Planning

Growth & Development

Delegated officer report for planning application

Application no.	138262/NMC/2023
Date registered valid:	6 October 2023
Proposal:	Non-material amendment application to planning approval reference 135284/FH/2022 to allow the addition of window within dormer construction and addition of new window and skylight to garage
Address:	36 Meadow Bank, Manchester, M21 8EE
Ward(s):	Chorlton Ward
Applicant:	Mr & Mrs Chambers
Agent (if any):	Ms Sarah Bolsover, Smashbox Architecture
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	01 November 2023

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: Not 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

Listed building: Not applicable

Conservation area: Chorltonville Conservation Area 1992

Tree Preservation Order: Not applicable

The application relates to a large two storey semi-detached C3 dwellinghouse of pebbledash in an arts and crafts style which is typical of the area. The property features pebbledash, bay windows, a hipped roof, a driveway and gardens to the front and rear.

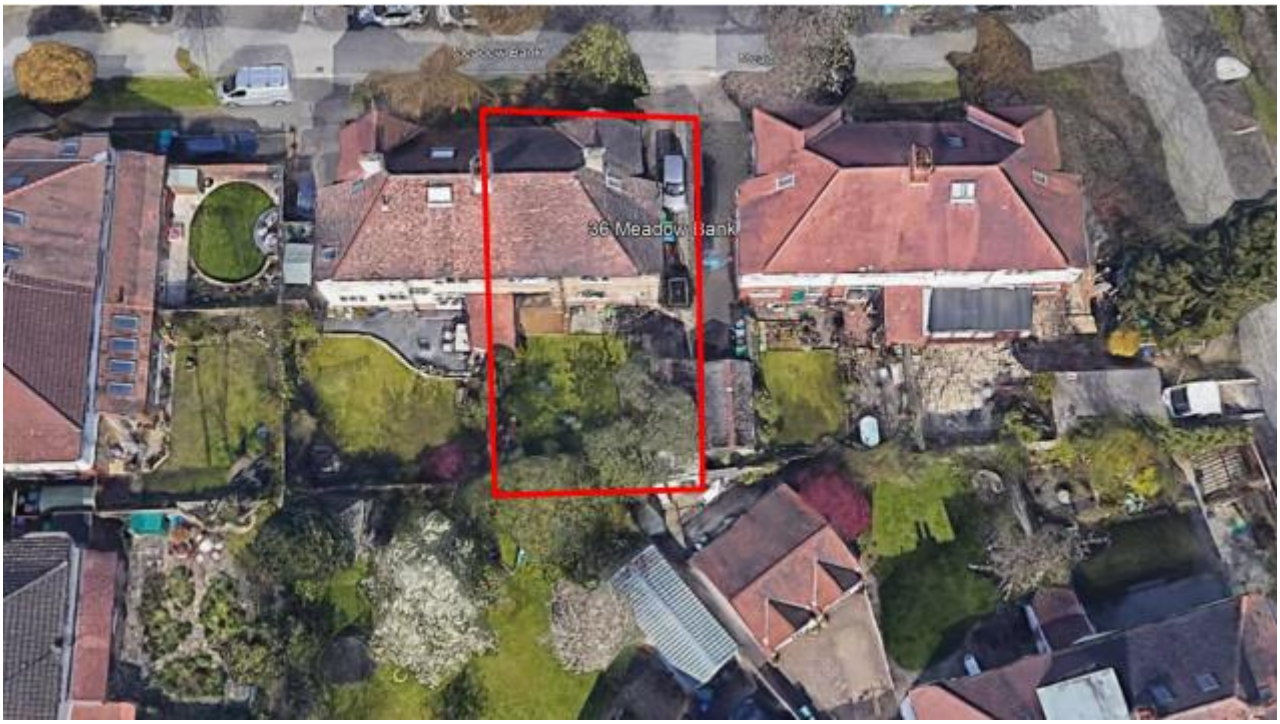


Figure 1. Excerpt from Google Earth, with application site outlined in red.

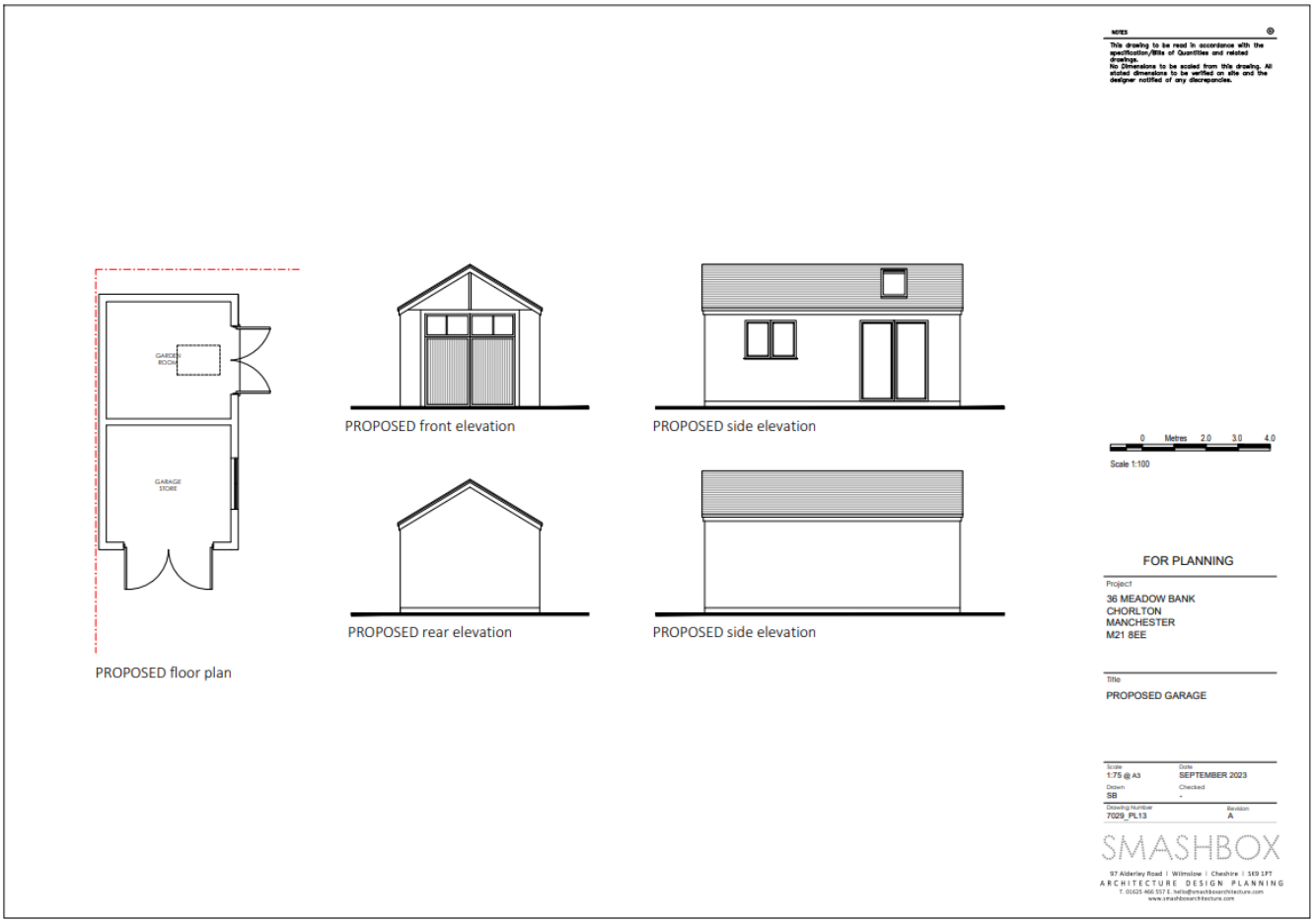


Figure 2. Submitted proposed plans and elevations of detached garage.

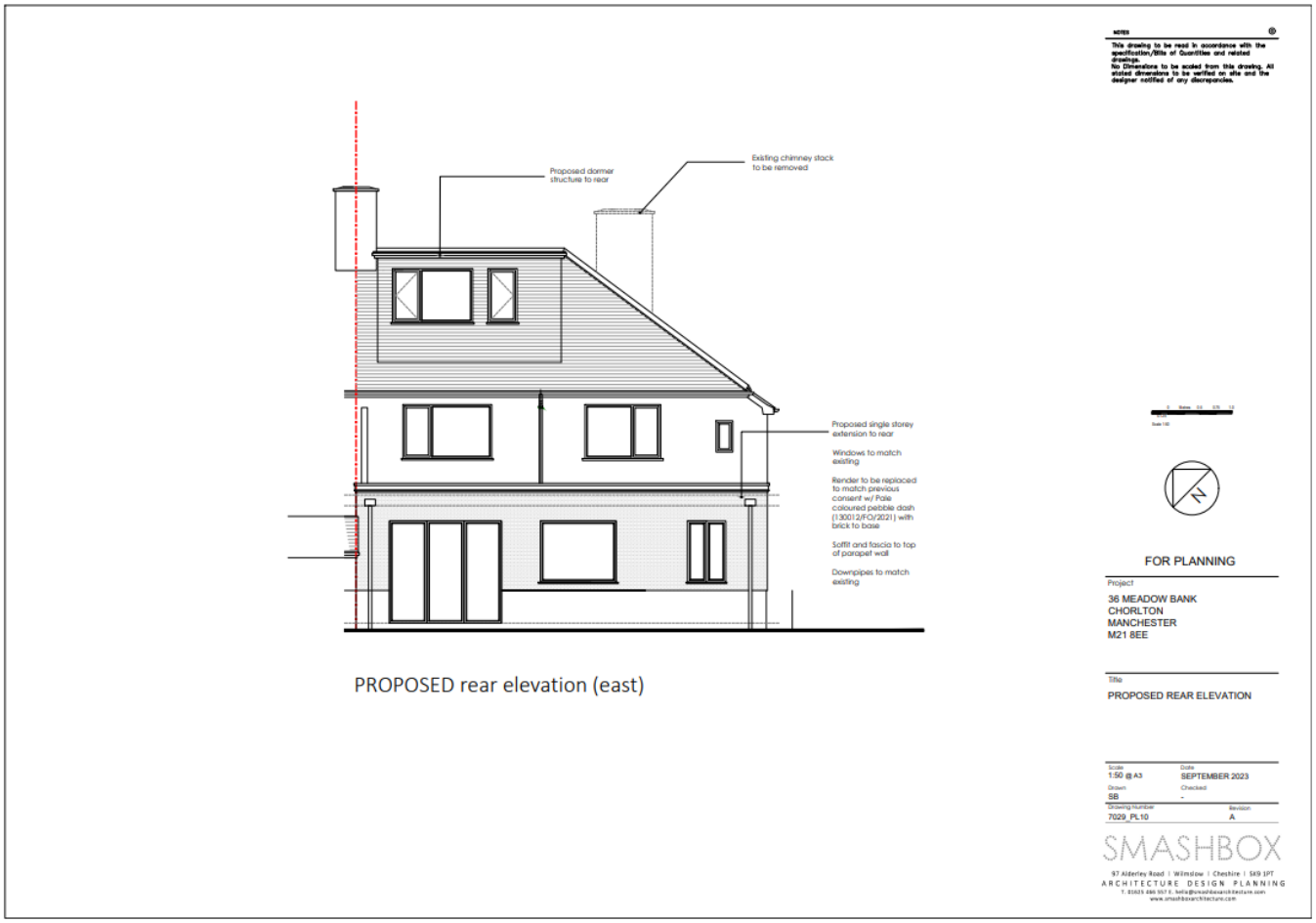


Figure 3. Submitted proposed rear elevation of property.

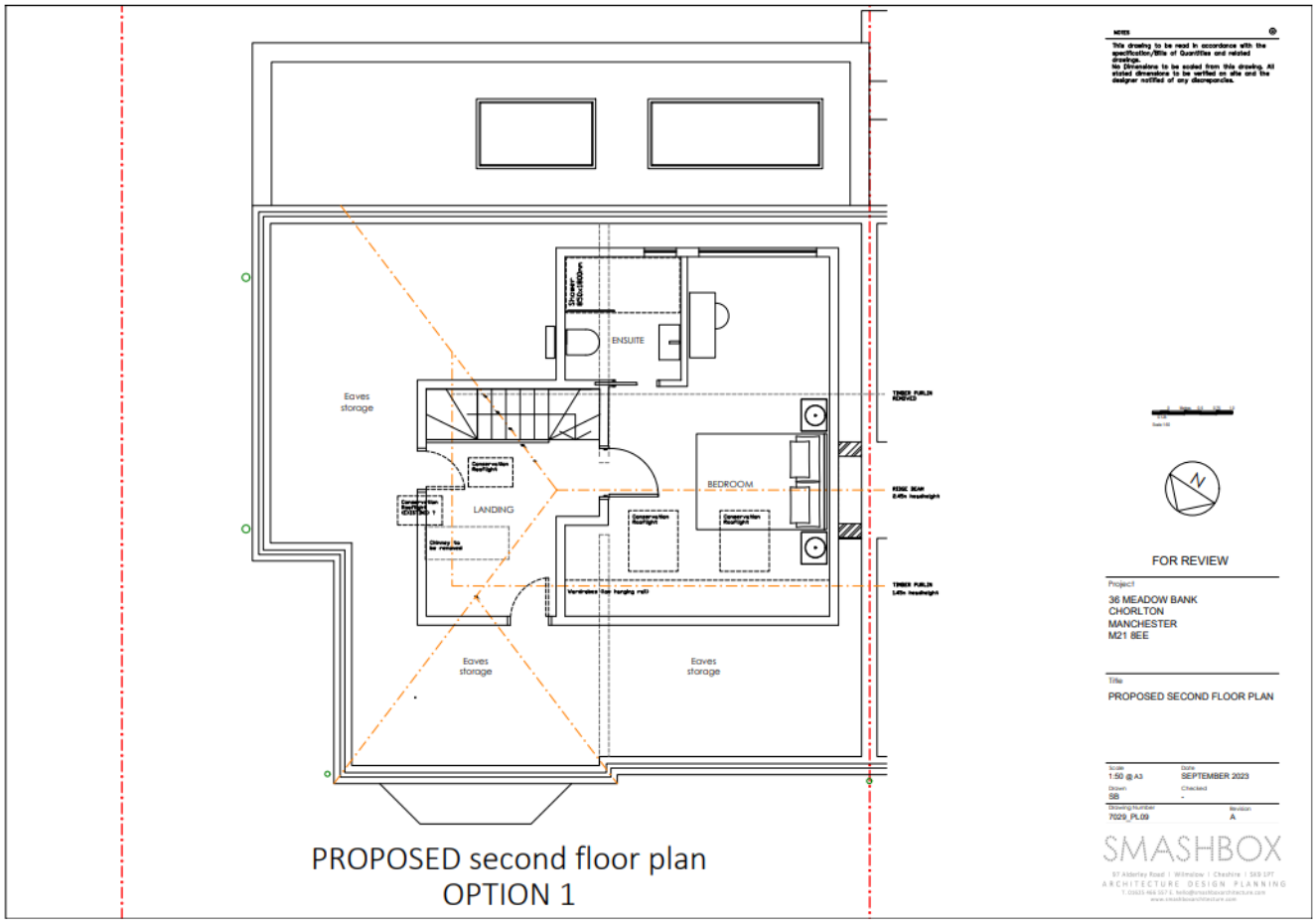


Figure 4. Submitted proposed second floor plan of property.

Description of area

Meadow Bank lies within the Chorltonville Conservation Area; a small garden village constructed in the early 1900s, predominantly characterised by detached and semi-detached family dwellinghouses of brick and render in the arts and crafts style. The property is situated on the western side of the village, on a tree-lined street consisting of a variety of large family dwellinghouses arranged in semis.

Description of development

The applicant gained permission for the erection of a single storey rear extension, installation of a rear roof dormer, insertion of 2no. roof lights to the front and side and associated elevational alterations together with the installation of a new roof and elevational alterations to the existing detached garage to provide additional living accommodation this year under planning application reference 135284/FH/2022. They now wish to make minor alterations to the design of the detached garage and rear roof dormer 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 11th July 2012:
- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF, 2021)
- Chapter 12 – Achieving well-designed places

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.

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

Materiality

Section 96A of the 1990 Act (as inserted on 1st October 2009 by sec.190 of the Planning Act 2008) allows a local planning authority in England to make a change to any planning permission relating to land in its area if it is 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 application 135284/FH/2022 which granted permission for the erection of a single storey rear extension, installation of a rear roof dormer, insertion of 2no. roof lights to the front and side and associated elevational alterations together with the installation of a new roof and elevational alterations to the existing detached garage to

provide additional living accommodation for a family dwellinghouse. The applicant now seeks to make the following amendments to the approved scheme:

- Addition of a new window and skylight to the detached garage.
- Addition of a new window to the rear elevation of the rear dormer extension.

Originally, the detached garage was proposed to have a blank dual pitch roof and its southwest side elevation was to feature one set of outward-opening doors. The only changes to this design would be the inclusion of one flat skylight to its southwest-facing roof slope, and one window to its southwest side elevation to allow for additional light into the garden room and garage store. The rear dormer was originally proposed to feature one window along its rear elevation. The only changes to this design would be the inclusion of an additional window along the rear elevation to allow for additional light into the upstairs ensuite bathroom.

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 visual and residential amenity 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 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

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 proposed rear dormer and detached garage consisting of: the addition of a new window and skylight to the detached garage and the addition of a new window to the rear elevation of the rear dormer extension.

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', stamped as received by the City Council as Local Planning Authority on the 6th October 2023.
-'PROPOSED SECOND FLOOR PLAN', numbered '7029_PL09 REV A', stamped as received by the City Council as Local Planning Authority on the 6th October 2023.
-'PROPOSED REAR ELEVATION', numbered '7029_PL10 REV A', stamped as received by the City Council as Local Planning Authority on the 6th October 2023.

-‘PROPOSED GARAGE’, numbered ‘7029_PL13 REV A’, stamped as received by the City Council as Local Planning Authority on the 6th October 2023.

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

Not required

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
Conservation Area - Chorltonville Conservation Area 1992
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: SOUTH AREA