

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137152/NMC/2023

Date registered valid: 2 June 2023

Proposal: Non-material amendment to planning approval reference 133919/FH/2022 to allow changes to the number of windows on the front elevation

Address: 16 Montcliffe Crescent, Manchester, M16 8GR

Ward(s): Whalley Range Ward

Applicant: Mr Adel Iziz

Agent (if any): Mr Joshua Ram, C K Architectural Ltd

Case officer: Janet Lawless
Tel: 0161 234 4535
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Recommendation: Approve

Date of recommendation: 02.07.2023

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit: non 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 property that is the subject of this non- material change application is number 16 Montcliffe Crescent. It is a 2- storey detached property located on the corner of Montcliffe Crescent. It is a modern property with gardens to the front and rear. The front being open plan, with the rear being enclosed by timber panel fencing.

The property is located within the Whalley Range ward of the City.

Description of area

The area is predominantly residential in nature, comprising of semi- detached and detached properties.

Description of development

The proposal is for the erection of a 2- storey side extension together with a part single part two storey rear extension, creation of additional parking space to the front garden and a new front porch. The application as originally submitted included a two-storey rear extension, however this was reduced to create a part single part two storey rear extension.

Consultations & Notification Responses

No consultations are required for this type of application.

Issues

For reasons to be outlined below, it is considered the proposal accords with these policies.

Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy DM 1, Development Management, - Follows the principles advocated in the aforementioned policies and informs 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 given below:-

- o Appropriate Siting, layout, scale, form, massing, materials and detail.
- o 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.
- o 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 states that priority will be given to the creation of neighbourhoods of choice outside of the regional centre. In particular, developments which make a positive contribution and enhance areas for residents will be supported.

The National Planning Policy Framework (NPPF) - The NPPF replaces and revokes all Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) previously produced by Central Government. The NPPF is therefore a material planning consideration in the determination of planning applications.

The NPPF states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Unitary Development Plan (UDP)

The UDP has been superseded by the Core Strategy Development Plan, however, some policies have been saved and are still considered as part of the planning process. Policy DC1 for Residential Extensions is still considered of relevance and states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- o the general character of the property,
- o the effect upon the amenity of neighbouring occupiers,

Extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- o 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 the original buildings);
- o they do not create an undue loss of sunlight, daylight or privacy;
- o they are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details;

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

Principle of the Proposal - The principle of the proposal is acceptable it is creating additional residential accommodation on a residential property within a residential area.

Residential Amenity - The applicant proposes to build a 2 storey side extension, a part first floor part 2 storey rear extension single storey front porch and resurfacing of the front garden with block paving to provide additional parking space. The original submission proposed a full 2 storey rear extension which occupied the full width of the rear of the property up to the common boundary with number 18 Montcliffe Crescent. This was considered to have a detrimental impact upon the neighbouring property due the bulk of the proposal up against the boundary. This has been amended during the life of the application.

The extensions to the rear would project from the property by 4 metres and would be 7 metres wide across the rear for the two -storey element with the single storey rear continuing towards the boundary with number 18 Montcliffe Crescent for 2.65 metres.

The two- storey side extension would project towards number 14 Montcliffe Crescent by 2.4 metres. The front garden would comprise of a planting strip along the common boundary with number 18 Montcliffe Crescent, with the remainder of the front garden being resurfaced with a block paviour finish incorporating soakaways and gulley drains. The proposed single storey porch has a dual pitched roof.

The additional accommodation provided would be in the form of extended kitchen, WC and utility room to the ground floor with a reconfigured bathroom and additional bedroom to the first floor.

There would be one window in the side elevation to the first floor this would be a sealed unit and obscurely glazed to provide some natural light to the stairway.

The relationship of number 16 and number 14 Montcliffe Crescent are greatly staggered, with number 14 being set back from the frontage of number 16 by 4.2 metres. There is 1 landing window on the side of number 14 Montcliffe Crescent, and there would be one window on the side elevation of the 2 storey side extension of 16 Montcliffe Crescent, this would serve the stairs, would be obscurely glazed and a sealed unit, in addition the 2 windows would not be located directly opposite each other, as such there is no view into either of the respective properties from these windows. The part single part 2 storey rear extension may remove some daylight to the stair window on number 14 Montcliffe, however, would have very little impact upon the remainder of the property itself, given how far number 16 sits beyond number 14. The rear extension has been set in off the common boundary with number 18 (the adjoining semi) by 2.65 metres and is only single storey for this section. There are no windows proposed on the elevations facing onto number 18 Montcliffe, and it is considered that there would be no overlooking. The impacts of the 2 -storey rear extension whilst having some impact when viewed from the rear of number 18 is not so detrimental as to merit a refusal. There are two Juliet balconies proposed on the rear elevation, however there is no greater view afforded out of them than a window in the same elevations. The remaining windows proposed are in the front or rear elevations overlooking the applicants own garden area.

There would still be a good -sized garden retained post development for existing and future occupants.

Visual Amenity- The materials to be used would match those of the existing property and are considered acceptable. Given the relationship between number 16 and 14 Montcliffe Crescent there would be no potential for terracing. It is not considered that the proposal would have a detrimental impact upon the visual amenity of the neighbouring properties, nor on the character of the property itself or the area within which it is located.

Proposed Changes

The requested change relates purely to the fenestration within the front elevation to the ground floor, the previously approved scheme proposed two windows comprising of three panels each. The applicant now wishes for this to be one large window comprising of three panels. This would allow for greater natural light to serve the living room. The proposed change is considered acceptable and would not have a detrimental impact upon the visual amenity of the neighbouring properties, nor of the host property itself.

Design - The design of the originally submitted extension was considered to have a detrimental impact upon the neighbouring property of number 18. With the amended scheme this removes the issue with regards to the previous overbearing nature of the first floor along that common boundary. It now retains subservience to the existing property. The materials to be used would match those of the existing property. - The proposed changes would not result in a detrimental impact upon the design of the property.

Waste management - The bins are currently stored within the side or rear garden. This would not be possible post development and a bin store is proposed within the front garden it would comprise of 1.5 metre high hit and miss timber panel enclosure, with the bins still being brought kerbside on collection day. The proposed changes do not impact the waste management

Parking - The proposal would improve the current parking situation with the formation of a block paved area with gully drains and soakaways. A condition requiring the submission of the drainage detailing would be attached to any consent granted. The proposed changes do not impact the parking provision.

Comments on Previous Representations- Whilst it is acknowledged that the view from some of the neighbouring properties will be different post development, this is the case with most development. The proposal has been assessed as to whether it is so detrimental to residential amenity as to merit refusal and following the submission of the revised scheme it is considered that this is not the case, and the scheme accords with the spirit of saved policy DC1 and policy DM1 of the Manchester Core Strategy. Proposed changes. Consultation is not carried out on an application of this nature, however, having reviewed the previous comments, the proposed changes would not exacerbate the situation further, and it is still considered that the proposed development complies with the above policies.

The design is considered appropriate when viewed within the context of the wider estate and the neighbouring properties. There are other properties that have had the benefit of similar extensions and some larger than those proposed for number 16 Montcliffe Crescent. The two-storey side extension is set back and set down slightly from the host property. This is considered acceptable due to the juxtaposition of number 16 and number 14 Montcliffe Crescent which removes any potential terracing effect which could have presented itself had the properties been in line. On balance the proposal is acceptable and in accordance with saved policy DC1 and policy DM1 of the Manchester Core Strategy. Proposed changes, it is still considered that the proposed development complies with the above policies.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The application has been determined in accordance with the guidance contained within saved policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan and to policy DM1 of the Core Strategy and the National Planning Policy Framework.

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

- 1) The proposed amendments relate to the following changes to previously application approved under ref 133919/NMC/2023. The two 3 panel ground floor windows on the front elevation are to be replaced by one 3 panel window.
- 2) The development hereby approved shall be carried out in accordance with the following drawings and documents:
M16-3064 PLN Rev E 001 - Proposed Plans and Elevations Received 02.06.2023

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.

- 3) Following an assessment of the details submitted, the City Council can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes are minor in nature and would not have a significant material impact upon the overall design and external appearance of the previously approved development. It is also considered that the proposals would not have any impact on the visual amenity of the wider area.

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

Flood Zones Type 2 (low to medium risk) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA