

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133861/NMC/2022

Date registered valid: 25 May 2022

Proposal: Non-material amendment application to planning permission reference 128937/FH/2020 to allow amendments of the siting, roof and window profile of the single storey extension

Address: 7 Hewlett Road, Manchester, M21 9WB

Ward(s): Chorlton Ward

Applicant: Mr Paul Brickles, 7 Hewlett Road, Manchester, M21 9WB

Agent (if any): N/a

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21 June 2022

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, semi-detached C3 dwellinghouse of red brick and white render, with a red tiled gable roof and bay windows. The property features an attached garage to the side and an existing part single part two storey rear extension featuring a flat roof at first floor. The plot includes a front garden, driveway and rear garden.

Description of area

Hewlett Road is a residential street within the Chorlton ward, running off Wilbraham Road, close to the district centre.

Description of development

The applicant gained permission to build a single storey side extension and install a rear box dormer, to provide additional living accommodation last year under ref 128937/FH/2020. They now wish to make minor alterations to the design of the side extension which they consider to be non-material.

Consultations & Notification Responses

None required for this type of application.

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Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan but certain policies are still considered of relevance: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 128937/FH/2020, which granted permission for the erection of a single storey side extension and rear dormer, to provide additional living accommodation for a family dwellinghouse. The applicant now seeks to make the following change(s) to the scheme:

- Change in style of roof over side extension (hipped to mono-pitched)
- Change to window size and shape within front elevation of side extension
- Slightly shorter overall depth of side extension

Originally the side extension was proposed to have a hipped roof, whereas the new design features a mono-pitched roof. The height of the eaves a ridge/maximum are as originally proposed, therefore this change is considered non-material. The Overall depth of the side extension would be reduced slightly with the introduction of a small setback front the front and rear elevations of the main house. As this involves a small reduction in the scale of the extension, it is not deemed material. Originally the window for the front elevation of the approved single storey side extension comprised of a standard oblong floor to ceiling non-opening window. The proposed change to the glazing involves a trapezium shaped window of similar proportions but extending up into the new front-facing gable. As this is located in the same place and remains non-opening, it is not deemed a material change.

Overall these three minor changes are not considered to materially change the extension or cause additional harm to neighbours or the street scene. Hence it is considered that the proposed revision is of a minor nature and would have no more impact upon either visual or residential amenity than the original approved drawings.

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

1) The proposed amendments relate to minor elevational alterations to the proposed side extension, which consist of; a different roof type, a change to the shape and size of the front window and a shorter overall depth of extension.

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 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 drawing numbered 'B0039/04', stamped as received by the City Council as Local Planning Authority with the application on the 25th May 2022.

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
Susceptible to Surf Water Flood (Less)
Susceptible to Surf Water Flood (Less)
Area Team Boundary - Name: SOUTH