

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129992/LP/2021

Date registered valid: 9 April 2021

Proposal: Certificate of Lawful Proposed Development for the erection of a single storey rear extension to form additional living accommodation following demolition of existing conservatory

Address: 27 Wigsby Avenue, Manchester, M40 0FL

Ward(s): Charlestown Ward

Applicant: Mr Khizzer Khan 27 Wigsby Avenue, Manchester, M40 0FL

Agent (if any): Mr Ihtisham Ahmed MECHA Works Ltd 84 Higher Market Street, Bolton, BL4 9BB

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 20 April 2021

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

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

The application site relates to a two storey, semi-detached dwellinghouse, incorporating front and rear garden areas, with off road parking provision to the front.

To the rear, the property incorporates a single storey, conservatory with a rearward projection of approximately 3 metres, which incorporates chamfered corners.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The immediate area is predominantly residential in character, mainly comprising two storey, semi-detached dwellinghouses.

Description of development

Certificate of Lawful Proposed Development for the erection of a single storey rear extension to form additional living accommodation, following demolition of an existing conservatory.

The proposed extension occupies a roughly central position in relation to the existing wall and incorporates a lean-to roof with two rooflights.

The proposed extension extends a total of 3 metres to the rear and measures 2.8 metres in height to eaves level and 3.8 metres in total height. The submitted drawings indicates the use of external materials to match the existing house.

Consultations & Notification Responses

None.

Planning History

No planning history is recorded for this property.

Issues

Lawfulness

With reference to the relevant legislation contained within Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 and as outlined above, the proposed works constitute permitted development.

The proposed extension does not exceed 3 metres in terms of its rearward projection and measures less than 3 metres to eaves height and less than 4 metres in total height. More than 50% of the curtilage will remain undeveloped following the proposed extension.

The submitted drawings indicate the use of similar materials to those used on the existing house and due to its position in relation to the existing rear wall and the proposed dimensions, the proposed extension constitutes permitted development, as set out in the aforementioned legislative provisions.

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 – None Required.

Approve on the basis that proposal detailed on proposed drawings numbered MW001, MW002, MW003, MW004 and MW005, received by the City Council as Local Planning Authority on 9 April 2021, constitutes permitted development, as prescribed by Schedule 2, Part 1, Class A of the Town and Country (General Permitted Development) Order 2015 (as amended).

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

Appendix 1 – List of consultees & neighbours notified

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH1