

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134360/FO/2022

Date registered valid: 4 August 2022

Proposal: Erection of part single, part two storey side and rear extensions and creation of new vehicular access

Address: 94-96 Kirkmanshulme Lane, Manchester, M12 4WB

Ward(s): Longsight Ward

Applicant: Mr Ahmed

Agent (if any): Holborow And Ormesher

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 14 March 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 13 September 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 18 August 2022 Expired: 8 September 2022

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

Description of site / building / area

This application relates to a pair of semi-detached dwellinghouses in a residential part of Longsight ward. There are gardens to the front, side and rear, screened by a low boundary brick wall and high hedges along the significant perimeter. The semi-detached dwellinghouses occupy a prominent triangular plot position at the junction with Kirkmanshulme Lane and Albert Grove. Double yellow lines apply along the Kirkmanshulme Lane frontage and therefore there is no vehicular access from this frontage. The immediate adjacent neighbours to the application site are 98 Kirkmanshulme Lane and 1 Albert Grove. There is existing boundary treatment between 96 and 98 Kirkmanshulme Lane, approximately 1.8m high. No. 98 has an existing single storey side extension sited along the common boundary. The common boundary with 1 Albert Grove is screened by high hedges and there is approximately a distance of 22.30ft - 45.24ft (6.7 m - 13.7 m) between the properties along this elevation. Across the road from the application site, at the corner of Albert Grove and Kirkmanshulme Lane is Rodney House School, a specialist support school which caters for children between the ages of 1-7 years.

Description of development

The submitted application relates to the proposed erection of part single, part two storey side and rear extensions and creation of new vehicular access. This would involve: a part single, part two storey side and rear extensions to both nos. 94 - 96 Kirkmanshulme Lane, including the creation of new vehicular access at no. 94 Kirkmanshulme Lane with access from Albert Grove. The submitted information indicates a joint application has been made as the applicants are related.

It would appear that the submitted plan is significantly in-part, similar to expired planning permission, (ref: 118260) - Proposed erection of a two storey extension to the side of 94 Kirkmanshulme Lane and a part single storey part two storey extension to the side of 96 Kirkmanshulme Lane along with a two storey extension across the rear of both properties to form additional living accommodation including provision of within-curtilage car parking at 94 Kirkmanshulme Lane with proposed vehicular access from Albert Grove. At the time of the planning officer's site visit of 13/09/2022, it was noted, that (ref: 118260) had not been implemented.

The proposed side extension at no. 96 and the proposed timber frame bin store in front of the extension would both be stepped away from the common boundary with no. 98 Kirkmanshulme Lane approximately 144mm, leaving a small gap. The proposed part single part 2 storey side extension would be set-back approximately 1100mm along the ground floor front elevation, and maintain a lean-to pitched roof design, with a proposed height of approximately 4187mm. It would set-back approximately 2000mm along the first floor front elevation; whilst maintaining a proposed width of approximately 1827mm at both ground and first floor. It would incorporate a timber frame bin store area (approximately, 1827mm width x 1100 depth x height 1400mm) in front of this element. The ground floor extension would project approximately 9652mm along the common boundary with no. 98 Kirkmanshulme Lane, beyond the rear building line of the original dwellinghouse and into the rear garden, to achieve a proposed rearward projection not exceeding 3000mm. Along the first floor elevation, this element would project approximately 5524mm along the common boundary with no. 98 Kirkmanshulme Lane, and flush with the rear building line of the original dwellinghouse. It would incorporate 1no. window each along the ground floor and first floor front elevation, 1no. window along the first floor rear elevation, 2no. French doors along the ground floor rear elevation; including a hipped roof configuration.

In terms of the proposed part single part 2 storey side extension at no. 94, along the ground floor element, it would be flush with the front building line of the existing hall, whilst maintaining a proposed width of approximately 2978mm, and maintain a lean-to pitched roof design, with a proposed height of approximately 4187mm. It would then project approximately 7687mm along the side elevation of the original dwellinghouse, then flush with its rear building line. The proposed first floor element would also maintain a proposed width of approximately 2978mm, and it would be set-back approximately 2450mm from the front building line of the original dwellinghouse. It would then project approximately 5051mm along the side elevation of the original dwellinghouse, then flush with its rear building line. The element would incorporate 1no. window each along the ground floor and first floor front elevation, 1no. window each along the first floor and ground floor rear elevation, French doors along the ground floor side elevation, including a hipped roof configuration. The proposed works at no.94 Kirkmanshulme Lane would include the creation of new vehicular access (approximately 4.8m deep by 2.4m wide) with access from Albert Grove.

With regards to the proposed part single, part two storey rear extensions along the rear of both nos. 94 - 96 Kirkmanshulme Lane, along the ground floor, the proposed extension would be flush with the side building line of the original dwellinghouse - no. 94 Kirkmanshulme Lane. It would then project from the rear building line approximately 3000mm into the rear garden, then

come forward of the common boundary with no. 98 Kirkmanshulme Lane approximately 13494mm, whilst leaving a small gap of approximately 129mm, from this boundary. This element would maintain a lean-to pitched roof design, with a proposed height of approximately 3793mm, 1no. window and French doors along the ground floor rear elevation of no. 94 and 1no. window along the ground floor side elevation; in addition to 1no. window and 2no. French doors along the ground floor of no. 96. Along the first floor, the proposed extension would also be flush with the side building line of the original dwellinghouse - no. 94 Kirkmanshulme Lane. It would then project from the rear building line approximately 1500mm into the rear garden, then come forward of the common boundary with no. 98 Kirkmanshulme Lane approximately 11720mm, then flush with the side building line of the original dwellinghouse - no. 96 Kirkmanshulme Lane. A separation distance of approximately 1728mm would be maintained from the common with no. 98 Kirkmanshulme Lane. This element would maintain a pitched to hipped roof configuration, with windows along the first floor.

In terms of proposed external facing materials, it is intended to use materials matching the existing dwellinghouse.

Consultations & Notification Responses

1. Neighbours

No comments, objections or representations in respect of this application were received.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'. The Framework has been related to the proposed development, with particular emphasis given to the following:

- o Chapter 8: Promoting healthy and safe communities.
- o Chapter 12: Achieving well-designed places.

2. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 - It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long-term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.' The following policies are relevant to the proposed development:

- o Policy DM 1 (Development Management)

- o Policy SP1 (Spatial Principles)
- o Policy EN1 (Design Principles and Strategic Character Areas)
- o Policy EN19 (Waste)
- o Policy T2 (Accessible areas of opportunity and need)

3. Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.

- o Saved Policy DC1 for Residential Extensions is still considered of relevance.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods. The following paragraphs are of relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals. It is considered that these design principles have been satisfactorily incorporated into the development.
- ii. Section 8 Community Safety and Crime Prevention - Relates the importance of creating safe environments through the incorporation of informal surveillance and crime prevention measures as an integral part of new development. These objectives have been related to the assessment of the proposed design and layout of the development.

ISSUES

Principle of development

The principle of extending one's home is acceptable and the planning system accommodates this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The key issues for this application are therefore the impacts on visual and residential amenity.

Residential and Visual Amenity

Impact of works (Erection of part single, part two storey side and rear extensions and creation of new vehicular access) - In light of the pre-existing contextual relationship along the boundaries, and given that this application is significantly in-part, similar to expired planning permission, (ref: 118260), it is considered that the proposed projection of the rear extensions are within the limitations for the guidelines set out in saved Policy DC1 regarding rearward extensions. No window/door openings are proposed along the side elevation of 96 Kirkmanshulme Lane and the proposed window/door openings along the side elevation of 94 Kirkmanshulme Lane are not considered to pose any significant overlooking/privacy concerns as they face the Albert Grove highway, and are largely in part screened by a low brick boundary wall and high hedges. It is considered that the proposed extensions are not excessively large

or bulky and they would create no significant impact on the character of the property or general area in terms of visual or residential amenity. On balance, it is considered that they would not unduly affect the amenities of the occupiers of neighbouring properties, specifically those at 98 Kirkmanshulme Lane and 1 Albert Grove in terms of its impact on residential / visual amenity as there are no overbearing, overshadowing, or loss of privacy impacts. It is however recommended that a further condition is attached restricting further extensions/outbuildings given the depth amenity space that would be retained along the rear elevations.

Impact of works (Design and appearance) - The design would reflect the characteristics of development in the area, and in terms of proposed materials, it is intended to use external facing materials in keeping with the original house which are considered to be acceptable in design terms, although a condition has been attached to ensure that materials are adhered to.

Impact of works (Car Parking) - Traffic Regulation orders in the form of double yellow lines apply along Kirkmanshulme Lane and therefore no vehicular access is proposed to either numbers 94 or 96 Kirkmanshulme Lane from this frontage. Furthermore pedestrian safety railings are in place at the kerb edge with the highway in this location. Within-curtilage parking provision (approximately 4.8m deep by 2.4m wide) is therefore proposed for 1 vehicle at 94 Kirkmanshulme Lane with vehicular access from Albert Grove. Although the proposed depth of driveway, (approximately, depth 4.8m) would not meet Manchester City Council's minimum parking standards, and in light of the topography of the application site along a corner plot position, and due to the fact that parking on Albert Road is unrestricted, and as such on-street provision is also available, this is considered to be acceptable in this location and the level of provision is not considered to give rise to significant highway issues. Planning permission would not be necessary for the creation of the access, however, as it has been included in the application comments have been made as above.

Impact of works (Waste Management) - There is still sufficient space for access and storage of wheeled bins at 94 Kirkmanshulme Lane. However, access and storage of refuse for 96 Kirkmanshulme Lane would be from the front of the property due to the siting of the proposed development which would sit along the common boundary with 98 Kirkmanshulme Lane. An appropriate bin store/screening has been provided in the interest of visual amenity and is considered acceptable.

Conclusion - 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 (July 2021); policies SP1, DM1, EN1, T2 and EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 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

The local Planning Authority in its decision has had due regard to the National Planning Policy Framework, as well as the Development Plan, National Planning Policy and other material considerations and has approved the application for the reasons outlined in this delegated report. The local planning authority had no other 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:

- o Householder Application for Planning Permission for works or extension to a dwelling, received by the City Council as Local Planning Authority on 07 July 2022.
- o Location Plan/Block Plan with application site edged in red, received by the City Council as Local Planning Authority on 07 July 2022.

- o Proposed Site Plan, Revision B, received by the City Council as Local Planning Authority on 04 August 2022.
- o Existing Floor Plans and Elevations, DRAWING NUMBER 2262/22/01, received by the city council as the local planning authority on 21 July 2022.
- o Proposed Floor Plans and Elevations, DRAWING NUMBER 2262/22/02, Revision A, received by the city council as the local planning authority on 03 August 2022.

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 used to construct the external elevations of the extension hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

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

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: Proposed Site Plan, Revision B, received by the City Council as Local Planning Authority on 04 August 2022, and Proposed Floor Plans and Elevations, DRAWING NUMBER 2262/22/02, Revision A, received by the city council as the local planning authority on 03 August 2022.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policies SP1 and DM1 Core Strategy for the City of Manchester (July 2012).

5) 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 outbuildings, sheds or extensions shall be erected without the express consent of the City Council as the Local Planning Authority.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

6) Wheeled bins for no.96 Kirkmanshulme Lane shall be stored within the enclosed bin store area location as shown on: Proposed Site Plan, Revision B, received by the City Council as Local Planning Authority on 04 August 2022, and Proposed Floor Plans and Elevations, DRAWING NUMBER 2262/22/02, Revision A, received by the city council as the local planning authority on 03 August 2022, and only brought to the back of pavement on collection days, and this arrangement shall remain so in perpetuity, and be maintained.

Reason - In the interests of residential and visual amenity, pursuant with saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies EN19, SP1 and DM1 of the Core Strategy (July 2012).

7) 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

Rodney House School, 2 Albert Grove, Manchester, M12 4WF
1 Albert Grove, Manchester, M12 4WF
98 Kirkmanshulme Lane, Manchester, M12 4WB
96 Kirkmanshulme Lane, Manchester, M12 4WB
13 Sarnesfield Close, Manchester, M12 4PZ
21 Sarnesfield Close, Manchester, M12 4PZ
24 Albert Grove, Manchester, M12 4WF
17 Sarnesfield Close, Manchester, M12 4PZ
22 Albert Grove, Manchester, M12 4WF
100 Kirkmanshulme Lane, Manchester, M12 4WB
23 Sarnesfield Close, Manchester, M12 4PZ
19 Sarnesfield Close, Manchester, M12 4PZ
15 Sarnesfield Close, Manchester, M12 4PZ

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 - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA