

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137418/NMC/2023

Date registered valid: 28 June 2023

Proposal: Non-material amendment to increase the depth of the approved porch from 1.2m to 2m together with the installation of an additional window into the porch.

Address: 19 Meshaw Close, Manchester, M23 0GT

Ward(s): Brooklands Ward

Applicant: Mr Sandeep Kumar Yadala

Agent (if any): Mr Devaraja Rajan, SR Engineering Services Limited

Case officer: Joshua Lee
Tel: 0161 219 2851
Email: joshua.lee@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 29/06/2023

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

Proposal relates to semidetached dwelling house on Meshaw Close. The property has hardstanding and landscaping to the front and landscaping to the rear.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable



Figure 1. Rear 3/4 View



Figure 2. Front 3/4 view

Description of area

The proposal is related to a site in a residential part of the Brooklands Ward of Manchester. The site is adjacent to the Manchester Airport Metrolink Line.



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Description of development

Applicant is seeking a non-material amendment to increase the depth of the approved porch from 1.2m to 2m together with the installation of a new porch door.

The amendment is in relation to 136831/FH/2023 as approved 06/05/2023



Figure 1. Floor plan as approved

Figure 2. Proposed amended floorplan

Planning History

136831/FH/2023

Description: Erection of a single storey side and rear extension and front porch to provide additional living accommodation

Decision: Approved 06/05/2023

054629/FO/SOUTH3/98

Residential development comprising 176 x 2 storey houses and 2/3 storey flats

Decision: Approved 05/02/1999

Consultations & Notification Responses

Not required for this type of application

Policies & Principles

Relevant Policy

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

The following policies are considered relevant in the consideration of this application.

- [The Manchester Core Strategy Development Plan Document 2012-2027](#) ("the Core Strategy") was adopted by the City Council on 11th July 2012 and is the key document in the Manchester Local Plan. It sets out the long-term strategic policies for Manchester's future development and forms the framework that planning applications are assessed against. The following Core Strategy Policies are considered relevant to this proposal:
 - Policy DM 1 - Development Management
 - Policy SP 1 - Spatial Principles
 - Policy EN 1 - Design Principles and Strategic Character Areas
 - Policy EN 16 - Air Quality
 - Policy EN 18 - Contaminated Land and Ground Stability
 - Policy EN 19 - Waste
- [Extant Unitary Development Plan Policies \(UDP\)](#) - The Core Strategy replaced much of the UDP, but some UDP Development Control policies are extant (remain). The following extant policy are still considered relevant to this proposal.
 - Policy DC1 for Residential Extensions
 - Policy DC26 for Development and Noise
- [The National Planning Policy Framework \(The NPPF\)](#) - The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and updated on 24 July 2018, 19 February 2019, and 20 July 2021. This sets out the government's planning policies for England and how these are expected to be applied. The following sections are considered relevant to this proposal:
 - Section 4 – Decision-making

- Section 12 – Achieving well-designed places
- [Town and Country Planning Act 1990](#) – The Town and Country Planning Act 1990 is an act of the United Kingdom Parliament regulating the development of land in England and Wales. It is a central part of English land law in that it concerns town and country planning in the United Kingdom. The following sections are considered relevant to this proposal.
 - Section 96A - Power to make non-material changes to planning permission

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

Principle

In general, the principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable if there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered acceptable, and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed development is deemed to accord with all relevant policy of the Manchester Core Strategy, Extant UDP and the NPPF.

The full proposal 136831/FH/2023, approved 06/05/2023 was fully analysed against all relevant policy, details of which can be found in the Officer Report.

Town and Country Planning Act 1990 – Section 96A

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.

In this case, the application relates to an approval for the non-material changes to the approved planning permission 136831/FH/2023 to allow for the erection of a single storey side and rear extension and front porch to provide additional living accommodation.

The proposed changes are relatively minor and are considered appropriate for its residential, non-conservation area context, this is considered that any harm as the result of the proposal to be less than substantial.

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.

Conclusion

The proposed amendment is considered acceptable minor in nature and would have no more impact upon either visual or residential amenity than the approved scheme. For the above reasons, the proposal is unlikely to have any detrimental impact and therefore accords with the relevant Core Strategy, Extant UDP, NPPF policies and other material considerations.

Recommendation: Approve

Reason for Approval

1. The proposed amendment relates to the front porch to allow for a deeper porch than that previously approved.
2. Following an assessment of the details submitted, the 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 will have no significant material impact upon the appearance of the development, and it is also considered that the proposals would not have any impact on the amenity of residential properties or on the visual amenity of the wider area.

Condition(s) to be attached to decision for approval

1. The development hereby approved shall be carried out in accordance with the following drawings and documents:
 - a. *Drawing - Existing & Proposed, as received 16 July 2023, 2023-MEC-011 REV C ELEVATIONS*

- b. Drawing - Existing & Proposed, as received 16 July 2023- 2023-MEC-012 REV C ELEVATIONS*
- c. Drawing - Existing & Proposed, as received 16 July 2023- 2023-MEC-013 REV C GROUND FLOOR PLANS*
- d. Drawing - Location Plan, as received 28 Jun 2023 - 2023-MEC-014 THE LOCATION PLAN*
- e. Drawing - Site Plan, as received 28 Jun 2023 - 2023-MEC-015 REV A SITE PLAN*

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

None.

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) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH AREA