

PLANNING

GROWTH & DEVELOPMENT

DELEGATED OFFICER REPORT FOR PLANNING APPLICATION

Application no. 143255/NMC/2025

Date registered valid: 19 June 2025

Proposal: Non-material amendment to planning approval reference 139513/FH/2024 to allow removal of 1no. window on each side elevation and replacement of 2no. doors with windows.

Address: 25 Dennison Avenue, Manchester, M20 1AE

Ward(s): Old Moat Ward

Applicant: Mr Chongke Xie

Agent (if any):

Case officer: Joshua Lee
Tel: 0161 219 2851
Email: joshua.lee@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 30 June 2025

APPLICATION DETAILS

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: Not applicable

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: Not applicable

Tree Preservation Order: Not applicable

Description of site/building

Proposal is related to a semidetached dwellinghouse on Dennison Road. The property features a single storey rear extension and a landscaped garden to the rear and hardstanding to the front. Vehicle parking is on street.

Description of area

The property is located in a mostly residential part of the Old Moat ward of Manchester. The entire curtilage of the site sits within Flood Zone 2.

Description of development

Non-material amendment to planning approval reference 139513/FH/2024 to allow removal of 1no. window on each side elevation and replacement of 2no. doors with windows.

PLANNING HISTORY

141730/FH/2024

Description: Erection of single storey porch extension to existing outbuilding

Decision: Approved 29/01/2025

139513/FH/2024

Description: Erection of outbuilding to provide garden annexe

Decision: Approved 17/05/2024

CDN/24/0424

Description: Discharge of Condition 5 (Flood Risk) attached to planning permission 139513/FH/2024

Decision: Approved 24/06/2024

CONSULTATION, NOTIFICATION & PUBLICITY RESPONSES

No consultation, notifications are required for a non-material change.

RELEVANT POLICIES & THE PRINCIPLE OF DEVELOPMENT

Relevant Policies

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise.

The following policies are considered relevant.

- [Town and Country Planning Act 1990](#) –
 - Section 96A - Power to make non-material changes to planning permission

Principle

A local planning authority in England can make a change to any planning permission relating to land in its area if it is satisfied that the change is not material, as allowed by Section 96A of the 1990 Act (as inserted on 1st October 2009 by sec.190 of the Planning Act 2008).

TOWN AND COUNTRY PLANNING ACT 1990

Section 96A – Non-Material Amendment

The authority considers the impact of a change on the original planning permission and any prior minor changes.

In this case, the application relates to an approval for the non-material changes to the approved planning permission 139513/FH/2024 to allow for the Erection of outbuilding to provide garden annexe.

The changes maintain the overall footprint and boundary distances of the proposed outbuilding however remove the side facing windows and replace 2no front facing doors with windows.

The changes are not expected to have a material effect on the residential and visual amenity beyond the approved application with no new massing or significant change to design and materiality and no further harm to privacy or overlooking.

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.

CONCLUSION

The proposed amendments relate to the following: Non-material amendment to planning approval reference 139513/FH/2024 to allow removal of 1no. window on each side elevation and replacement of 2no. doors with windows at 25 Dennison Avenue, Manchester, M20 1AE. Following an assessment of the details submitted, we can confirm that the proposed amendments are 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 not result in any significant material alterations to the planning approval.

RECOMMENDATION: APPROVE

1. Paragraph 1

The proposed non-material amendments relate to the removal the side facing windows and replace 2no front facing doors with windows.

2. Paragraph 2

Following an assessment of the details submitted, the Council 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 appearance on the development within the streetscene or character of the wider area, nor on the replacement playing pitches. It is also considered that the proposals would not have any impact on the amenity of existing nearby residential properties.

CONDITIONS TO BE ATTACHED TO DECISION FOR APPROVAL

2. Specified plans

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

- | | | | | |
|----|-----------------------------------|-------------|----|------------------------------------|
| a. | Drawing - Proposed | 19 Jun 2025 | 01 | FLOOR PLAN, SECTION AND ELEVATIONS |
| b. | Drawing - Location Plan | 12 Mar 2024 | 02 | THE LOCATION PLAN |
| c. | Flood Risk Assessment or Drainage | 25 Mar 2024 | | FLOOD RISK ASSESSMENT |

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-P1 & of Places for Everyone.

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

Flood Zones Type 2 (low to medium risk) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH AREA