

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130074/LP/2021

Date registered valid: 23 April 2021

Proposal: Certificate of lawful Proposed Development for elevation alterations to the rear of the property

Address: 46 Northen Grove, Manchester, M20 2NW

Ward(s): Didsbury West Ward

Applicant: Mrs Sharon Kelly, 46 Northen Grove, Manchester, M20 2NW

Agent (if any): Miss Saira Hussain, HAD & Co Property Consultants Ltd, Unit 3
Salisbury House, St Stephen Street, Salford, M3 6AX

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18 June 2021

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Date of site visit: Not required

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: Albert Park Conservation Area 1988

Tree Preservation Order:

The application relates to a large two storey semi-detached Victorian villa of red brick and slate. The C3 property features a gable roof with rooflights in both slopes and an original single storey rear projection. The plot includes a large driveway to the front and a garden to the rear.

Description of area

Northern Grove is a well-established residential road in West Didsbury consisting of large Victorian dwellinghouses, most of which are still used as family homes. It sits within the Albert Park Conservation Area and benefits from being close to the shops, eateries and transport links of both Burton Road and Didsbury Village.

Description of development

The applicant wishes to make minor elevational alterations to the rear of the property at ground floor, comprising of new windows and doors to replace existing windows and doors.

Consultations & Notification Responses

None required for this type of application.

Policy

The Town and Country Planning (General Permitted Development) Order (2015) - Schedule 2, Part 1, Class A.

Assessment

The proposal involves replacing the existing white uPVC French doors at the rear with a set of wider grey aluminium bi-folding doors which will require widening the opening to 2.4m wide. A rear-facing window would be replaced with a larger window and a side-facing door adjacent to this would be replaced with a tall static window. Both windows would be uPVC. The original timber windows for this property have already been replaced with uPVC at some point. The proposal does not involve enlarging the property in any way and although the property lies within a conservation area, there is no Article 4 direction to remove permitted development rights for door and window replacements and alterations under Class A. The policy states alterations and additions must be 'similar' in appearance to existing, which in this case is true as both windows and doors would be in the same positions as existing, replacing uPVC with more uPVC and aluminium which is a higher quality material. The proposal complies with the limits set out in the General Permitted Development Order (2015) and it is not thought that the elevational alterations would cause disamenity to the surrounding occupiers or significant harm to the visual amenity or character of the conservation area, as the proposals would be sited at the rear and therefore not visible within the street scene of Northen Grove, therefore the City Council considers it permitted development.

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

Condition(s) to be attached to decision for approval

Approve on the basis that the proposed elevational alterations shown on the drawings numbered '03' and '04', stamped as received by the City Council as Local Planning Authority with the planning application on 23rd April 2021, constitutes permitted development in

accordance with Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Appendix 1 – List of consultees & neighbours notified

None

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

Conservation Area - Albert Park Conservation Area 1988

Susceptible to Surf Water Flood (Less)

Area Team Boundary - Name: SOUTH