

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131697/FH/2021

Date registered valid: 6 January 2022

Proposal: Erection of part two storey, part single storey side extension and single storey rear extension to form additional living accommodation

Address: 17 Rylance Street, Manchester, M11 3NP

Ward(s): Ancoats & Beswick Ward

Applicant: Mr Manu Gunda 17 Rylance Street, Manchester, M11 3NP

Agent (if any): Amar Singh Egan 42 Woodhall Avenue, Manchester, M45 7QF

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

Recommendation: Approve

Date of recommendation: 26 July 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 2 February 2022

Standard consultations:

Printed: 7 January 2022 Expired: 28 January 2022

Neighbour notifications

Printed: 7 January 2022 Expired: 28 January 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:

Tree Preservation Order:

Description of site / building / area

The application relates to a 2-storey, modern, semi-detached dwellinghouse located on a prominent corner plot position close to the junction of Rylance Street and Stadium Drive in the Ancoats and Beswick ward of Manchester. The property sits within rectangular grounds with amenity space to the front side and rear elevations, including timber frame boundary treatment approximately 1.8 metres along the side and rear garden area, and incorporating a gated access along the side elevation. The existing depth of rear garden is approximately 9.4 metres, and there is an existing minimum separation distance of approximately 15.3 metres from the rear elevation to the properties along Stadium Drive, specifically nos. 4-8 Stadium Drive, (first floor window to window). There is a tarmac driveway along the front and side of the dwellinghouse. Within the front garden is a Lime tree (T1) which is protected by a tree preservation order. The surrounding area is predominantly residential in character.

Description of development

The submitted plan relates to the proposed erection of a part two, part single storey side extension, and a single storey rear extension to form additional living accommodation.

Following an assessment of the initially submitted plans, the agent was advised that there were inconsistencies between the submitted "Block Plan Scale 1:1250" and the proposed floor plans and elevations, as it appeared that the proposed extension would be built along the common shared side boundary; therefore, further clarification was sought from the agent. A revised plan was subsequently submitted, (dated 05/07/2022), confirming the proposed side extension would be stepped away from the common shared boundary by approximately 1000mm. Clarification has also been provided regarding existing gas protection measures at the property, (dated,13/07/2022).

The proposed side extension would be approximately 3000mm in width, and would be stepped away approximately 1000mm from the common shared boundary with no.19 Rylands Street and set-back 2500mm from the front building line of the original dwellinghouse at both ground and first floor levels. At ground floor the side extension would project approximately 9850mm along the side boundary into the rear garden, then wrap-round the rear elevation of the original dwelling to the common shared boundary with no.2 Stadium Drive, whilst retaining a small gap of approximately 133mm from this boundary. The proposed width along the rear elevation would be approximately 8814mm, and the proposed maximum rearward projection of the proposed rear extension would not exceed 4300mm. The proposed maximum height along the rear elevation would be 3449mm. The extension would incorporate a window along the front elevation, including a further window and French doors along the rear elevation. At first floor level, the side extension would project approximately 7060mm along the side boundary, and terminate flush with the rear building line of the original dwellinghouse. It would incorporate one window along the front elevation and another along the rear elevation. It is intended to use external facing materials matching those of the existing house.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations were received.

Neighbours were re-notified following revisions to the initially submitted plans. No comments, objections or representations were received.

2. Arboriculturist

The side/ rear extension will have no impact on the Lime tree positioned to the front of the property, however, protection measures will need to be put in place to ensure the tree is adequately protected during construction of the extension.

Protective fencing with adequate signage would need to be placed around the tree and no materials or machinery should be stored within this fenced area.

3. Environmental Health

a) 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

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b) Gas Protection membrane

It is recommended that a gas protection membrane condition is attached to any recommendation for planning permission.

POLICIES

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:

- Chapter 8: Promoting healthy and safe communities.
- 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.

- Policy DM 1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

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

- Saved Policy DC1 (Residential Extensions) is considered relevant.

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 particular 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

The initially submitted plan has been slightly revised in the interest of residential amenity, (dated 05/07/2022).

Principle

The principle of the proposal is considered acceptable. Notwithstanding this, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

Impact of works (Erection of part two storey, part single storey side extension and single storey rear extension to form additional living accommodation) - In light of the existing content, and given the revisions to the initially submitted plan, it is not considered that the proposal would adversely affect the streetscene or neighbouring houses, or would it be out of character with the local area. All proposed windows and doors in the proposed extensions would either face Rylands Street, or the rear garden. At first floor level the window proposed the rear elevation of the side extension would be no closer than the habitable room windows in the rear elevation of the existing dwellinghouse, to the houses to the rear, and window in the rear elevation of the proposed single storey rear extension would be screened by the existing close boarded wooden fencing to the curtilage of the rear garden. It is therefore considered that the proposed development would not give rise to significant impact to residential amenity by virtue of overlooking and loss of privacy.

Due to the set back of the side extension from the frontage of the main dwellinghouse and the retention of an access alongside the side gable of the proposed extension, it is not considered that the massing would give rise to significant adverse impacts so as to warrant the refusal of permission. It is however recommended that a condition is attached limiting any further windows/door openings in the interest of residential amenity.

Impact of works (Design and appearance) - In design terms, it is not considered that the proposed development would unduly harm the character of the building or the general area. It is also intended to match materials with that of the existing, although a materials condition has been attached to ensure that the materials are adhered to.

Impact of works (Waste management) - The existing arrangement would in-part be affected. The existing access along the side elevation would in-part be lost to accommodate the new extension. However, the revised plan, (dated 05/07/2022) demonstrates that a 1000mm gated access would be retained to allow for access. Wheeled bins can therefore be stored within curtilage, behind boundary treatment.

Impact of works (Car parking) - Although the proposal would in-part involve the loss of the existing access along the side elevation to accommodate the new side extension, the existing number of on-site car parking spaces would be maintained.

Impacts to Lime tree - The side/ rear extension would not have impact on the Lime tree (which is subject to a Tree Preservation Order) positioned to the front of the property, however, protection measures will need to be put in place to ensure the tree is adequately protected during construction of the extension.

Protective fencing with adequate signage would need to be placed around the tree and no materials or machinery should be stored within this fenced area. It is recommended that this aspect of the scheme is conditioned.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is therefore not considered that the proposal would be unduly overbearing, nor would it present privacy and overlooking concerns which would adversely impact upon residential or visual amenity. Moreover, refuse management and parking arrangements have been sufficiently demonstrated; pursuant with The National Planning Policy Framework; The Manchester Core Strategy Development Plan Document Policies EN1, DM1, SP1, EN19, T2; Saved Unitary Development Plan Policy DC 1; and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

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 agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, revisions to the initially submitted plans were negotiated, and the agent subsequently submitted revised plans, (dated 05/07/2022). Clarification has also been provided regarding existing gas protection measures at the property, (dated,13/07/2022). 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:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as Local Planning Authority on 15 September 2021.
- Location Plan, Proposed Block Plan, and Existing and Proposed Floor Plans, Drawing Number, 792/1c, received by the City Council as the local planning authority on 05 July 2022.
- Existing and Proposed Elevations, Drawing Number, 792/2b, received by the City Council as the local planning authority on 09 April 2022.
- Correspondence (dated,13/07/2022)

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 (2012) .

3) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing and as stated on the submitted information and approved drawings.

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 (2012) .

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 extensions hereby approved other than those shown on:

- Location Plan, Proposed Block Plan, and Existing and Proposed Floor Plans, Drawing Number, 792/1c, received by the City Council as the local planning authority on 05 July 2022.
- Existing and Proposed Elevations, Drawing Number, 792/2b, received by the City Council as the local planning authority on 09 April 2022.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012) .

5) Before above ground works, the development shall include the installation of a proprietary gas protection membrane, in order to alleviate any possibility of landfill gas ingress to the building. Details of appropriate and comprehensive construction designs shall be submitted to and approved in writing by the City Council as local planning authority, prior to the installation of the proprietary gas protection membrane. The approved scheme shall be implemented prior to occupation of the proposed extension.

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) .

6) 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 part of the resulting dwelling shall be used for any other purpose than Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3.

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.

7) In this condition "retained tree" means an existing Lime tree, located within the front garden area of no. 17 Rylance Street ;and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction).

(b) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012) .

Informatives

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

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

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Appendix 1 – List of consultees & neighbours notified

Environmental Health
Neighbourhood Team Leader (Arboriculture)

2 Stadium Drive, Manchester, M11 3NB
21 Rylance Street, Manchester, M11 3NP
19 Rylance Street, Manchester, M11 3NP
4 Stadium Drive, Manchester, M11 3NB
6 Stadium Drive, Manchester, M11 3NB
8 Stadium Drive, Manchester, M11 3NB
23 Rylance Street, Manchester, M11 3NP
34 Rylance Street, Manchester, M11 3NP
32 Rylance Street, Manchester, M11 3NP
30 Rylance Street, Manchester, M11 3NP
1 Aldridge Road, Manchester, M11 3DH

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH