MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140002/NMC/2024
Date registered valid:	14 May 2024
Proposal:	Non Material Change to planning application 138718/FH/2023 to allow retention of door to rear elevation and replacement of rooflight with two smaller roof lights
Address:	21 Brookfield Avenue, Manchester, M21 8TX
Ward(s):	Chorlton Park Ward
Applicant:	Mr Gareth Davies
Agent (if any):	Daniel Edmiston, 6 Design Consulting LLP
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**11 June 2024**

Application details

Type of application: Non-Material Change Application

Development type: Notifications

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: No

Tree Preservation Order: No

Description of area

The application site relates to 21 Brookfield Avenue within the south Manchester ward of Chorlton Park. The application site relates to a terraced, red brick, two storey dwellinghouse of a Victorian period. The property is characterised by amenity space to the front in the form of soft and hard landscaping and further amenity space to the rear of the property in the form of a small courtyard with hardstanding. The rear of the property benefits from an existing two storey outrigger.

The surrounding area is residential in character.

Description of development

The site is subject of the following planning permission- 138718/FH/2023-Erection of single storey rear extension to provide additional living accommodation- approved 2 February 2024.

Through the current application, consent is sought for a non-material amendment to 138718/FH/2023 to allow retention of door to rear elevation and replacement of rooflight with two smaller roof lights. This is due to an amendment in line with the proposed use of the space and by retaining the existing door. The need to change the formation of the roof light would be to reduce the structural requirement and to reduce the overall cost of the development.

As already approved, the single storey rear extension would infill the space between the existing two storey outrigger and the shared boundary with no.19 Brookfield Avenue and would align with the projection of the existing two storey outrigger. As such, the proposal would have approximate dimensions of Height: 3.3 x Length: 3.7 x Width: 4.9 metres. The proposal would involve the insertion of a door and window within the rear elevation and a large skylight and would create a new dining room for the site.

Materials to be used would be:
-red brick walls to match existing
-tiled roof to match existing
-alumimum triple glazed windows and
doors- colour to match existing.

Due to the height, the steps associated with the development would not require planning consent.

Further Planning History

No planning history exists for this site.

Consultations & Notification Responses

N/A.

Issues

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. 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).

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:
i.JP- S1- Sustainable development

ISSUES

Principle of Amendment

Through the current application, consent is sought for a non-material amendment to 138718/FH/2023 to allow retention of door to rear elevation and replacement of rooflight with two smaller roof lights. The changes would have a marginal impact on the overall design and appearance of the site and would be considered non-material changes. In addition, it would not alter the character or appearance of the building or site, nor would it significantly affect the relationship of the development to its context.

Visual/ Residential Amenity

As a result of the proposal, the door within the rear elevation of the host property would not alter. As previously approved the existing door changed to a window. It is noted that this element of development would not have required consent originally given the change is in the host property and given the available use of permitted development rights. As such, no change in terms of visual/residential amenity would occur to the surrounding neighbours than that of the existing circumstances.

The proposed rear door would change to a top opening window within the rear elevation of the proposal. Given the development is at ground floor only, the insertion of the window would not give rise to any adverse privacy implications. Given no.21 Brookfield Avenue looks onto its own rear boundary wall and given the separation to the neighbour to the rear from the alleyway, no adverse privacy implications would occur to the properties to the rear of the applicant site, along Beechwood Avenue.

The roof light form would change from one large skylight to two smaller roof lights. Given the nature of the development it would not give rise to any adverse residential/ visual amenity Implications.

Overall, the amendments would not have an adverse impact upon visual/ residential amenity.

Design

The changes would have a minimal impact on the design of the proposal and has been amended in line with the proposed use of the space and by retaining the existing door. The need to change the formation of the roof light would be to reduce the structural requirement and to reduce the overall cost of the development. The design would have a marginal impact on the appearance of the proposed building and would not adversely impact the character of the surrounding residential area.

Conclusion

Following an assessment of the details submitted, I can confirm that the proposed amendment is considered to be of a non-material nature and is considered to be acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed change would have no material impact upon the character of the development or in terms of visual/residential amenity.

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
N/A.

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

1) The details of the proposed amendment relate to allowing the retention of door to rear elevation and replacement of rooflight with two smaller roof lights.

2) Following an assessment of the details submitted, I can confirm that the proposed amendment is considered to be of a non-material nature and is considered to be acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed change will have no material impact upon the character of the development or upon the visual amenity of nearby occupiers.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:
-Application Form, stamped as received by the City Council as Local Planning Authority on 4 December 2023.
-Drawing- Location Plan, stamped as received by the City Council as Local Planning Authority on 8 December 2023.
-Drawing- Proposed- Layouts, numbered 23_033_102 REV 3, stamped as received by the City Council as Local Planning Authority on 10 January 2024.

As amended by:
-Application for a Non-Material Amendment following a Grant of Planning Permission, stamped as received by the City Council as Local Planning Authority on 14 May 2024.
-Drawing- Proposed- Plans and Elevations, numbered 23_033_102, stamped as received by the City Council as Local Planning Authority on 14 May 2024.
-Drawing- Location Plan, numbered 23_039_105, stamped as received by the City Council as Local Planning Authority on 14 May 2024.

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.

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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Area Team Boundary - Name: SOUTH AREA