

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138140/NMC/2023

Date registered valid: 19 September 2023

Proposal: Non-material amendment to planning approval reference 135579/FH/2022 to allow for an alteration to the size and style of the rear facing window and glazed doors; and alterations to roof lights.

Address: 3 St Aldwyns Road, Manchester, M20 3JF

Ward(s): Didsbury West Ward

Applicant: Mr Brad & Mrs Kay Blundell

Agent (if any): Mrs Magdalena Haener, Pride Road Manchester South

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 13 October 2023

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: Ballbrook Conservation Area 1992

Tree Preservation Order: No

Description of area

The application site relates to 3 St Aldwyns Road within the south Manchester ward of Didsbury West. The application site is a two storey, four bedroom, semi-detached property built in 1913 with white render to the front and side elevation, with the rear elevation made of built red brick. The property sits within the Ballbrook Conservation Area and consists of architectural features of the Conservation Area, including bay windows, brick work, render decoration and clay roof tiles. Amenity space to the front of the property is characterised by soft landscaping and a driveway to the side and amenity space to the rear is characterised by a grassed area, paved patio and timber decking. Two existing single storey outriggers and two sheds are sited in the rear.

The applicant site is surrounded by residential properties. To the north, the property is adjoined to number 1 St Aldwyns Road. To the south the property shares a boundary with number 5 St Aldwyns Road. The rectangular rear garden backs onto the rear of similar style properties along Lyndhurst Road.

Description of development

The site is the subject of the following planning permission granted on 18 January 2023-135579/FH/2022 - Erection of a rear single-storey infill extension to provide additional living accommodation, and new and replacement render to all external elevations of the host property.

Through the current application, consent is sought for a non-material amendment to planning approval reference 135579/FH/2022 to allow for an alteration to the size and style of the rear facing window and glazed doors; and alterations to roof lights.

As already approved, the single storey infill extension would fill the gap between the two single storey outriggers at the property and would have approximate dimensions of Height: 2.8 (to the eaves)/ 4.2 (to the highest point) x Length: 2.8 x Width: 4.2 metres. The proposal would create an enlarged kitchen/dining room and a small bathroom. Materials to be used for the rear extension would match the materials within the host property.

All the existing render on the front and side elevation of the applicant property would be replaced as part of the proposal, as approved under 135579/FH/2022. In addition, the side elevation of the proposed extension would be painted in render, as would part of the rear elevation of the proposal and the first floor of the host property's rear elevation. As such, the amount of built form covered in white render would increase. As confirmed by the agent via email on 5 January 2023, the white would be a 'through colour white render' and would be a K Rend lime render. This would match the host property. The agent provided the following specification for the render: <https://www.k-rend.co.uk/products/hydraulic-lime-renders-mortars>.

Through the current non-material amendment application, the size and style of windows and doors within the rear elevation of the proposal would change; as would the amount and position of rooflights.

Fenestration along the rear elevation of the proposal as approved under 135579/FH/2022 consisted of 4 windows and French doors and 4 skylights inserted in the roof plane, one considerably smaller in size than the others. The amended arrangements of fenestration along the rear elevation of the extension proposed would be as followed: 2 windows and a set of sliding doors. 3 skylights would be inserted in the roof plane, one would be considerably smaller in size than the others.

Further planning history on the site:

123642/TCA/2019- Works to tree - proposed felling of damson tree in rear garden.
Deemed Approval- 22 July 2019.

Consultations & Notification Responses

N/A.

Issues

POLICY

The National Planning Policy Framework (September 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 – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

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); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The impact; on the surrounding areas; in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area. The effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1 (Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in

national planning guidance and have regard to the strategic character area in which the development is located.

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).

DC1.5 The council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas.

- a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i) the relationship of new structures to neighbouring buildings and spaces;
 - ii) the effect of major changes to the appearance of existing buildings;
 - iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
 - iv) the effect of signs and advertisements;
 - v) any further guidance on specific areas which has been approved by the Council.
- b. The Council will not normally grant outline planning permission for development within Conservation Areas.

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 CABI 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.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

Listed Building Act

Section 72 provides an exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Places for Everyone Plan

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.

ISSUES

Principle of Amendment

This application seeks a non-material amendment to planning permission referenced 135579/FH/2022 to allow for an alteration to the size and style of the rear facing window and glazed doors; and alterations to roof lights. The changes would have a marginal impact on the overall design and appearance of the building, would be contained to the rear of the host property 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

Fenestration along the rear elevation of the proposal as approved under 135579/FH/2022 consisted of 4 windows and French doors and 4 skylights inserted in the roof plane, one considerably smaller in size than the others. The proposed arrangements of fenestration along the rear elevation of the extension would be as followed: 2 windows and a set of sliding doors. 3 skylights would be inserted in the roof plane, one would be considerably smaller in size than the others.

Changes to the fenestration within the rear elevation of the proposal would only be visible from within the applicant's rear amenity space or from properties along Lyndhurst Road. Chances for overlooking into the applicant's rear amenity space would be limited due to the boundary treatment and soft landscaping separating the properties. As the overall number of windows/doors would reduce through the current NMC application any opportunities for overlooking would reduce even further. The change from 4 to 3 roof lights would have no implications in terms of 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 along the rear elevation and proposed roof of the proposal. Both options would be acceptable in terms of design and appearance. However, the applicant has requested the changes due to the re-configuration of the new kitchen layout meaning the new door and window arrangement would provide an improved use of the available wall and floor space. As such, the changes would not detrimentally impact the form and appearance of the extension, or character of the host property, nor the Ballbrook Conservation Area. The change is therefore considered acceptable, pursuant to Policy DC1 of the UDP.

Ballbrook Conservation Area

Ballbrook Conservation Area is situated approximately four miles south of Manchester city centre. Adjacent to Blackburn Park Conservation Area, Ballbrook is predominantly residential in nature. The conservation area, designated in November 1991, extends to just over ten

hectares, bounded by Wilmslow Road to the east, Lapwing Lane to the south-west, Palatine Road to the north-west and Sandleigh Avenue to the north. Although more of the stained glass has gone from these houses, they have a fine character with canted bays, half-timbered gables, hood moulds and key blocks over the arched windows. The houses, mostly two-storey, are also largely smooth red brick, many with rendered or pebble-dash panels at first floor level, and some with half-timbered gables.

Policy EN3 requires that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas including conservation areas. Saved UDP Policy 18 considers the relationship of new structures to neighbouring buildings, in relation to conservation areas.

The changes proposed through the non-material amendment application are not considered to be easily visible from vantage points of the Conservation Area. As such, the amendments applied for would not alter the character of the streetscene and conservation area. Whilst the rear of the property can be seen from Lyndhurst Road, as the proposal is an infill extension and does not extend beyond the existing rear projection of the existing outriggers, it would not be easily seen, as would the changes to the fenestration proposed. The proposed kitchen window would more closely reflect the existing kitchen window at the site, thus an improvement to the Conservation Area by retaining the original features of the host property more closely.

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 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

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 alteration to the size and style of the rear facing window and glazed doors; and alterations to 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:

- Householder Application for Planning Permission for works or extension to a dwelling, stamped as received by the City Council as Local Planning Authority on 24 November 2022.
- Drawing- Proposed- Floor Plans 1 of 2, numbered 10, stamped as received by the City Council as Local Planning Authority on 24 November 2022.
- Drawing- Proposed- Floor Plans 2 of 2, numbered 11, stamped as received by the City Council as Local Planning Authority on 24 November 2022.
- Drawing- Proposed- Elevations, numbered 12, stamped as received by the City Council as Local Planning Authority on 24 November 2022.
- Drawing- Location Plan- Block & Location Plans, numbered 16, stamped as received by the City Council as Local Planning Authority on 24 November 2022.
- Correspondence- Agent Response, stamped as received by the City Council as Local Planning Authority on 5 January 2023.
- Heritage Statement stamped as received by the City Council as Local Planning Authority on 17 January 2023.

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 the 28 September 2023.
- Drawing- Proposed- Elevations, numbered 12B, stamped as received by the City Council as Local Planning Authority on the 19 September 2023.
- Drawing- Proposed- Floor Plans, numbered 10B, stamped as received by the City Council as Local Planning Authority on the 19 September 2023.

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

Conservation Area - Ballbrook Conservation Area 1992

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA