

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133680/LP/2022

Date registered valid: 4 May 2022

Proposal: Certificate of lawful proposed development for the erection of a single storey rear extension

Address: 39 Kenworthy Lane, Manchester, M22 4FJ

Ward(s): Northenden Ward

Applicant: Mr & Mrs Staunton, 39 Kenworthy Lane, Manchester, M22 4FJ

Agent (if any): Mr Steven Mellor, William McCall, The Old Post Room, 34 Chew Valley Road, OL3 7DA

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 29 June 2022

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

Date of site visit: Not required

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: No neighbour notifications have been printed and sent.

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 mid-terrace C3 dwellinghouse of brown brick with a slate roof. The property features an integral ginnel shared with the adjoining neighbour providing access to the rear, a driveway to the front and a garden to the rear.

Description of area

Kenworthy Lane in Northenden is predominantly residential in nature and benefits from its proximity to the district centre and lots of greenspace.

Description of development

The applicant is applying for a certificate of lawful proposed development for a small single storey rear extension to provide additional living accommodation.

Consultations & Notification Responses

None required for this type of application.

Policy

The Town and Country Planning (General Permitted Development) Order (2015) - Schedule 2, Part 1, Class A.

Assessment

The proposed single storey rear extension does not exceed 3m in depth/projection or 3m at eaves (2.87m) and is less than 4m in maximum height (3.83m). It would not project beyond an original side wall or from a previous addition and would be set in from the side boundary/party wall. The proposed footprint (16.8 square metres) would not occupy 50% of the original curtilage (approximately 105 square metres). The property is not located within a conservation area and has its PD rights intact. The design is simple, to be expected of such development, and would feature matching materials. The structure is not considered to cause an undue loss of light or impact upon the privacy of the neighbouring occupiers, nor should it harm the character of the area. The rooflights proposed for the mono-pitched roof are shown to be flush and the new ground floor window proposed for the side elevation is shown as obscurely glazed.

As it is not considered to cause undue harm to the visual amenity of the house and area nor the residential amenity currently enjoyed by the neighbours and the proposal is to be built in accordance with Schedule 2, Part 1, Class A of the General Permitted Development Order (2015) (as amended), the development is deemed permitted and thus granted the certificate.

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

Condition(s) to be attached to decision for approval

Approve on the basis that the proposed rear extension, shown on the drawing numbered '04/22/44 - 1 of 2' stamped as received by the City Council as Local Planning Authority on 4th May 2022, constitutes permitted development in accordance with Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Appendix 1 – List of consultees & neighbours notified

None

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

Flood Zones Type 2 (low to medium risk) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH