MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141346/NMC/2024
Date registered valid:	29 October 2024
Proposal:	Non material amendment to planning permission referenced 139195/FH/2024 to allow elevational and roof alterations
Address:	65 Meltham Avenue, Manchester, M20 1FE
Ward(s):	Old Moat Ward
Applicant:	Mr J Tahanha
Agent (if any):	Mrs E Caunce, House Architects
Case officer:	Janet Lawless Tel: 0161 234 4535 Email: janet.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	20 November 2024

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: Non required

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
The property that is the subject of this householder application is identified as 65 Meltham Avenue. It is a brick built two storey semi-detached property. It has gardens to the front and rear with a low wall boundary to the frontage and timber panel fencing and established planting to the side and rear boundaries. There is in curtilage parking to the property frontage. There is an existing single storey rear extension which occupies the full width of the property projecting 3.65 metres.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area
The area is predominantly residential with a mix of house types ranging from detached to semi-detached to terraced properties. It is close to local services with a number of local schools in the vicinity and green spaces, such as Cavendish Road Park. It is well served by public transport.

Description of development
The proposal is for a non-material change application to make minor adjustments to the previously approved proposal Ref:139195. The proposed changes are referred to below in the non- material change section.

Consultations & Notification Responses
No consultations are required for this type of application.

Issues

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

o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
o Policy DM 1 - Development Management
o Policy SP1 - Spatial Principles
o Policy EN1 - Design Principles
o Policy EN19 Waste
o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Places for Everyone Plan - The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.
To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation. The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8-week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023. Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on
the proposed Modifications before finalising the examination report. Given the stage the Plan has reached and level of public consultation and scrutiny it has received, 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.

Non- Material Changes
The proposal is for the part two storey side extension and a first- floor extension across part of the rear of the dwellinghouse. The rearward projection is only 3.65m, the side extension wraps around creating an 'L' shaped extension.
The extension to the existing dwellinghouse would provide additional living accommodation in the form of a utility room, WC and cloakrooms, with an additional bedroom with en-suite, dressing room and reconfigured bathroom to the first floor. There is a window proposed to the first floor in the rear of the extension that would serve the rear bedroom. This had originally been proposed as a Juliette balcony, however, is now proposed as a simple window which has a slight reduction in the amount of glazing to that previously approved.

The window to the frontage in the extension to the first floor is now to be omitted and instead replaced with a Velux roof light. This would have no impact upon the level of residential or visual amenity currently enjoyed by the neighbouring properties and is considered an acceptable variation under a non- material change.

The extension to the side is set back from the first floor and the ridge line of the extension is set down from the existing ridge of the host property. Under the non- material change the set back from the existing property frontage and the set down from the existing roof slightly however, the

appearance is the same. There are two small windows proposed in the side elevation to the first floor, one serves the en-suite bathroom, the other the stairway these are proposed to increase slightly in width.
The previous approval incorporated a glass roof across the existing ground floor extension on the common boundary, however this is now to retain the skylight windows as existing.
The proposed amendments have been assessed, and it can be confirmed that the changes are considered to be of a non-material nature and are considered to be acceptable to the City Council as the Local Planning Authority.

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 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: Approve

The proposed amendment relates to minor changes to the previously approved scheme which result in a reduced footprint, lowering of proposed roof, replacement of the Juliette balcony with just a window in the same location, a slight increase to two non- habitable obscurely glazed windows and omittance of one small window to the front elevation. These changes require the amendment to the wording within condition number 2 the specified plans condition.

Following an assessment of the details submitted, I 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 change will not result in any significant or material alterations to the primary planning permission.

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

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:
PL01 Rev B-Proposed floor plans Received 22nd October 2024
PL02 Rev C- Proposed Elevations Received 29th October 2024
SP01 Rev B- Proposed Site Plan Received 22nd October 2024

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

None required

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA