

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133786/NMC/2022

Date registered valid: 16 May 2022

Proposal: Non material amendment to planning permission referenced 132977/FH/2022 to allow change of window design to outbuilding

Address: 11 Hawthorn Road, Manchester, M40 3RH

Ward(s): Moston Ward

Applicant: Mr James Wood 11 Hawthorn Road, Manchester, M40 3RH

Agent (if any):

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **31 May 2022**

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: N/A

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:

Tree Preservation Order:

Description of area

The application site relates to 11 Hawthorn Road within the Moston ward of north Manchester. It is a 2 storey, semi-detached, red brick property. The property benefits from a double driveway at the front of the property and a conservatory and an existing outrigger is sited to the rear of the property. The rear amenity space comprises of a shed close to the property, existing raised planters and at the rear of the garden a raised decking with 2 outbuildings.

Description of development

The site is the subject of the following planning permission granted on 14 April 2022- 132977/FH/2022- Erection of a single storey outbuilding to rear of garden following demolition of existing shed, store, and decking.

The outbuilding would have approximate dimensions of Height: 2.85 (to the highest point) x Length: 3.45 x Width: 5 metres. The outbuilding would be positioned at the bottom of the garden and would be positioned 0.6 metres from the rear boundary line. The existing store, shed and decking would be removed as a result of the application. The decking would be completely removed, and all spoil underneath would be excavated back to original ground level (level with the existing shed ground). The outbuilding would include the insertion of a uPVC window and

French doors within the front elevation. As confirmed by the applicant, the garden building would be for incidental / enjoyment use only, e.g., if working from home or as a workshop from time to time.

Materials to be used include:

Fibre cement/composite cladding to front and side elevation

Metal cladding sheet to rear elevation

Lat roof with EPDM rubber roof and grey/black fascia/soffit

uPVC double glazed windows in grey or black

uPVC French door with double glazing in grey or black

GU10 LED downlights for both internal and external under soffits

Consent is sought for a Non-Material Amendment to allow change of window design to outbuilding.

Consultations & Notification Responses

None.

Issues

POLICY

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 9: Promoting sustainable transport - States that transport policies have an

important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.

iii. Chapter 12: Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Of relevance are:

Policy DM1 (Development Management); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The impact; on the surrounding areas; in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area. The effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1(Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of the neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

ISSUES

Principle of Amendment

The alterations to the window design to the recently approved single storey outbuilding under the application 132977/FH/2022 would have a marginal impact on the overall design and appearance of the outbuilding. In addition, it would not alter the character or appearance of the outbuilding nor would it significantly affect the relationship of the development to its context.

Design

The design of the window within the outbuilding has been altered due to issues with manufacturing/lead times on the original shape. The window would be placed in the same position but would be a longer vertical rectangular shape than the square shape originally approved. The new window would have approximate dimensions of 2.14 x 1.11 metres. Although the window would be larger, the impact would be minimal. The window to be inserted is of a standard design and as such, the amendment would not negatively impact the appearance or character of the outbuilding.

Residential amenity

No new issues would be raised by the amendment.

Conclusion

Following an assessment of the details submitted, I can confirm that the proposed amendment is considered to be of a non-material nature and is considered to be acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed change would have no material impact upon the character of the development or upon the visual amenity of nearby occupiers.

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) The details of the proposed amendment relate to a change of window design to outbuilding.

2) Following an assessment of the details submitted, I can confirm that the proposed amendment is considered to be of a non-material nature and is considered to be acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed change will have no material impact upon the character of the development or upon the visual amenity of nearby occupiers.

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

- Householder Application for Planning Permission for works or extension to a dwelling, stamped as received by the City Council, as Local Planning Authority, on 18 February 2022.
- Drawing- Proposed- Elevations, stamped as received by the City Council, as Local Planning Authority, on 18 February 2022.
- Drawing- Existing & Proposed- Plan, stamped as received by the City Council, as Local Planning Authority, on 18 February 2022.
- Drawing- Location Plan, stamped as received by the City Council, as Local Planning Authority, on 18 February 2022.
- Drawing- Site Plan, stamped as received by the City Council, as Local Planning Authority, on 18 February 2022.
- Supporting Information, stamped as received by the City Council, as Local Planning Authority, on 18 February 2022.
- Email Correspondence, stamped as received by the City Council, as Local Planning Authority, on 6 April 2022.
- Email Correspondence, stamped as received by the City Council, as Local Planning Authority, on 12 April 2022.

As amended by

- Application for a Non-Material Amendment Following a Grant of Planning Permission, stamped as received by the City Council, as Local Planning Authority, on 16 May 2022.
- Drawing- Visuals- Plan & Elevations- V2-16/05/22, stamped as received by the City Council, as Local Planning Authority, on 16 May 2022.

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 for the City of Manchester.

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH1