MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	126800/NMC/2020
Date registered valid:	27 April 2020
Proposal:	Non material amendment to planning permission referenced 123515/FH/2019 to allow new tiles to the main roof section, rear roof section to be a flat roof, new timber cladding added to the rear / side, amendments to the proposed new boundary walls and a storm porch added to the front of the property
Address:	29 Longford Road, Manchester, M21 9WP
Ward(s):	Chorlton Ward
Applicant:	Mr Paul Corris, 29 Longford Road, Manchester, M21 9WP
Agent (if any):	Ian Grainger, Blu Room Architecture, 5 Uplands Road, Darlington, DL3 7SZ
Case officer:	Jennifer Connor Tel: 0161 234 4545 Email: j.connor3@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	21 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

Description of site/building/area

The application relates to a two storey house within a predominantly residential area.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Non material amendment to planning permission referenced 123515/FH/2019 to allow new tiles to the main roof section, rear roof section to be a flat roof, new timber cladding added to the rear / side, amendments to the proposed new boundary walls and a storm porch added to the front of the property

Consultations & Notification Responses

No consultations or neighbour notifications were carried out for this non-material change application.

Policies

The relevant Core Strategy policies for this application are:
- SP1 - Spatial Principles
- DM1 - Development Management 1

The relevant UDP saved policy for this application is:
- DC1 - Residential Extensions

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 changes proposed are considered to be material, for this reason it is considered that a planning application will have to be submitted to enable consultation with the neighbours and a detailed assessment of the revisions to be undertaken.

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: Refuse

Reasons for recommendation to refuse

1) The proposed amendments relate to a change to allow new tiles to the main roof section, rear roof section to be a flat roof, new timber cladding added to the rear / side, amendments to the proposed new boundary walls and a storm porch added to the front of the property.

2) Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be a material change. The City Council is not satisfied that the proposed changes would not have an impact upon the character of the building, the residential amenity of nearby occupiers or upon the visual appearance of the area. As such the proposal cannot be determined as non-material under section 96A of the Town and Country Planning Act 1990.

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
Area Team Boundary - Name: SOUTH