MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	131855/FH/2021
Date registered valid:	6 October 2021
Proposal:	Erection of single storey conservatory to rear of property
Address:	12 Rainshaw Lane, Manchester, M18 7TE
Ward(s):	Longsight Ward
Applicant:	Mr & Mrs Brackett 12 Rainshaw Lane, Manchester, M18 7TE
Agent (if any):	Howard Bland Clearview Home Improvements 43 Alma Avenue, Foulridge, Colne, BB8 7NS
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	29 November 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 1 November 2021

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 17 November 2021 Expired: 24 November 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

The application relates to a modern - (circa 2007), red-brick facing, 2 storey semi-detached dwellinghouse with amenity space along the front side and rear elevations. Off-street car parking is available along the side elevation, and there is boundary treatment to the curtilage of the dwellinghouse. There is an existing timber frame high boundary fence in excess of 3 metres projecting the full width of the driveway along the side elevation, with gated access to the rear of the property. The irregular shape of the rear garden means that minimum depth of existing rear garden is approximately 5.7 metres, increasing to 8.35m. At the rear of the application site is a gated resident's parking area and therefore there is a significant separation from houses to the rear . The immediate surrounding area is predominantly residential in character; however, further to the north are football pitches , with commercial uses , and a cemetery to the east in Stockport MBC ‘s area.

Description of development

The proposal relates to the erection of a of single storey conservatory to rear of property.
The initially submitted plans have been slightly revised to safeguard privacy, (Proposed Plans and Elevations dated 15/10/2021) - it has been negotiated that the proposed lower panes of glass within the windows in the southern elevation would be obscurely glazed.

The proposed structure, (length 4000mm x width 3200mm x maximum height 3209mm) would be stepped away from the common shared boundary with no. 10 Rainshaw Lane approximately 1939mm. It would be flush with the side building line of the original dwellinghouse, maintaining a separation distance of approximately 3627mm from the common shared boundary fence with no. 14 Rainshaw Lane. A pitched roof is proposed, including French doors along the side elevation, facing the common shared boundary fence with no. 14 Rainshaw Lane. In terms of external facing materials, it is intended to use facing brick to match the original dwellinghouse, in addition to Glazed framed roofing at 25° pitch with Satin privacy glass, and white upvc.

Consultations & Notification Responses

1. Local residents / public opinion

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

Following revised plans, neighbours were re-notified, no comments, objections or representations were received on this occasion.

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 - It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long-term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies are relevant to the proposed development:

- 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 principle 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

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.

The initially submitted plans have been slightly revised to safeguard privacy, (Proposed Plans and Elevations dated 15/10/2021) it has been negotiated that the proposed lower panes of glass within the windows in the southern elevation would be obscurely glazed.

Residential and visual amenity

Impact of works (single storey rear conservatory to rear of property) - the proposed conservatory would be located to the rear of the dwellinghouse and would therefore not be visible from the street, and can only be seen by the occupiers of the immediate site, specifically, those at nos. 10 and 14 Rainshaw Lane, and by those properties to the rear of the house. It

would also be contained within the curtilage of the application site and has been stepped-away the common boundaries. Although as a result of the proposal, the minimum depth of rear garden would reduced to 1.7 metres, there is an existing resident's parking courtyard at the rear of the application site, which mean that there is a significant separation distanced to dwellinghouses at the rear. Furthermore, whilst the proposed maximum rearward projection at 4000mm is slightly in excess of the guidance set out in saved policy DC1 regarding rearward extensions(3500mm), it is , in line with guidance for larger homes extensions. In addition, to further safeguard privacy, it has been negotiated that the proposed lower panes of glass within the windows in the southern elevation would be obscurely. It is therefore considered that the proposed development could be accommodated in this location in this instance without significant adverse impact to residential amenity.

Impact of works (Design and appearance) - The design would reflect the characteristics of development in the area and therefore 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. In terms of proposed materials, it is intended to use external facing materials in keeping with the original house and those that would be consistent with standard conservatories, which is considered to be acceptable in design terms, although a condition has been attached to ensure that materials are adhered to.

Impact of works (Car Parking / Highways issues) - No impact on existing arrangement.

Impact of works (Waste Management) - The existing arrangement would be unaffected.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the revised 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 polices 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, the initially submitted plans have been slightly revised to safeguard privacy, (Proposed Plans and Elevations dated 15/10/2021). The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan saved policies, Local Development Framework Core Strategy Development Plan and other material considerations. The Council had no other issues to raise with the agent and have attached the appropriate conditions.

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:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 06 October 2021.
- Location Plan with application site edged in red, received by the City Council as the Local Planning Authority on 06 October 2021.
- Existing Plans and Elevations ref: 390180921 received by the City Council as the Local Planning Authority on 06 October 2021.
- Proposed Plans and Elevations ref: 390180921 received by the City Council as the Local Planning Authority on 15 October 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 extension hereby permitted shall match those of the existing building 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 Plans and Elevations ref: 390180921 received by the City Council as the Local Planning Authority on 15 October 2021.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and 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

10 Rainshaw Lane, Manchester, M18 7TE
8 Rainshaw Lane, Manchester, M18 7TE
6 Rainshaw Lane, Manchester, M18 7TE
16 Rainshaw Lane, Manchester, M18 7TE
14 Rainshaw Lane, Manchester, M18 7TE

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
Area Team Boundary - Name: NORTH2