

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135853/FH/2022

Date registered valid: 28 December 2022

Proposal: Erection of single storey rear extension to provide additional living accommodation

Address: 33 Old Hall Lane, Rusholme, Manchester, M13 0TH

Ward(s): Rusholme Ward

Applicant: Mr Vasham Hussain

Agent (if any):

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 17 February 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 25 January 2023

Standard consultations: Printed: 13 January 2023 Expired: 3 February 2023

Neighbour notifications: Printed: 13 January 2023 Expired: 3 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two-storey semi-detached dwellinghouse of redbrick with a red concrete tile hipped roof. The property features white uPVC windows, including a two-storey bay with a gable end roof form, a front porch canopy, a large driveway, an existing rear extension and two existing outbuildings located to the rear.



Figure 1. Photograph of the principal elevation of the property.

Description of area

Old Hall Lane is a residential street situated within Rusholme ward of Manchester, close to MEA Central secondary school, Rushford Park, and the railway line. The area consists of a mixture of semi-detached and terraced residential properties.

Description of development

The applicant is seeking permission for the erection of a single storey rear extension to provide additional living accommodation.

Planning History

095728/FH/2011/S1 - Erection of part single storey, part 2 storey rear extension and part single, part two storey side extension and front canopy – **FINALLY DISPOSED OF** (22.11.2011)

107929/PDE/2015/S1 - Proposed single storey rear extension of 6 metres with a height of 4 metres at the eaves and 3 metres at the highest point – **CONDITIONAL EXTENSION GPD** (24.02.2015)

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

HS2 made the following comments:

- The red line location plan boundary falls wholly within limits of land subject to sub-surface safeguarding directions for Phase 2b of HS2. However, having reviewed the proposals for householder development they will not impact the HS2 line of route which is to be constructed in deep bored tunnel in that location.
- Given the above, I can confirm that HS2 Ltd have no objections to the proposals in planning terms.

Network Rail had no objections to the proposal, however recommended a number of conditions in conjunction with the development.

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:

- Policy DC1 – Residential Extensions

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN19 - Waste

The National Planning Policy Framework (NPPF, 2021)

- Chapter 12 – Achieving Well-Designed Places

General Permitted Development Order (GDPO, 2015)

- Schedule 2 – Permitted Development Rights

For reasons to be outlined below, it is considered that the proposal accords with the principles of these policy documents.

Issues

Principle – The principle of building a single storey rear extension in order to provide additional space for a family dwellinghouse is acceptable, however consideration must be given to the proposal's siting, scale and massing, appearance, impact upon existing levels of residential and visual amenity as well as waste management and parking.

Siting, scale and massing – The single storey extension would be sited at the rear of the property, adjoining the existing rear extension and replacing one of the existing outbuildings located along the boundary shared with No.31. It would project 6m from the rear elevation of the original dwellinghouse and would have a width of 2.5m, sitting flush with the side elevation of the original dwellinghouse. The proposed extension would feature a flat roof measuring to 2.7m in height. It would be sited 2.1m from the boundary shared with No.31, maintaining the same sized gap as the side elevation of the original dwellinghouse.



Figure 2. Rear view of the property.



Figure 3. Outbuilding to be removed.

The rearward projection of 6m exceeds the limit stipulated within policy DC1 of the UDP (of 3.65m) but is considered acceptable under the General Permitted Development rules which allow single storey rear extensions up to 6m through a prior approval process and in the absence of objections as in this case. Thus, having reviewed the dimensions of the proposed rear extension and having noted the 2.1m gap to the shared boundary, the siting, scale and massing of the proposal is considered acceptable. It is also noted that the existing outbuilding is located in closer proximity to the boundary with the neighbouring property.

Appearance and visual amenity – The rear extension would be built of brickwork to match the existing extension in addition to a flat roof with code 4 lead flashing and a cavity tray, uPVC double glazed windows, a set of uPVC double glazed doors and grey aluminium roof lanterns. The side elevation facing No.31 would feature one window, whilst the rear elevation would feature one set of doors and the roof would feature two lanterns.

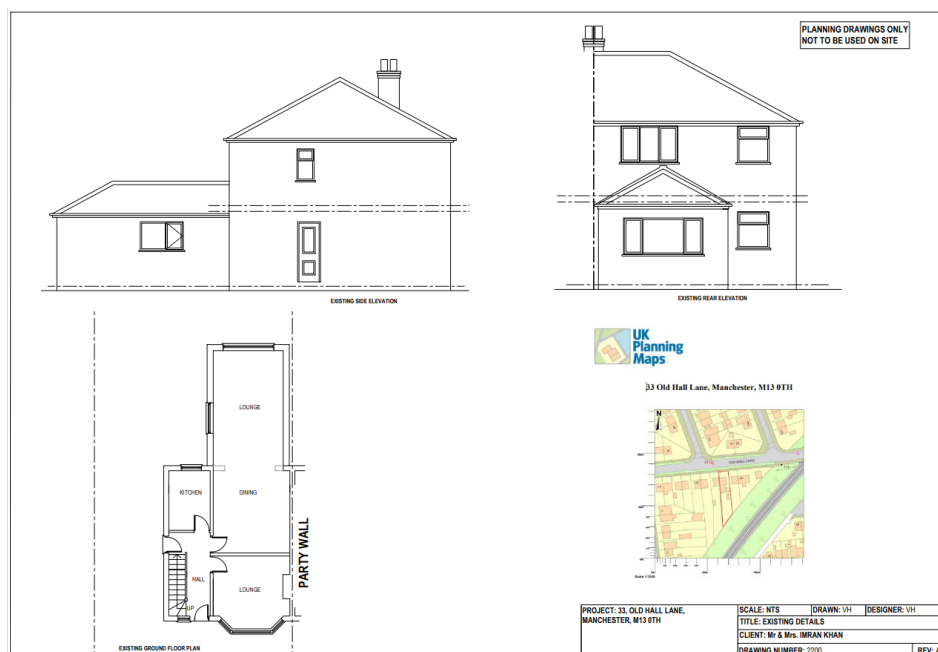


Figure 4. Existing plans and elevations, as submitted by the applicant's agent.

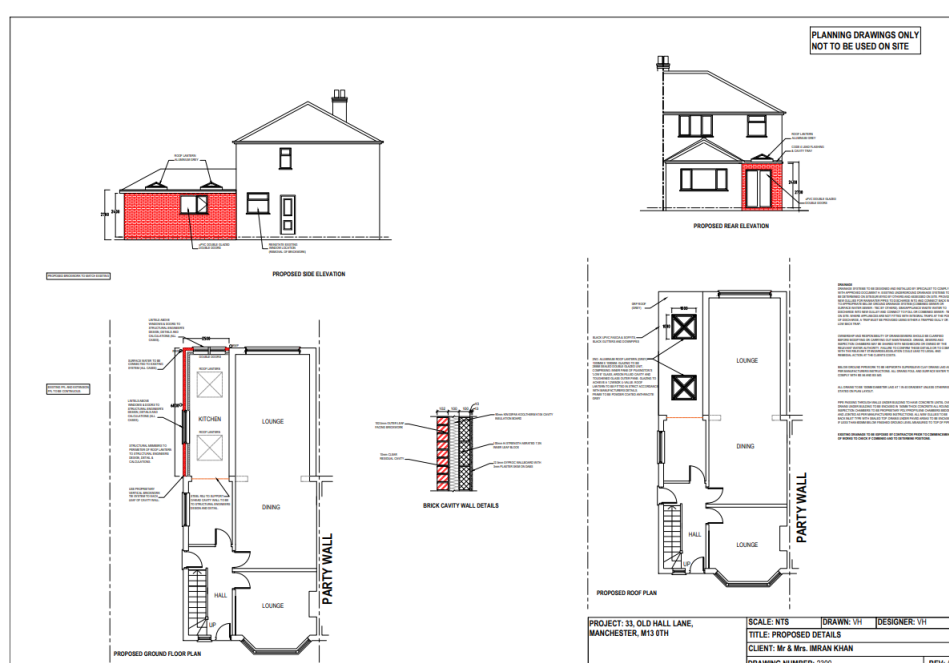


Figure 5. Proposed plans and elevations, as submitted by the applicant's agent.

The proposed rear extension is relatively standard in terms of design and would be in-keeping with other residential extensions in the area as well as being subservient to the overall appearance of the dwellinghouse. Sited at the rear of the property, it would not be visible within the street scene, hence the overall character of the house and local area should not be significantly harmed by these works.

The design and appearance of the proposed development therefore accords with Core Strategy policies DM1 and EN1 as its impact upon visual amenity is considered to be minor

Residential amenity – Given the maximum roof height of 2.7m in addition to the proposal's southerly orientation, the rear extension should not cause an undue loss of sunlight or daylight for neighbouring residents. Moreover, though the side elevation would feature one window, this window would face No.31's garden at ground floor level and not their dwellinghouse. As such, the privacy of neighbouring residents should not be compromised.

The proposed development is therefore acceptable in regard to its minimal effect upon residential amenities as it accord with Core Strategy policies DM1 and SP1 and saved policy DC1 of the UDP.

Waste management – The storage of bins would not be affected by this proposal as adequate space and access to the rear is retained, therefore the bins could be screened from the street scene, which accords with policies EN19 and DM1 of the Core Strategy.

Parking – The current parking arrangements would be unaffected by this proposal.

Conclusion – Given the above issues, it is considered that the proposal is acceptable in terms of principle, siting, scale and massing, appearance and visual amenity, residential amenity, waste management and parking as it broadly complies with General Permitted Development rules as well as policy DC1 of the UDP, policies DM1, SP1, EN1 and EN19 of the Core Strategy and chapter 12 of the NPPF.

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. Minor issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

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 permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the drawing labelled 'Proposed details', numbered '2300', stamped as received by the City Council as Local Planning Authority on the 28th December 2022.

Reason - To ensure 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 specified on the submitted application form and drawing, including brickwork to match the existing extension.

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 extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) A method statement and risk assessment must be submitted to the City Council as Local Planning Authority for review and agreement prior to works commencing on site.

Reason - To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway

5) Details of scaffolding works within 10m of the railway boundary, to be submitted to the City Council as Local Planning Authority for agreement prior to works commencing on site.

Reason - In the interests of protecting the railway and its boundary from over-sailing scaffolding.

6) Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to the City Council as Local Planning Authority.

Reason - To protect the adjacent railway and its boundary.

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited
Network Rail

35 Old Hall Lane, Rusholme, Manchester, M13 0TH
31 Old Hall Lane, Rusholme, Manchester, M13 0TH

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 - Surface Coal Resources - Name: Coal bearing strata at surface
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA