

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132356/FH/2021
Date registered valid: 3 December 2021
Proposal: Erection of part two , part single storey rear extension
Address: 24 Kirkmanshulme Lane, Manchester, M12 4WA
Ward(s): Longsight Ward

Applicant: Mr Sam Higgins Studio Pesa LLP 24 Kirkmanshulme Lane,
Manchester, M12 4WA

Agent (if any):

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 14 March 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 11 January 2022

Standard consultations:

Printed: 9 December 2021 Expired: 30 December 2021

Neighbour notifications

Printed: 9 December 2021 Expired: 30 December 2021

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:

Tree Preservation Order:

Description of site / building / area

This application relates to a mid-end of terrace dwellinghouse located within an area of mixed use on the fringe of Longsight District Centre. There are, however, residential properties to the north west and east, with semi-detached houses to the north on the opposite side of Kirkmanshulme Lane. However, further to the south-east of the site is a community centre and retail stores, with class B2 industrial uses on Newton Avenue further to the north.

Description of development

Consent is sought for the erection of part two, part single storey rear extension.

As the proposal would affect the party, and the wrong certificate of ownership had been completed, it was requested the applicant completed and served the correct certificate of ownership. A revised certificate was subsequently submitted, (dated 25/01/2022).

The proposed part two, part single storey rear extension, would essentially involve building in-part along the common shared boundary wall with no. 26 Kirkmanshulme Lane, and in-filling the

space along this elevation. The proposed extension would project approximately 5253mm along the shared boundary x 1570mm width x maximum height 3750mm, incorporating a lean-to pitched roof configuration. It then projects a further 1963mm in width towards the existing 2 storey outrigger, and would have a proposed maximum height of 5930mm, incorporating a flat roof design. The proposed extension would be set-back approximately 1397mm from the rear building line of the existing 2 storey outrigger and would have windows along the rear elevation. In terms of external facing materials, it is intended to use materials matching the existing house and as annotated on the submitted information.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal

Neighbours were re-notified regarding the amended certificate of ownership. No comments, objections or representations were received.

2. Environmental Health

No comments regarding the application.

POLICIES

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- Chapter 8: Promoting healthy and safe communities.
- Chapter 12: Achieving well-designed places.

2. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

- Policy DM 1 (Development Management)

- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

3. Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 (Residential Extensions) is considered relevant.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following paragraphs are of particular relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals. It is considered that these design principles have been satisfactorily incorporated into the development.
- ii. Section 8 Community Safety and Crime Prevention - Relates the importance of creating safe environments through the incorporation of informal surveillance and crime prevention measures as an integral part of new development. These objectives have been related to the assessment of the proposed design and layout of the development.

ISSUES

As the proposal would affect the party wall, and the wrong certificate of ownership had been completed, it was requested the agent completed and served the correct certificate of ownership. A revised certificate was subsequently submitted, (dated 25/01/2022).

Principle

The principle of the proposal to create additional living accommodation is considered acceptable. Notwithstanding this, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

Impact of works (part two, part single storey rear extension) – The dwellinghouse benefits from a substantially long rear garden, with no immediate dwellinghouses to the rear of the application site. The extension would project approximately 5253mm along the shared boundary with no. 26 Kirkmanshulme Lane, would be single storey and the lean-to roof design would mitigate any undue adverse impacts from massing. In addition, it is considered that the proposed extension would be seen as subservient to the original dwellinghouse. The two storey element would be off set from the boundary with no.22 Kirkmanshulme Lane by the existing two storey pitch roof outrigger and would not project beyond the side elevation of the outrigger facing no.26 Kirkmanshulme Lane. The two storey rear extension would have a flat roof bounded by a low parapet wall. It is considered that the proposed extension would not give rise to any significantly adverse impacts to visual or residential amenity to the adjacent occupiers.

Design and appearance - It is not considered that the proposed development would unduly harm the character of the building or the general area. Additionally, the property is not within a designated area of special control such as a Conservation Area, or is it a Listed Building, or near a listed asset. It is also intended to use materials matching the existing house and as annotated on the submitted information, although it is recommended that a materials condition is attached to ensure that the materials are adhered to.

Waste management - The existing arrangement would be unaffected.

Car parking - The existing arrangement would be unaffected.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is not considered that the proposal would be unduly overbearing, nor would it present privacy and overlooking concerns which would adversely impact upon residential or visual amenity, and therefore, it is considered that the proposed development responds positively to The National Planning Policy Framework (July 2021); policies SP1, DM1, EN1, T2 and EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

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

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, as the proposal would affect the party wall, and the wrong certificate of ownership had been completed, it was requested the applicant completed and served the correct certificate of ownership. A revised certificate was subsequently submitted, (dated 25/01/2022). The local planning authority had no other issues to raise with the agent but have attached appropriate conditions to the approval.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- Location Plan with application site edged in red, Drawing No. 00001-SH-XX-XX-DR-A-XXXX-E0000, Revision PL_02, received by the City Council as the Local Planning Authority 03 December 2021.
- Existing and Proposed Site, Drawing No. 00001-SH-XX-XX-DR-X-XXXX-00001, Revision PL_02, received by the City Council as the Local Planning Authority 03 December 2021.
- Existing Floor Plans, Drawing No. 00001-SH-XX-XX-DR-A-XXXX-E000, Revision PL_01, received by the City Council as the Local Planning Authority 29 November 2021.
- Existing Elevations, Drawing No. 00001-SH-XX-XX-DR-A-XXXX-E0002, Revision PL_01, received by the City Council as the Local Planning Authority 29 November 2021.

- Proposed 3D Visuals, Drawing No. 00001-SH-XX-XX-DR-A-XXXX-00004, Revision PL_01, received by the City Council as the Local Planning Authority 29 November 2021.
- Proposed Floor Plans, Drawing No. 00001-SH-XX-XX-DR-A-XXXX-00002, Revision PL_01, received by the City Council as the Local Planning Authority 29 November 2021.
- Proposed Elevations, Drawing No. 00001-SH-XX-XX-DR-A-XXXX-00003, Revision PL_01, received by the City Council as the Local Planning Authority 29 November 2021.

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.

3) The external facing materials to be used on the development hereby permitted shall match those of the original dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the application form and approved drawings.

Reason - To ensure that the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the development hereby approved other than those shown on:

- Proposed 3D Visuals, Drawing No. 00001-SH-XX-XX-DR-A-XXXX-00004, Revision PL_01,
- Proposed Floor Plans, Drawing No. 00001-SH-XX-XX-DR-A-XXXX-00002, Revision PL_01, and
- Proposed Elevations, Drawing No. 00001-SH-XX-XX-DR-A-XXXX-00003, Revision PL_01, all received by the City Council as the Local Planning Authority 29 November 2021.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Pharmacy, Asda Stores, Stanley Grove, Longsight, Manchester, M12 4NH
22 Kirkmanshulme Lane, Manchester, M12 4WA
7 Kirkmanshulme Lane, Manchester, M12 4NA
13 Kirkmanshulme Lane, Manchester, M12 4NA
11 Kirkmanshulme Lane, Manchester, M12 4NA
28 Kirkmanshulme Lane, Manchester, M12 4WA
Greater Manchester Pakistani Association, 481 Stockport Road, Manchester, M12 4NN
Asda Stores, Stanley Grove, Longsight, Manchester, M12 4NH
Longsight District Library, Stockport Road, Manchester, M12 4NE
20B Kirkmanshulme Lane, Manchester, M12 4WA
20A Kirkmanshulme Lane, Manchester, M12 4WA
Flat 3, 18 Kirkmanshulme Lane, Manchester, M12 4WA
Flat 3, 14 Kirkmanshulme Lane, Manchester, M12 4WA
30 Kirkmanshulme Lane, Manchester, M12 4WA
16 Kirkmanshulme Lane, Manchester, M12 4WA
10 Kirkmanshulme Lane, Manchester, M12 4WA
Flat 4, 18 Kirkmanshulme Lane, Manchester, M12 4WA
Flat 2, 18 Kirkmanshulme Lane, Manchester, M12 4WA
Flat 4, 14 Kirkmanshulme Lane, Manchester, M12 4WA
Flat 2, 14 Kirkmanshulme Lane, Manchester, M12 4WA
9 Kirkmanshulme Lane, Manchester, M12 4NA
17 Kirkmanshulme Lane, Manchester, M12 4NA
15 Kirkmanshulme Lane, Manchester, M12 4NA
32 Kirkmanshulme Lane, Manchester, M12 4WA
26 Kirkmanshulme Lane, Manchester, M12 4WA
Flat 1, 18 Kirkmanshulme Lane, Manchester, M12 4WA
Flat 1, 14 Kirkmanshulme Lane, Manchester, M12 4WA
12 Kirkmanshulme Lane, Manchester, M12 4WA

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH2