

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130259/NMC/2021

Date registered valid: 30 April 2021

Proposal: Non-material amendment application to planning permission reference 126756/FH/2020 to allow alterations to provide larger rooflights to the front of the garage and new rooflights to the rear

Address: 2 Turnstone Avenue, Manchester, M20 2FN

Ward(s): Didsbury East Ward

Applicant: Mr Sadiq Mohammed, 2 Turnstone Avenue, Manchester, M20 2FN

Agent (if any): Mr Tom Adshead, AG Architectural Solutions Ltd. 19 Hillbrook Road, Stockport, SK1 4JW

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 25 May 2021

Application details

Type of application: Non-Material Change Application

Development type: Notifications

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

The application site relates to large detached modern dwellinghouse built as part of the planning reference: 108541/OO/2015/S2 and amended by application reference: 111891/JO/2016/S2

Listed building: Not applicable

Conservation area: Didsbury St James Conservation Area 1970

Tree Preservation Order: Trees are protected by the wider areas conservation status

Description of area

The surrounding area is known as Didsbury St James Conservation area and it is located to south of Didsbury District Centre in what was the historical core of the village. The area contains the greatest concentration of listed building outside of the of the city centre. The application site forms part of a new modern estate developed on the former Manchester Metropolitan Campus on Wilmslow Road.

Description of development

The applicant is seeking a non-material amendment to planning permission reference 126756/FH/2020 to allow alterations to provide larger rooflights to the front of the garage and new rooflights to the rear.

Consultations & Notification Responses

Not Required

Issues

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

SP1 Spatial Principles
DM1 Development Management 1
EN 1 Design Principles and Strategic Character Areas'
EN3 'Heritage'

The relevant saved **UDP** policies for this application are:

DC1.1 -1.6 Residential Extensions
DC 18.1 ' Conservation Areas

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

In particular NPPF states that in terms of design:

124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.
And,

127. Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

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 property has had recent planning application approved to alter the vehicle access including repositioning, and rebuilding of brick gate pillars, installation of new separate pedestrian gate and access, installation of iron railings to replace existing timber fence to boundary with no.4 Turnstone Avenue and erection of shed. The application reference was 126756/FH/2020 and this was approved on the 29th June 2020.

In addition that property has received planning permission to erect a front porch featuring a first floor balcony above under planning reference: 128292/FH/2020.

The NMC application relates to the first application and to the existing garage which sought to make elevational alterations including changes to the garage door and insertion of rooflights. Therefore consideration should be given to the visual appearance of the building and whether there is any impact on residential amenity and the conservation area.

Appearance, Residential Amenity and Conservation Area

The previous approval allowed the insertion of two rooflight to the front elevation of the garage, the applicant now seeks to enlarge the rooflights at the front and install an additional two lights at the rear. Image 3 provides a 3D image of the site together with the neighbouring property, as can be seen from the image there is only one upper window in the side elevation. Although the rooflights will be enlarged and two new additions to the rear, the proposed changes are relatively minor in nature and whilst there will be some visual changes these are not considered to be detrimental to the residential amenity of the neighbouring properties.



Figure 1 Proposed Elevations approved under previous planning permission



Figure 2 Proposed Elevations Front (lhs) and Rear (Rhs)



Image 1 3D Image taken from google earth (2021)

The proposed changes are relatively minor and are considered appropriate for its residential context, the applicant seeks to use materials to match the existing to help reduce the visual impact of the changes and it is considered that any harm as the result of the proposal to be less than substantial.

There will be public benefit in that the proposal in the retention of the property as residential accommodation and improvements to the appearance of the property.

Therefore, the proposal is in accordance with saved policy DC18.1 and EN3 of the Core Strategy.

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

The proposed amendments relates to alterations to provide larger rooflights to the front of the garage and new rooflights to the rear.

Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be 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 both the character and appearance of the school or upon visual amenity.

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

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

Drg No.5 Stamped as received by the City Council as Local Planning Authority, on the 20.04.2020

Drg SH1 Stamped as received by the City Council as Local Planning Authority, on the 04.05.2020

Drg 04A Stamped as received by the City Council as Local Planning Authority, on the 14.05.2020

Drg 03 Stamped as received by the City Council as Local Planning Authority, on the 20.04.2020

Drg 2021.14.P6A stamped as received by the City Council as Local Planning Authority, on the 30.04.2021

Arboricultural Statement prepared by Cheshire Woodlands Ltd reference: CW/9847-AS
Stamped as received by the City Council as Local Planning Authority, on the 20.04.2020

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

Conservation Area - Didsbury St James Conservation Area 1970

Area Team Boundary - Name: SOUTH