

## **Planning**

## **Growth & Development**

### **Delegated officer report for planning application**

**Application no.** 144166/JO/2025

**Date registered valid:** 2 October 2025

**Proposal:** Variation of Condition 2 (specified plans) attached to planning permission (127079/FO/2020) to allow reduction in the number of car parking spaces

**Address:** The Old Church, Albert Hill Street, Manchester, M20 6RF

**Ward(s):** Didsbury East Ward

**Applicant:** Mr Nik Linnen, NBL Chapel Limited,

**Agent (if any):** Mr Richard Moffat, Lambert Smith Hampton

**Case officer:** Holly Wright  
Tel: 0161 219 6381  
Email: [holly.wright@manchester.gov.uk](mailto:holly.wright@manchester.gov.uk)

**Recommendation:** Refuse

**Date of recommendation:** 21 November 2025

## **Application details**

**Type of application:** Variation or Removal of Condition

**Development type:** Minor Dwellings

**Date of site visit:** 28 October 2025

**Standard consultations:** Printed: 16 October 2025    Expired: 6 November 2025

**Neighbour notifications:** Printed: 16 October 2025    Expired: 6 November 2025

**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

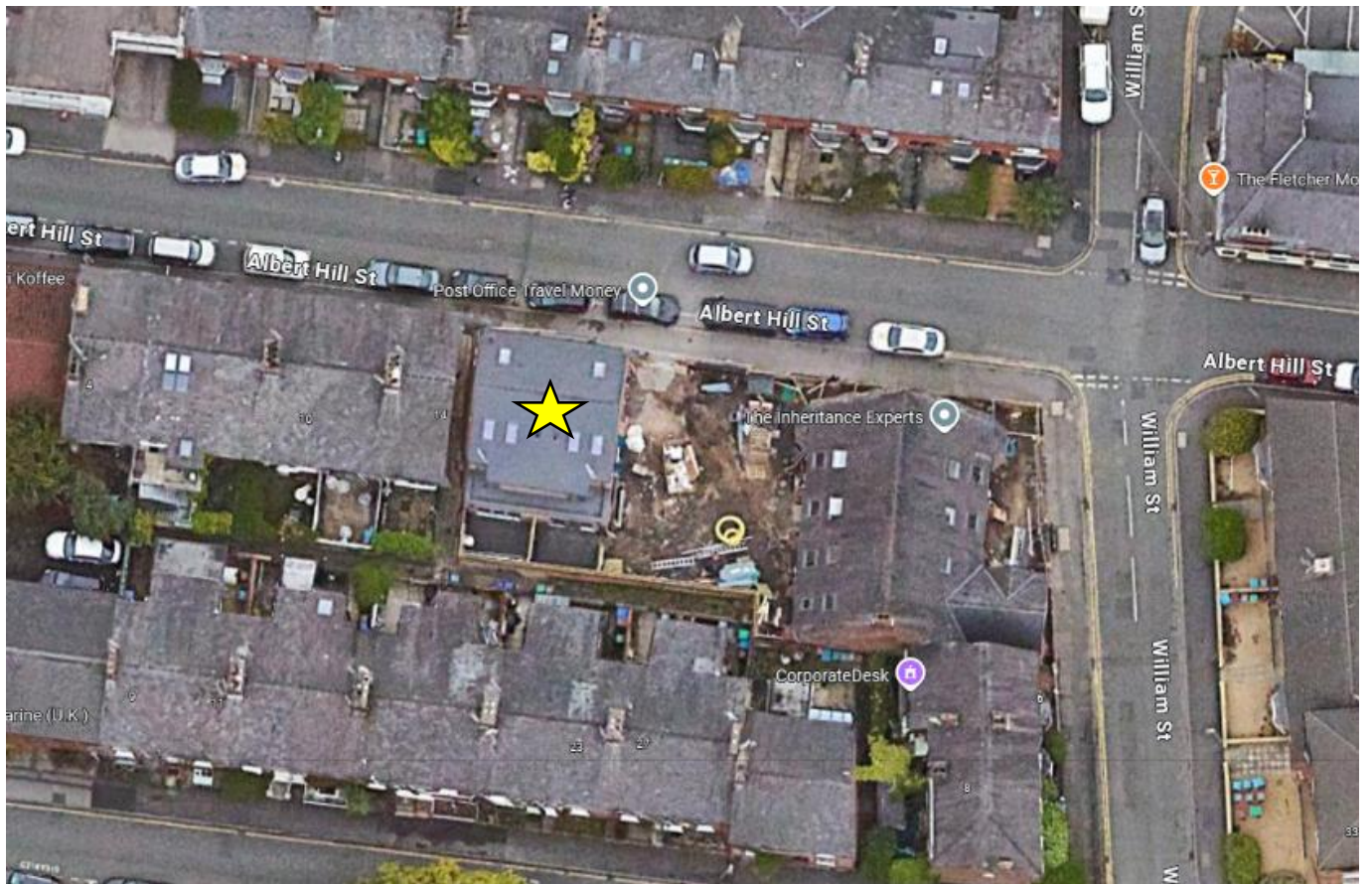
**Tree Preservation Order:** Not applicable

The application relates to a pair of semi-detached 3-bedroom dwellinghouses, approved under planning permission 127079/FO/2020 in 2020, with a number of conditions discharged under CDN/21/0506 and CDN/23/0430 respectively.

Planning records indicate that the properties are constructed of Weinerberger Bradfield multi-facing brick, with grey Spanish slate roofs, anthracite grey (RAL 7016) uPVC-framed windows and doors and permeable block paving. The approved drawings indicate that dwellings are set out over two storeys with a single storey outrigger to the front, a single storey flat roofed outrigger to the rear, a private rear yard space bordered by 1.8m timber fencing (each accommodating a cycle store and bin storage area), and a parking area to the east featuring 1no. parking space per dwelling.

Albert Hill Street is a residential street situated within the Didsbury East ward of Manchester, close to Didsbury Village Metrolink tram station, Wilmslow Road (A5145), and Didsbury Park. The surrounding area is predominantly residential in terms of its character, consisting of terraced and semi-detached dwellinghouses, and benefits from its proximity to the district centre and public outdoor amenity and green spaces.

The properties are not listed, nor are they sited within a Conservation Area.







## **Description of development**

The applicant is seeking to vary condition 2 (specified plans) attached to planning permission 127079/FO/2020 to allow for a reduction in the number of car parking spaces.

## **Relevant planning history**

127079/FO/2020 - Erection of a pair of 2 storey semi-detached 3 bed dwellinghouses with associated landscaping and car parking – Approved (20.08.2020).

128029/P3OPA/2020 - Prior approval application for the change of use from Offices (Class B1a) to four dwelling houses (class C3) including associated elevational alterations – Approved (10.11.2020).

CDN/21/0506 - Discharge of condition nos. 6 (materials), 7 (Construction Management, 8 (Contam Land), 10 (Secured by Design) and 11 (Drainage) attached to planning permission 127079/FO/2020 – Split (30.09.2021) – Condition 6 approved, conditions 7, 8, 10 and 11 refused.

CDN/23/0430 - Discharge of condition no. 7 (Construction Management), 8 (Contaminated Land), 10 (Secured by Design) and 11 (Drainage) attached to planning permission 127079/FO/2020 – Approved.

## **Consultations & Notification Responses**

**3no. letters of objection** were received from **local residents**; the comments are summarised as follows:

- There aren't many spaces for residence on the road as it stands so this would cause congestion on other roads and for people visiting Didsbury as well.
- I feel the information provided in the application is unclear. If the application is requesting a reduction from 5 to 4 car parking spaces in the development carpark, what will be the impact on the already limited car parking spaces on Albert Hill Street, particularly the unrestricted 3 spaces outside the residence? It is already very difficult to find anywhere to park on Albert Hill street, or the surrounding streets. The original planning had spaces for 5 cars and the marketing of the property was based on each property having one off-road space. If there was never enough room for 5 cars in the car park, this permission should never have been granted.
- The information supplied is not appropriate to form an informed view. My understanding is that the proposal is to reduce the number of spaces in the private car park from 5 to 4. The site plan, and associated documents and related properties, as far as I can see, only include the 2 new houses. However the original plans at permission allocate 3 of the 5 spaces to the 4 new properties at the converted church/chapel. Ref12709/FO/2020 and 28029/P3OPA/2020. Also the plans on this proposal include an old version of the chapel plans where it was planned to be 3 units not 4 units. I realise this may not appear relevant based on the wording of this application, but I believe it is important as the parking is allocated to these properties based on original permission plans (201pL). I am concerned that the new proposal makes no reference to the 4 unit in the chapel, 3 of which originally were supposed to have parking there, and I believe do make use of this. This seems to imply it's merely to reduce parking for 2 three bed houses from 5 to 4, which would be perfectly reasonable, however I believe the proposal is actually to reduce the parking for 5 two to three bed properties down to 4. So is the proposal to have one of the 2 new houses which are associated with this proposal not have any parking

allocated? I think this would have generated significant objections at the time of original proposal if so due to style and marketing of the properties which did not seem like it was trying to attract non-car owners.

**Didsbury Civic Society** objected to the proposal; the comments are summarised as follows:

- The particular location is an area which suffers from significant parking issues, including parking on the pavement and vehicles manoeuvring on and off the pavement area.
- It now has a coffee outlet adding to the on-street parking and a busy post office, which attracts a lot of illegal parking outside the premises.
- The proposal will only add to the already present problems.

**MCC's Highways Services** indicated that *"this application seeks to reduce the parking spaces to 4 parking spaces between the 6 properties. Highways requests further clarification on how the parking spaces will be allocated and how the applicant/s will manage parking"*. These details were requested from the agent of the application, however, the agent failed to provide any information regarding the management and allocation of the parking bays. Following this, **MCC's Highways Services** indicated that, in principle, a provision of 67% (between 6no. properties) would be acceptable in a sustainable location, however, it is noted that on-street parking is prevalent on the surrounding local streets, therefore, some form of management would need to be put in place.

**MCC's Environmental Health Services** – no comments or objections.

## **Policies**

Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that decisions must be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework reinforces this requirement in paragraphs 2 and 47, whilst paragraph 12 indicates that the presumption in favour of sustainable development does not alter the statutory status of the development plan as a starting point for decision-making and that, where a planning application conflicts with an up-to-date development plan, permission should not normally be granted.

The following policies are considered relevant in the consideration of this application.

**The Manchester Core Strategy – Development Plan Document 2012-2027** (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

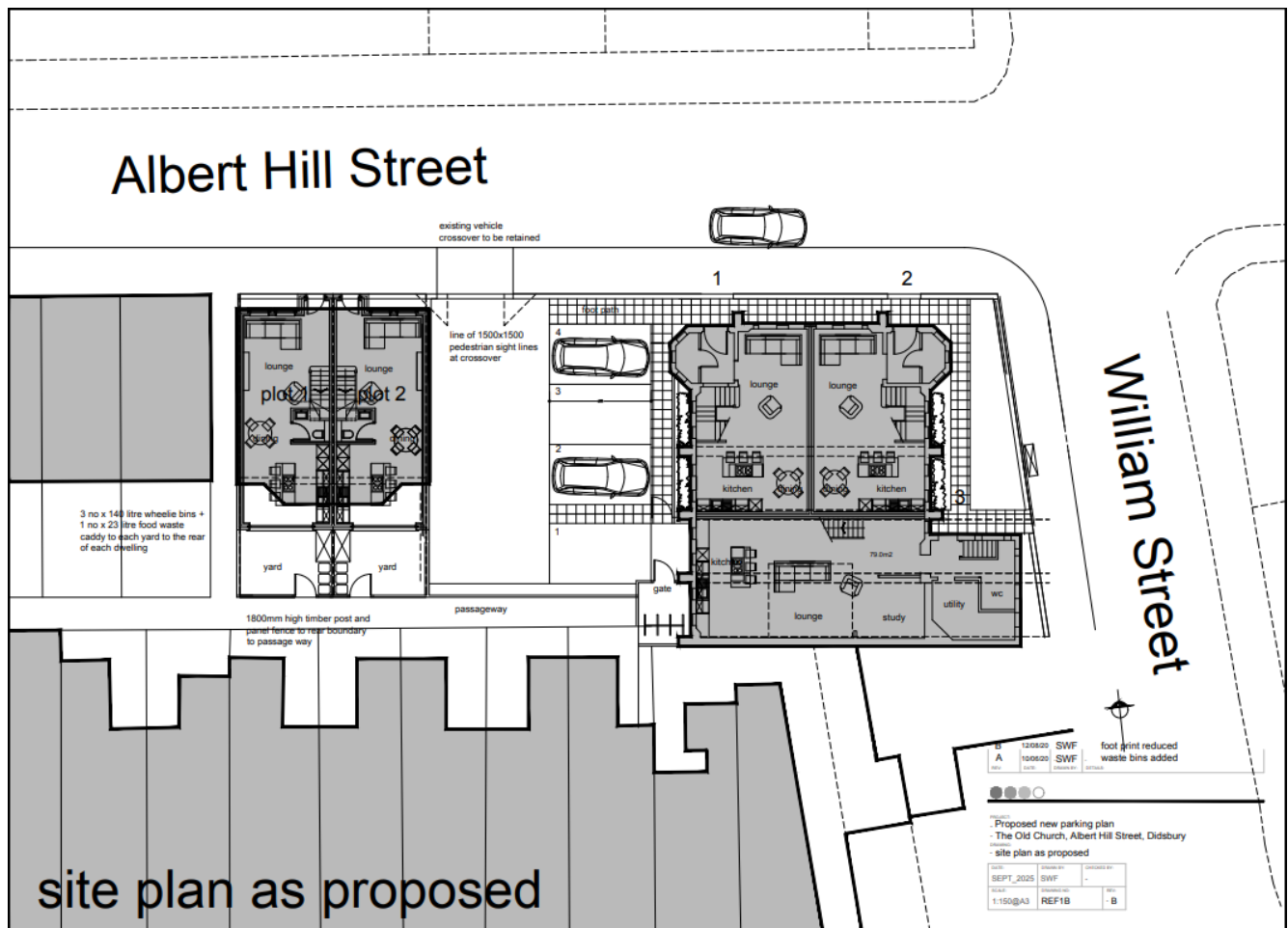
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy H1 – Overall Housing Provision
- Policy T2 – Accessible Areas of Opportunity and Need

**The National Planning Policy Framework (NPPF, 2024)**

- Chapter 9 – Promoting Sustainable Transport
- Chapter 12 – Achieving Well-Designed Places

**Places for Everyone** - is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

- Policy JP-C8: Transport Requirements of New Development



Submitted proposed site plan

## Issues

**Principle** – in the case of this application, the principle of the proposal is considered unacceptable and cannot be supported as it conflicts with the development plan policies and associated guidance listed in the preceding section.

It is considered that the proposed reduction in the number of car parking spaces associated with the development is likely to result in increased demand for on-street parking in an area where there are already known issues with parking availability, thereby exacerbating existing pressures, contributing to congestion, and undermining pedestrian and highway safety.

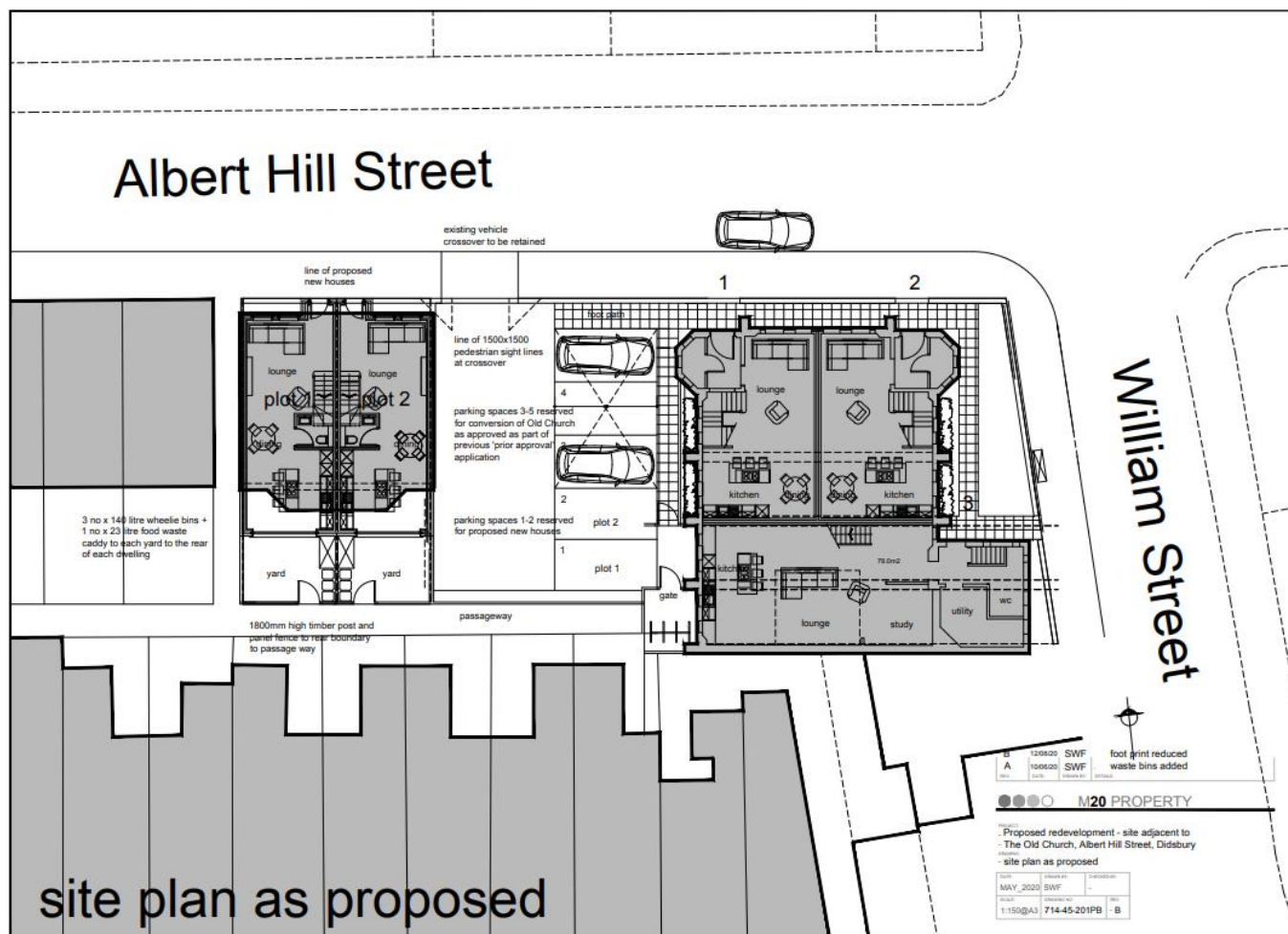
On this basis, the proposal is considered to conflict with policies SP1, H1, T2 and DM1 of the Manchester Core Strategy, chapters 9 and 12 of the National Planning Policy Framework, and policy JP-C8 of Places for Everyone.

**Parking and highways impact** – the proposal involves a reduction in the number of car parking spaces accommodated within the shared parking area of the 2no. dwellinghouses subject of this application (approved under 127079/FO/2020) and the dwellinghouses located to the east of the site – either 4no. as approved under 128029/P3OPA/2020 or 3no. as approved under 125624/P3OPA/2019.

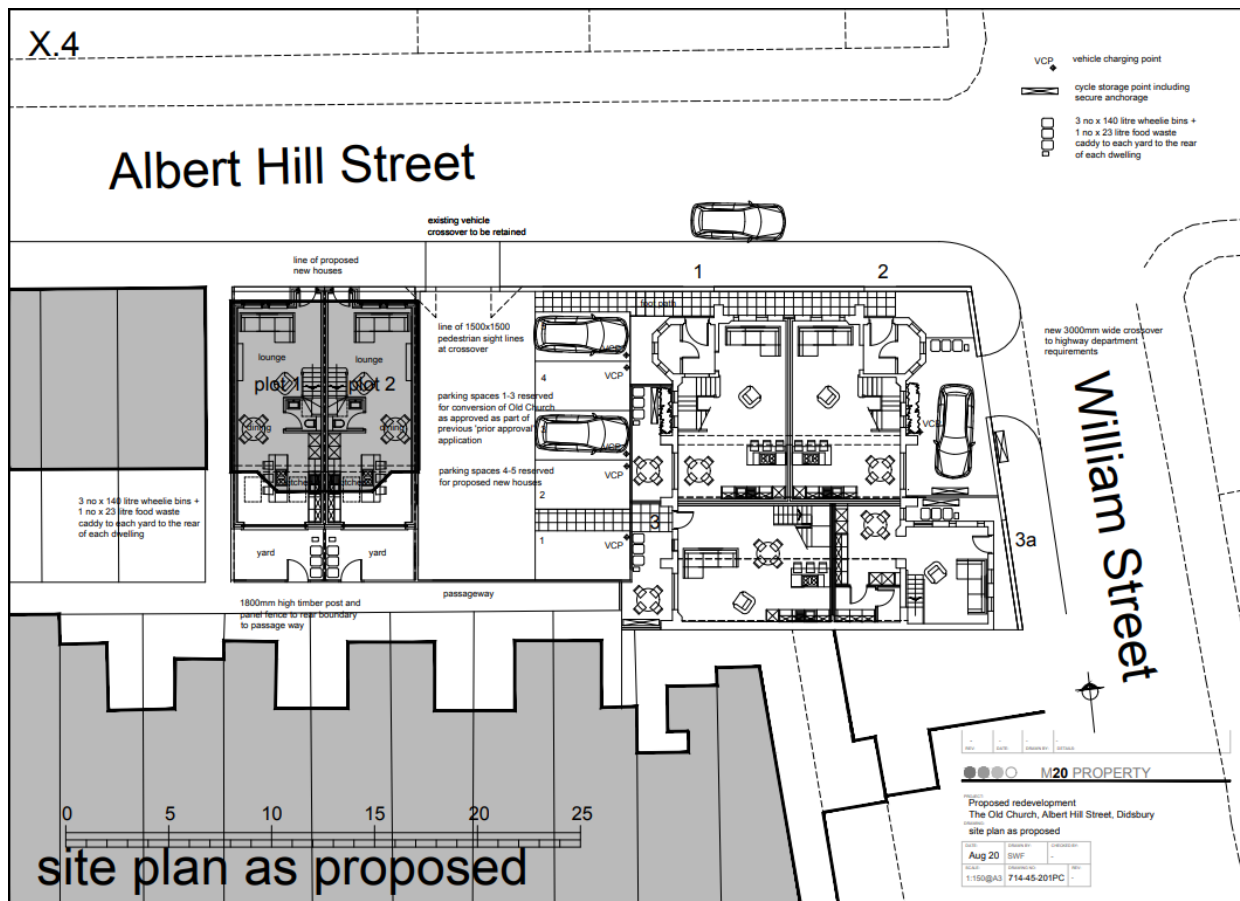
It is noted that 127079/FO/2020 was approved with the understanding that the scheme would provide 2no. parking bays within the car park at a provision of 1no. per dwelling, whilst 128029/P3OPA/2020 was approved with the understanding that the scheme would provide 3no. parking bays within the car park with an additional off-street parking space provided to William

Street frontage of the site (totalling 4no. spaces), again with a provision of 1no. per dwelling, and 125624/P3OPA/2019 was approved with the understanding that the scheme would provide 3no. parking bays within the car park at a provision of 1no. per dwelling.

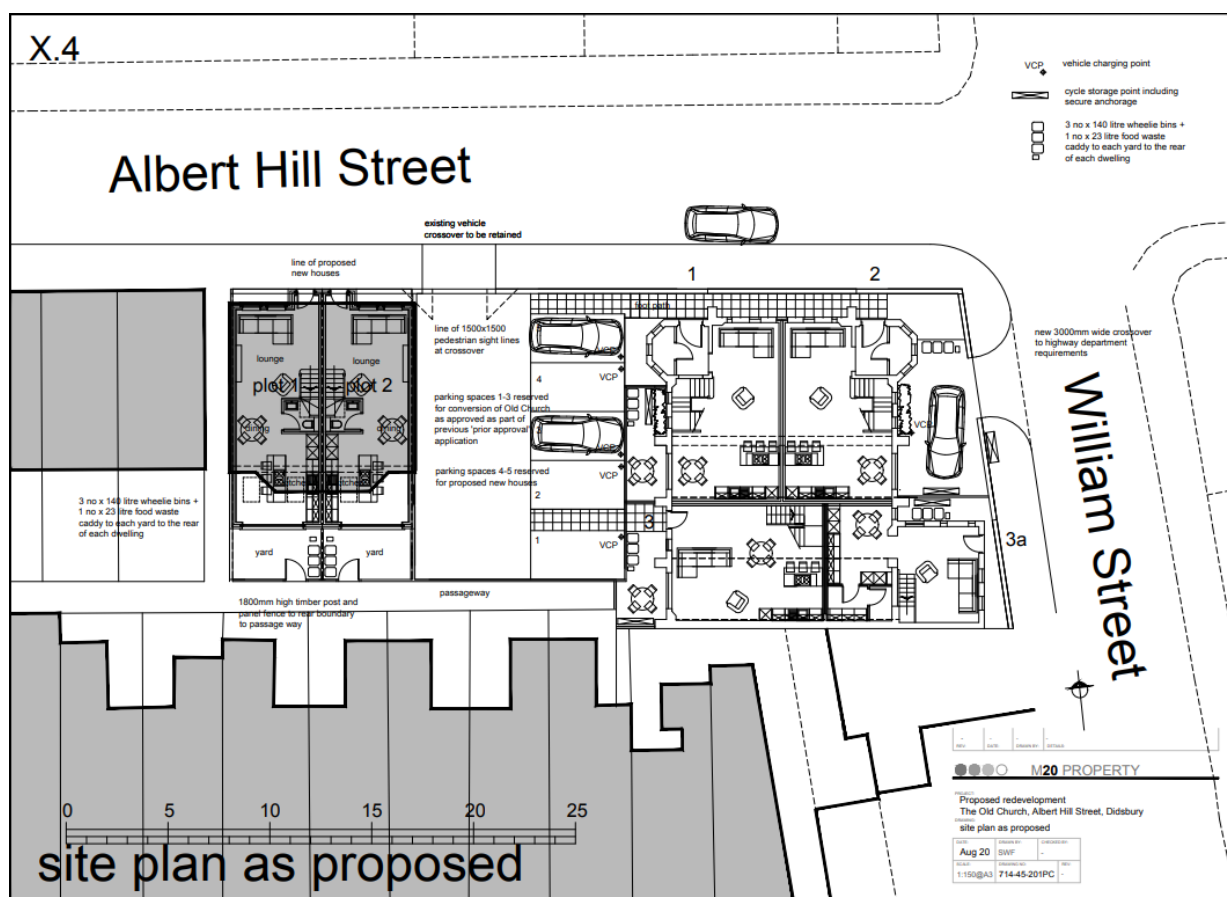
These provisions were considered acceptable on the basis that they were to provide adequate off-street parking for the respective sites at a provision of 1no. per dwelling so as to avoid unacceptable pressures on the surrounding highway network in terms of on-street parking, whilst also minimising traffic congestion and issues associated with highways and pedestrian safety.



Previously approved site plan under 127079/FO/2020



Previously approved site plan under 128029/P3OPA/2020



Previously approved site plan under 125624/P3OPA/2019

The site plan submitted under the current application 144166/JO/2025 shows the provision of 4no. parking bays within the car park with no parking space shown to the William Street frontage of the adjoining site, thus depicting a reduction in parking bays from the previously approved arrangements with a provision at less than 1no. per dwelling.

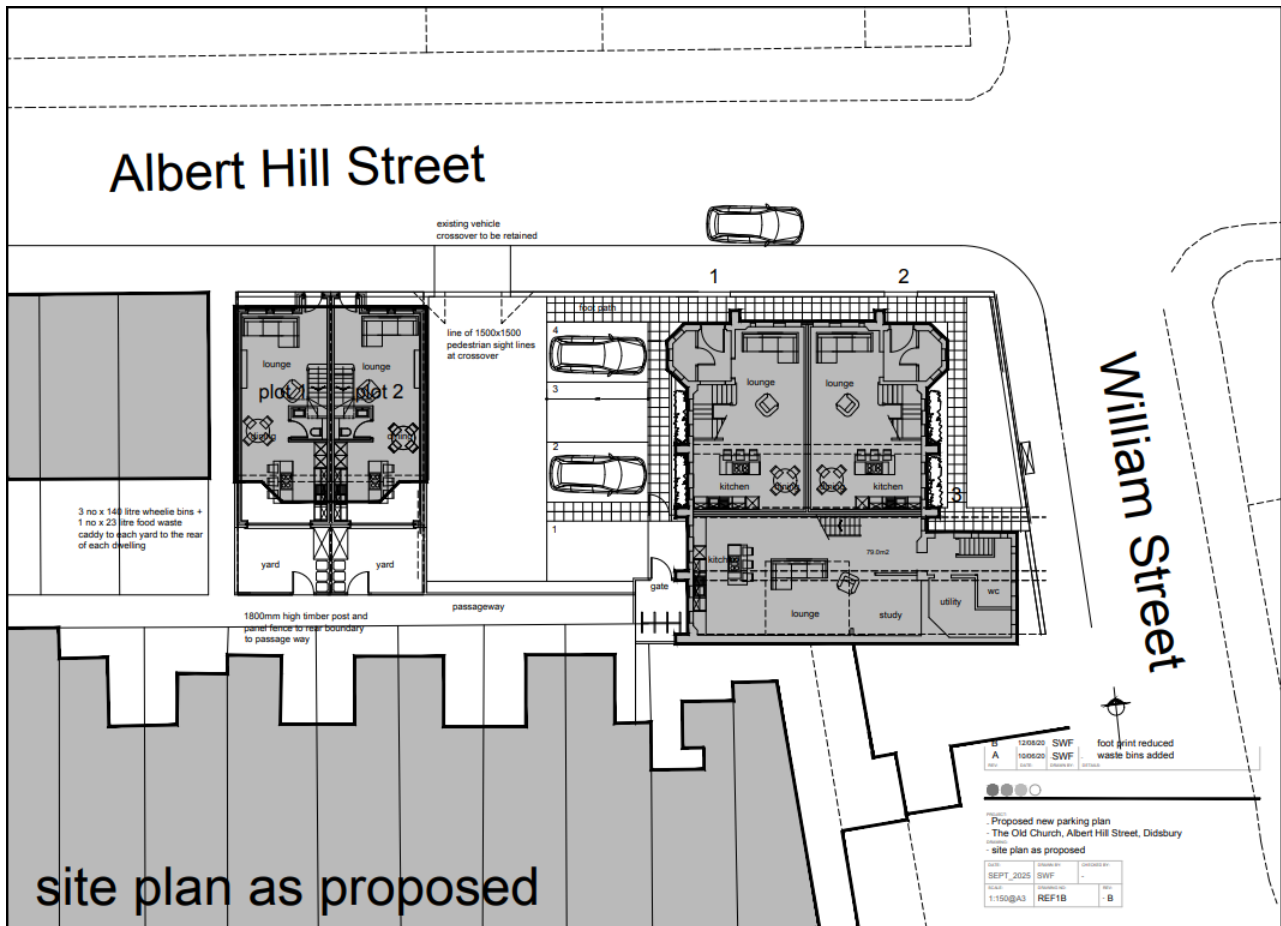
The agent of the application has failed to provide a reasonable explanation as to why the previously approved arrangements cannot be implemented indicating that *“the issue in relation to the reduction in the car parking spaces arises as a consequence of a legal issue relating to the land. It has not proved possible to physically accommodate the final space”*. However, it should be noted that the current application does not seek to vary the location plan submitted under 127079/FO/2020 which indicates that the adjacent land and the other portion of the car park is also owned by the applicant.

With no clear or convincing justification provided to clarify why the site is no longer able to accommodate the previously approved parking bays, especially given that the site features sufficient space to accommodate the initial number approved, the proposal is considered unacceptable and cannot be supported by the City Council as it would result in increased demand for on-street parking in an area where there are already known issues with parking availability (as documented during the case officer’s site visit – see photographs on pages 3 to 5), thereby exacerbating existing pressures, contributing to congestion, and undermining pedestrian and highway safety in and around the area.

On this basis, the proposal is considered to conflict with policy SP1 of the Manchester Core Strategy which indicates that all development should *“make a positive contribution to neighbourhoods of choice”* as well as policy H1 which indicates that schemes *“should make provision for parking cars”*, policy T2 which indicates that new development *“should provide appropriate car parking facilities”* and policy DM1 which indicates that all development should have regard to *“vehicular access and car parking”*.

Further to this, the proposal is also considered to conflict with policy JP-C8 which stipulates that developments should make *“adequate car parking provision, including for disabled drivers and passengers”* as well as chapter 9 of the National Planning Policy Framework which highlights the importance of considering transport issues, including the adequacy of parking provisions, when making decisions, and chapter 12 which emphasises the need to ensure that developments function well and add to the overall quality of the area over the lifetime of the development.

**Other issues** – it should also be noted that the proposed site plan submitted under the current application proposes alterations to the car parking area (including the layout of the bays) that extend beyond the site edged red submitted under the original planning permission 127079/FO/2020 (see figures included below). Such alterations therefore cannot be lawfully considered under Section 73 of the Town and Country Planning Act 1999 as any changes outside the red line boundary would involve development on land not covered by the original permission.





**Excerpt from location plan submitted under 127079/FO/2020**

It should also be noted that a number of conditions attached to the original planning permission remain outstanding without formal discharge. These include conditions 9 (Contaminated Land), 10 (Secure by Design), and 13 (Electric Vehicle Charging).

When queried, the agent of the application indicated the following *"I have attached a copy of the Phase 1 Desk Study, which shows " Given that no credible sources of contamination have been identified / no credible pathways for the migration of contamination have been identified, a preliminary conceptual model cannot be constructed, hence no further works are required."* This was submitted to the council and approved as part of the discharge of conditions (see attached Albert Hill Street ufm27 Decision Notice). Hence, condition 9 would not be triggered. In relation to condition 10 this was also discharged by the council in writing as per the attached decision notice. I understand from the client *"We have installed electric for EV charging. Only 1 of the new owners owns and uses an electric car. He is using his charger daily"*.

However, in order to discharge condition 9, a Completion/Verification Report needs to be submitted to confirm that the works have been undertaken in accordance with the information submitted and approved under condition 8.

With regard to condition 10, the aforementioned condition discharge application indicates *"The submitted window details with relevant British Standard references is considered acceptable. Notwithstanding this, it should be noted that this condition can only be fully discharged once the Secured by Design has been approved and the appropriate certificate submitted to the City Council as local planning authority"*. As such, to fully discharge this condition, the appropriate certificate needs to be submitted.

Condition 13 has also not been formally discharged with no information submitted under any condition discharge applications.

**Conclusion** – the proposed reduction in car parking provision falls significantly below the previously approved arrangements, resulting in less than one space per dwelling. No clear or convincing justification has been provided to explain why the site cannot accommodate the originally approved number of spaces, despite sufficient land being available. This shortfall is likely to increase demand for on-street parking in an area already experiencing parking pressures, thereby exacerbating congestion and undermining pedestrian and highway safety. Consequently, the proposal is considered contrary to policies SP1, H1, T2 and DM1 of the Manchester Core Strategy, policy JP-C8 of Places for Everyone, and chapters 9 and 12 of the National Planning Policy Framework. For these reasons, the application cannot be supported.

## **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

### **Article 35 Declaration**

The proposal would not improve the social and environmental conditions of the area, nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable, and it is therefore not possible to approve the application.

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

1) The development fails to make adequate provision for the parking of cars for the associated dwellings, and it is considered that the requirement for car parking generated by those developments would result in increased on-street parking in the locality, further exacerbating existing car parking difficulties and traffic congestion. This in turn would be detrimental to highway safety and the amenity of nearby residential occupiers. As such, the proposal is considered to be contrary to policies SP1, H1, T2 and DM1 of the Manchester Core Strategy, policy JP-C8 of Places for Everyone, and chapters 9 and 12 of the National Planning Policy Framework.

## **Appendix 1 – List of consultees & neighbours notified**

Highway Services  
Environmental Health  
Didsbury Civic Society

10 Albert Hill Street, Didsbury, M20 6RF  
21 Old Oak Street, Manchester, M20 6RH  
21 Albert Hill Street, Manchester, M20 6RF  
Flat 24 Shapley Court, 12, School Lane, Manchester, M20- 6QX  
27 Albert Hill Street, Manchester, M20 6RF  
19 Albert Hill Street, Manchester, M20 6RF  
13 Albert Hill Street, Manchester, M20 6RF  
11 Old Oak Street, Manchester, M20 6RH  
31 Old Oak Street, Manchester, M20 6RH  
15 Old Oak Street, Manchester, M20 6RH  
6A Albert Hill Street, Manchester, M20 6RF  
Howard House, 5 Old Oak Street, Manchester, M20 0RH  
9 Albert Hill Street, Manchester, M20 6RF  
4 Albert Hill Street, Manchester, M20 6RF  
29 Albert Hill Street, Manchester, M20 6RF  
23 Albert Hill Street, Manchester, M20 6RF  
14 Albert Hill Street, Manchester, M20 6RF  
11 Albert Hill Street, Manchester, M20 6RF  
29 Old Oak Street, Manchester, M20 6RH  
23 Old Oak Street, Manchester, M20 6RH  
17 Old Oak Street, Manchester, M20 6RH  
8 Albert Hill Street, Manchester, M20 6RF  
6 Albert Hill Street, Manchester, M20 6RF  
33 Albert Hill Street, Manchester, M20 6RF  
31 Albert Hill Street, Manchester, M20 6RF  
25 Albert Hill Street, Manchester, M20 6RF  
2 Albert Hill Street, Manchester, M20 6RF  
17 Albert Hill Street, Manchester, M20 6RF  
15 Albert Hill Street, Manchester, M20 6RF  
12 Albert Hill Street, Manchester, M20 6RF  
10 Albert Hill Street, Manchester, M20 6RF  
8 William Street, Didsbury, Manchester, M20 6RQ  
6 William Street, Didsbury, Manchester, M20 6RQ  
9 Old Oak Street, Manchester, M20 6RH  
27 Old Oak Street, Manchester, M20 6RH  
25 Old Oak Street, Manchester, M20 6RH  
21 Old Oak Street, Manchester, M20 6RH  
19 Old Oak Street, Manchester, M20 6RH  
13 Old Oak Street, Manchester, M20 6RH  
12 Albert Hill Street, Manchester, M20 6RF

## **Appendix 2 – Planning constraints**

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4  
Susceptible to Surf Water Flood (Less) -  
Area Team Boundary - Name: SOUTH AREA