

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128491/NMC/2020

Date registered valid: 4 November 2020

Proposal: Non material amendment to planning permission referenced 123057/FH/2019 to allow elevational alterations

Address: 12 Newdale Road, Manchester, M12 4GG

Ward(s): Levenshulme Ward

Applicant: Mr. Ahsan Chaudry 12 Newdale Road, Manchester, M12 4GG

Agent (if any): Mr. Niamat Ali NA Design 47 Egerton Road South, Chorlton Cum Hardy, Manchester, M21 0YW

Case officer: Harriet Aidoo
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Recommendation: Approve

Date of recommendation: 1 December 2020

Application details

Type of application: Non-Material Change Application

Development type: Minor Other

Date of site visit:

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 site / building / area

The application relates to a 2 storey, red facing brick, mid-terrace dwellinghouse in Levenshulme ward, with the frontage the back of pavement. At the time of submission of planning application reference number: 123057/FH/2019, the house benefitted from a rear yard area, small pitch roof outrigger extension and boundary screening along the rear elevation. Gated alleyways run along the side and rear of the application property. The general area is predominantly residential with retail use along Matthews Lane, Longden Industrial Units to the north of the application site, and to the east, is Nutsford Vale, which is an area of recreational open space.

Description of development

Planning permission referenced 123057/FH/2019

In terms of planning permission 123057/FH/2019, the initially submitted application related to a part single storey, part 2 storey rear extension to form additional living accommodation, including an elevational alteration consisting of replacement window with a door along the rear

of the original dwellinghouse. The agent was advised early on in the application process that the proposed first floor was unacceptable by virtue of the massing and the undue residential impact it presented, given the densely packed terraces with small rear yards, and by introducing a built form at first floor, was considered to have a significantly overbearing impact. Following negotiations, the initially submitted plan underwent revisions in the interest of residential amenity, (Correspondence from agent dated 14/08/2019 and attached revised plan, DRAWING No. NA-P02, REVISION B).

The initial proposal was revised to the erection of a single storey rear extension (L5100mm x W 2700mm x H 3700mm) to form additional living accommodation, including an elevational alteration consisting of replacement window with a door along the rear of the original dwellinghouse, which was subsequently approved.

Description of the proposed non-material change

The proposed non-material changes as outlined below relate to planning permission granted on 4 September 2019 in relation to ref: 123057/FH/2019 - Erection of single storey rear extension to form additional living accommodation.

- The development involves replacing the kitchen window along the rear elevation of the original dwellinghouse with a single opening door.
- Replacing the side opening window in the proposed rear extension to a window with top opening lights and,
- Replacing the door to the side elevation of the proposed single storey extension, with a window to serve the w.c accommodation , along with internal reconfiguration of the kitchen and toilet rooms to create a larger room for the w.c.

Consultations & Notification Responses

None required.

POLICY

The proposed development was fully assessed with regard to the NPPF, Core Strategy and saved policies of the Unitary Development Plan and allow the relevant guidance.

The following guidance and policies are considered to be relevant to the proposed amendment:

1. The National Planning Policy Framework (NPPF), (February 2019) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'. The Framework has been related to the proposed development, with particular emphasis given to the following:

- i. Chapter 8: Promoting healthy and safe communities:
- ii. Chapter 12: Achieving well-designed places.

2. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 - It is the key document in Manchester's Local Development Framework. The Core Strategy 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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies are relevant to the proposed development:

- Policy DM 1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

3. Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.

- Policy DC1 for Residential Extensions is considered relevant.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following sections are of particular relevance:

- i. Section 2 Design.
 - Paragraph 2.14 goes on to say: it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

CONCLUSION

For the reasons set out below, it is considered the amended development would maintain the character and quality of the previously approved development and would thereby respond positively to the above City Council policy and other national and local guidance, particularly with regard to its design and relationship to the development and /or the surrounding neighbourhood.

Principle of the amendment - The proposed amendment represents a minor architectural detail involving the removal and replacement of door and windows, and the external alterations

would not materially affect the composition, appearance and/or character of the authorised development. The proposed elevational changes are therefore considered to be acceptable.

The colour treatment of the proposed frames to windows, doors and side panels has been assessed in relation to the insertion of "uPVC double glazing to match existing" and it is considered would be acceptable.

Design - As stated the character and style of the authorised houses would be maintained as a result of the amendment.

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

Paragraph 1 -The details of the proposed amendment relate to:

- The replacement of the kitchen window along the rear elevation of the original dwellinghouse with a single opening door.
- Replacing the side opening window in the proposed rear extension to a window with top opening lights and,
- Replacing the door to the side elevation of the proposed single storey extension, with a window to serve the w.c accommodation , along with internal reconfiguration of the kitchen and toilet rooms to create a larger room for the w.c.

Paragraph 2 - 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 the visual amenity of the building or on the residential amenity of any nearby properties.

Conditions

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

- o Householder Application for Planning Permission for works or extension to a dwelling forms, received by the City Council as the Local Planning Authority on 18 March 2019.
- o Existing Plan and Site Plan, DRAWING No. NA-B01, received by the City Council as the Local Planning Authority on 18 March 2019.
- o Drawing PROPOSED PLAN, DRAWING No. NA-P02, REVISION C, received by the City Council as the Local Planning Authority on 3rd November 2020, and email from planning agent dated 01.12.2020 confirming the w.c window would be obscurely glazed.

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.

4)Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the extension hereby approved other than those stated on: Email from agent dated 14/08/1019 and , DRAWING No. NA-P02, REVISION C.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 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 Zone - All Exceeding 90M

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH2