

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137046/NMC/2023

Date registered valid: 22 May 2023

Proposal: Non-Material Amendment to planning permission 135856/FH/2022 to allow for the installation of two Velux roof windows to the rear extension.

Address: 64 Arnfield Road, Manchester, M20 4AR

Ward(s): Withington Ward

Applicant: Miss Lucy Evans

Agent (if any): Mr Terrence Thackeray

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 15 June 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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two-storey C3 semi-detached dwellinghouse of redbrick and white render and a grey concrete tile hipped roof. The property features white uPVC windows, including a two-storey bay at both its front and rear, a front porch canopy, paved driveway, single-storey rear outrigger, spacious rear garden and outbuilding to the rear.



Figure 1. Principal elevation of property.



Figure 2. Rear view of property.

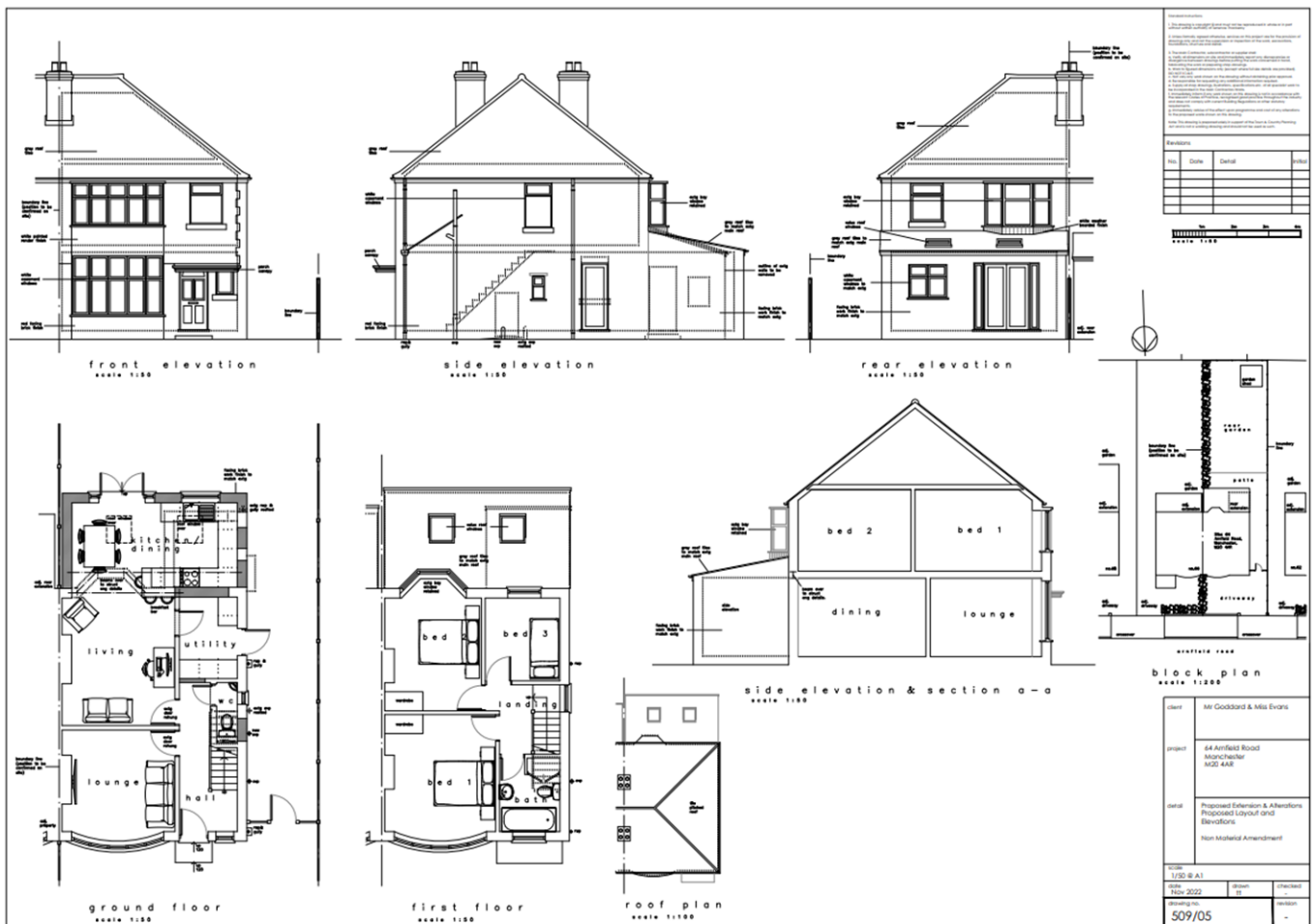


Figure 3. Submitted proposed plans and elevations.

Description of area

Arnfield Road is a residential street situated within the Withington ward of Manchester, close to Withington high street, Shaw Brook, and St Paul's Church of England Primary School. The area predominantly consists of semi-detached residential properties with spacious rear gardens.

Description of development

The applicant gained permission to build a single storey rear extension to provide additional living accommodation this year under planning application reference 135856/FH/2022. They now wish to make minor alterations to the design of the rear extension 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

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 135856/FH/2022 which granted permission for the erection of a single storey rear extension to provide additional living accommodation for a family dwellinghouse. The applicant now seeks to make the following amendments to the approved scheme:

- Installation of two Velux roof windows to the rear extension.

Originally, the rear extension was proposed to have a blank mono pitch roof consisting of grey concrete roof tiles to match the existing. The only changes to this design would be the inclusion of two Velux roof windows on the rear-facing roof of the extension to allow for additional light into the new kitchen / dining area.

This alteration is not considered to materially change the extension or cause additional harm to neighbouring residents or the street scene. Hence, it is considered that the proposed amendment is 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 policies 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 extension consisting of: the installation of two Velux roof windows to its rear-facing roof.

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 22nd May 2023.
- 'Proposed Extension & Alterations. Proposed Layout and Elevations. Non Material Amendment', numbered '509/05', stamped as received by the City Council as Local Planning Authority on the 22nd May 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

Area Team Boundary - Name: SOUTH AREA