

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133910/NMC/2022

Date registered valid: 27 May 2022

Proposal: Non-Material Amendment to planning permission 131598/FH/2021 to allow for revisions to the location of doors and windows.

Address: 17 Dennison Avenue, Manchester, M20 1AE

Ward(s): Old Moat Ward

Applicant: Mr Mohammed Salim Ahmed, 17 Dennison Avenue, Manchester, M20 1AE

Agent (if any): Mr Sakib Begg, S Begg Designs, 3 Hazel Grove, Manchester, M41 9LU

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 with a hipped roof. The property has not previously been extended and sits within a generous triangular plot with a large front/side garden and smaller rear garden.

Description of area

Dennison Avenue is a residential cul-de-sac containing similar semi-detached family dwellinghouses, comprising a mixture of owner-occupied and social housing. The area benefits from its proximity to Withington District Centre and Old Moat Park.

Description of development

The applicant gained permission to build a single storey rear, two storey side and single storey front extension last year, under ref 131598/FH/2021. They now wish to regularise a couple of minor amendments to the design as built.

Consultations & Notification Responses

None required.

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Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan but certain policies are still considered of relevance: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) in particular:

- 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 131598/FH/2021, which granted permission for the erection of a two storey side extension, single storey rear extension and front porch, to provide additional living accommodation for a family dwellinghouse. The applicant now seeks to make the following change(s) to the scheme:

- Replacement of ground floor window in rear elevation of two storey side extension with a door
- Relocation of existing rear door at ground floor to side elevation of single storey rear extension

Originally the existing back door, within the main rear elevation of the house, was to be retained. Following an error with these drawings, it became apparent on site that this door would no longer fit next to the rear extension, therefore they have moved it to the adjacent side elevation of the rear extension. Originally the two storey rear extension featured a ground floor window in the rear elevation, but this is now also a door. The siting, scale and materials of the extensions has not changed, only the ground floor rear doors. These will lead to a potential increase in privacy for the adjacent neighbour given the reduction in glazing. These amendments are not considered to materially change the extensions 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 amendment relates to minor elevational alterations to window/door openings within the rear elevation at ground floor.

2) Following an assessment of the details and plans submitted, I can confirm that the proposed amendment is 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 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 drawing numbered 'SB002 C1', stamped as received by the City Council as Local Planning Authority with the application form on the 27th May 2022.

Reason - To ensure 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 (Less)

Susceptible to Surf Water Flood (Middle)

Area Team Boundary - Name: SOUTH