MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141092/JO/2024
Date registered valid:	23 September 2024
Proposal:	Variation of condition number 3 (materials) attached to planning approval reference 130938/FH/2021 to allow a change to the finished materials to windows, doors and roof tiles.
Address:	2 Montcliffe Crescent, Manchester, M16 8GR
Ward(s):	Whalley Range Ward
Applicant:	Mr Tahir Iqbal
Agent (if any):	Mr Saghir Hussain, Create It Studio Architects
Case officer:	Jake Walther Tel: 0161 234 1632 Email: jake.walther@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**11/11/2024**

Application details

Type of application: Variation or Removal of Condition

Development type: Householder

Date of site visit: 07/11/2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 3 October 2024 Expired: 24 October 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
The application site relates to 2 Montcliffe Crescent within the ward of Whalley Range in south Manchester. The application site relates to a modern two storey detached dwellinghouse (see Figure 1). The property has been substantially developed following recent planning consent (see further details below) and on-site the external construction works appeared complete. Amenity space for the site consists of an off-street driveway to the front and further amenity space to the side and rear.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area
The area is a predominantly residential area. To the north is a detached property, which has a two storey rear extension and a single storey side extension on the side of the property remote from the application site, neither of which appear to have consent. To the east on Broadmeadow Avenue is the rear garden of a house. To the south is the sports hall to William Hulme Grammar School. Facing the site across Montcliffe Crescent is a heavily extended dwelling.

Description of development
Following the granting of planning permission, the applicant has sought to amend Condition 3 (materials) to allow for a change to the finish of roof tiles, doors and window frames.

Planning History
140668/FH/2024 - Retention of the external roof canopy and changes to the roof design to the front, side and rear single-storey elements. Approved 24 September 2024.

140284/NMC/2024- Non-Material Change to planning application 130938/FH/2021 to allow external changes to the elevation, including the position of the external windows and external doors. Approved 12 July 2024.

138896/NMC/2023- non-material amendment to planning permission reference 130938/FH/2021 to allow external changes to the elevations including the position of the external windows, removal of window and door in south elevation, insertion of window in rear elevation and new bi-fold doors on the rear elevation. Approved 18 January 2024.

130938/FH/2021- Erection of part single, part two storey rear and side extensions to provide additional living accommodation. Approved 9 August 2021. Further planning history exists for the development of the new build estate

Consultations & Notification Responses
Nearby properties were notified of the proposals, 2no. objections received in response to the application, the responses can be summarised as follows:

- The grey roof tiles will create a visual inconsistency with other properties on the estate.

Policy
The National Planning Policy Framework (December 2023)

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. ii. Chapter 12. Achieving well-designed and beautiful 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) and Policy EN1 (Design Principles and Strategic Character Areas).

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).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned.
b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole.
c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

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 CABE 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:

a. JP- S1- Sustainable development

Variation of Condition 3 (materials)

The application of 130938/FH/2021 was approved with a condition stating that all materials to be used must match the host property in terms external materials. Prior to development, the host dwellinghouse made use of dark red roof tiles, with white uPVC windows and doors. The extension has used black concrete roof tiles, grey/anthracite window and door frames and dark grey fascia boards thus requiring the need to vary the condition. In conjunction with the extension, the applicant has refreshed the host dwellinghouse doors, windows, roof, guttering and fascia boards in the same style as the extension, thus the extension and host dwellinghouse match and appear uniform.

As the property is not located within any conservation area, and there are no article 4 directions in place relating to permitted development rights, the changing of roof tiles, windows, doors and

guttering can all be undertaken within Class' A and C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Conclusion
The variation of the specified materials is acceptable. The change is considered to be appropriate in terms of design and visual amenity. The varied proposal is considered pursuant to Policy DC1 of the UDP and Policies DM1 and SP1 of the Core Strategy.

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

Article 35 Declaration
The application has been considered in a positive and proactive manner as required by The Town and Country Planning (Development Management Procedure) (England) Order 2015 and any problems and/or issues arising in relation to dealing with the application have been communicated to the applicant.

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

1. The development hereby approved shall be carried out in accordance with the following drawings and documents:
   A1348(02)001 Revision E received 2 July 2021
   A1348(02)002 Revision E received 2 July 2021
   A1348(02)003 Revision E received 2 July 2021
   Material Schedule – Received 23 September 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.

2. The development hereby approved shall be constructed using materials stipulated in the material schedule supporting information document.

   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 Core Strategy.

3. Before first occupation the proposed window in the first-floor north elevation shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

   Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

William Hulmes Grammar School Academy, Springbridge Road, Manchester, M16 8PR
4 Montcliffe Crescent, Manchester, M16 8GR
2 Broadmeadow Avenue, Manchester, M16 8GS
3 Montcliffe Crescent, Manchester, M16 8GR
1 Montcliffe Crescent, Manchester, M16 8GR

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