

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133302/FO/2022

Date registered valid: 1 April 2022

Proposal: Installation of pitched roof to existing flat roof

Address: Marvic Court, Birch Hall Lane, Manchester, M13 0XE

Ward(s): Rusholme Ward

Applicant: Mr M Choudhry & Mr A H Choudhry, 93 Dickenson Road, Manchester, M14 5AZ

Agent (if any): Frank Summerfield, F Summerfield, T/A Torplan Ltd, Via Email

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

Recommendation: Approve

Date of recommendation: 23 May 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 19 May 2022

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 6 April 2022 Expired: 27 April 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 1960's two and three storey flat roofed residential block, consisting of 15 flats. The property features a pebbledash render to the top half of the building, above a red brick course and small canopies over the entrances facing the shared driveway/carpark.

Planning history: An identical proposal was submitted and approved in 2014 (107249/FO/2014/S1) and in 2018 (120733/FO/2018), but was not built within the conditioned time frame each time.

Description of area

Birch Hall Lane is a road of predominantly residential character in Rusholme. There exists a mixture of properties, mainly semi-detached dwellinghouses and flats, with several other developments such as Beckfoot Nursing Home and a small parade of shops. It benefits from being close to both Rusholme and Longsight district centres.

Description of development

The applicant wishes to erect a dual-pitched tiled roof over the full length of the building, to replace the existing flat felt roof. This would have a shallow pitch of approximately 13 degrees and gable ends. They also propose to replace the guttering and drainage pipes.

Consultations & Notification Responses

Local residents, as per appendix 1 – No comments received.

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
- Policy DC7 - New housing development
- Policy DC18 - Conservation Areas

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 – Replacing a flat roof with a pitched roof to improve the appearance of a building is acceptable in principle, however consideration must be given to the proposal's appearance and its impact upon existing levels of visual and residential amenity.

Appearance and visual amenity – The building currently features an aging flat felt roof at both levels, which spans the full 54m length of the building. The applicant wishes to replace this with a dual-pitched roof of 'Monier Redland Brown Granular' concrete roof tiles as well as replace the existing RWG with new black PVC guttering. The roof would have gable ends and a shallow 13 degree pitch, this would increase the building's height by 0.85m, though the eaves would remain the same. This would arguably enhance the appearance of the property, as the current roof looks outdated and weathered, hence the street scene of Birch Hall Lane and the visual amenity of the area would be improved, pursuant to policies DM1, SP1 and DC1.

Residential amenity – Marvic Court is set back from the road within its grounds. It sits 10m from the neighbouring flats of Draycote House, 10m from Beckfoot Nursing Home and 27m from the residential properties on the opposite side of Birch Hall Lane. Indeed, Draycote and Beckfoot are already both taller than Marvic Court. Taking into account the distance from neighbouring properties and the shallow pitch of the roof, it is not considered that the proposed development would give rise to a loss of light or privacy for the surrounding occupiers and therefore should not negatively impact the existing levels of residential amenity.

Conclusion – The proposal is neither excessively large nor bulky and would improve the appearance of this block of flats without negatively impacting the existing residents of the site in question or those living within the neighbouring buildings. The proposal complies with the policies listed above and no objections have been received from local residents, therefore the development is deemed acceptable by the City Council and may commence, in accordance with the following conditions.

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. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

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 numbered '01 Rev A', stamped as received by the City Council as Local Planning Authority on 18th March 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 to be used on the external surfaces of the pitched roof hereby permitted shall match those as specified on the application form, including 'Monier Redland Brown Granular' concrete tiles.

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.

Appendix 1 – List of consultees & neighbours notified

123 Clarence Road, Manchester, M13 0YT
Flat 12, Draycote House, Birch Hall Lane, Manchester, M13 0XE
Flat 10, Draycote House, Birch Hall Lane, Manchester, M13 0XE
Flat 7, Draycote House, Birch Hall Lane, Manchester, M13 0XE
Flat 5, Draycote House, Birch Hall Lane, Manchester, M13 0XE
Flat 3, Draycote House, Birch Hall Lane, Manchester, M13 0XE
Flat 11, Marvic Court, Birch Hall Lane, Manchester, M13 0XE
Flat 9, Marvic Court, Birch Hall Lane, Manchester, M13 0XE
Flat 6, Marvic Court, Birch Hall Lane, Manchester, M13 0XE
Flat 4, Marvic Court, Birch Hall Lane, Manchester, M13 0XE
Flat 1, Marvic Court, Birch Hall Lane, Manchester, M13 0XE
Roby United Reform Church, 307 Dickenson Road, Manchester, M13 0YW
Draycote House, Birch Hall Lane, Manchester, M13 0XE
Flat 15, Marvic Court, Birch Hall Lane, Manchester, M13 0XE
Flat 14, Marvic Court, Birch Hall Lane, Manchester, M13 0XE
Flat 11, Draycote House, Birch Hall Lane, Manchester, M13 0XE
Flat 9, Draycote House, Birch Hall Lane, Manchester, M13 0XE
Flat 8, Draycote House, Birch Hall Lane, Manchester, M13 0XE
Flat 6, Draycote House, Birch Hall Lane, Manchester, M13 0XE
Flat 4, Draycote House, Birch Hall Lane, Manchester, M13 0XE
Flat 2, Draycote House, Birch Hall Lane, Manchester, M13 0XE
Flat 1, Draycote House, Birch Hall Lane, Manchester, M13 0XE
Flat 12, Marvic Court, Birch Hall Lane, Manchester, M13 0XE
Flat 10, Marvic Court, Birch Hall Lane, Manchester, M13 0XE
Flat 8, Marvic Court, Birch Hall Lane, Manchester, M13 0XE
Flat 7, Marvic Court, Birch Hall Lane, Manchester, M13 0XE
Flat 5, Marvic Court, Birch Hall Lane, Manchester, M13 0XE
Flat 3, Marvic Court, Birch Hall Lane, Manchester, M13 0XE
Flat 2, Marvic Court, Birch Hall Lane, Manchester, M13 0XE
5 Birch Hall Lane, Manchester, M13 0XJ
3 Birch Hall Lane, Manchester, M13 0XJ
3 Sunny Bank Road, Manchester, M13 0XF
Oakland House Nursing Home, 290 - 292 Dickenson Road, Manchester, M13 0YL
108 Birch Lane, Manchester, M13 0WN
9 Birch Hall Lane, Manchester, M13 0XJ
7 Birch Hall Lane, Manchester, M13 0XJ
11 Birch Hall Lane, Manchester, M13 0XJ
1 Birch Hall Lane, Manchester, M13 0XJ
2 Sunny Bank Road, Manchester, M13 0XF
1 Sunny Bank Road, Manchester, M13 0XF
Ground Floor To Second Floor, 123 Clarence Road, Manchester, M13 0YT

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) -

Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle)
Area Team Boundary - Name: SOUTH