

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132811/LP/2022

Date registered valid: 1 February 2022

Proposal: Certificate of lawful proposed development for the erection of single storey side extension to provide additional living accommodation together with replacement of existing windows

Address: 9 Rippenden Avenue, Manchester, M21 9SS

Ward(s): Chorlton Ward

Applicant: Martin Ashford, 9 Rippenden Avenue, Manchester, M21 9SS

Agent (if any): John Wood, John Wood Architect Limited, 14 Renshaw Street, Altrincham, WA14 1JP

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

Recommendation: Approve

Date of recommendation: 24 March 2022

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

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 hipped roof and bay windows. The property features an existing single storey rear conservatory and a detached garage and the plot includes a front garden with driveway and a rear garden.

Description of area

The property is located at the end of Rippenden Avenue, a short residential cul-de-sac in Chorlton. The area is characterised by older red brick family dwellinghouses and benefits from its proximity to the district centre and open greenspace.

Description of development

The applicant wishes to build a single storey side extension to provide additional living accommodation, following the demolition of the detached garage and conservatory. The proposal was approved under a lawful development certificate in 2021 (131723/LP/2021) with the only change for this proposal being replacement of the existing windows.

Consultations & Notification Responses

Not required for this type of application.

Policy

The Town and Country Planning (General Permitted Development) Order (2015) - Schedule 2, Part 1, Class A.

Assessment

The proposed single storey side extension does not exceed half the width of the original dwellinghouse, at 3.05m (2.28m), or 3m at eaves (2.6m) and is less than 4m in maximum height (3.6m). It would not project beyond the front or rear wall or from a previous addition, would be setback from the principal elevation by 1.65m and leaves a gap of 0.8m to the boundary. The proposed footprint (13.68 square metres) would not occupy 50% of the original curtilage, which is approx. 215 square metres.

The property is not located within a conservation area nor on a corner adjacent to a highway and has its PD rights intact. The design is in-keeping, to be expected of such development, would be sited within the curtilage and away from the highway. The structure is not considered to cause an undue loss of light or impact upon the privacy of the neighbouring occupier, nor should it harm the character of the area. It would be constructed of materials to match the existing dwellinghouse, including red brickwork and clay roof tiles. The house currently features white uPVC windows, however the applicant plans to replace all of these with black aluminium. The extension would also feature black aluminium (shown on the revised elevations) and therefore would match the rest of the dwellinghouse.

As it is not considered to cause undue harm to the visual amenity of the house and area nor the residential amenity currently enjoyed by the neighbours and the proposal is to be built in accordance with Schedule 2, Part 1, Class A of the General Permitted Development Order (2015) (as amended), the development is deemed permitted and thus granted the certificate.

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) Approve on the basis that the proposed side extension and replacement windows, shown on the drawings numbered '003-02' (stamped as received by the City Council on the 1st February 2022) and '004-P1' (stamped as received by the City Council on the 23rd March 2022), constitutes permitted development in accordance with Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

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