

Planning**Growth & Development****Delegated officer report for planning application**

Application no. 129674/NMC/2021

Date registered valid: 11 March 2021

Proposal: Non-Material Changes to application 129024/FH/2020 to allow windows & patio doors to rear elevation at ground floor to be rearranged and resized, window repositioned and new door added to east elevation at ground floor

Address: 49 Cranleigh Drive, Manchester, M33 3PN

Ward(s): Brooklands Ward

Applicant: Mr. Nikolaos Baimas, Manchester Engineering Design Consultancy,
49 Cranleigh Drive, Manchester, M33 3PN

Agent (if any):

Case officer: Linda Marciniak
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Recommendation: Approve

Date of recommendation: 7 April 2021

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: None for NMC

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of site/building

The application site is a red brick bay-fronted inter-war detached dwelling situated on the north side of Cranleigh Drive in the Brooklands ward.

The property has an attached garage on the left-hand side, block paved front garden and a lawned rear garden that is 21 metres maximum. At the rear, the kitchen is extended.

Description of area

The site is situated on the northern side of Cranleigh Drive, east of Brooklands Road in the Brooklands ward. Houses on both sides of the road show some variation in typology with mostly detached houses, some having deep projecting gable roofs supported on brackets, half-round or box bays or catslide roofs. The materials palette is relatively similar to the application site. The exception to these is a detached dormer bungalow to the left of the site which is finished in white roughcast elevations on a painted brick plinth.

The site is situated in a wider residential setting with Wythenshawe Park 1.4Km to the southeast and Baguley Brook 107 metres to the north beyond Ashstead Road at the rear of the site. This places the site within Flood Zone 3.

Consultations & Notification Responses

None for NMC application

Description of Development

Application 129024/FH/2020 granted consent for the 'Erection of a two-storey side and rear extension to form additional living accommodation' on the 2nd March 2021. This enabled the applicant to provide an extended kitchen/dining space, storeroom, pantry and WC at ground floor and extended bedroom/bathroom space at first.

This non-material change application seeks planning approval to allow windows and patio doors on the ground floor rear elevation to be rearranged and resized, re-position a window and add a new door to the east elevation.

Drawings CE/201201/PA/007/C and CE/201201/PA/009/B show the alterations which position 2no. rear ground floor windows alongside each other and re-positions patio doors to the rear of the extended side elevation.

On the eastern elevation, a new door with half obscurely glazed vision pane has been introduced giving access to and from the pantry. A condition is appended for this to be implemented before first occupation of the extensions.

The alterations do not raise any privacy concerns. There is no alteration to window to window distances at the rear which remain at 27.1 to 29.66 metres to the rear windows of Nos.32 and 34 Ashstead Road which share a rear boundary with the site.

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.

The application proposals are for a change to the positions of doors and windows on the ground floor rear elevation, and a new door inserted on the east side elevation. These changes are minor in nature and would have no more impact upon either visual or residential amenity, car parking, bin storage and flood risk than the approved scheme. The amendments still accord with policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework (NPPF) and saved policy DC1 of the UDP.

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 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. The proposed amendments relate to the re-positioning of doors and windows on the ground floor rear elevation, and the provision of a new provision of a new half obscure glazed door at ground floor on the east side elevation.
2. Following an assessment of the details submitted, the Council can confirm that the proposed amendments are of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will have no significant material impact upon the appearance on the development within the street scene, nor upon the amenity of any existing or future occupiers of neighbouring residential properties.
3. The development hereby approved shall be carried out in accordance with the following drawings and documents:

Application Form - 11 Mar 2021

Drawing - Location Plan - 11 Mar 2021 Ref: CE/201201/PA/001

Drawing - Site Plan - 11 Mar 2021 Ref: CE/201201/PA/013/A

Drawing - Proposed Elevations - 11 Mar 2021 Ref: CE/201201/PA/007/C

Drawing - Proposed Elevations - 11 Mar 2021 Ref: CE/201201/PA/009/B

Drawing - Proposed Floor Plans - 11 Mar 2021 Ref: CE/201201/PA/010/C

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.

4. Before first occupation of the extensions hereby approved, the glazing in the ground floor door on the east elevation and the WC window adjacent to it, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy and saved UDP policy DC1.

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

Flood Zones Type 2 (low to medium risk) -

Flood Zones Type 3 (high risk) -

Benefitting From Flood Defences -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH