

Planning**Growth & Development****Delegated officer report for planning application**

Application no. 141880/NMC/2025

Date registered valid: 10 January 2025

Proposal: Non-material amendment to planning permission 138457/FH/2023 to allow changes to the materials and colour of the ground floor window frames and rear sliding door frames

Address: 43 Whitelaw Road, Manchester, M21 9HG

Ward(s): Chorlton Ward

Applicant: Emma Layfield & Simon Longstaff

Agent (if any): Mr Mike Macpherson Mike Macpherson Architects

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 29.01.2025

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

Description of site/building

Listed building: Not applicable

Conservation area: Wilbraham Road/Edge Lane Conservation Area 2005

Tree Preservation Order: Not applicable

The application relates to a two-storey semi-detached C3 dwellinghouse of redbrick with a grey slate dual pitch roof. The property features off-white painted timber windows, including a ground-floor bay to the front, a modest front garden bordered by a mid-level stone wall, a two-storey rear outrigger, and spacious rear garden with low-level timber decking to the rear.



Figure 1. Principal elevation.



Figure 2. Rear elevation.



Figure 3. Rear garden.

Description of area

Whitelow Road is a residential street situated within the Chorlton ward of Manchester, close to Edge Lane (A5145), Chorlton Green, and Beech Road Park. The area is predominantly residential in terms of its character, consisting of terraced and semi-detached residential properties, and benefits from its proximity to public outdoor amenity and green spaces.

It should also be noted that the application site is situated within the Wilbraham Road / Edge Lane Conservation Area which was first designated in 2005 and possesses buildings and spaces of character and quality dating back to the late 19th century. The area is located approximately 3m southeast of the city centre and is immediately north of the previously designated conservation area of Chorlton Green, whom it shares a common boundary with. Many of the buildings that line the streets within the area are architecturally impressive and most of them can be regarded as making a positive contribution to the conservation area. It is the relationship of these various buildings to each other, to their sites and to the streets that mostly determines the character of the area, rather than individual buildings of high architectural or historic quality. The fact that only two buildings in the area are formally listed bears this out.

New developments, extensions and alterations should be designed so as to complement, or at least maintain, the character of this protected area.

Description of development

The applicant gained permission for the erection of a single storey side extension together with raised decking to the rear to form additional living accommodation in December 2023 under planning application reference 138457/FH/2023. The applicant now wishes to make minor alterations to the design of the proposal which they consider to be non-material.

Consultations & Notification Responses

Not required.

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:

- Policy DC1 – Residential Extensions

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

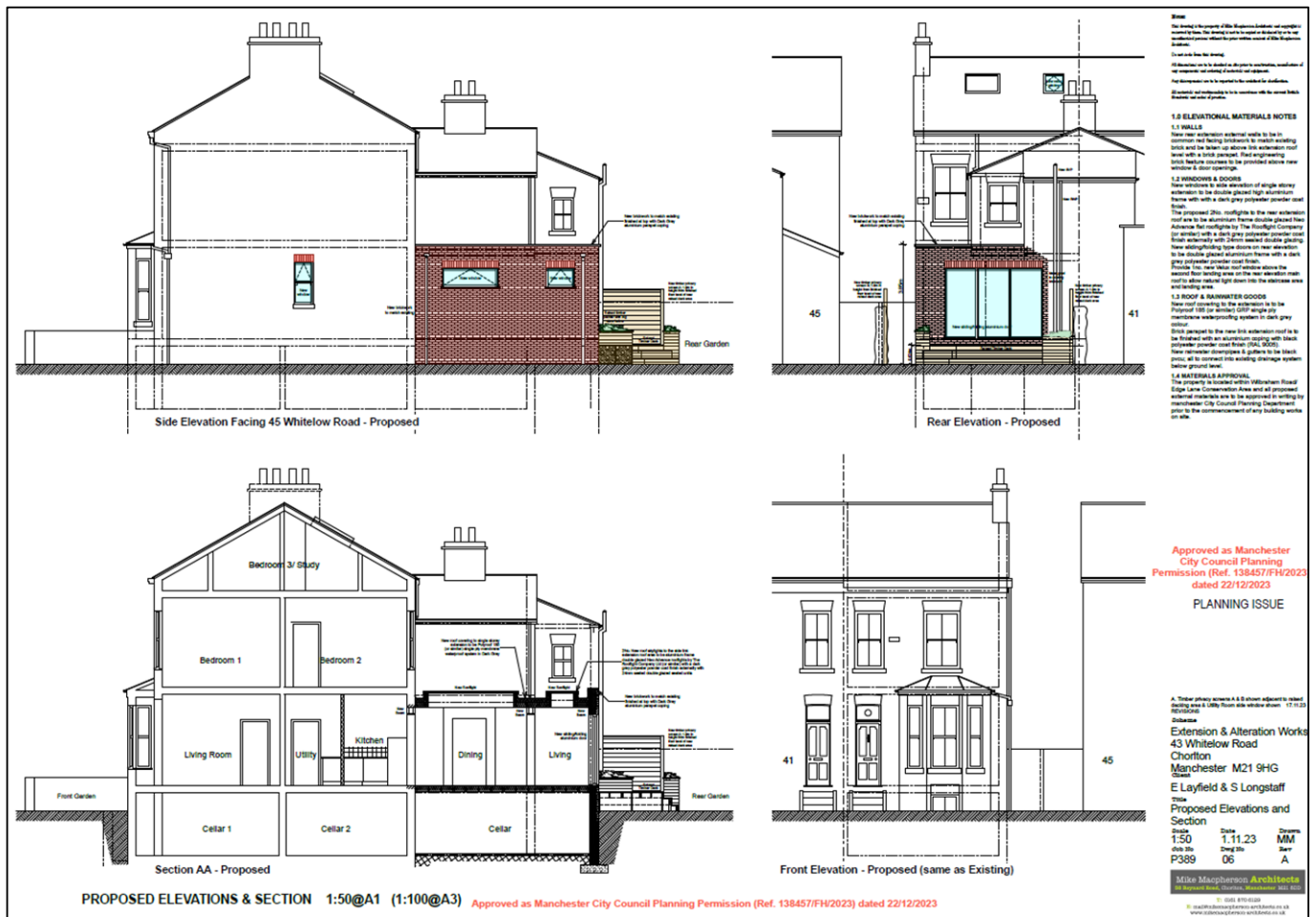
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles

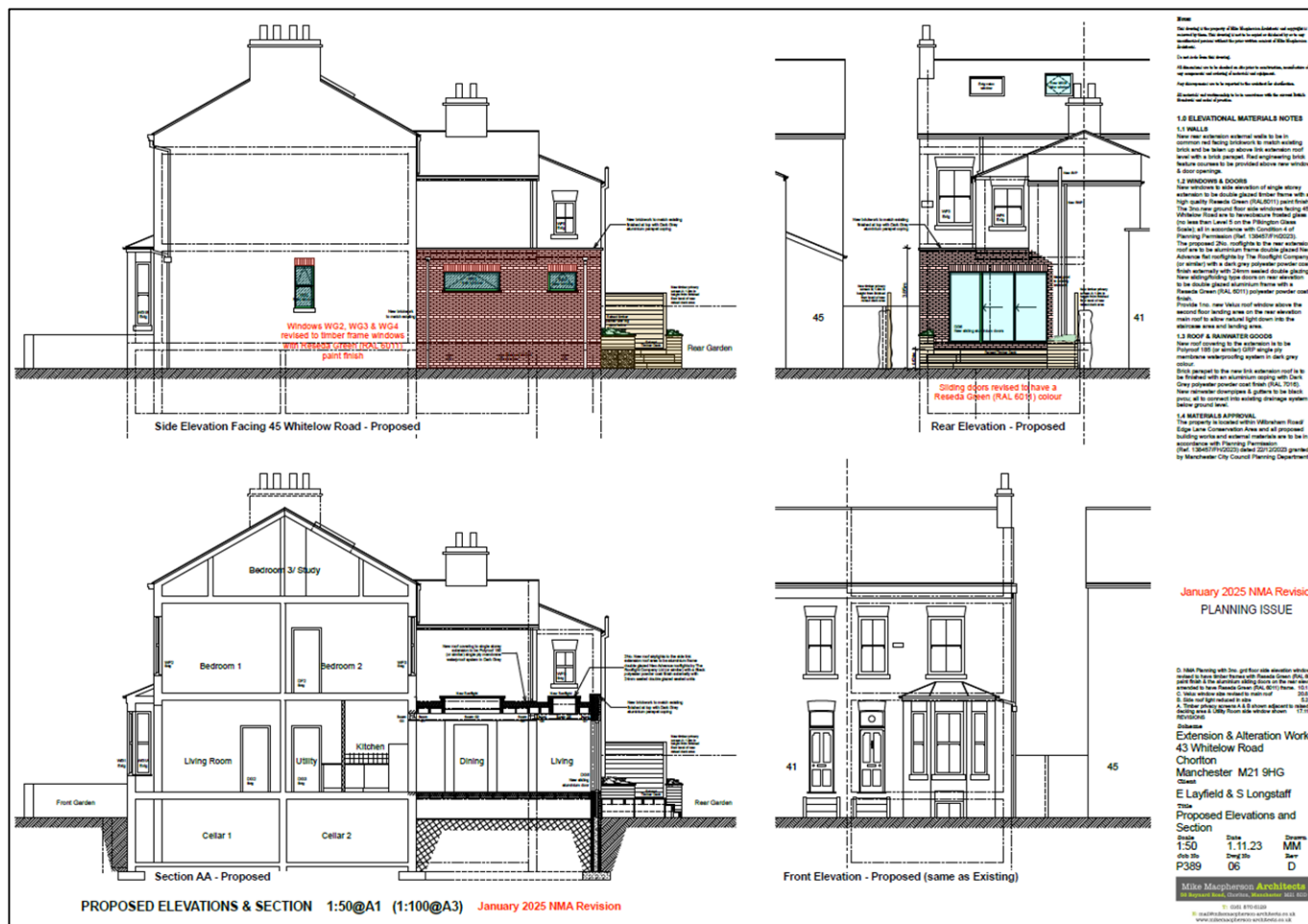
The National Planning Policy Framework (NPPF, 2024)

- Chapter 12 – Achieving Well-Designed Places

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.

- Policy JP-P1 – Sustainable Places





Submitted proposed elevations

Materiality

Section 96A of the Town and Country Planning Act 1990 allows a local planning authority in England to make a change to any planning permission relating to land in its area if they are 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 application relates to approved planning permission 138457/FH/2023 which granted permission for the erection of a single storey side and rear extension together with raised decking to rear to form additional living accommodation for a family dwellinghouse. The applicant now seeks to make the following amendments to the approved scheme:

- Changing the colour and material of the 3no. ground floor windows in the property's southern side elevation from dark grey polyester powder-coated aluminium-framed to reseda green (RAL 6011) timber-framed.
- Changing the colour of the ground floor aluminium-framed sliding doors in the property's rear elevation from dark grey to reseda green (RAL 6011).

These alterations are not considered to materially change the proposal or cause additional harm to neighbouring residents or the street scene. Hence, it is considered that the proposed amendments are of a minor nature and would have no more impact upon the visual and residential amenity of the area than the original approved scheme.

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: Approve

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

- 1) The proposed amendments relate to minor alterations to the design of the proposed single storey side and rear extension and host dwellinghouse, consisting of changing the colour and material of the ground floor side-facing windows and changing the colour of the ground floor rear-facing doors.
- 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 are acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed changes will not have any significant or detrimental impact upon residential and visual amenity or the character of the area.
- 3) The development hereby approved shall be carried out in accordance with the following documents:

'Application for a Non-Material Amendment Following a Grant of Planning Permission', numbered 'PP-13686675', stamped as received by the City Council as Local Planning Authority on the 10th January 2025

'PROPOSED ELEVATIONS & SECTION. January 2025 NMA Revision', numbered '06 REV D', stamped as received by the City Council as Local Planning Authority on the 10th January 2025

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

Conservation Area - Wilbraham Road/Edge Lane Conservation Area 2005