MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138896/NMC/2023
Date registered valid:	22 December 2023
Proposal:	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.
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:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**18 January 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 2 Montcliffe Crescent within the ward of Whalley Range in south Manchester. The application site relates to a modern two storey detached house, there is a single storey attached garage to the right and a projecting entrance porch. The building has not been extended. The property is of brick construction with a dual pitch roof. The property occupies a large irregular shaped site on the outside of a bend in the street.

This 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

The site is the subject of the following planning permission granted on 9 August 2021- Erection of part single, part two storey rear and side extensions to provide additional living accommodation.

Through the current application, consent is sought for a 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.

As already approved, consent is sought to erect a two storey side extension to replace the existing garage. The extension would project 4.5 metres beyond the side wall of the main building and 2 metres beyond the line of the garage. The extension would be the full depth of the original property with no set backs at either ground or first floor level at the front. It is also proposed to erect a part single part two storey extension across the full width of the extended property, projecting 4.5 metres at ground floor level and 3.3 metres at first floor level. Finally, it is proposed to add a single storey wrap around extension to the front and side of the side extension. This would project 1 metre at the front and 1.7 metres at the side.

The side extension would have a dual pitch roof. The first floor rear extension would have a hipped roof and the ground floor a mono pitch. The wrap around extension would have a mono pitch roof.

Through the current non-material amendment application, elevational alterations would occur. This would involve:
-within the proposed south elevation- removal of window and door and re-positioning of the ground floor window,
-proposed east elevation- insertion of window on ground floor and change of windows to bi-fold doors.
-within the proposed west elevation- no change.

In addition, insertion of 1 window would be placed within the host property (north elevation). The agent confirmed this window would be inserted through the route of Permitted Development and so is not assessed within this application.

Further planning history at the site:

Further planning history exists for the development of the estate, including planning ref: 27649.

Consultations & Notification Responses

Local residents and consultee 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).

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

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.

The following policies are relevant:
i.JP- S1- Sustainable development
ii.JP- S2 – Carbon and energy
iii.JP- S5 – Flood risk and the water environment
iv.JP- H1 – Scale, distribution and phasing of new housing.

ISSUES

Principle of Amendment

This application seeks a 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. The changes would have a marginal impact on the overall design and appearance of the building and would be considered non-material changes. In addition, it would not alter the character or appearance of the building, nor would it significantly affect the relationship of the development to its context.

Visual/ Residential Amenity

Within the proposed south elevation, a window and door would be removed and the ground floor window would be re-positioned. As fenestration would be removed in this elevation, any harm to surrounding properties would be reduced. However, given this elevation would look onto boundary treatment separating the site with the grounds of the Grammar school, no adverse implications would occur. The re-positioning of the ground floor window would relate to a bathroom. A condition would be attached to any approval granted to obscure glazed the window, to protect the privacy of the applicant.

Within the proposed east elevation, a window would be inserted on the ground floor and the windows would be changed to bi-fold doors. The windows and doors would look onto rear amenity space in connection with the host property and would not give rise to adverse privacy implications to any surrounding properties.

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 extension and would offer a different arrangement of fenestration throughout the proposal. Both options would be acceptable in terms of design and appearance. The applicant wishes to alter the design due to a change in the internal layout of the development. As such, the changes would not detrimentally impact the form and appearance of the extension, nor the wider streetscene. The change is therefore considered acceptable, pursuant to Policy DC1 of the UDP.

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

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

1) The details of the proposed amendment relates to 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.

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:

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

As amended by:
Application for a Non-Material Amendment Following a Grant of Planning Permission received 22 December 2023
A1348(02)003 REV H received 22 December 2023
A1348(02)001 REV H received 22 December 2023
A1348(02)002 REV I received 16 January 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.

3) Before first occupation, the ground floor bathroom window within the proposed south elevation as shown on the approved 'A1348(02)002 REV I' received 16 January 2024, 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 properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the 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