

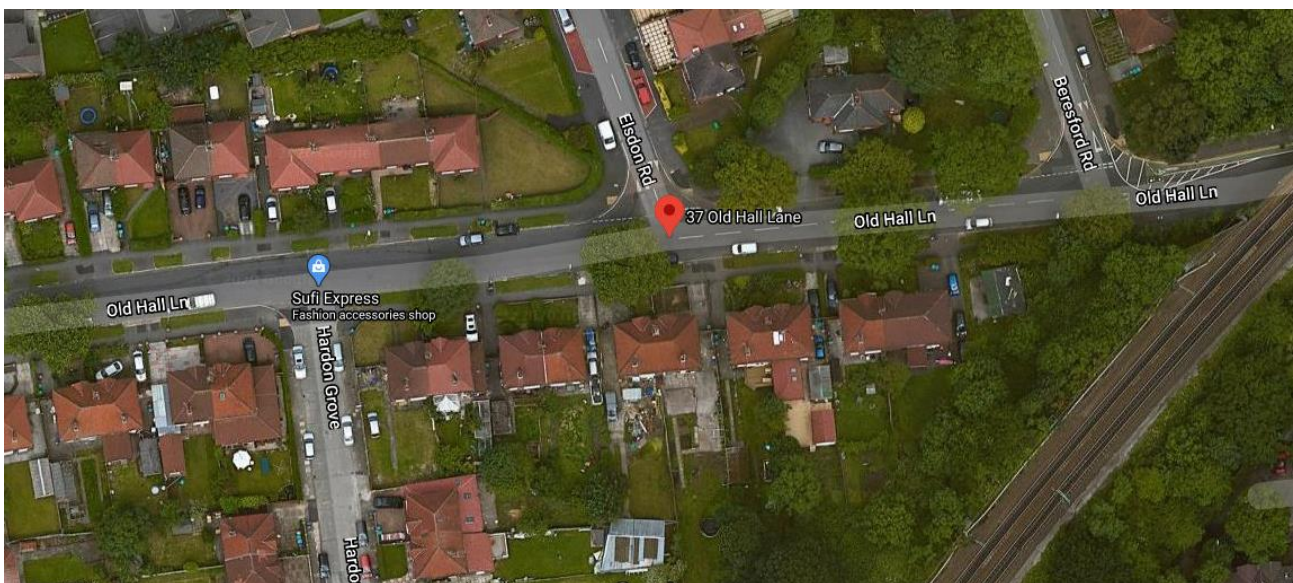
Planning

Growth & Development

Delegated officer report for planning application

Application no. 127149/FH/2020
Date registered valid: 25 June 2020
Proposal: Erection of a two storey side extension, a single storey rear extension and front porch, together with conversion of roof from hipped to gable and installation of dormer to rear
Address: 37 Old Hall Lane, Rusholme, Manchester, M13 0TH
Ward(s): Rusholme Ward

Applicant: Miah 37 Old Hall Lane, Rusholme, Manchester, M13 0TH
Agent (if any): Mr Justyn Lambert Magnus Architecture Ltd Suite 1A Blackthorn House , Skull House Lane, Appley Bridge, WN6 9DB
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: t.simpson@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 11.08.2020



Application details

Type of application:	Full Householder Application	
Development type:	Householder	
Date of site visit:		
Standard consultations:	Printed: 29 June 2020	Expired: 20 July 2020
Neighbour notifications	Printed: 29 June 2020	Expired: 20 July 2020
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 site comprises a two storey semi-detached residential dwelling house in the Rusholme ward area of Manchester. The property has gable fronted bay windows with front porch entrance. A garden is located to the front and rear with access along the side. The roof of the property is hipped, reflective in style to other properties in the area. The property appears original in layout notwithstanding the front porch.



Listed building:	Not applicable
Conservation area:	Not applicable
Tree Preservation Order:	Not applicable

Description of area

The property is located in a predominantly residential area. Neither of the adjoining properties have been extended. At the rear of the site is a railway line on an embankment and facing the site is Elsdon Road.

Description of development

Erection of a two storey side extension, a single storey rear extension and front porch, together with conversion of roof from hipped to gable and installation of dormer to rear

Consultations & Notification Responses

Local residents, as per Appendix 1 – one letter of objection has been received in respect of this application, summary of comments as follows:

- As per the previous application (123589/FH/2019) main concern is that the east-facing windows of the single-storey extension to the rear of the building will overlook garden.
- Result of them facing the garden, being considerably nearer than the existing building, and the fence line, slopes downwards at the rear of the property, an extension of this length will be considerably higher at its extent than one would expect of a single-storey building.
- The previous application was approved with a condition (condition 4) that "Before first occupation the windows in the side elevation of the proposed extension and the window in the new gable shall be obscure 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."
- We would ask that this condition also be placed on this application. Aside from that we have no objections.

Network Rail - has no comments as long as there are no works within 10m of the railway boundary

Policy and Issues

The following policies are considered relevant in the consideration of this application.

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy 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.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN 19 - Waste Management
- o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Principle

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered acceptable and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Rear Extension

History

There is one previous planning applications relating to this site as follows:

Reference number 123589/FH/2019 for the erection of single-storey side and rear extension and front porch, together with conversion of roof from hipped to gable and installation of dormer to rear. This application was approved on 30th July 2019.

Residential Amenity

This application is a resubmission with the addition of a two storey side extension. The applicant is seeking consent for the erection of a two storey side extension, a single storey rear extension and front porch, together with conversion of roof from hipped to gable and installation of dormer to rear.

Front Porch

The applicant is planning to erect a front porch which would reflect the existing design of gable fronted bays above. It is proposed to replace the existing porch with a projection of approximately 2.0 metres and a width of approximately 2.8 metres. The porch would be half brick half glazed with a pair of French doors in the front face. It would have a dual pitch roof with a gable.

Single storey rear

The proposed extension projects 6 metres which whilst in excess of what is recommended by policy DC1 is the limit that is allowed under the larger homes extension. In term of height the extension is approximately 2.8 metres high on the boundary. The extension projects beyond the side wall of the property but leaves a gap of approximately 1 metre to the site boundary.

Whilst the extension would not meet the larger homes extensions criteria because of the side element it is considered to be acceptable in term of scale particularly when taking into account the large rear garden.

Rear Dormer

To facilitate the dormer it is proposed to carry out a hip to gable conversion. The proposed dormer would be on the rear slope and set in from the edges of the enlarged roof and the eaves it would have a flat roof. In terms of scale the proposed hip to gable and dormer would meet the requirements for permitted development. On balance therefore the scale is considered acceptable.

Two storey side

This applicant proposes to erect a two storey side which would be in line with the rear wall not projecting beyond to a width of approximately 1.7 metres towards the side boundary in line with the ground floor element retaining a gap to the shared boundary of approximately 1.0 metre. The length along the side would measure approximately 3.3 metres. The roof would be set down significantly from the original roof ridge with a gable roof reflecting the proposed roof change to a gable.

Fenestration

There are windows to the front, side and rear, however a condition has been attached for windows to the side elevation to ensure that there would be no overlooking or loss of privacy given by these windows. There are three roof lights to the single storey rear element which are considered acceptable. There are two windows in the rear face of the dormer. One is obscured the other looks down the garden. Whilst it would have views over the adjacent properties these would be considered to be acceptable.

Concern has been expressed about a loss of privacy from the side windows. On balance it is considered that if the windows are obscurely glazed then there would be no significant loss of privacy or overlooking of the adjoining property. The other windows and doors raise no issues with privacy as they look down the long garden to the railway.

Although the extension would be visible from the public highway and therefore would be a feature within the street scene, the character of the area is still retained. The appearance is acceptable and its impact upon visual amenity is considered negligible.

In terms of residential amenity. it is considered that there would be no overlooking, loss of privacy or overshadowing to properties around the site, therefore the surrounding occupiers' privacy should not be impacted. It is not considered that there will be any significant impact and the proposed development therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

Siting, scale and massing

The proposal has been sited and designed to ensure that it is subservient to the original dwellinghouse, is not excessively large or bulky and are therefore considered to accord with the principles set out in saved UDP policies DC1 and accords with Core Strategy policies DM1 of the Core Strategy.

Design and appearance

The design of the extension has been tailored to fit the shape of the existing property/plot and respect the relationship with the neighbouring property at the side and rear, and is considered acceptable and detailed as what is normally expected of such a structure. The design of the proposal would be in keeping with the existing and surrounding properties in the area and in terms of the proposed materials it is intended to use brick and tile as specified in the application form..

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Refuse storage

There is space at the side of the property to store refuse bins. Therefore the storage of refuse bins accords with policy EN19 of the Core Strategy.

Parking

Parking is not affected by this proposal

Conclusion

The proposal is considered acceptable in this location, in terms of design, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, or the character and

appearance of the surrounding street scene, and there are no material considerations of sufficient weight to indicate otherwise.

For the above reasons, the proposal is unlikely to have any detrimental impact and therefore accords with saved UDP policy DC1 and policies SP1 and DM1 of the Core Strategy.

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

Positive and proactive working - 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.

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:

Stamped received on 12th June 2020 numbered MiahM02 Proposed Floor Plans

Stamped received on 12th June 2020 numbered MiahM03 Proposed Elevations

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 hereby permitted shall match those as specified on the application form/drawings 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 structure, pursuant to policy DM1 of the Manchester Core Strategy.

4) Before first occupation the windows in the side elevation of the proposed extension and the window in the new gable shall be obscure 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 - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Network Rail

13 Hardon Grove, Manchester, M13 0TX
11 Hardon Grove, Manchester, M13 0TX
9 Hardon Grove, Manchester, M13 0TX
7 Hardon Grove, Manchester, M13 0TX
35 Old Hall Lane, Rusholme, Manchester, M13 0TH
39 Old Hall Lane, Rusholme, Manchester, M13 0TH
24 Old Hall Lane, Rusholme, Manchester, M13 0TL
5 Hardon Grove, Manchester, M13 0TX
3 Hardon Grove, Manchester, M13 0TX
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 Phase 2B Safeguarding Zones (July 2017)
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH