

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 136686/NMC/2023

**Date registered valid:** 6 April 2023

**Proposal:** Non material amendment to planning permission referenced 135923/FH/2023 to allow minor elevational changes to rear

**Address:** 4 Saddlecote Close, Manchester, M8 5EG

**Ward(s):** Crumpsall Ward

**Applicant:** Mr Devaraja Rajan SR Engineering Services Limited

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

**Case officer:** Adam Mitchell  
Tel: 0161 234 4165  
Email: adam.mitchell@manchester.gov.uk

**Recommendation:** APPROVE

**Date of recommendation:** 02.05.2023

## **Application details**

**Type of application:** Non-Material Change Application

**Development type:** Notifications

**Date of site visit:** N/A

### **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

**Listed building:** Not applicable

**Conservation area:**

**Tree Preservation Order:**

## **Description of Site/Area**

The application site comprises of a two storey brick built semi-detached dwelling within the Crumpsall Ward of Manchester. The property benefits from hard landscaping to the front and side and a grassed rear garden. Boundary treatment in the form of metal and timber fencing occupy the shared and rear boundaries. The area is primarily residential in character.

## **Description of development**

The site is subject of the following planning permission granted on 21 February 2023 135923/FH/2023. Erection of a single storey side and rear to form additional living accommodation.

Consent is sought for a Non-Material Amendment to allow minor elevational alterations to the rear of the approved extension.

## **Planning History**

129198/FH/2021 Installation of dormer to rear roof and rooflight to front roof to form additional living accommodation. APPROVED 19.03.2021

133641/FH/2022 Erection of single storey side extension to form additional living accommodation. APPROVED 17.06.2022

135923/FH/2023 Erection of single storey side and rear extension to form additional living accommodation. APPROVED 21.02.2023

## **Consultations & Notification Responses**

None

## **Policy**

The following policies are considered relevant to provide guidance and consideration to this application:

- National Planning Policy Framework (NPPF)
- Saved policy DC1 of the UDP
- DM1, SP1, EN19 of the Manchester Core Strategy

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. The following specific policies are considered to be particularly relevant to the proposed development:

### **Chapter 8: Promoting health and safe communities**

91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social inclusion, are safe and accessible and enable and support healthy lifestyles.

### **Chapter 12: Achieving well-designed places**

124: The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

### **Unitary Development Plan Saved Policies**

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

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.

DC1.3 Notwithstanding the generality of the above policies, the council will not normally approve:

- a) rearward extensions greater than 3.65m (12ft) 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

### Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents,
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

Policy DM 1 Development Management- All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how: -Both construction and demolition waste will be minimised and recycled on site wherever possible; -The sustainable waste management needs of the end user will be met.

Policy DM1 - Requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking have been proposed.

### Materiality

Section 96A of the 1990 Act (as inserted on 1<sup>st</sup> 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 135923/FH/2023 erection of single storey side and rear extension to form additional living accommodation. The application now seeks for elevational alterations on the rear elevation of the approved extension. The alterations would include installation of one glass folding door to the rear replacing the set of bi folding sliding doors that were approved on the previously approved application. The proposed doors would mean the replacement of the brick wall in-between the doors of approx. 2metres and it is not considered that the introduction of the bi folding sliding doors would cause significant overlooking or loss of privacy implications to the neighbouring properties that what is expected from the previously approved application. Given the small scale alterations to the proposal and the distance (5metres) and relationship to the properties situated along Crescent Road (properties are situated at lower level due to the local topography), these amendments are not considered to materially change the extensions or cause additional harm to neighbours or the streetscene. It is therefore considered that the proposed revision is of a minor nature and would have no impact upon either visual or residential amenity than the approved original drawings.

## **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 amendment relates to minor elevational alterations to door openings within the rear elevation of the rear extension.
- 2) Following an assessment of the details and plans submitted, I can confirm that the proposed amendment is considered to be of non-material nature and acceptable to the City Council as Local Planning Authority. The City Council is satisfied that the proposed change 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 drawings numbered '001 A & 003 A' stamped as received by the City Council as Local Planning Authority on 06 April 2023.

## **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 - Not Affected

Coal Authority - Development Low Risk - Name: DEVELOPMENT\_LOW\_RISK\_AREA

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH AREA