

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134475/FH/2022
Date registered valid: 25 July 2022
Proposal: Erection of single storey rear conservatory
Address: 212 Lawnhurst Avenue, Manchester, M23 9RQ
Ward(s): Brooklands Ward
Applicant: Mr & Mrs Jacob, 212 Lawnhurst Avenue, Manchester, Manchester, M23 9RQ
Agent (if any): Mr Howard Bland, Clearview Home Improvements, 43 Alma Avenue, Foulridge, Colne, BB8 7NS
Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 16 September 2022



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 13 September 2022

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 3 August 2022 Expired: 24 August 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

The application relates to a modern three storey mid-terrace C3 dwellinghouse of buff brick. The property has not yet been extended. The plot includes a front garden, informal driveway and rear garden bound by high fencing.

Description of area

The Lawnhurst Avenue estate lies between Moor Road and Wythenshawe Park within Brooklands and benefits from its proximity to open green space and the Moor Road tram stop.

Description of development

The applicant is seeking permission to build a single storey rear conservatory to provide additional living accommodation.

Consultations & Notification Responses

Local residents, as per appendix 1 – No comments received.

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Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan but certain policies are still considered of relevance: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 11th July 2012:

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF 2012, amended in 2021):

- Chapter 12 - Achieving well-designed places

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



Issues

Principle – The principle of building a single storey rear extension/conservatory to provide additional living space for a residential dwelling is acceptable, however consideration must be given to the proposals siting, scale and massing, appearance and impact upon existing levels of residential and visual amenity.

Siting, scale and massing – The single storey extension would be sited at the rear, facing west. It would project 2.8m to the rear with a width of 4.5m, an eaves height of 2.4m and a ridge height of 3.27m. It would be sited 0.35m from the boundary shared with No.214 and 0.22m from the boundary shared with No.210 . The rearward depth accords with the limit stipulated within policy DC1 (of 3.65m) and could be built under Permitted Development due to its modest dimensions. The extension is appropriately sited and subservient to the original house, therefore the proposal is deemed acceptable in terms of its scale and position.

Design, appearance and visual amenity – The extension would be a conservatory, consisting of brickwork to match the existing dwellinghouse and a glazed pitched roof with grey aluminium framing, tinted glazing and grey uPVC cladding to the sides of the mono-pitched roof. It would include a bi-folding door in the rear, opening onto the garden. The remaining curtilage would be adequate for family use and the extension is standard in design. It would not be visible from the public highway and therefore would not feature within the streetscene, hence the character of the estate would not be harmed and the appearance and its impact upon visual amenity is deemed negligible.

Residential amenity – Due to the small scale and its siting, it is not considered it would significantly affect the surrounding occupiers' amenity, particularly as it could be built under permitted development and no objections have been received.

Conclusion – The storage of refuse and provision of off-street parking would remain as existing, in line with policy DM1. The proposal complies with policies DC1, SP1, DM1 and the NPPF, did not receive any objections and is not thought to cause undue harm to the existing levels of residential amenity enjoyed by neighbouring occupiers nor negatively affect the visual amenity of the area, therefore the development is deemed acceptable and may commence in accordance with the following conditions.

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. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

Condition(s) to be attached to decision for approval

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 drawings titled 'Existing and proposed plan views' and 'Proposed elevations', stamped as received by the City Council as Local Planning Authority on the 25th July 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 drawings.

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.

Appendix 1 – List of consultees & neighbours notified

220 Lawnhurst Avenue, Manchester, M23 9RQ
214 Lawnhurst Avenue, Manchester, M23 9RQ
210 Lawnhurst Avenue, Manchester, M23 9RQ
Ketumati Buddhist Vihara, 21 Moor Road, Manchester, M23 9BQ

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
Area Team Boundary - Name: SOUTH AREA