

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141318/JO/2024

Date registered valid: 28 October 2024

Proposal: Variation of condition numbers 2 (specified plans) and 3 (elevation materials) attached to planning permission reference 140017/FO/2024 to allow the use of render finish to the extension

Address: AMC Church Of Restoration, 70 Chalford Road, Manchester, M23 2SG

Ward(s): Baguley Ward

Applicant: Mr Gideon Llechukwu, AMC Church of Restoration

Agent (if any): Mr Peter Hewitt, Peter N Hewitt Associates Ltd

Case officer: David Lawless
Tel: 0161 234 4543
Email: david.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 20 November 2024



Application details

Type of application: Variation or Removal of Condition

Development type: Minor Other

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 29 October 2024 Expired: 19 November 2024

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 AMC Church Of Restoration is located at the corner of Greenbrow Road and Chalford Road in grounds approximately 0.18 hectares in size. The church building is located towards the rear of the site and to the front of it there is a gravelled area used for informal car parking. Vehicular access to the site is gained via Chalford Road.

To the north of the site lies an area of public open space, while to the south and east are the 2 storey dwellings on Chalford Road. To the west, on the opposite side of Greenbrow Road, there is a site being redeveloped for residential purposes.

Listed building: No

Conservation area: No

Tree Preservation Order: No

Description of development

The applicant obtained planning permission in July 2024 for the following:

140017/FO/2024 - Erection of a single storey extension to the rear of church

The applicants are now applying to vary the proposal, substituting the previously approved brick work for render to match the majority of the existing church building.

Consultations & Notification Responses

Local Residents – No comments received.

Policies

The National Planning Policy Framework (December 2023) – 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. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The Places for Everyone Plan – This plan was adopted on 21 March 2024, as such 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 significant weight in the planning balance. The relevant policy is set out below:

Policy JP-Strat9 (Southern Areas) – This policy states that the economic competitiveness, distinctive local neighbourhood character and environmental attractiveness of the southern areas will be protected and enhanced. There will be a strong emphasis on making as much use as possible of suitable previously developed (brownfield) land and promoting the roles of the areas' town centres and its other key assets.

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below

Policy SP1, *Spatial Principles*, - Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, of which the following are of most relevance for which more detailed guidance may be given within a supplementary planning document:-

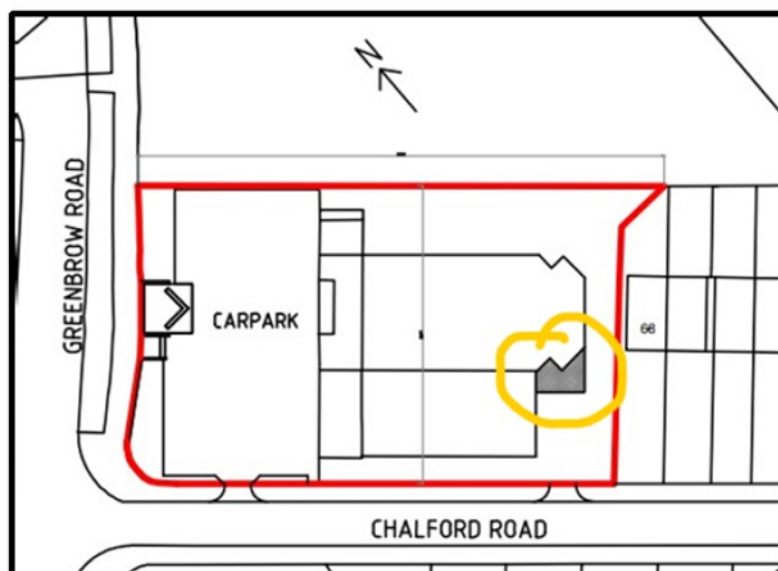
- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, 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.
- Community safety and crime prevention.
- Design for health.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.

Issues

Principle of the Proposal – There is no objection in principle to the proposal given the previous approval for the single storey extension.

Design – The single storey extension would be constructed from matching render on top of an engineering brick plinth with a mono-pitched roof of resin and fibreglass. It would have one door and window in the Chalford Road elevation. Overall, the design of the extension is considered acceptable.

Siting – The extension would be located at the rear of the church and though visible from Chalford Road would be located behind the foremost part of the church as seen below:



As such, the siting of the extension is considered acceptable.

Residential Amenity – As the proposed extension would only be used as vestry, with associated toilet facilities, it is not considered that any activity associated with the scheme would have a detrimental impact upon the levels of residential amenity enjoyed by those residents living closest to the site.

Furthermore, it is not considered that the proposal would result in overshadowing of the adjoining dwelling or lead to a reduction in privacy.

Visual Amenity – Given the design and siting of the proposal, it is not considered that the extension would have a detrimental impact upon the existing levels of visual amenity enjoyed along Chalford Road.

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

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to issues arising from the consideration of this application.

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

1) The development must be begun not later than the expiration of three years beginning with the date of the original planning permission, 140017/FO/2024, i.e. 9 July 2024.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings received on 14 May 2024:

- a) 24007 SK1

- b) Location Plan

and the following drawings received on 7 October 2024

- c) 24007 01 rev A

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) The materials to be used on the external elevations of the extension hereby permitted shall match those of the existing building in type, size, colour and texture, as stated on the approved drawings.

Reason - In the interests of visual amenity, pursuant to Policy DM1 of the Manchester Core Strategy.

4) No above ground works shall commence unless and until samples and/or specifications of all roofing materials have been submitted to and approved in writing by the City Council as local planning authority. The approved materials shall then be implemented as part of the development.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

64 Chalford Road, Manchester, M23 2SG
67 Chalford Road, Manchester, M23 2SG
65 Chalford Road, Manchester, M23 2SG
63 Chalford Road, Manchester, M23 2SG
61 Chalford Road, Manchester, M23 2SG
59 Chalford Road, Manchester, M23 2SG
68 Chalford Road, Manchester, M23 2SG
66 Chalford Road, Manchester, M23 2SG

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Area Team Boundary - Name: SOUTH AREA