

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140235/FH/2024
Date registered valid: 14 June 2024
Proposal: Erection of a single storey rear extension and front porch
Address: 18 Rimsdale Drive, Manchester, M40 0GN
Ward(s): Moston Ward

Applicant: Mr Lewis Wah Ping Luen
Agent (if any): Mr Sabin Zannou LDM Group
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 1 August 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 15 July 2024

Standard consultations:

Printed: 20 June 2024 Expired: 11 July 2024

Neighbour notifications

Printed: 20 June 2024 Expired: 11 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

The application site is a modern, 2 storey, ground floor bay-fronted detached dwellinghouse within a predominately residential housing estate in the Moston ward of north Manchester. It is corner property and therefore visually prominent along the Rimsdale Drive highway. There is existing amenity space along the front and rear elevations, canopy above the front door, existing integral garage, and driveway along the front elevation, including a canopy covering projecting along the rear building line. There is boundary treatment along the side and rear perimeter, comprising of a combination of timber frame panel fencing and brick wall - approximately 1.8 metres high, whilst incorporating a timber frame gated side access.

The existing brick boundary wall along the Rimsdale Drive street scene (south-western elevation) is immediately bordered by a parcel of green space with planting, thereby, retaining a separation from the public pavement, in addition to preserving the building line along the street scene, along this elevation.

The site shares common boundaries with no.20 Rimsdale Drive along the (eastern elevation) and no.16 Rimsdale Drive along the (southern). Due to the pre-existing housing layout, combined with the staggered arrangement of the detached houses along this row, the front

elevation of the application dwellinghouse is set-back approximately (3.7 metres minimum) from no.20 Rimsdale Drive's front elevation.

Site Planning History

- 139202/FH/2024 - Erection of single storey front, side and rear extension to provide additional living accommodation, REFUSED 05/2024.
- The planning permissions that granted consent for the housing development on the site - (Ref nos. 079533/FO/2006/N1, 064313/MO/NORTH1/02), includes a condition removing permitted development rights.

Description of development

The submitted application proposes a single storey rear extension, together with a combined single storey front extension and porch, including elevational alterations to facilitate garage conversion.

This application appears to be a scaled down version of previously refused planning application ref. no.139202/FH/2024.

The proposed single storey rear extension element would project from the rear building line of the host dwellinghouse, whilst being flush with both gable elevations, and would measure approximately 3500mm deep x 7871mm wide x 3594mm maximum height. The existing gated access along the gable elevation would be unaffected and the proposal would maintain a separation distance of approximately 7.3 metres from the common shared boundary with no. 16 Rimsdale Drive. The proposed extension would comprise of a lean-to pitch roof design with 3no. windows along the roof elevation, including French doors and further windows along the rear elevation. It is intended to use matching materials.

In terms of the combined single storey front extension and porch element, it would be sited along the side elevation of the existing garage, whilst being flush with the gable elevation of the host dwelling and would measure approximately 1993mm deep x 4675mm wide x 3610mm maximum height, whilst being flush with the front building of the existing garage. It would incorporate a lean-to pitch roof design and would include a door and windows along the front elevation. It is intended to use matching materials.

The submitted plan would also include elevational alterations involving 1no. new window along the ground floor gable elevation - (eastern elevation); together with the removal of the existing integral garage door along the front elevation with replacement window to facilitate garage conversion.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. An objection was received from one local resident as outlined below:

Comment.

They object to the proposed "porch" which is considered to be in excess of others that have been added in the local area. They comment that the porch in this application extends across the front of the house (not just the door) and will look out of place in the neighbourhood. In their opinion, this is in effect a disguised request for a front extension going hand in hand with a garage conversion. (A front extension formed part of a previous application for this property and was declined).

2. Environmental Health

Environmental Health officers have advised for the following to be attached to any recommendation for planning approval:

1. Contaminated Land (Watching brief condition), and
2. Gas membrane condition.

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

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 boundaries; in particular, with nos. 16 and 20 Rimsdale Drive, and due to the sizable rear gardens, and given the resultant contextual relationship of the proposal being set-away from those boundaries, and due to the fact that the proposal would be contained within the curtilage of the application site; coupled with that fact that the proposed extension would be significantly screened by the existing boundary treatment, and the proposed roof design would mitigate from the adverse impacts of massing, it is considered that 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, the proposed rearward projection at approximately 3500mm is within the guidance set out in saved UDP policy DC1.3 a) regarding rearward extensions. Therefore, for these reasons, and on balance, and subject to planning conditions, the proposal could be accommodated in this location in this instance; pursuant with The Manchester Core Strategy Development Plan Document policy SP1, DM1; and saved policy DC1 of the Unitary Development Plan.

Impact of works (combined single storey front extension and porch) - The host dwelling is a detached property surrounded by sizable amenity space. In addition, due to the pre-existing housing layout, combined with the staggered arrangement of the detached houses along this side of the street and the fact that the front elevation of the application dwellinghouse is set-back approximately (3.7 metres minimum) from no.20 Rimsdale Drive's front elevation, and the proposal would also be flush with the front building of the existing garage and the proposed lean-to pitch roof design would be consistent with the existing canopy above the front door, it is considered that the resultant contextual relationship could be accommodated in this location, in this instance without any significant adverse impacts to residential amenity, nor is it considered that the proposed scale would be unduly overbearing given the existing depth of front amenity space and the proposed depth of front amenity space that would still be retained, combined with the resultant separation distance that would still be retained from the Rimsdale Drive highway would not present any adverse impacts from undue visual intrusion along the street scene. Therefore, for these reasons, it is considered that the proposal could be accommodated in this location in this instance; pursuant with The Manchester Core Strategy Development Plan Document policy SP1, DM1; and saved policy DC1 of the Unitary Development Plan.

Impact of works (Elevational alterations involving 1no. new window along the ground floor gable elevation; including, removal of integral garage door along front elevation with replacement window) - Had not permitted development rights been removed by the original planning permissions that granted consent for the housing development on the site, it is considered that the nature of the proposed elevational alterations to the existing fenestration would broadly fall within householder general permitted development, and therefore, an application for planning permission would not be usually required. Moreover, for the nature of the property as a dwellinghouse, and due to the fact that the property is not within a designated area of special control such as a Conservation Area, nor is it a Listed Building, or near a listed asset, it is considered that this element of the submitted plan would be acceptable as it is unlikely to present any significant adverse impacts to residential or visual amenity; pursuant with The Manchester Core Strategy Development Plan Document policy DM1 and saved policy DC1 of the Unitary Development Plan.

Impact of works (Design and appearance) - The proposed development is considered to be acceptable in design terms as it would broadly mirror similar developments along the neighbourhood, and it is intended to 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 affected as the loss of the existing garage to facilitate would reduce the number of on-site parking spaces by one. However, the front driveway would be unaffected and off-street car parking would still be retained for approximately four vehicles; 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.

Objectors' comments - In terms of the planning comments raised by the objector regarding the proposed combined front extension and porch, these have been duly considered in the issues section above.

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).

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 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

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 have 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:

- Location Plan and Site Plan with application site edged in red, drawing number A105, rev A, received by the City Council as the Local Planning Authority on 05 Jun 2024 .
- Existing Plans and Elevations, DRAWING NUMBER A1-001B, REV A, received by the City Council as the Local Planning Authority on 05 Jun 2024.
- Proposed Plans and Elevations, DRAWING NUMBER A1-002B, REV B, received by the City Council as the Local Planning Authority on 05 Jun 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) 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).

Materials

4) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this prior to occupation of the development.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety. Pursuant to policy EN18 of the Manchester Core Strategy (2012) and saved policy DC1 of the Unitary Development Plan for the City Manchester (1995).

* Our records indicate that the proposal site is on or in the vicinity of an infilled pond/potentially contaminative historic land uses.

5) The materials used to construct the external elevations of the development hereby approved shall match the existing dwellinghouse, in terms of colour, type, scale and method of coursing and pointing and as stated on the submitted information and approved drawings.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policy DM1 of the Manchester Core Strategy (2012).

6) 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: Proposed Plans and Elevations, DRAWING NUMBER A1-002B, REV B, received by the City Council as the Local Planning Authority on 05 Jun 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).

7) Before first occupation of the development thereby approved, the proposed window along the ground floor side elevation to serve the annotated "EN-SUITE" and as shown on: Proposed Plans and Elevations, DRAWING NUMBER A1-002B, REV B, received by the City Council as the Local Planning Authority on 05 Jun 2024; shall be obscurely 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 - In the interest of privacy and in accordance with policies SP1 and DM1 of the Manchester Core Strategy (2012), and policy DC1 of the saved Unitary Development Plan for the City of Manchester (1995).

8) 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.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

29 Merridale Road, Manchester, M40 0AD
33 Rimsdale Drive, Manchester, M40 0GN
31 Rimsdale Drive, Manchester, M40 0GN
29 Rimsdale Drive, Manchester, M40 0GN
17 Rimsdale Drive, Manchester, M40 0GN
23 Rimsdale Drive, Manchester, M40 0GN
16 Rimsdale Drive, Manchester, M40 0GN
20 Rimsdale Drive, Manchester, M40 0GN
31 Merridale Road, Manchester, M40 0AD
27 Rimsdale Drive, Manchester, M40 0GN
25 Rimsdale Drive, Manchester, M40 0GN
21 Rimsdale Drive, Manchester, M40 0GN
19 Rimsdale Drive, Manchester, M40 0GN

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