

Planning

Growth & Development

Delegated officer report for planning application

Application no. 144497/NMC/2025

Date registered valid: 11 November 2025

Proposal: Non Material Change to planning permission 140206/FO/2024 to allow extension of external terrace at ground floor, inclusive of glazed cover and trellis, removal of double doors from bar to terrace, with fixed glazed screen in replacement, alteration to louvre setting out on North West elevation due to free area requirements for fire regulations, reduction in number of trees and change in tree specification and extension to external condenser compound at ground floor

Address: Land Off Enterprise Way And Bailey Lane, Manchester Airport, Manchester

Ward(s): Woodhouse Park Ward

Applicant: Evans Dakota Hotels Limited

Agent (if any): Mr Joe Horne, Kilmartin Plowman & Partners Ltd

Case officer: Robert Griffin
Tel: 0161 234 4527
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Recommendation: Refuse

Date of recommendation: 04.12.2025

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: Non undertaken for non-material amendment application

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: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site extends to approximately 1.23 hectares and is located to the north-east of Manchester Airport and to the south of the residential areas of Wythenshawe and Woodhouse Park.

The site is bound by Bailey Lane to the north; an area of mature woodland to the east; and Enterprise Way to the south and west. Bailey Lane is located immediately beyond the north-western boundary beyond which are office units together with the Grade II listed Etrop Grange which is currently used for housing homeless people.

Beyond the existing woodland to the site's northern eastern boundary are residential properties along Hilary Road and Selstead Road forming part of the Woodhouse Park area in south of Wythenshawe, Manchester. A roundabout is located beyond the site to the south-east and Enterprise Way is beyond the site to the south-west. Manchester Airport is approximately 600m south of the site. The nearest bus stop is located 10m from the site on Bailey Lane, the nearest Metrolink and Train stations at Manchester Airport which is 620m south of the site.

Planning permission reference 140206/FO/2024 was for the development of the site to erect a 7 storey 154 bedroom hotel, with associated car parking, vehicular drop off area and canopy, service yard, landscaping and highways works to the existing access onto Bailey Lane. The proposed Hotel would also comprise:

- o Restaurant and bar on the ground floor with external terrace
- o Reception lobby with luggage storage
- o 130 car parking spaces, including 8 accessible spaces (with 2 EV provision to these) and 8 EV parking spaces

This permission is currently being delivered on site.

The ground floor consists of hotel back of house, entrance lobby and reception area, bar, dining area (including private dining rooms), kitchen, and laundry area.

The external appearance of the building includes a consistent grid structure to the façade using a simple palette of materials, these include traditional facing black brickwork and recessed crittall style windows.

The development will utilise the existing entrance off the Enterprise Way roundabout as the main entrance to the hotel. New pedestrian access is proposed from the existing public footway.

The existing access off Bailey Lane will be adapted to form a segregated service yard entrance. The majority of landscaping belt to the north east of the site would be retained to provide screening to residential properties east of the development, although the proposals would require the removal of an element of this tree belt. The southern area of the site would include a semi-screened landscape buffer along the southern perimeter. Feature landscaping elements would also be added to the vehicular and pedestrian entrances.

The current application seeks non-material amendments to the original approval, and these comprise:

- extension of external terrace at ground floor, inclusive of glazed cover and trellis
- removal of double doors from bar to terrace, with fixed glazed screen in replacement,
- alteration to louvre setting out on North West elevation due to free area requirements for fire regulations,
- reduction in number of trees and change in tree specification,
- and extension to external condenser compound at ground floor

In addition, it is noted that there a number of other amendments to the elevations of the building and roof top areas not detailed in the submitted application form. As such whilst these amendments have not been specifically requested they have a cumulative impact on the amendments applied for and that have previously been approved.

Previous non-material amendments were granted approval under references 143282/NMC/2025 and 141780/NMC/2024 and comprised the following:

- Omit 7 no. rear elevation windows at ground floor to be replaced by recessed brick panels to back of house accommodation.
- Relocation of the condenser compound from adjacent to the substation to adjacent the cycle shelters and closer to the building, due to incoming services routes in this area. The cycle shelters have adjusted position to accommodate this but do not reduce the level of storage provision, they still accommodate the approved number - they have just changed to a more efficient layout of Sheffield hoops.
- The external terrace has altered layout to suit the ground floor, with an additional access door from the bar area. There is a glazed canopy over the terrace, with trellising to the perimeter and brick planter to match the building.
- The substation has changed to an anthracite grey GRP construction with graphite black doors.

Materiality

Section 96A of the 1990 Act (as inserted on 1st October 2009 by sec.190 of the Planning Act 2008) allows a local planning authority in England to make a change to any planning permission relating to land in its area if it is satisfied that the change is not material this includes alterations to conditions of an approval. In deciding whether a change is material, the authority must have regard to the effect of the change, together with any previous non-material changes, on the planning permission as originally granted.

The current application seeks a non-material amendment to the permission to allow for a number of amendments two of which are subsequent amendments to areas previously subject of non-material amendment approvals i.e the external terrace area and the external compressor compound. In addition, as a result of the previous non-material amendments consequential amendments were made to the agreed landscaping scheme and boundary treatments conditions under application reference 141780/NMC/2024.

Following a review of the amends sought as detailed on the submitted application form the Council is of the view that these amendments when considered cumulatively to those previously granted, are material amendments beyond the scope of this section 96a application.

The further additional change to the size of the condenser compound with this being in closer proximity to the public highway is considered a material amendment when considered against the previous non-material amendment to this element.

The alteration and reduction of trees within the landscaping scheme and alteration to tree species is considered to be material and would require formal consultation with the aerodrome safeguarding officer at Manchester Airport and the Council's specialist ecologists.

The enlargement of the external terrace and associate structures may on there own be considered non-material given the relative position and scale of this area to the hotel and position in respect of the nearest residential properties but cumulatively with the other amendments now sought and previously granted is material in nature.

As such the proposals subject of this application are considered to be a material change to the originally approved scheme requiring further renotification of neighbouring properties and statutory consultees.

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: Refuse

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

1) The proposed amendments relate to: extension of external terrace at ground floor, inclusive of glazed cover and trellis, removal of double doors from bar to terrace, with fixed glazed screen in replacement, alteration to louvre setting out on North West elevation due to free area requirements for fire regulations, reduction in number of trees and change in tree specification and extension to external condenser compound at ground floor

2) Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered to be a material change to the planning approval.

The City Council is not satisfied that the proposed changes can be considered non-material and would appear different, having a detectable impact to visual amenity. The material change would also impact upon the landscaping scheme for the development, previously agreed as part of condition 9 of the host planning permission.

As such the proposal cannot be determined as non-material under section 96A of the Town and Country Planning Act 1990.

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

Main River Consultation Zone -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: SOUTH AREA