MANCHESTER CITY COUNCIL

Planning Division

Chief Executive's Department (Regeneration)

Officer Report for Delegated Application

Application number:	098227/FH/2012/S1
Date of application:	3 January 2012
Proposal:	Erection of single storey rear extension and first floor side and rear extension to form additional living accommodation
Location:	124 Birchfields Road, Fallowfield, Manchester, M14 6PF
Ward(s):	Rusholme Ward
Applicant:	Mr Mohammed Afzal Pendlebury Food Store, 702 Bolton Road, Pendlebury, Manchester, M27 6EL
Agent:	Timothy Goodchild , 62 Belmont Ave, Springhead, Oldham, OL4 4RS
Case officer:	Tracie Simpson Tel: 0161 234 4537 Fax: 0161 274 0046 Email: t.simpson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	14 February 2012

1. Application detail

Type of application: Full Householder Application

Development Type: Householder

Date of Site Visit: 6th February/14th February 2012

Standard Consultations:
No standard consults have been printed and sent.

Neighbour notifications:
Printed: 13 January 2012 Expired: 3 February 2012

Site Notice:
No site notice has been produced.

Press Advert:
No press advert has been produced and published.

Departure from Development Plan: No

Environmental Impact Assessment: Not required

2. Description of site/building

This is a two storey detached dwelling on Birchfields Road.

Listed Building: Not applicable

Conservation Area: N/A

Tree Preservation Order: N/A

3. Description of area

This is predominantly a residential area in character.

4. Description of development
Erection of single storey rear extension and first floor side and rear extension to form additional living accommodation

5. Consultations & notifications

There have been no comments as a result of this planning application.

6. Issues

The applicant seeks to erect a first floor side and rear extension to provide additional living accommodation. The house is one of only a few detached properties along the road of what are mainly semi detached dwellings with an existing single storey side extension which runs along the common boundary with the neighbouring property No. 122 Birchfields Road A previous planning application for a first floor side and rear extension was refused as the first floor for the following reason:

The side wall of the proposed extension would run along the common boundary with No. 122 Birchfields Road and as a result the proposal would contribute to a potential terracing effect in the street. The effect would be detrimental to visual amenity and the existing character of the street scene, and this would be contrary to City Council Policy DC1 and H2.2 as set out in the Unitary Development Plan for the City of Manchester.

This application differs in that the first floor side is setback by 2 metres therefore reducing the potential for terracing. This application complies with city council policies and will not harm the appearance and character of the area. **Principle** – acceptable. **Design/Siting** – acceptable. **Residential Amenity** – the

proposal will not have a detrimental impact upon the current levels of residential amenity enjoyed by the occupants of neighbouring properties.

7. 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 the material considerations, including Council policy as set out in the Unitary development Plan, the Head of Planning 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. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of the approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

8. Recommendation Approve

Reason for recommendation

Approve on the basis that the proposal is in accord with the City Councils Unitary Development Plan Policies H2.2 and DC1, the Guide to Development in Manchester SPD and PPS1, there are not materials considerations of sufficient weight to indicate otherwise.

Conditions to be attached to the decision

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) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity

of the area within which the site is located, as specified in policy of the Unitary Development Plan for the City of Manchester.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: stamped received on 3rd January 2012 numbered T1071b, P1/11 T1071c, P2/11 T1071b, P3/11 T1071b, P4/11 T1071b, P5/11 T1071c, P6/11 T1071c, P7/11 T1071c, P8/11 T1071c, P9/11T1071b, P10/11 T1071c, P11/11 T1071c.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 and DC1 of the Manchester Unitary Development Plan.

Appendix 1 – List of consultees & neighbours notified of application

122 Birchfields Road, Manchester, M14 6PF
124 Birchfields Road, Manchester, M14 6PF
128 Birchfields Road, Manchester, M14 6PF
Birchfields Primary School, Lytham Road, Manchester, M14 6PL
Manchester Grammer School, Old Hall Lane, Rusholme, Manchester, M13 0XT

Appendix 2 – Planning constraints identified

All buildings, structures,erections and works exceeding 90m