

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136038/FH/2023
Date registered valid: 23 January 2023
Proposal: Erection of a single storey rear extension and front porch
Address: 164 Birchfields Road, Manchester, M14 6PE
Ward(s): Rusholme Ward

Applicant: Mr Nahedh Al-kulabi
Agent (if any): Mr Fadhil Faraj
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 20th March 2023



Application details

Type of application:	Full Householder Application
Development type:	Householder
Date of site visit:	8.03.2023
Standard consultations:	Printed: 3 February 2023 Expired: 24 February 2023
Neighbour notifications	Printed: 3 February 2023 Expired: 24 February 2023
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 relates to a two storey semi detached property in the Rusholme ward area of Manchester. The property has front and rear gardens with off road car parking to the front. Access is along the side. The property is opposite the Fallowfield Retail Park.



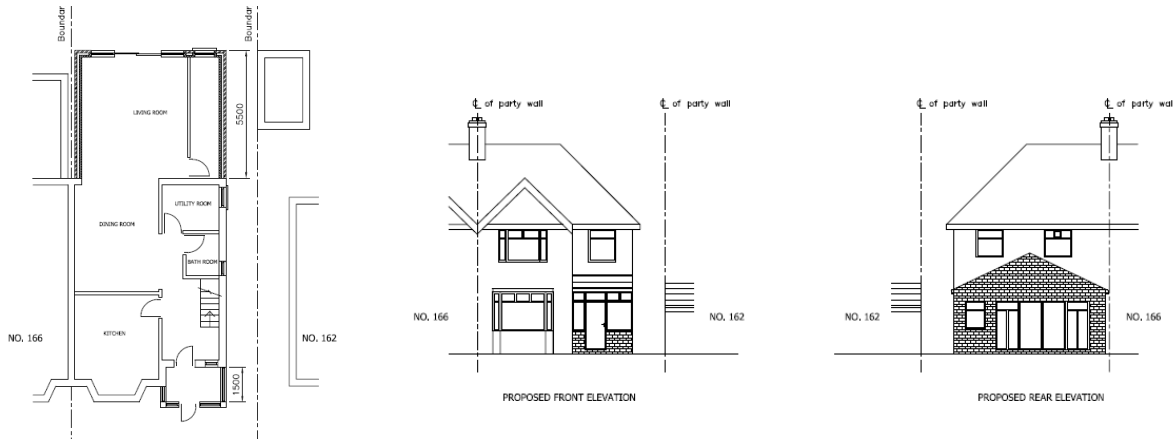
Listed building:	Not applicable
Conservation area:	Not applicable
Tree Preservation Order:	Not applicable

Description of area

The area although predominantly residential, benefits from the Fallowfield Retail Park and local schools.

Description of development

The applicant is seeking planning permission for the erection of a single storey rear extension and front porch.



Consultations & Notification Responses

Local Residents: Summary of comments as follows:

- No objections to the proposals to construct a porch at the front of the property as outlined in the plans.
- No objections to the construction of a single storey rear extension, following conditions/restrictions are met
 - In order to build the rear extension, an existing outbuilding which includes a party wall and straddles the boundary between 164 and 162 will need to be demolished on the 164 side of the boundary line
- No objections to the demolition of the part of the building that is exclusively part of 164 Birchfields Rd, to build the extension
- During the demolition of the parts of the building that belong to 164 Birchfields Rd, great care is taken to ensure that no damage is done to any part of the building or roof that is on adjacent boundary
- Any accidental damage to the structure of the building, or the roof, caused by demolition, are made good promptly before construction of the extension begins
- After demolition wall to the outbuilding is rendered and waterproofed before construction of the extension begins
- The roof of the building where any tiles have been removed is made good and waterproofed
- Demolition and any remedial work to make the building of the boundary good, complies with building regulations
- Planning permission should only be granted on the basis that the property is for private residential use only, and is not to be used as an HMO.
- All building work should be carried out at reasonable times of day and not late into the Evening.

High Speed Two (HS2) Limited - As the site falls within sub surface safeguarding, it is unlikely that the proposal will have an impact upon HS2. Therefore, HS2 Ltd have no objection to the proposal.

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 EN19 Waste
- 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.

History

No previous applications relating to this site.

Residential Amenity

The applicant is seeking planning permission for the erection of a single storey rear extension and front porch including elevational alterations and erection of a detached single storey garden structure. Comments have been received from a local neighbour who does not object to the proposal, however has outlined conditions in relation to the demolition and build of the new extension.

Single storey rear extension

The projection off the rear wall of the property would measure 5.5m extending across the rear wall of the host dwelling in line with the side wall and up to the shared boundary with the adjoining semi detached property. The roof would be dual pitch with the inclusion of two roof lights. A window and sliding doors would be positioned across the rear elevation leading into the rear garden. No windows are proposed on the side elevations.

The addition of a rear extension to this property would be in excess of the rearward projection outlined in policy DC1.3a, however, given the gap retained to the adjacent property no.162 and the fact that there is a single storey detached building along the shared boundary, it is considered that the introduction of a single storey extension in this location would not provide a significant impact upon the occupiers of that property. In terms of the adjoining semi-detached property, as there is an existing single storey projection along the shared boundary, it is not considered that the proposal would have a significant impact upon the occupiers of this property.

The footprint is not considered to create a bulky or disproportionate scale addition to the property. The extension would not be visible from the public highway and therefore would not feature within the street scene, however, the character of the property would be retained and therefore the appearance is acceptable and its impact upon visual amenity is considered negligible.

On balance, the extension is considered can be acceptably accommodated at the application property and is considered that the proposal would not interfere with the existing characteristics of the area.

Porch

The applicant is proposing a front porch which would project forward of the front wall of the house by 1.5m marginally forward of the existing front bay window. The porch would comprise brick base and glazing to front and side with a sloping roof. Given the limited projection, it is not anticipated that the erection of a front porch would provide undue harm within the street scene or to the occupiers of surrounding properties.

Overall, the footprint of the proposal is not considered to create a bulky or disproportionate scale addition to the property. The porch and the outbuilding would be viewed within the street scene although the extension would not, however, the character of the property would be retained and therefore the appearance is acceptable and its impact upon visual amenity is considered negligible.

On balance, the proposal is considered can be acceptably accommodated at the application property and is considered would not interfere with the existing characteristics of the area.

The proposal therefore complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 Unitary Development Plan.

Siting, scale and massing

The proposed extension would be sited along the rear wall of the property. The size and footprint of the proposed extension although projects longer than what policy allows, however, is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. It is therefore considered that the scale and mass of the proposed extension is satisfactory and is therefore considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

The design of the proposal is in keeping with the existing and surrounding properties in the area and in terms of the materials, these are set to be matching materials as specified in the application form. The design is detailed as what is normally expected of such a structure and would not adversely impact upon residential amenity or the character of the area.

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

The storage of refuse bins are not affected by the proposal.

Parking

Not affected by this proposal.

Conclusion

The proposal is considered to be 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, and there are no material considerations of sufficient weight to indicate otherwise.

It is considered that the proposal would not give rise to any undue loss of amenity, loss of light or loss of privacy to neighbouring occupiers, therefore, the proposal is considered to accord with saved UDP policy DC1, policies SP1 and DM1 of the Core Strategy.

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

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. The application has been determined in a timely manner and in accordance with the policies within the Development Plan

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:

Received on 23rd January 2023 numbered 03 Proposed Floor Plans

Received on 23rd January 2023 numbered 04 Proposed Elevations

Received on 23rd January 2023 numbered 05 Existing and Proposed Site Plan

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 hereby permitted development shall match those as specified in the application form in size, type, 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.

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited

166 Birchfields Road, Manchester, M14 6PE

162 Birchfields Road, Manchester, M14 6PE

The University Of Manchester, Moseley Road, Manchester, M14 6HE

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

HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)

HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)

Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA