

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133912/FH/2022

Date registered valid: 27 May 2022

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

Address: 14 Rimsdale Drive, Manchester, M40 0GN

Ward(s): Moston Ward

Applicant: Mr Kyle Seale 14 Rimsdale Drive, Manchester, M40 0GN

Agent (if any): Mr Sam Nawaz 32 Turf Pit Lane, Oldham, OL4 2NE

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 2 August 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 27 June 2022

Standard consultations:

Printed: 8 June 2022 Expired: 29 June 2022

Neighbour notifications

Printed: 8 June 2022 Expired: 29 June 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: No

Tree Preservation Order: No

Description of area

The application site relates to 14 Rimsdale Drive within the Moston ward of north Manchester. The application property is a 2 storey, red brick dwellinghouse with cream render and brick detailing at first floor level. The property is part of the new build development off of St Mary's Road, Moston. Amenity space to the front of the property consists of a paved driveway and a small, grassed area and amenity space to the rear consists of an Astro-turf garden with some hardstanding. A conservatory is currently sited to the rear of the property.

Description of development

The submitted application seeks planning permission for the erection of single storey rear extension to form additional living accommodation. The proposal would have approximate dimensions of Height: 2.25 (to the eaves) / 3.52 (to the highest point) x Length: 4 x Width: 5.05 metres and would create an additional amenity space for the residents. The proposal would involve the insertion of a set of sliding doors within the rear elevation and two roof lights within the roof plane. Materials to be used include brickwork (to match host property), grey roof tiles (to match host property), roof lights in anthracite grey (different to existing white uPVC) and bi-folding doors in anthracite grey (different to existing white uPVC doors). On 28 June 2022 via

email the agent confirmed the conservatory is being removed as a result of the proposal and the walls are being built up off the existing to become a solid structure.

Planning history

064313/MO/NORTH1/02- Land off St Marys Road- RESERVED MATTERS Erection of 278 dwellings.

Approved 31 May 2002.

This permission was subject to conditions including the following:

14) Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 1995, or as subsequently amended, the development shall not have any extensions added subject to Class A, Part 1 of the Schedule 2 without the prior consent of the City Council as Local Planning Authority.

062879/OO/NORTH1/01- Land off St. Marys Road- Outline residential development including the proposed means of access.

Approved 19 January 2022.

Consultations & Notification Responses

Local residents

Local residents were consulted, and no responses were received.

Environmental Health

Environmental Health were consulted and asked for the following to be placed on any approval granted:

DEMOLITION/CONSTRUCTION HOURS

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

GAS01 New applications for extensions

Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas pursuant to policy EN18 of the Manchester Core Strategy (2012).

Issues

POLICY

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The impact; on the surrounding areas; in terms of the design, scale and appearance of the proposed development. Development should have regard

to the character of the surrounding area. The effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1 (Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of the neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

Principle of development

The submitted development application is for the erection of single storey rear extension to form additional living accommodation. It is considered acceptable in principle as many people prefer to alter and extend homes, rather than move, to meet changing residential needs. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

The proposal would utilise the building outline of the conservatory currently erected at the rear of the property. The proposal would be sited approximately 1.16 metres from the shared boundary with no.12 Rimsdale Drive and 4 metres from the shared boundary with no.16 Rimsdale Drive. No.12 would experience an additional 4 metres in built form from the proposal. However, as this is the same length as the conservatory currently at the property and as the proposal is only single storey, it is considered that the proposal would not create an overbearing impact to the neighbours. In addition, as the proposal would align with the host property's side building line, the space between the two properties would be maintained (as is currently the case). No windows are to be inserted on the side elevation facing no.12 Rimsdale Drive and as such would not create any overlooking or privacy implications. In addition, a condition shall be attached to any approval granted restricting the further insertion of windows or doors beyond those approved by this consent.

The proposal would be sited 4 metres from the shared boundary with no.16 Rimsdale Drive. As such, as the extension would be sited considerable distance from the boundary and as the extension is only single storey, it would not give rise to any overbearing impacts. The proposal would not produce any privacy implications for no.16 Rimsdale Drive.

Due to the orientation of the properties along Rimsdale Drive, no negative impacts would occur in terms of loss of light or overshadowing.

Although the rear of the properties along Rimsdale Drive (especially no.32 Rimsdale Drive) would look onto the proposal, the properties are sited adequate distance to not cause any overlooking or privacy implications to the applicant.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity.

Design and Appearance

The extension would have an approximate length of 4 metres and would therefore exceed the rearward projection length prescribed under DC1.3 of the UDP. However, considering the Larger Homes Extension Route obtained through Permitted Development, this length is considered a compromise between the two routes for approval and is therefore acceptable. The proposal utilises the building line of the existing conservatory and as such would not be out of character with the style of development within the immediate area. As such, it is considered appropriate in its form and size and is not excessively large or bulky, pursuant to Policy DC1.2 of the UDP.

The proposed extension has been designed sympathetically to relate to the existing property as most of the materials would match the existing and the different materials of anthracite grey windows and doors are considered appropriate.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Environmental Health conditions

Environmental Health asked for a construction hours condition to be placed on any approval granted. This is considered onerous for the proposal and would be omitted from the decision notice. The gas membrane pre-commencement condition was sent to the agent, however discussions with Environmental Health led to the removal of the condition from any approval granted. This followed confirmation from the planning agent that the floor structure will not be disturbed and neither will the membrane in place. A condition is therefore proposed to be attached to any approval to require that the development is carried out in accordance with 'Correspondence- Agent Confirming Floor Structure and Gas Membrane will not be Disturbed', stamped as received by the City Council as Local Planning Authority on 3 August 2022', in relation to the retention of the proprietary gas membrane used for the existing conservatory. The development shall be implemented in accordance with the approved details.

Car parking

Car parking provisions would be unaffected by the proposal.

Bin storage

Bin storage would be unaffected by this proposal.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area.

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 proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner.

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:

- Householder Application for Planning Permission stamped as received by the City Council as Local Planning Authority on 27 May 2022.
- Drawing- Proposed- Floor Plan, numbered P-02, stamped as received by the City Council as Local Planning Authority on 27 May 2022.
- Drawing- Proposed- Elevation, numbered P-03, stamped as received by the City Council as Local Planning Authority on 27 May 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

5) The development hereby approved shall be carried out in accordance with 'Correspondence-Agent Confirming Floor Structure and Gas Membrane will not be Disturbed', stamped as received by the City Council as Local Planning Authority on 3 August 2022', in relation to the retention of the proprietary gas membrane used for the existing conservatory. The development shall be implemented in accordance with the approved details.

Reason - The development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas, pursuant to policies DM1 and EN18 of the Manchester Core Strategy (2012).

Informative

1. Construction/demolition works shall be confined to the following :

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Appendix 1 – List of consultees & neighbours notified

Environmental Health

30 Rimsdale Drive, Manchester, M40 0GN
32 Rimsdale Drive, Manchester, M40 0GN
6 Rimsdale Drive, Manchester, M40 0GN
18 Rimsdale Drive, Manchester, M40 0GN
16 Rimsdale Drive, Manchester, M40 0GN
12 Rimsdale Drive, Manchester, M40 0GN
10 Rimsdale Drive, Manchester, M40 0GN

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH