of all materials to be used on all external elevations of the development along with window reveals, jointing and fixing details, details of the drips to be used to prevent staining, ventilation/louvre details, air bricks and a strategy for quality control management.

The approved materials used shall then be implemented as part of the development.

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.

Due to timescales on site, it is not possible to have all the materials agreed before works commence at the site. Demolition works have already been undertaken and the applicant would like to proceed with ground works.

The applicant would like to amend the condition as follows:

Prior to any above ground work, samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The specification shall include the agreement of a materials panel which shall include samples and specifications of all materials to be used on all external elevations of the development along with window reveals, jointing and fixing details, details of the drips to be used to prevent staining, ventilation/louvre details, air bricks and a strategy for quality control management.

The approved materials used shall then be implemented as part of the development.

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.

The change is considered to be non material in nature and would not adversely affect residential and visual amenity.

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:

Article 35 Declaration

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

- 1) The proposed to amend condition 9 (Materials) to allow programme of approval of materials.
- 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 material alterations to the planning approval.
- 9) Prior to any above ground works samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The specification shall include the agreement of a materials panel which shall include samples and specifications of all materials to be used on all external elevations of the development along with window reveals, jointing and fixing details, details of the drips to be used to prevent staining, ventilation/louvre details, air bricks and a strategy for quality control management.

The approved materials used shall then be implemented as part of the development.

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.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - City Centre PD Restriction - Class B1(a) 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: NORTH1