

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132514/FH/2021

Date registered valid: 11 August 2022

Proposal: Retention of 3rd Storey rear extension

Address: 37 Old Hall Lane, Rusholme, Manchester, M13 0TH

Ward(s): Rusholme Ward

Applicant: Miah, 37 Old Hall Lane, Rusholme, Manchester, M13 0TH

Agent (if any): Miraj Architectural Design Ltd CCC, 60 Tweedale Street, Rochdale, OL11 1HH

Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: REFUSE

Date of recommendation: 4th October 2022



Application details

Type of application:	Full Householder Application
Development type:	Householder
Date of site visit:	4.10.2022
Standard consultations:	Printed: 18 August 2022 Expired: 8 September 2022
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

The site comprises a two storey semi-detached residential dwelling house in the Rusholme ward area of Manchester. The property has gable fronted bay windows with front porch entrance. A garden is located to the front and rear with access along the side. The roof of the property is hipped, reflective in style to other properties in the area. The property appears original in layout notwithstanding the front porch.



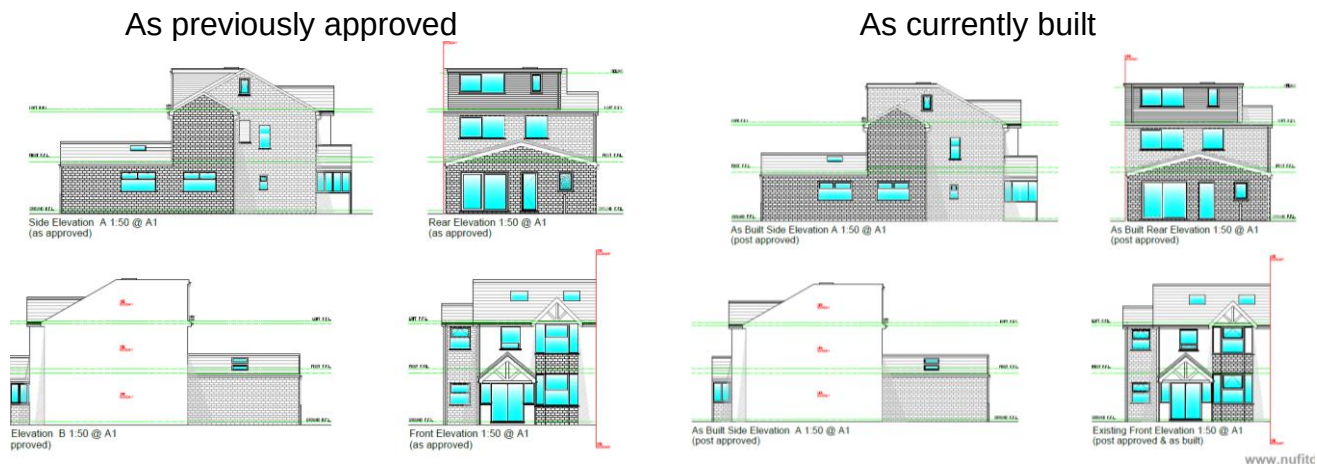
Listed building:	Not applicable
Conservation area:	Not applicable
Tree Preservation Order:	Not applicable

Description of area

The property is located in a predominantly residential area. Neither of the adjoining properties have been extended. At the rear of the site is a railway line on an embankment and facing the site is Elsdon Road.

Description of development

The applicant is seeking planning permission for the retention of a 3rd Storey rear extension.



Consultations & Notification Responses

Local residents, as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. No comments have been received in respect of this application.

HS2 - In light of the above, HS2 Ltd raises no objection to the proposal and the Council is free to determine the application.

Should the application be approved, attach informative.

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 does not accord 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 unacceptable and it is believed that there are factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposal is deemed not to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Plans considered

The plans considered as part of this proposal are as follows:

Existing

Received 11th August 2022 Existing Elevations (AS APPROVED)

Received 11th August 2022 Existing Floor Plans (AS APPROVED)

Proposed

Received 11th August 2022 Proposed Elevations (AS BUILT)

Received 11th August 2022 Proposed Floor Plans (AS BUILT)

History

Previous planning applications relating to this site as follows:

127149/FH/2020 - Application Approved - 11.08.2020 Erection of a two storey side extension, a single storey rear extension and front porch, together with conversion of roof from hipped to gable and installation of dormer to rear

123589/FH/2019 - Application Approved - 30.07.2019 Erection of single-storey side and rear extension and front porch, together with conversion of roof from hipped to gable and installation of dormer to rear

Residential Amenity

This application has been submitted as a result of the development not being built in accordance with what was previously approved (127149/FH/2020).

The site is located within a predominantly residential area of the City and is characterised by large and moderate sized semi-detached properties. Although some of the properties within the area have seen visible changes to the roofs by the additions of dormers, the Council believes that the changes are modest and do not impact on the existing properties or the character of the area.

The roof extension consists of a large structure that spans across the entire rear roof slope of the main dwelling house and in line with the side and rear wall of the property thereby giving the appearance from the side as a three storey property. It is of a flat roof design and has been tile hung on the rear and built up in brick on the gable. This has effectively created a dominant second floor gable wall, that not only alters the roof shape, but due to its size, scale, height, and design appears oversized and top heavy, thereby detracting from the symmetry with the adjoining and surrounding properties.

It is considered that on approach along Old Hall Lane from the east side, given the prominence of the structure, it is not concealed in views from within the street scene which offers a significantly harmful effect on the character and appearance of the surrounding area.

The City Council believe that introducing a structure of this size to this part of the property causes visual harm leading to an unacceptable loss of visual amenity and therefore considers the proposal to be unacceptable in this case.

Overall, taking into consideration the relationship of the adjacent properties to the application site, the position, height, mass and bulk of the proposal, it is considered that the rear second floor extension results in a structure which is out of character with the existing and surrounding properties in the area. Therefore, the proposal does not comply with policies DM1, SP1 and EN1 of the Manchester Core Strategy and extant policy DC1 of the Unitary Development Plan.

Siting, scale and massing

The height, position, bulk and mass of the second floor extension is believed to provide an unacceptable impact upon the residential amenities of the surrounding properties which is out of character. It is therefore considered that the scale and mass of the development is not satisfactory and is considered not 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 considered unacceptable with the existing and surrounding properties in the area. The design is not detailed as what is normally expected of such a structure.

On balance it is considered that the design and appearance of the proposed development does not accord with Core Strategy Policies DM1 and EN1 and in general the design is considered unacceptable.

Waste management

The location of refuse bins are not affected by this proposal.

Parking

Parking is unaffected by this proposal.

Conclusion

It is considered that the proposal provides visual harm to the occupiers of surrounding properties by reason of its design, scale and massing and prominent position. The proposal leads to an overly dominant and incongruous feature which the City Council considers to be out of character with the area. Therefore the proposal is considered does not comply with Council saved policies DC1 of the Unitary Development Plan and policies DM1, SP1 and EN1 of the Core Strategy

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: REFUSE

Article 35 Declaration

Positive and proactive working - The proposal would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development by reason of its design, scale and massing and prominent position, results in an overly dominant and incongruous feature which is out of character with, and fails to contribute positively to, the general character of the local area. The proposal is therefore contrary to policies SP1, EN1 and DM1 of the Manchester's Core Strategy Development Plan Document and saved Unitary Development Plan policy DC1 and the guidance within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited

13 Hardon Grove, Manchester, M13 0TX
11 Hardon Grove, Manchester, M13 0TX
9 Hardon Grove, Manchester, M13 0TX
7 Hardon Grove, Manchester, M13 0TX
35 Old Hall Lane, Rusholme, Manchester, M13 0TH
39 Old Hall Lane, Rusholme, Manchester, M13 0TH
15 Hardon Grove, Manchester, M13 0TX
5 Hardon Grove, Manchester, M13 0TX

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

