MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	126770/NMC/2020
Date registered valid:	22 April 2020
Proposal:	Non material amendment to planning permission 125019/FO/2019 to allow for the installation of 3 roof lights to roof.
Address:	190 The Fairway, Manchester, M40 3NJ
Ward(s):	Moston Ward
Applicant:	Mrs Alison Johnson 190 The Fairway, Manchester, M40 3WS
Agent (if any):	Mr Andrew Nightingale AFN CAD & Surveying Services 57 Grantham Crescent, Islands Brow, St Helens, WA11 9YE
Case officer:	Eve Woolstencroft Tel: 0161 234 4533 Email: eve.woolstencroft@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	14 May 2020

Application details

Type of application: Non-Material Change Application

Development type: Notifications

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:

Tree Preservation Order:

Description of Site/Area

The application site relates to a two storey semi-detached dwellinghouse located on the Fairway, in the Moston ward of North Manchester. There are gardens to the front and rear of the property and an existing flat roof single storey rear extension and side extension which comes close to the shared boundary with no. 192 The Fairway. The proposed extension would replace the existing timber side extension.

Description of Development

The submitted application seeks a non-material amendment to planning permission 125019/FO/2019 to allow for the installation of 3 roof lights to roof.

Consultations & Notification Responses

None are required for this type of application

Policy

NPPF (2019)

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

The NPPF states that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, these are: an economic, social and environmental objective
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.

Extant UDP Policies
A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

Policy DC1.1 - Relates to residential extensions and in this case requires consideration of: the impact of the general character of the property; the effect upon the amenity of neighbouring occupiers; the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs and the overall appearance of the proposal in the street-scene. Given the requirements of the resident it is considered that this policy is relevant and the proposed design represents an appropriate response.

Policy DC1.2 - Requires consideration of the extensions to ensure that it is not excessively large or bulky. It is considered that the extension is a proportionate response to meet changing occupational needs.

DC1.5 The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

Core Strategy
Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.
The following policies are relevant for this application:

Policy DM 1 - Development Management
All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:
-Appropriate siting, layout, scale, form, massing, materials and detail.
-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.
-Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
-Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

- Community safety and crime prevention.
-Design for health.
-Adequacy of internal accommodation and external amenity space.
-Refuse storage and collection.
- Vehicular access and car parking.
-Flood risk and drainage.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

-Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment

Issues

Principle

The principle of the development was established as acceptable upon the approval of application reference 125019/FO/2019.

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.

Overall 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 approved scheme. This is particularly as the proposed windows are to be inserted into the roof and therefore non considered to give rise to any overlooking impacts to neighbouring occupiers. The amendments would accord with policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework (NPPF) 2018 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 polices 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 proposed amendment relates to a minor elevational alteration, which consists of the installation of 3 roof lights to roof of extension

2) Following an assessment of the details and plans submitted, I can confirm that the proposed amendments are 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 changes will have no material impact upon the previously approved scheme and the works will not have an adverse impact within the area.

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

-Drawings referenced 06 REV P3 and 08 REV P2 stamped and received by the City Council as Local Planning Authority on 22 April 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

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