

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131184/NMC/2021

Date registered valid: 27 July 2021

Proposal: Non Material Amendment to planning permission 128275/FH/2020 to allow elevational alterations

Address: 22 Ashwood Avenue, Manchester, M20 2ZB

Ward(s): Didsbury West Ward

Applicant: Rachel Bain And And Peter Guardascoine, 22 Ashwood Avenue, Manchester, M20 2ZB

Agent (if any): Mrs Magdalena Haener, Pride Road Manchester South, 110 Great Stone Road, Manchester, M16 0HD

Case officer: Melanie Tann
Tel: 0161 234 4538
Email: melanie.tann@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **25th August 2021**

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 property is a traditional, two-storey semi-detached house with gardens to the front and rear

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is residential in character

Description of development

Non Material Amendment to planning permission 128275/FH/2020 to allow elevational alterations

Consultations & Notification Responses

None required

Local Policies

Core Strategy (2012) - SP1 'Spatial Principles', and DM1 'Development Management'.

Unitary Development Plan for the City of Manchester (1995) – DC 1.1-1.3 'Residential Extensions'

Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework

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. 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.

In this case the application has been amended to allow for the side slit window depth to be reduced to 450mm, the removal of the front support columns to the flat roof, the change of the external finish to the rear and side (South) elevation to face brickwork.

The agent has stated that the requests are for the ease of construction and costs.

It is considered that the proposed revisions are of a minor nature and would have no more impact upon either visual or residential amenity than the approved scheme. The amendments would still accord with policies SP1, DM1 of the Core Strategy, and extant policies DC1.1- 1.3 of the Unitary Development Plan for the City of Manchester and the National Planning Policy Framework (NPPF).

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

0) 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.

0) The proposed amendments consist of:

The side slit window depth is reduced to 450mm, the front support columns to the flat roof are removed, the external finish to the rear and side (South) elevation is changed to face brickwork.

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

Proposed floor plans 10A, stamped as received 27th July 2021;

Proposed sections and side elevation 11A, stamped as received 27th July 2021;

Proposed elevations 12A, stamped as received 27th July 2021.

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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH