MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140038/FH/2024
Date registered valid:	17 May 2024
Proposal:	Erection of single storey rear extension
Address:	100 Kirkmanshulme Lane, Manchester, M12 4WB
Ward(s):	Longsight Ward
Applicant:	Mr Sohail Qqyyum
Agent (if any):	Mr Rakesh Mistry, m83 Associates Ltd
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	11 July 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 29 May 2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 3 July 2024 Expired: 10 July 2024

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: No

Tree Preservation Order: No

Description of site / building / area

This application relates to a two storey, hip roof, semi-detached dwellinghouse within the Longsight ward of Manchester. There is existing amenity space along the front, side, and rear; including boundary screening, approximately 1.8m high along the rear boundary.

The immediate neighbouring dwellinghouses along the common shared side and rear boundary, specifically, (nos. 98 and 102 Kirkmanshulme Lane and no.3 Albert Grove) have rear extensions.

Double yellow lines apply along the Kirkmanshulme Lane frontage and therefore there is no vehicular access from this frontage. To the west of the application site, along Albert Grove is Rodney House School, a specialist support school which caters for children between the ages of 1-7 years.

Description of development

The initially submitted plan proposed a single storey side and rear extension.

Revised plans were subsequently submitted, (dated, 03/07/24) and the title description subsequently amended to reflect the latest revisions.

The revised plan would involve the removal of the side extension element and an increase in the initially proposed rearward projection from 4675mm to 5175mm.

The proposed single storey rear extension would be sited along the common shared boundary with no. 98 Kirkmanshulme Lane, whilst leaving approximately 400mm from this boundary. It would then project approximately 5175mm along this boundary, then forward of the common shared boundary with no. 102 Kirkmanshulme Lane approximately 5242mm wide. It then comes forward of the rear building line of the host dwellinghouse, whilst being flush with its building line along the side elevation. The existing side access along the common shared boundary with no.102 Kirkmanshulme Lane would be unaffected. It would comprise of a flat roof design, combined with 2no. roof lanterns projecting above the roof elevation - (the maximum height of the combined flat roof and roof lanterns would not exceed 3514mm). It would also include 1no.window and French doors along the rear elevation. It is intended to use matching materials, together with Ethylene Polypropylene Diene Monomer along the flat roof elevation.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received.

Following revised plans, neighbours were re-notified. No objections, comments, or representations were received on this occasion.

2. Environmental Health

Environmental Health officers recommend the following informative for the application:

Contaminated Land Watching Brief

In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and call Contact Manchester on0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021):

- Chapter 12: Achieving well-designed places.

2. Places for Everyone (2024) -

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. The plan was adopted by the Council on 20 March 2024 and will come into effect from 21 March 2024. The plan sets out the kind of development that takes place across the city-region. It maximises the

use of brownfield land and urban spaces; protects green belt land from the risk of unplanned development; releases some sites for housing and employment in key locations; ensures we integrate all new developments into Greater Manchester's transport network. Otherwise, new roads and transport will support them. The Plan and its policies are now a material planning consideration in the determination of planning applications, and therefore be given significant weight in the planning balance.

3. 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)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

4. Unitary Development Plan (UDP), (1995) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 for Residential Extensions is still considered of relevance.

5. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007:

- Chapter 2: Design

ISSUES

As previously stated, in this instance, revised plans were subsequently submitted, (dated, 03/07/24) and the title description subsequently amended to reflect the latest revisions.

Principle

The principle of extending one's home is generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property, or upon the visual and residential amenity of neighbouring occupiers. Notwithstanding this factor, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

Impact of works (single storey rear extension) - In light of the existing contextual relationship along the rear boundaries and the revised plan, (dated, 03/07/24), whilst the revised proposal would now involve the removal of the initially proposed side extension element and an increase in the initially proposed rearward projection from 4675mm to 5175mm, it is considered that given the proposed flat roof design, and due to the fact that the proposed extension would be significantly screen by the existing boundary treatment, and it would be set-away from the side boundaries, and it would not be visible along the immediate highway, the proposed development would not present a significant adverse impact to residential amenity, nor is it considered that the proposed scale would be unduly overbearing, overshadowing or present any loss of privacy impacts. Moreover, although the revised proposed rearward projection at approximately 5175mm deep would be approximately (1525mm) in excess of the guidance set out in saved UDP policy DC1.3 a) regarding rearward extensions, it is within the limitations of a larger homes extension application. Therefore, for these reasons, and on balance, and subject to planning conditions, the proposal could be considered as acceptable.

Impact of works (Design and appearance) - The proposed development is considered to be acceptable in design terms as it is intended to broadly match materials with those of the existing building. However, a materials condition has been attached to ensure that materials are adhered to; pursuant with The Manchester Core Strategy Development Plan Document Policies SP1 and DM1 and saved Policies DC1 of the Unitary Development Plan.

Impact of works (Car parking) - The existing arrangement would be unaffected; pursuant with The Manchester Core Strategy Development Plan Document policy DM1 and saved policy DC1 of the Unitary Development Plan.

Impact of works (Waste management) - The existing arrangement would be unaffected, the; pursuant with The Manchester Core Strategy Development Plan Document policy DM1, EN19; and saved policy DC1 of the Unitary Development Plan.

Conclusions - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (2021) chapter 12; policies SP1, DM1, EN1, EN19, T2 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) and no comments or objections have been received in response to this application from local residents.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, the local planning authority had no issues to raise with the agent but has attached appropriate conditions to the approval.

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:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 17 May 2024.
- Location Plan with application site edged in red, Drawing No. 002-SI-XX-00-DR-I-P1, received by the City Council as the Local Planning Authority on 03 July 2024.
- Existing and Proposed 3D VIEW, Drawing No. 002-SI-XX-00-DR-I-P10, received by the City Council as the Local Planning Authority on 03 July 2024.
- Existing and Proposed SITE PLAN , Drawing No. 002-SI-XX-00-DR-I-P2, received by the City Council as the Local Planning Authority on 03 July 2024.
- Existing and Proposed FLOOR PLAN, Drawing No. 002-SI-XX-00-DR-I-P3, received by the City Council as the Local Planning Authority on 03 July 2024.
- Existing and Proposed FLOOR PLAN, Drawing No. 002-SI-XX-00-DR-I-P4, received by the City Council as the Local Planning Authority on 03 July 2024.
- Existing and Proposed ROOF PLAN, Drawing No. 002-SI-XX-00-DR-I-P5, received by the City Council as the Local Planning Authority on 03 July 2024.
- Existing and Proposed ELEVATIONS, Drawing No. 002-SI-XX-00-DR-I-P6, received by the City Council as the Local Planning Authority on 03 July 2024.
- Existing and Proposed ELEVATIONS, Drawing No. 002-SI-XX-00-DR-I-P7, received by the City Council as the Local Planning Authority on 03 July 2024.
- Existing and Proposed ELEVATIONS, Drawing No. 002-SI-XX-00-DR-I-P8, received by the City Council as the Local Planning Authority on 03 July 2024.
- Existing and Proposed ELEVATIONS, Drawing No. 002-SI-XX-00-DR-I-P9, received by the City Council as the Local Planning Authority on 03 July 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans; pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies SP1 and DM1 of the Core Strategy (2012).

3) The external facing materials to be used on the development hereby approved shall match those of the existing dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the submitted information and approved drawings.

Reason - To ensure that 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 policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

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 development hereby approved other than those shown on:

- Existing and Proposed 3D VIEW, Drawing No. 002-SI-XX-00-DR-I-P10, received by the City Council as the Local Planning Authority on 03 July 2024.

- Existing and Proposed SITE PLAN , Drawing No. 002-SI-XX-00-DR-I-P2, received by the City Council as the Local Planning Authority on 03 July 2024.

- Existing and Proposed FLOOR PLAN, Drawing No. 002-SI-XX-00-DR-I-P3, received by the City Council as the Local Planning Authority on 03 July 2024.

- Existing and Proposed FLOOR PLAN, Drawing No. 002-SI-XX-00-DR-I-P4, received by the City Council as the Local Planning Authority on 03 July 2024.

- Existing and Proposed ROOF PLAN, Drawing No. 002-SI-XX-00-DR-I-P5, received by the City Council as the Local Planning Authority on 03 July 2024.

- Existing and Proposed ELEVATIONS, Drawing No. 002-SI-XX-00-DR-I-P6, received by the City Council as the Local Planning Authority on 03 July 2024.

- Existing and Proposed ELEVATIONS, Drawing No. 002-SI-XX-00-DR-I-P7, received by the City Council as the Local Planning Authority on 03 July 2024.

- Existing and Proposed ELEVATIONS, Drawing No. 002-SI-XX-00-DR-I-P8, received by the City Council as the Local Planning Authority on 03 July 2024.

- Existing and Proposed ELEVATIONS, Drawing No. 002-SI-XX-00-DR-I-P9, received by the City Council as the Local Planning Authority on 03 July 2024.

Reason - In the interest of residential amenity, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning

(Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Informative

1) In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and call Contact Manchester on0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Appendix 1 – List of consultees & neighbours notified

13 Sarnesfield Close, Manchester, M12 4PZ
3 Albert Grove, Manchester, M12 4WF
1 Albert Grove, Manchester, M12 4WF
98 Kirkmanshulme Lane, Manchester, M12 4WB
102 Kirkmanshulme Lane, Manchester, M12 4WB

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
Area Team Boundary - Name: NORTH AREA