

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132137/FH/2021

Date registered valid: 4 November 2021

Proposal: Erection of a part single, part two storey side extension, single storey rear extension, second floor rear extension, a dormer roof extension to the rear and a front porch extension

Address: 35 Old Hall Lane, Rusholme, Manchester, M13 0TH

Ward(s): Rusholme Ward

Applicant: Corinne Fisher & Tim Blackwell, 35 Old Hall Lane, Manchester, M13 0TH

Agent (if any): Mr Peter McGurk, MSquared, 4 Redclyffe Avenue, Manchester, M14 5RG

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: 7 December 2021

Standard consultations:

Printed: 10 November 2021

Expired: 1 December 2021

Neighbour notifications

Printed: 10 November 2021

Expired: 1 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: Not applicable

Tree Preservation Order: Not applicable

Description of site / building / area

The application site comprises of a bay-fronted, inter-war, two storey semi-detached dwellinghouse in a residential area of Rusholme ward. The application property benefits from amenity space along the front side and rear elevations, including gated access along the side. An elevated railway line runs behind the rear boundary of the application site. The actual existing rear garden is approximately 18.5 metres in depth by 8.9 metres width. However, it appears to project beyond this depth substantially, extending approximately 45.2 metres in depth, to the railway line boundary. The application property appears original in layout. There are existing outbuildings sited in the rear garden whilst retaining a minimum separation distance of approximately 13.2 metres from the rear building line of the original dwelling. The adjoining properties, nos. 33 and 37 Old Hall Lane have been extended.

Description of development

The submitted plan relates to the proposed erection of a part single, part two storey side extension, single storey rear extension, second floor rear extension, a dormer roof extension to the rear and a front porch extension.

The agent has advised on several occasions that pre-application advice was sought prior to the submission of the planning application, (dated, 20/12/2021, 31/01/2022, 01/02/2022), and it has been confirmed that the submitted application appears to be significantly consistent with the pre-application advice (dated, 08/02/2022). Notwithstanding this factor, privacy concerns were raised with the agent early on during the planning application process in terms of proposed side facing windows, particularly, the proposed side facing window along of the "ADJOINING (EAST) ELEVATION". Therefore, following negotiations, the agent has confirmed acceptance of an obscure glazing condition to be attached to any recommendation for planning approval, (dated, 21/02/2022).

In terms of the proposed development, it would effectively comprise of:

- A part single, part two storey front and side extension, to serve as front porch, w/c, extended small foyer area/staircase, and "BED 2". Along the front façade of the original dwelling, this element would stepped-away approximately 503mm from the existing bay-window and would measure approximately depth 1444mm x width 3720mm x maximum height 3533mm. It then projects 3505mm along the side boundary with no. 37 Old Hall Road whilst retaining a separation distance of approximately 1702mm from the common shared boundary fence. It then projects a further 2399mm along this elevation whilst retaining a separation distance of approximately 1587mm from the common shared boundary fence. The proposed width along the rear elevation would measure approximately 1315mm.
- A single storey side and rear "wrap-around" extension to serve as a scullery. This element would retain a separation distance of approximately 2244mm from the rear building line of the proposed part single, part two storey front and side extension. It would be stepped-away approximately 1702mm from the common shared boundary fence with no. 37 Old Hall Lane, and would then project 3599mm along this elevation, projecting beyond the rear building line of the original dwellinghouse. It would have a proposed maximum rearward projection of approximately 3837mm, whilst retaining a separation distance of approximately 3831mm from the common shared boundary with no. 33 Old Hall Lane. The maximum proposed width would not exceed 3676mm.
- Along the first floor rear elevation, the proposal would effectively comprise of elevational alterations involving a Juliet balcony.
- A proposed dormer roof extension measuring approximately (width 6133mm x depth 3948mm x maximum height 2137mm) would occupy the rear roof plan. It is stepped away approximately 1151mm from the gable end of the original dwellinghouse and sited along the common shared boundary with no. 33 Old Hall Road. It would be set above eaves level and the roof ridge has been dropped below that of the original roof ridge. The proposed dormer roof extension would incorporate window along the rear elevation similar to those proposed along the first floor rear elevation.

In terms of proposed external facing materials, the extensions would be constructed in-part in similar materials matching the existing house and as annotated on the submitted drawings.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations were received.

