

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133617/NMC/2022

Date registered valid: 27 April 2022

Proposal: Non-material amendment to planning permission reference 130974/FH/2021 to allow for changes to window fenestration at ground floor front extension elevation

Address: 27 Nuffield Road, Manchester, M22 9UG

Ward(s): Sharston Ward

Applicant: Ms Qiao Pan, 27 Nuffield Road, Manchester, M22 9UG

Agent (if any): Adrienne Lok, 27 Nuffield Road, Manchester, M22 9UG

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

Recommendation: Approve

Date of recommendation: **23 May 2022**

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two storey semi-detached C3 dwellinghouse of reddish brown brick with a hipped roof, a front ground floor bay window and a porch canopy. The plot includes a large front and side garden featuring a driveway, with a smaller garden to the rear. Previously there was a detached garage, which has been knocked down to make way for the extension. The plot is bound by a brick wall topped with black railings around the front and a timber fence to the rear.

Description of area

Nuffield Road, in the Sharston ward of Wythenshawe, is residential in nature and consists of similar family dwellinghouses arranged in semis and terraces. The area benefits from its close proximity to Benchill metrolink stop and the shops and services along Hollyhedge Road.

Description of development

The applicant gained planning permission to build a single storey side extension in 2019 (under reference 125293/FH/2019) and then re-applied for this in 2021 with the addition of a porch (under ref 130974/FH/2021). They now wish to make a minor amendment to the front window of the side extension.

Consultations & Notification Responses

None required for this type of application.

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan but certain policies are still considered of relevance:

- Policy DC1 - Residential Extensions

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

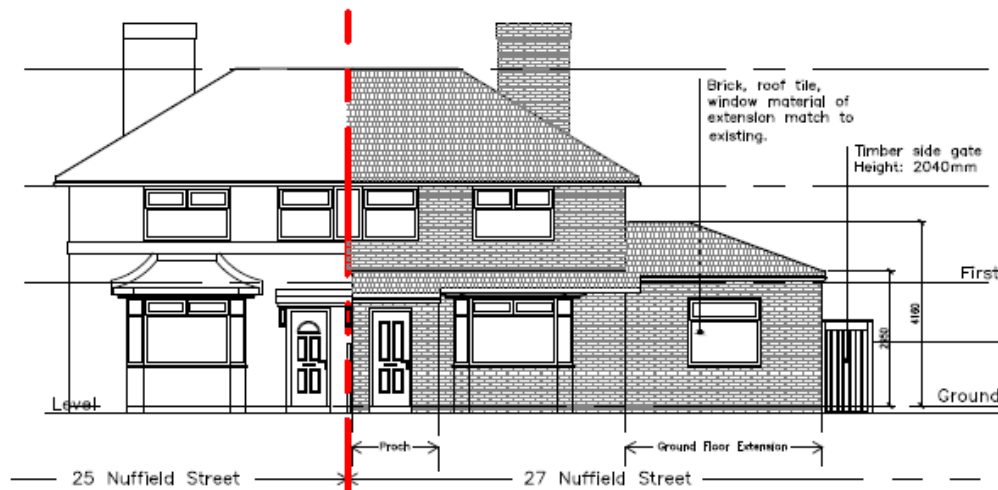
- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF, 2021):

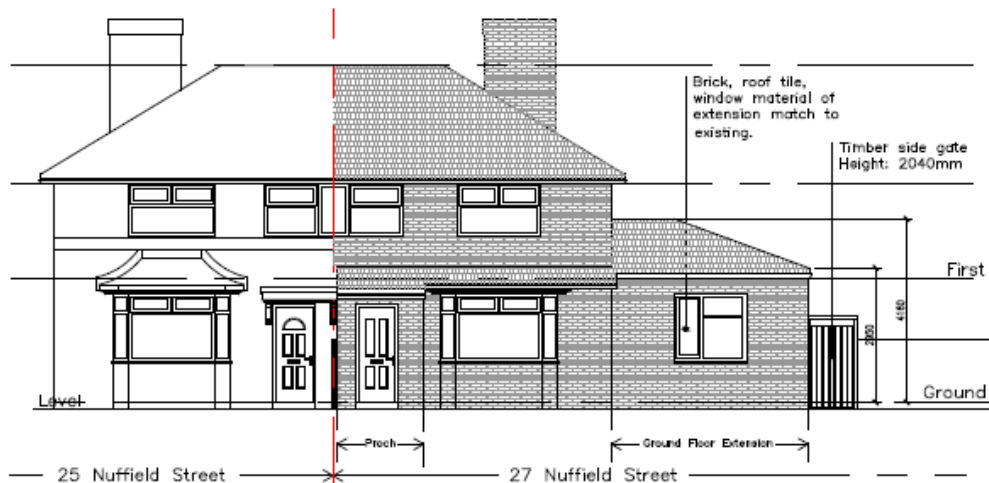
- Chapter 12 – Achieving well-designed places

For reasons to be outlined below, it is considered the proposal accords with the principles of these policy documents.

Front Elevation (South East) 130974/FH/2021



Front Elevation (South East) 133617/NMC/2022



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 relates to approved planning application 130974/FH/2021, which granted permission for the erection of a single storey side extension and front porch, to provide additional living accommodation for a family dwellinghouse. The applicant now seeks to make the following change(s) to the scheme:

- Change in style of front-facing window within approved side extension

Originally the window for the front elevation of the approved single storey side extension featured a shallow opening pane at the top. The proposed change to the glazing involves half the window in this style, with the other half being a side-hung window pane. The size of the whole unit will remain as approved, only the arrangement of panes within the uPVC unit are to be changed, therefore it is not considered this would materially change the extension or cause additional harm to neighbours or the street scene. Hence it is considered that the proposed revision is of a minor nature and would have no more impact upon either visual or residential amenity than the original approved drawings.

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

The proposed amendment relates to a minor elevational alteration to the window within the front elevation of the proposed single storey side extension.

Following an assessment of the details and plans submitted, I can confirm that the proposed amendment is 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 change will not have

any significant or detrimental impact upon residential and visual amenity or the character of the area.

1) The development hereby approved shall be carried out in accordance with the drawing numbered 'PL05 Rev D', stamped as received by the City Council as Local Planning Authority with the application form on the 27th April 2022.

Reason - To ensure 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

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 45M

Area Team Boundary - Name: SOUTH