

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132812/FH/2022

Date registered valid: 1 February 2022

Proposal: Erection of a single storey rear extension to form additional living accommodation following demolition of existing rear outrigger

Address: 10 Lathom Road, Manchester, M20 4NX

Ward(s): Withington Ward

Applicant: Mr Dale Briers, 10 Lathom Road, Manchester, M20 4NX

Agent (if any): Mr Anil Mistry, Bricks and Pieces Ltd, Suite 301 Broadstone Mill, Broadstone Road, Stockport, SK5 7DL

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

Recommendation: Approve

Date of recommendation: 10 May 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 23 March 2022

Standard consultations: Printed: 7 February 2022 Expired: 28 February 2022

Neighbour notifications: Printed: 7 February 2022 Expired: 28 February 2022

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 and bay windows. The property features an original single storey rear outrigger and the plot includes a driveway and front and rear gardens.

Description of area

Lathom Road is residential in nature and located within the Withington ward, close to the district centre, Ladybarn Park and Mauldeth Road train station.

Description of development

The applicant is seeking permission to build a single storey rear extension, to provide additional living accommodation, following the demolition of the existing outrigger.

Consultations & Notification Responses

MCC Flood Risk Management – Initially objected due to a lack of a FRA. Following the submission of this they requested several amendments and have accepted the final copy.

Neighbourhood Team Leader (Arboriculture) – *I have read the proposals and I can confirm we would have no objection to the proposed extension from an arboricultural perspective.*

All trees proposed for retention should be protected during construction works, including the erection of protective fencing to ensure no machinery or materials are stored within the root protection zones.

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.

Issues

Principle – The principle of building a single storey rear extension to provide additional living space for a family dwellinghouse is acceptable, however consideration must be given to the proposals siting, scale and massing, appearance and impact upon existing levels of residential and visual amenity.

Siting, scale and massing – The single storey extension would be sited at the rear, facing west, replacing the existing outrigger. It would project 3.5m, with a width of 6.3m, a flat roof height of 3.1m and a maximum height of 3.6m to the top of the glazed lantern. It would be sited 0.2m from the boundary shared with No.12 and 2.9m from No.8. It would extend 0.9m beyond No.12's 2.6m rear extension, whilst stopping short of No.8's 4.5m extension. The proposal features internal floor heights to match existing, in line with FRM advice. The 3.5m rearward projection complies with the limit stipulated within policy DC1 (of 3.65m) and the siting and height accords with the GPDO (2015) and could therefore be built under permitted development, hence the siting, scale and massing of the proposal is considered acceptable.

Appearance and visual amenity – The extension would be built of brickwork and white uPVC to match the existing dwellinghouse, which has been conditioned, along with a flat GRP roof which would contain a large glazed atrium behind a parapet. The rear elevation would feature a set of bi-fold doors opening onto a patio with a width of 6.3m, a depth of 2.65m and a height of 0.23m. The outer side elevation would contain one high level window, located 18m above the FFL. The proposal is standard in design and would be in-keeping with the residential extensions in the area. Sited at the rear, it would not be visible from a public highway and therefore would not feature within the street scene, hence the character of the area should not be harmed by these works. Therefore the appearance is acceptable and its impact upon visual amenity is considered minor.

Residential amenity – The proposal shouldn't impact upon neighbouring occupiers' view, light or privacy, due to its minor scale and its siting between two similar single storey rear extensions. These rear gardens face west, therefore the proposal would be sited north of the adjoining neighbour, hence No.12 would not experience overshadowing. The neighbour to the other side, No.8, has a deeper rear extension close to the shared boundary, therefore they should not experience overshadowing also. The only glazing proposed for the side elevation

facing a neighbouring property is the high level (1.m from FFL) window facing No.8, therefore the surrounding occupiers' privacy should not be impacted. In addition to this, no objections were received from the local residents notified of the development, nor any other party.

Conclusion – The proposal complies with policies DM1, DC1, SP1 and the NPPF and it is not thought to cause undue harm to the existing levels of residential amenity enjoyed by neighbouring occupiers nor harm the visual amenity of the area, therefore the development is deemed acceptable and may commence in accordance with the following conditions and 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

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. Issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

Condition(s) to be attached to decision for approval

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 drawing titled 'Proposed plans/elevations', stamped as received by the City Council as Local Planning Authority on the 1st February 2022 and the Flood Risk Assessment '313 FRA- 001 Rev 1' stamped as received by the City Council as Local Planning Authority on the 28th April 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.

3) The materials to be used on the external surfaces of the extension hereby permitted shall match those used in the construction of the existing building in colour, style and texture, as specified on the submitted application form.

Reason - To ensure 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 DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

Informative(s)

The applicant should design and construct a drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

As the proposed development is within Flood Zone 3, flood mitigation and resilience measures should be implemented in accordance with the approved FRA (Rev 1 dated April 2022) such as floor levels being set either no lower than existing floor levels or 300 millimetres (mm) above the estimated flood level.

Appendix 1 – List of consultees & neighbours notified

Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management

43 Amherst Road, Manchester, M20 4WS
41 Amherst Road, Manchester, M20 4WS
8 Lathom Road, Manchester, M20 4NX
39 Amherst Road, Manchester, M20 4WS
12 Lathom Road, Manchester, M20 4NX

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)
Flood Zones Type 3 (high risk)
Susceptible to Surf Water Flood (Less)
Susceptible to Surf Water Flood (Middle)
Area Team Boundary - Name: SOUTH