

Planning

Growth & Development

Delegated officer report for planning application

Application no. 143048/NMC/2025

Date registered valid: 2 June 2025

Proposal: Non-material amendment to planning permission referenced 137091/FH/2023 to allow for an increased floorplate and elevational alterations.

Address: 40 Everside Drive, Manchester, M8 8ES

Ward(s): Cheetham Ward

Applicant: Tanique Daley

Agent (if any):

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

Recommendation: Refuse

Date of recommendation: 23 June 2025

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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The application site relates to 40 Everside Drive within the Cheetham ward of north Manchester. The application site relates to a brick built, semi-detached, new build dwellinghouse. The property benefits from an existing front porch, front garden and front amenity space alongside an existing single storey shed situated to the side of the property. The rear garden has a gentle slope to the rear boundary. Boundary treatment in the form of timber fencing occupy the shared and rear boundaries.

Description of area

The remaining of the area is residential in nature with houses of similar style and design.

Description of development

The site is subject of the following planning permission- 137091/FH/2023- Erection of single storey side extension and front and side porch. Approved 8 August 2023. The applicant has until 8 August 2026 to begin works on the scheme.

Through the current application, consent is sought for the non-material amendment to planning permission referenced 137091/FH/2023 to allow for an increased floorplate and elevational alterations.

The increased floor plate would involve the proposed side extension aligning with the primary elevation of the front porch, as opposed to the side extension being set back slightly from the

building line of the front porch. This would result in the side extension having a length of 9.5 metres, whereas a length of 8.9 metres was previously approved.

The application form references changes to the form of the front porch and states the front porch will be kept (not knocked down) and connect to the new side extension. Whilst the proposed visuals (drawing ref: 191) shows a lean to style front porch and hipped side extension, the proposed front elevation (drawing ref: 110 P4) shows a gable roof form of the front porch.

The window to be inserted in the rear elevation of the side extension would be amended to include a larger brickwork soldier course than previously approved.

Negotiations during the Course of the Application

The agent was informed the LPA could not support the application given inaccurate information and given the increased floor plate was not considered to constitute a non-material change.

Further Planning History

No further history exists for 40 Everside Drive. However, history can be found for the development of the new build estate as approved under:
071826/FO/2004/N1- Manor Park Phase 8 Fairy Lane- Erection of 92 dwellinghouses with associated parking and landscaping.
Approved 9 December 2004.

Consultations & Notification Responses

N/A.

Issues

POLICY

The National Planning Policy Framework (December 2024)

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
- b) a social objective and
- c) an environmental objective.

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

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

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),
Policy SP1 (Spatial Principles),
Policy EN1 (Design Principles and Strategic Character Areas),
Policy EN19 (Waste).

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.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods. Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The following policies are relevant:

i.JP- S1- Sustainable development

ISSUES

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 site is subject of the following planning permission- 137091/FH/2023- Erection of single storey side extension and front and side porch. Approved 8 August 2023. The applicant has until 8 August 2026 to begin works on the scheme.

Through the current application, consent is sought for the non-material amendment to planning permission referenced 137091/FH/2023 to allow for an increased floorplate and elevational alterations.

The increased floor plate would involve the proposed side extension aligning with the primary elevation of the front porch, as opposed to the side extension being set back slightly from the building line of the front porch. This would result in the side extension having a length of 9.5 metres, whereas a length of 8.9 metres was previously approved.

The application form references changes to the form of the front porch and states the front porch will be kept (not knocked down) and connect to the new side extension. Whilst the proposed visuals (drawing ref: 191) shows a lean to style front porch and hipped side extension, the proposed front elevation (drawing ref: 110 P4) shows a gable roof form of the front porch.

The window to be inserted in the rear elevation of the side extension would be amended to include a larger brickwork soldier course than previously approved.

It is acknowledged the change to the rear elevation window involving the insertion of a larger brickwork soldier course above the window could be considered non-material. The change can be considered a design preference and would not have any impact on visual/ residential amenity.

However, it is not considered that the increased length of the side extension resulting in a primary elevation that would align with the front porch, as opposed to a staggered building line can be considered non-material.

This element of change would involve the overall length and size of the side extension increasing. Such increase to the size of the extension, although small, is not considered non-material. The proposed increase in built form would run along the common boundary with no.38 Everside Drive and given the application type chosen, such neighbouring property has not had an opportunity to consider the additional built form. This may give rise to unacceptable residential impacts which the neighbouring properties have not had an opportunity to review.

Further, given the side extension would align with the existing front porch, it could interfere with off street parking provision. A 6 metre length should be retained as per the standard dimensions recommended by MCC Highway Services. Given the application type chosen, colleagues in Highway Services have not had an opportunity to consider the application and to understand the parking provision as a result of the amendment. Highway Services would give consideration to any build-up of on street parking as existing, which has not been possible given the application type chosen.

Given the above, the City Council is not satisfied that the changes put forward as part of the application, would not have a detrimental impact upon the residential amenity of neighbouring occupiers.

Further, the application submission presents inaccuracies.

The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) provides general requirements for the submission of planning applications and states that “an application for planning must....be accompanied by.... 7(1c)(ii) any other plans, drawings and information necessary to describe the development which is the subject of the application”. With this in mind, it is considered that the information submitted under this application fails to meet the requirements set out in this Order on account of the inaccuracies and discrepancies which exist amongst the submitted drawings.

The application form references changes to the form of the front porch and states the front porch will be kept (not knocked down) and would connect to the new side extension. Whilst the proposed visuals (drawing ref: 191) shows a lean to style front porch and hipped side extension, the proposed front elevation (drawing ref: 110 P4) shows a gable roof form of the front porch. If the existing gable roof form of the front porch is to be retained, then the proposed side elevation (drawing ref: 112) would be considered inaccurate, as the gable roof form of the side extension is omitted from the drawings (see Figure 1 for context).

Therefore, given the inaccuracy of the submitted information, and the uncertainty of how the proposal would appear as a result of the proposed amendment, the City Council is unable to support this application, as it conflicts with the principles set out under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

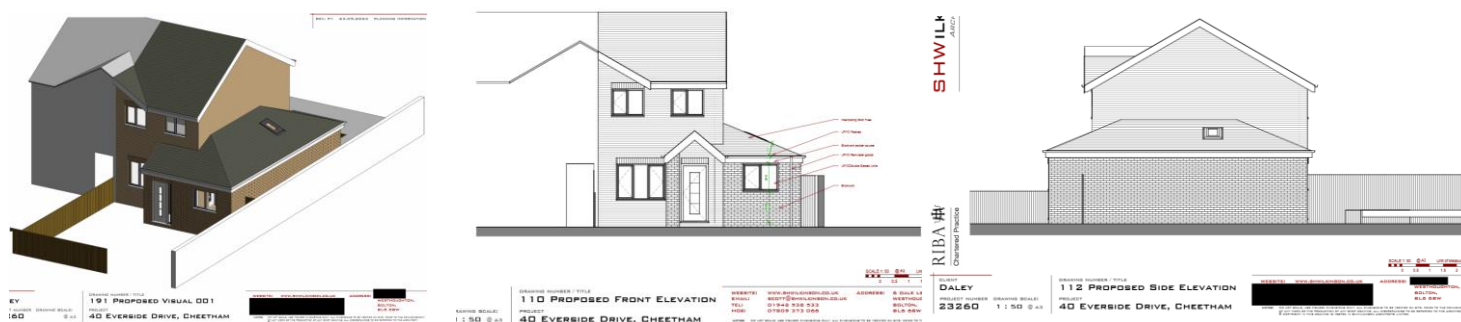


Figure 1, Proposed visuals (drawing ref 191), proposed front elevation (drawing ref: 110 P4), proposed side elevation (drawing ref: 112)

For the reasons set out above, it is considered that the application is refused on this basis.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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: Refuse

Article 35 Declaration

N/A.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1)The proposed amendments relate to an increased floorplate and elevational alterations.

2)Following an assessment of the details and plans submitted, it is confirmed that the proposed amendments are considered 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.

3) Inaccuracies have been identified within the submitted drawings. Whilst the proposed visuals (drawing ref: 191) shows a lean to style front porch and hipped side extension, the proposed front elevation (drawing ref: 110 P4) shows a gable roof form of the front porch. If the existing gable roof form of the front porch is to be retained, then the proposed side elevation (drawing ref: 112) would be considered inaccurate, as the gable roof form of the side extension is omitted from the drawings.

Therefore, given the accuracy of the submitted information, and the uncertainty of how the proposal may affect the visual appearance of the development, the City Council is unable to support this application, as it conflicts with the principles set out under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC1 of the Unitary Development Plan 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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 50m Buffer -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA