

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129480/FH/2021

Date registered valid: 22 February 2021

Proposal: Erection of single storey side and rear extension to form additional living accommodation

Address: 130 Church Lane, Lightbowne, Manchester, M9 4LA

Ward(s): Harpurhey Ward

Applicant: Mr Mozaum Yaqub 130 Church Lane, Lightbowne, Manchester, M9 4LA

Agent (if any): Mr M. Amjad Active Construction Ltd 44 Higher, Ardwick, Manchester, M12 6DA

Case officer: Eve Woolstencroft
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Recommendation: Approve

Date of recommendation: 30 March 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 24 February 2021 Expired: 17 March 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

The application site relates to a two-storey semi-detached property located on a corner plot on the junction between Glenwood Drive and Church Lane. The property has an existing single storey side extension which forms a garage which would be demolished to make way for the proposed extension and the property benefits from a large front and rear garden.

Description of Development

Erection of single storey side and rear extension to form additional living accommodation. The proposed side extension has a maximum width of approximately 5 metres which reduces towards the rear due to the splayed boundary and would maintain a minimum gap of 1.1 metres to the side boundary throughout. The proposed rear extension would have a rear projection of 4 metres with an eaves height of 2.7 metres and a maximum height of 3.7 metres. Both side and rear extension would have a mono pitched roof.

Consultations & Notification Responses

Local residents were notified and a total of 2 objection letters were received. Comments made can be summarised as follows:

- Concerns raised with regards to construction works and encroachment on neighbouring properties.
- Concerns with regards to damage and associated maintenance cost to the neighbouring unadopted road during construction
- Reference was made to previous waste made from garden works.

- Concerns raised that the property may be used for multiple occupancy in the future
- Concerns raised with regards to a number of existing tall trees which pose a potential danger.

Environmental Health - recommendation of a pre-commencement gas membrane condition.

Comments on objections raised:

Any issues surrounding party walls or land ownership or encroachment etc. are civil legal matters are not material planning considerations.

Construction for the proposed extension would be required to comply with the relevant Environmental and Health and Safety legislation which does not fall within the remit of the Local Planning Authority.

Any change of use to the property to a house in multiple occupation would require planning permission and no enforcement action can be taken unless any such change of use has commenced. The application will be determined on the basis that the property is a single family dwellinghouse (Class C3).

Policy

NPPF (2019)

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

The NPPF states that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, these are: an economic objective, a social and an environmental objective

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 9: Promoting sustainable transport - States that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.
- iii. Chapter 12: Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

Extant UDP Policies

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

Policy DC1.1 - Relates to residential extensions and in this case requires consideration of: the impact of the general character of the property; the effect upon the amenity of neighbouring occupiers; the desirability of enabling people to adapt their houses in appropriate ways to meet

changing household needs and the overall appearance of the proposal in the street-scene. Given the requirements of the resident it is considered that this policy is relevant and the proposed design represents an appropriate response.

Policy DC1.2 - Requires consideration of the extensions to ensure that it is not excessively large or bulky. It is considered that the extension is a proportionate response to meet changing occupational needs.

Policy DC1.3 states that notwithstanding the generality of the above policies, the Council will not normally approve:

- a). rearward extensions greater than 3.65 metres in length;
- b). 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c). 2-storey extensions to terraced properties which occupy the full width of the house;
- d). flat roofed extensions to bungalows;
- e). extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

DC1.5 The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

The following policies are relevant for this application:

Policy DM 1 - Development Management

All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;

Issues

Principle

The proposed development is an extension to a residential dwelling, this is considered acceptable in principle as many people prefer to extend their homes rather than move in order

to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity.

Siting, Scale Height and Massing and Residential Amenity

The proposed single storey rear would have a rear projection of approximately 4 metres along the shared boundary with no. 132 Church Lane with a height to the eaves of approximately 2.7 metres and a maximum height of approximately 3.7 metres. The neighbouring semi-detached property does not have any existing extensions and therefore it is recognised that the presences of the proposed extension would have some impact on the amenity of the neighbouring property.

In this instance however the proposed extension is not considered to give rise to any significant impacts on which would be unduly harmful. The pair of semidetached properties have large rear gardens and given that a single storey extension could be constructed under permitted development with a projection of 3 metres, any additional or overshadowing impacts on neighbouring occupiers are considered to be minimal and the proposal in accordance with saved UDP policy DC1 and Core Strategy policy DM1.

No windows are proposed facing no. 132 Church lane and there are only proposed windows and glazing on the front side and rear elevations of the extension. The property is the last before the junction with Glenwood Drive and therefore, the windows on the side do not give rise to any overlooking or loss of privacy impacts on this side. There are no properties immediately to the rear and therefore, there are not considered to be any potential overlooking impacts in this regard in accordance with Core Strategy Policy DM1.

Design, Appearance and Visual Amenity

The proposed side extension would be visible within the street scene however due to its position at the end of as cul-de-sac it would not be prominent within the street scene and would replace an existing single storey garage which is flush with the front elevation. The proposed window design in the front elevation is a bay to match the existing bay windows at ground floor within the front elevation of the existing property, this design is considered to be an improvement upon the existing garage and has regard to the character of the original property. The proposed roof design is a a mono pitch roof which is in keeping with the roof style of the existing garage. The applicant proposes to construct the extension using materials to match the existing property, the proposal is therefore considered to be acceptable in design terms and in accordance with saved UDP policy DC1 which has regard to the impact on the general character of the property.

Refuse Storage

The proposed extension would allow for the transportation of bins from the rear garden to the highway on collection day which is considered acceptable in accordance with Core Strategy policy EN19.

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 applicant/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, no negotiations were necessary but appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan, policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

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 stamped as received by the City Council as Local Planning Authority on 22 February 2021.

-Existing Elevations and Floor plans drawing ref. MY_PP_01 stamped as received by the City Council as Local Planning Authority on 22 February 2021.

-Existing & Proposed Elevations and Floor Plans drawing ref. MY_PP_02 received by the City Council as Local Planning Authority on 22 February 2021.

-Existing & Proposed Elevations and Floor Plans drawing ref. MY_PP_03 received by the City Council as Local Planning Authority on 22 February 2021.

-Existing & Proposed Site Plans and Sections drawing ref. MY_PP_04 received by the City Council as Local Planning Authority on 22 February 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 materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture.

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) 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 extension hereby approved other than those shown on the 'Existing & Proposed Elevations and Floor Plans drawing ref. MY_PP_02' received by the City Council as Local Planning Authority on 22 February 2021 and 'Existing & Proposed Elevations and Floor Plans drawing ref. MY_PP_03' received by the City Council as Local Planning Authority on 22 February 2021.

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

5) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas pursuant to policy EN18 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

141A Church Lane, Lightbowne, Manchester, M9 4LA
141B Church Lane, Lightbowne, Manchester, M9 4LA
141 Church Lane, Lightbowne, Manchester, M9 4LA
4 Glenwood Drive, Manchester, M9 4HX
132 Church Lane, Lightbowne, Manchester, M9 4LA
8 Glenwood Drive, Manchester, M9 4HX
6 Glenwood Drive, Manchester, M9 4HX
2 Glenwood Drive, Manchester, M9 4HX

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH1