

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136240/FH/2023

Date registered valid: 13 February 2023

Proposal: Erection of a two storey side and rear extensions to form additional living accommodation

Address: 56 Hardy Lane, Manchester, M21 7LA

Ward(s): Chorlton Park Ward

Applicant: Lord Craig Ashton-Chalmers

Agent (if any):

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 5th March 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: March 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 1 March 2023 Expired: 22 March 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 property that is the subject of this householder application is a 2 storey brick built semi-detached dwellinghouse with gardens to the front side and rear. It occupies a corner plot and is set at right angles to the next pair of semis at 58 Hardy Lane. It has gardens to the front side and rear and off -street parking for several vehicles accessed off Hardy Lane.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature with properties of a similar age and size to the proposal site. The property is easily accessible through various alternative modes of transport to the motor vehicle, and the tram runs along the frontage on Hardy Lane. Chorlton Park lies to the far south, and the eclectic mix of commercial and retail uses within Chorlton are within easy reach.

Description of development

The application is for the erection of a two storey side and rear extension to create additional living accommodation in the form of a dining room and home office to the ground floor and extending the property to the rear to enable reconfiguration of the ground floor relocating the kitchen to the rear of the house from its current position on the front of the property. To the first floor will be created an additional bedroom together with extending the master bedroom and the creation of an en-suite. The proposed roofline to both extensions will be hipped and set much lower than the existing ridge. The materials to be used would match those of the existing.

Consultations & Notification Responses

Local Residents have been informed- no representations have been received.

Issues

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 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 EN 19 - Waste Management
- o Policy SP1 - Spatial Principles
- 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 extending an existing residential property in an established residential area is considered acceptable.

Notwithstanding this, consideration must be given to the extensions siting, scale and massing, design, appearance and to the proposal's impact upon existing levels of residential amenity.

Siting - The proposal is to the side and rear of the property. It is 2 storey, however the build would be staggered to take account of relationships with the neighbouring properties. The next pair of semis at number 58 Hardy Lane is set at 90 degrees to the proposal site, originally the extension ran along the side and projected forward of the front building line, which would have been out of character with the neighbouring properties. The proposal now under consideration comprises of a 2 storey side extension that is in line with the front elevation and does not extend the full length down the side. This is coupled with a modest 2 storey rear extension. Given the angle of the boundary to the front and the rear, the siting is considered acceptable.

The proposal accords with the principles for residential extensions set out in saved UDP Policy DC1 and DM1 of the Core Strategy.

Design and Appearance - The design is similar in appearance to other properties that have had the benefit of extensions within the vicinity of the site. The front elevation would mirror the bay window to the front of the existing property, and the materials to be used would match those of the existing property. Due to the orientation of the host property to the neighbouring properties, and its position within the street scene being at the end of the run of properties, there would be no potential for the creation of the terracing effect. The materials to be used would match those of the existing property. It is considered that the proposal would be in keeping with the character of the original dwelling house and the area within which it is located.

The design is sympathetic to the general character of the building and therefore the proposal is acceptable with both policies SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP.

Scale and Massing - The 2 storey side extension is proposed to have roof lines that have been hipped, with the ridge being set down from the existing ridge, reducing the bulk and massing along the common boundaries and this takes the extension at its highest point well within the applicants own site away from the boundaries. The rear extensions have been designed with the same treatment towards the common boundaries the hipped rooflines reduce the scale and massing, and it is set down much lower than the ridge on the existing house.

Residential Amenity- It is not considered that the proposal would have a detrimental impact upon the residential amenity currently enjoyed by the neighbouring properties. The extension to the side only extends part way down the side of the property, which faces towards the side garden of number 58 Hardy Lane and across the rear gardens. As such the windows would not look towards the property at number 58 itself. The modest 2 storey rear extension begins part way across the rear of the host property, and, given the splayed boundary projects away from the rear of the property at number 54 Hardy Lane. There are no windows proposed on the elevation facing the common boundary with number 54 Hardy Lane. The windows that serve the utility room to the ground floor and the En-Suite bathroom to the first floor would be conditioned so as to be obscurely glazed. The remaining windows look out over the applicants own garden area. As such it is not considered that there would be any issue relating to overlooking of the neighbouring properties.

It is considered that the proposal accords with Policies DC1 and DM1 of the Core Strategy.

Visual Amenity- The design of the proposal is typical of extensions within the area, the extensions would remain subservient to the host property, and the bay window to the front mirrors that of the existing property and provides a well- balanced front elevation, and with the materials being proposed the same as the existing property there would be no detrimental impact upon the house itself or upon the character of the area within which it is located.

It is now considered that the proposal accords with the principles for residential extensions set out in saved UDP policy DC1, DC1.5 and policies SP1 and DM1 of the Core Strategy.

Parking - There is existing off street parking in curtilage on the driveway. This would not be impacted by the proposal therefore accords with the principles for residential extensions set out in policy DM1 of the Core Strategy.

Refuse bin storage - The bins are currently stored alongside the property. They could, post development be stored in the rear garden or alongside the property which accords with the principles set out in policy EN 19 of the Core Strategy.

Conclusion - The proposal under consideration 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 policies DC1, DC1.5 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

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 guidance contained within saved policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan and to policy DM1 of the Core Strategy and the National Planning Policy Framework.

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:

103- Proposed Floor Plans dated 13th February 2023

104- Proposed Elevations dated 13th February 2023

106 Proposed Site Plan- dated 13th February 2023

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 extensions hereby permitted shall match those of the existing building in type, size, colour and texture, including the mortar and patching in.

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.

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 extension hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

5) Before first occupation, the proposed ground floor windows in the western elevation serving the utility at the ground floor and the southern and western elevation serving the en-Suite bathroom 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 - To protect the amenity and living conditions of adjacent residential properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

6) The application property and alterations hereby approved shall be used as a Use Class C3 single family dwellinghouse only and for no other purpose (including as a House in Multiple Occupation Use Class C4 or sui generis 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 - To ensure an acceptable development, pursuant to policy DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

36 Hardy Lane, Manchester, M21 7LA
12 Robertshaw Avenue, Manchester, M21 8ET
54 Hardy Lane, Manchester, M21 7LA
16 Robertshaw Avenue, Manchester, M21 8ET
14 Robertshaw Avenue, Manchester, M21 8ET
60 Hardy Lane, Manchester, M21 7LA
58 Hardy Lane, Manchester, M21 7LA
38 Hardy Lane, Manchester, M21 7LA

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

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA

