

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132810/NMC/2022

Date registered valid: 1 February 2022

Proposal: Non-material amendment application to planning approval reference 125858/FO/2020 to allow amendments to paving type and relocation of the path to House Type C

Address: 28 Westdean Crescent, Manchester, M19 1DP

Ward(s): Burnage Ward

Applicant: Ms Emma Litchfield, Southway Housing Trust, Southern Gate, 729 Princess Road, Manchester, M20 2LT

Agent (if any): Mr Harvinder Randhawa, Triangle Architects, Raven House, 113 Fairfield Street, Manchester, M12 6EL

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 17.03.2022

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

This application relates to a previously granted consent reference 125858/FO/2020 for the erection of a pair of two storey houses in the rear garden of 28 Westdean Crescent. The site has a road frontage to Westdean Crescent.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

This is a predominantly residential area comprising in the main two storey houses.

Description of development

Consent is sought to realign the footpath leading to one of the properties so that it is more direct and to change the colour of the paving from buff to grey.



Approved drawing



Proposed drawing

As submitted the application sought to amend the site boundaries, however, this has now been dropped from the proposal. The applicant has been advised that to change the site edged red would require a new application for the development.

Consultations & Notification Responses

None required

Issues

Principle

The principle of the development has been established and this application seeks approval to details of the approved scheme.

Footpath

The proposed realigned path instead of being offset to one side of the main entrance leads directly to it. In terms of functionality this is a better arrangement particularly for people with mobility issues and those with young children in buggies. The realignment of the path will not impact on the wider area and it is therefore considered that this change is non material.

Materials.

It was originally proposed to use Buff paving however, supply issues have necessitated a change to grey. It is not considered that the change in colour has any significant impact on the development and can be treated as non material.

Conclusion

The proposed changes can be treated as non material

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

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

1) Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed changes will have no material impact upon the previously approved scheme and the works will not adversely affect visual or residential amenity within the area or will they have any significant material impact upon the overall quality of the development

2) The proposed amendments relate to the repositioning of the path leading to the front entrance of the type C property and a change in the colour of the paving to be used.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents:

080419CP01 received 6 January 2020

2.02 revision H received 28 February 2022

2.03 revision E received 28 February 2022

2.04 revision C received 3 April 2020

2.05 revision C received 3 April 2020

2.06 revision B received 3 April 2020

2.08 revision A received 3 April 2020

Preliminary Risk Assessment by Worms Eye received 6 January 2020

Air Quality Assessment by Redmore Environmental reference 2887-2rl dated 2 July 2019 received 6 January 2020

Tree Survey by Ascerta dated November 2019 received 6 January 2020

Ecology Report by Ascerta dated October 2019 received 6 January 2019

Floodrisk Assessment by ADS Structural reference 19-4247/JM dated 21 August 2019 received 6 January 2020

Ground Survey received 6 January 2020

Waste Management Strategy received 6 January 2020

Transport Statement reference J324413 by Mode Transport Planning received 6 January 2020

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.

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

Area Team Boundary - Name: SOUTH