2. Environmental Health

No comments/objections regarding planning application

3. HS2

HS2 have no objections for application. the application site red line boundary falls partially within limits of land subject to formal sub-surface Safeguarding Directions for Phase 2b of HS2. However, having reviewed the proposals they will not impact upon HS2 works which will be in bored tunnel in that location and accordingly HS2 Ltd have no objections to the application in planning terms.

4. Network Rail

Network Rail have no comments.

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 outlined above, privacy concerns were raised with the agent early on during the planning application process in terms of proposed side facing windows, particularly, the proposed side facing window along of the "ADJOINING (EAST) ELEVATION". Therefore, following negotiations, the agent has confirmed acceptance of an obscure glazing condition to be attached to any recommendation for planning approval, (dated, 21/02/2022).

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 single, part two storey side extension, single storey rear extension, second floor rear extension, a dormer roof extension to the rear and a front porch extension) - In light of the pre-existing context and due to the fact that the application property sits within a substantially large plot, and due to the fact that there are no immediate dwellinghouses along the rear elevation of the application site, and the immediate properties have similar extensions, therefore, it is not considered that the proposal would adversely affect the streetscene or the neighbouring houses and would be seen as subservient to the original dwellinghouse. It is however recommended that a condition is attached to the proposed facing window along of the "ADJOINING (EAST) ELEVATION" in the interest of residential, and confirmed by the agent in correspondence, (dated, 21/02/2022).

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 match materials with that of the existing, and as annotated on the submitted plans, although it is recommended that a materials condition is attached to ensure that the materials are adhered to.

Waste management - The existing arrangement would in-part be affected. The existing access along the side elevation would in-part be lost to accommodate the proposed extension. However, a minimum width of approximately 1454mm would still be retained along the side elevation for access.

Car parking - The existing arrangement would in-part be affected as the proposal would reduce the depth of the existing front off-street car parking space and the width of the existing side off-street car parking space. However, there are no parking restrictions along Old Hall Road and therefore a slight increase in on-street parking can be accommodated with no significant impact.

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 agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, following negotiations, the agent has confirmed acceptance of an obscure glazing condition to be attached to any recommendation for planning approval, (dated, 21/02/2022).

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 and Site Plan, Drawing Number 35OHL-A-00-100, Rev A, received by the City Council as the local planning authority on 04 November 2021.
- Existing & Proposed Elevations, Drawing Number 35OHL-A-00-410, Rev A, received by the City Council as the local planning authority on 04 November 2021.
- Existing & Proposed Floor Plans, Drawing Number 35OHL-A-00-200, Rev A, received by the City Council as the local planning authority on 04 November 2021.
- CONTEXT VIEWS, Drawing Number 35OHL-A-00-910, Rev A, received by the City Council as the local planning authority on 04 November 2021.

- PHOTOGRAPHS & PHOTOMONTAGES, received by the City Council as the local planning authority on 04 November 2021.
- Correspondence from agent dated, 21/02/2022.

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.

3) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing and as stated on the submitted information and approved drawings.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of 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 extensions hereby approved other than those shown on:

- Existing & Proposed Elevations, Drawing Number 35OHL-A-00-410, Rev A,
- Existing & Proposed Floor Plans, Drawing Number 35OHL-A-00-200, Rev A, and
- CONTEXT VIEWS, Drawing Number 35OHL-A-00-910, Rev A, all received by the City Council as the local planning authority on 04 November 2021.

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

5) Before first occupation of the development thereby approved, the proposed side facing window along of the "ADJOINING (EAST) ELEVATION" to serve the "SCULLERY", and as shown on: Existing & Proposed Elevations, Drawing Number 35OHL-A-00-410, Rev A, and Existing & Proposed Floor Plans, Drawing Number 35OHL-A-00-200, Rev A, both received by the City Council as the local planning authority on 04 November 2021, shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - In the interest of privacy and in accordance with policies SP1 and DM1 of the Core Strategy.

6) 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

High Speed Two (HS2) Limited
Environmental Health
Network Rail

37 Old Hall Lane, Rusholme, Manchester, M13 0TH
33 Old Hall Lane, Rusholme, Manchester, M13 0TH
39 Old Hall Lane, Rusholme, Manchester, M13 0TH
24 Old Hall Lane, Rusholme, Manchester, M13 0TL
31 Old Hall Lane, Rusholme, Manchester, M13 0TH
26 Old Hall Lane, Rusholme, Manchester, M13 0TL
44 Elsdon Road, Manchester, M13 0TW
63 Elsdon Road, Manchester, M13 0TN

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 - Surface Coal Resources - Name: Coal bearing strata at surface
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH