

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136636/FH/2023
Date registered valid: 30 March 2023
Proposal: Erection of single storey link extension between existing dwelling and outbuilding
Address: 72 Old Hall Lane, Rusholme, Manchester, M13 0UD
Ward(s): Rusholme Ward

Applicant: Mr Fahim Chowdhury
Agent (if any): Mr Steven King, Gamble King and Noone Limited
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 24th May 2023



Application details

Type of application:	Full Householder Application
Development type:	Householder
Date of site visit:	16.05.2023
Standard consultations:	No consultations have been printed and sent.
Neighbour notifications	Printed: 25 April 2023 Expired: 16 May 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 located in a prominent position on the corner of Old Hall Lane and Birchfields Road. The property faces in a southerly direction to the front, westerly to the side and northerly to the rear. The property features a two storey side and rear extension and single storey outbuilding in the rear garden. Off road car parking is available to the front with garden to the side and amenity space to the rear.



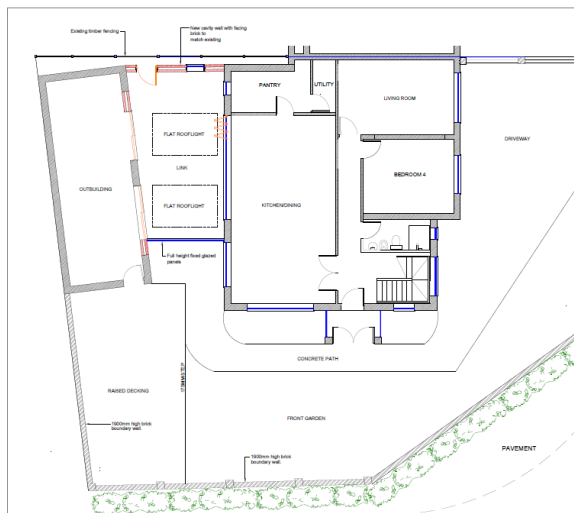
Listed building:	Not applicable
Conservation area:	Not applicable
Tree Preservation Order:	Not applicable

Description of area

The area is predominantly residential in nature

Description of development

The applicant is seeking planning permission for the erection of single storey link extension between existing dwelling and outbuilding.



Proposed West Elevation without
brick boundary fence view (1:100)

Consultations & Notification Responses

Local residents, as per Appendix 1 – one letter of objection has been received as a result of the proposal. Summary of comments as follows:

- Mr Fahim Chowdhury commenced the works without seeking planning permission
- Also one of your questions is if the work has been started without consent and he replies no but I can prove by photos that he has started a long time ago...
- 72 Old hall lane had previous extensions and this left my house with no light and no sun on sunny days.
- As i can see he wants to link the existing outbuilding with the existing dwelling. The problem is that the existing outbuilding was a proper house with air-conditioning. People come and go every week and use this outside building as a home.
- The site cannot be seen from a public road or public footpath although he ticked yes on the application.
- I have numerous problems since he installed a cook extractor which is a professional one, next to my property so all fumes come to my house and also very noisy as this is not a domestic extractor.
- Object to another extension

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
- 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

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

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

Previous applications relating to this site as follows:

115802/FH/2017 - Application Approved - 11.08.2017 Part retrospective installation of 1.40 metre high boundary wall with railings and gates to Old Hall Lane and 1.9 metre high boundary wall to Birchfields Road, amendments to previously approved windows and retrospective application for the erection of single storey outbuilding in rear garden.

113673/FH/2016 - Application Approved - 08.11.2016 Erection of two-storey side and rear extension following demolition of single-storey rear extension and installation of 1.7 metre high gate to front of property

112407/FH/2016/S1 - Application Approved - 02.08.2016 Erection two-storey side and rear extension following demolition of single-storey rear extension

Residential Amenity

This application was submitted following raised concerns from a local resident. The property has an existing unauthorised rear canopy linking the rear extension and the existing outbuilding. Following removal of this canopy the applicant proposes to erect a single storey link extension. As a result of this proposal, an objection has been received with concerns regarding loss of light, appearance of the link extension, the fumes from the existing extractor fan.

The proposed extension is designed to provide a link between the existing rear access of the property and the detached building which is sited along the boundary with no. 135 Birchfields Road and close to the shared boundary with no. 70 Old hall Lane and would be a contemporary type of structure with a flat roof and two roof lights.

Given the proximity of the existing extension and the detached outbuilding, it is considered that the infill with a linked extension would not provide significant harm especially as there is an

existing boundary fence to the height of 1.8m. The additional height would measure approximately 500mm along the shared boundary with no. 70 Old Hall Lane. Taking into consideration the orientation of the application site, it is not anticipated that there would be a significant loss of light especially as the linked access is single storey. Overall, it is felt that the proposal can be acceptably accommodated at the application property and is considered that the proposal would not interfere with the existing characteristics of the area.

Although the proposal would face Birchfields Road, and therefore be visible within the street, there would be a large expanse of glazing which would offer some relief in terms of appearance. It is considered that the proposed development would not provide a significant impact upon the residential amenity of the adjoining occupiers and surrounding properties in the area and therefore is considered accords with Core Strategy Policy DM1 and SP1 and saved policy DC1 of the UDP.

Siting, scale and massing

The size and footprint of the proposed extension 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. The appearance is acceptable and its impact upon visual amenity is considered negligible.

It is therefore considered that the scale and mass of the proposed extensions are satisfactory and are 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 would be in keeping with the existing and surrounding properties in the area. In terms of the proposed materials, it is intended to use matching brick as specified in the application form together with floor to ceiling glazing and flat GRP Roof. 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.

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.

Other matters

The objector makes reference to a cooking extractor on the wall of the application property. Given that the property is residential and not commercial, this would be not be a consideration as part of this scheme.

Disabled access

Not applicable

Bins

Not affected by this proposal

Parking

Existing car parking arrangements are not affected by this proposal.

Conclusion

The proposal has been sited and designed to ensure that it is subservient to the original dwelling house and 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

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. 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:

Received on 30th March 2023 numbered P03 Existing and Proposed Elevations

Received on 30th March 2023 numbered P02 Proposed Floor Plans

Received 30th March 2023 Design and Access Statement

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 extension hereby permitted shall match those as specified in the application form in type, size, colour and texture.

Reason - In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy, and the requirements of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

137 Birchfields Road, Manchester, M14 6PJ
62 Birchfields Road, Manchester, M14 6PH
74 Old Hall Lane, Rusholme, Manchester, M14 6HN
70 Old Hall Lane, Rusholme, Manchester, M13 0UD
135 Birchfields Road, Manchester, M13 0UE

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