

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126962/FH/2020

Date registered valid: 21 May 2020

Proposal: Erection of single storey side extension to facilitate additional living accommodation

Address: 86 Martindale Crescent, Manchester, M12 4WQ

Ward(s): Ardwick Ward

Applicant: Mr Mohammed Shahzad 86 Martindale Crescent, Manchester, M12 4WQ

Agent (if any): Mohammed Yaseen 2 Keble Avenue, Oldham, OL8 4HN

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

Recommendation: Approve

Date of recommendation: 5 August 2020

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 26 May 2020 Expired: 16 June 2020

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 end of terrace on the corner of Dillon Drive and Martindale Crescent in the Ardwick ward. The property is constructed of buff brick with grey concrete roof tiles along with all round boundary treatment, which is in-part approximately 2 metres high solid brick wall along the Dillon Drive elevation.

The property benefits from amenity space to the front, side and rear. Off-street car parking for at least one vehicle is available on the front driveway. In situ along the rear of the application site is a modest single storey flat roof outrigger along the common boundary with no. 84 Martindale Crescent, which does not project more than 2 metres into the rear garden, and is a feature that is characteristic of all houses in the street.

Description of development

The submitted application relates to the erection of single storey side extension to facilitate additional living accommodation.

The initial application has undergone some revisions in the interest of residential and visual amenity, in light of the proposed scale and massing impact. Clarification was also sought on the depth of the garden space that would remain, on-site car parking and refuse management arrangements. These matters were subsequently addressed, and clarification provided, and subsequent revised plans submitted, (Email and attached plan from agent dated 19/07/2020: Existing and Proposed Elevations and Floor Plans, Drawing No. PP71-5/20; and Existing and Proposed Site Plan, Drawing No. MS19520, Revision A).

The proposed single storey side extension, (length 9481mm x width 4000mm [front elevation] and 4100mm [rear elevation] x maximum height 4045mm), would be set-back 450mm from the front elevation of the original house.

The proposed maximum rearward projection from the rear elevation of the original house would be 2.1m- (it would project to a similar depth as the existing flat roof rear outrigger). From the rear elevation of the proposed extension a depth of the 4892mm would remain as garden space. A gap of 1000mm would be left between the side elevation of the proposed side extension and the existing boundary wall along the Dillon Drive elevation to allow for access.

In terms of proposed window/door openings, 1 window would face Martindale crescent to facilitate a reception area, 1 small window along the side elevation (facing the boundary wall along Dillon Drive) to facilitate a shower room, French doors along the rear elevation, and 1 window along the side elevation facing the existing single storey flat roof outrigger.

A pitch roof design is proposed, and it is intended to match external facing materials with the original 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.

2. Cadent and National Grid Plant Enquiry Response

Considerations in relation to gas pipeline/s identified on site:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Email: plantprotection@cadentgas.com Tel: 0800 688 588

POLICIES

The following policies are considered relevant in the consideration of this application.

1. The National Planning Policy Framework (NPPF), (February 2019)

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.

- Policy DC1 for Residential Extensions is still considered of relevance.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

- In addition, the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The document 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: 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

As previously mentioned, the initially submitted application has undergone some revisions in the interest of residential and visual amenity, in light of the proposed scale and massing impact. Clarification was also sought on the depth of the garden space that would remain, on-site car parking and refuse management arrangements. These matters were subsequently addressed, and clarification provided, and subsequent revised plans submitted, (Email and attached plan from agent dated 19/07/2020: Existing and Proposed Elevations and Floor Plans, Drawing No. PP71-5/20; and Existing and Proposed Site Plan, Drawing No. MS19520, Revision A).

The proposed single storey side extension, (length 9481mm x width 4000mm [front elevation] and 4100mm [rear elevation] x maximum height 4045mm), would be set-back 450mm from the front elevation of the original house.

The proposed maximum rearward projection from the rear elevation of the original house would be 2.1m- (it would project to a similar depth as the existing flat roof rear outrigger). From the rear elevation of the proposed extension a depth of the 4892mm would remain as garden space. A gap of 1000mm would be left between the side elevation of the proposed side extension and the existing boundary wall along the Dillon Drive elevation to allow for access.

In terms of proposed window/door openings, 1 window would face Martindale crescent to facilitate a reception area, 1 small window along the side elevation (facing the boundary wall along Dillon Drive) to facilitate a shower room, French doors along the rear elevation, and 1 window along the side elevation facing the existing single storey flat roof extension.

A pitch roof design is proposed, and it is intended to match external facing materials with the original house.

Principle of development

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

Height, scale and massing

Given the revisions to the initial plan, which has negotiated a 450mm set-back along the front façade, an access of 1000mm along the side elevation of the proposed extension, and a reduction in the initially proposed rearward projection to 2100mm, and due to the fact that the proposed extension would be single storey, and the maximum proposed height would not exceed 4045mm, and the proposed extension would be significantly screened by 2000mm high brick wall along the Dillon Dive elevation, and the proposed pitch roof design, it is considered that there would no significant adverse impacts from the proposed height, scale and massing. In additional there would be a significant separation from the properties along the side and rear of the application site, specifically those at no. 84 Martindale Crescent, nos. 2 and 3 Dillon

Drive, and those along New Bank Street. Therefore on balance, it is considered that the proposed extension would create no significant adverse impact in terms of height, scale and massing on the amenities of the neighbouring occupiers, pursuant to the requirements of Core Strategy policies EN1, DM1 and SP1.

Siting

In terms of siting, all the proposed works would be contained within the curtilage of the application site, and in light of the proposed revised 450mm set-back along the front elevation to distinguish the new development from the original house. Furthermore, although the proposal would in-part be visible along the streetscene, a significant scale would be screened behind a 2 meter high brick wall along the Dillon Drive elevation, and due to the fact that there would be a significant separation from the properties along the side and rear of the application site, specifically those at no. 84 Martindale Crescent, nos. 2 and 3 Dillon Drive, and those along New Bank Street, on balance, it is considered that the development meets the requirements of Core Strategy policies EN1, DM1 and SP1 and saved UDP policy DC1.

Residential amenity

Given the revisions to the initial plan, it is considered that the proposed single storey side extension would allow the adaptation of the existing dwelling to meet the changing needs of the occupiers, and it is not considered that the development would result in undue overlooking or loss of privacy, and the proposed development would not affect the relationship of the site for configuration of neighbouring houses. In addition, a further condition has been recommended to ensure that only approved windows are incorporated into the proposed extension, the proposed shower room window along the side elevation would be obscurely glazed, the existing brick wall boundary treatment along the Dillon Drive elevation is retained and kept in perpetuity, and the proposed external facing materials would be in keeping with those of the original house. On this basis, it is considered that the development responds positively to Core Strategy policies SP1, DM1 and EN1 and saved UDP policy DC1.

Design and appearance

It is not considered that the proposed development would unduly harm the character of the building or the general area. In addition it is intended to match material with those of the existing house; however, a materials condition has been attached to ensure that the materials are adhered to, pursuant with the requirements of Core Strategy policies DM1, EN1 and SP1 and saved UDP policy DC1.

Waste Management

The existing waste management arrangements would be unaffected. Wheeled bins can be store within curtilage sufficiently screened behind the existing boundary treatment and brought to the back of pavement on collection days; pursuant with The Manchester Core Strategy Development Plan Document Policy EN19, and saved Policy DC1 of the Unitary Development Plan.

Car Parking / Highways issues

The existing arrangement would be unaffected by the proposal, pursuant with The Manchester Core Strategy Development Plan Document Policy T2, and saved Policy DC1 of the Unitary Development Plan.

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. In this instance, the initially submitted application has undergone some revisions in the interest of residential and visual amenity, in light of the proposed scale and massing impact. Clarification was also sought on the depth of the garden space that would remain, on-site car parking and refuse management arrangements. These matters were subsequently addressed, and clarification provided, and subsequent revised plans submitted, (Email and attached plan from agent dated 19/07/2020: Existing and Proposed Elevations and Floor Plans, Drawing No. PP71-5/20; and Existing and Proposed Site Plan, Drawing No. MS19520, Revision A). 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.

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 forms, received by the City Council as the Local Planning Authority on 21 May 2020.
- Email and attached plan from agent dated 19/07/2020: Existing and Proposed Elevations and Floor Plans, and Existing and Proposed Site and Location Plan, Drawing No. MS19520, Revision A

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

3) Notwithstanding the materials annotated on the elevation plans and as stated on the submitted information, prior to erection of the above ground works, samples of the external facing materials to be used on the extension hereby permitted shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved materials.

Reason - To ensure that 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 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy.

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 extension hereby approved other than those shown on: Email and attached plan from agent dated 19/07/2020: Existing and Proposed Elevations and Floor Plans, and Existing and Proposed Site and Location Plan, Drawing No. MS19520, Revision A

Reason - In the interests of residential amenity pursuant to policy to saved policies DC1 of the Unitary Development Plan for the City of Manchester and SP1 and DM1 of the Core Strategy for the City of Manchester.

5) Before first occupation of the development thereby approved, the proposed shower room window along the side elevation as shown on: Email and attached plan from agent dated

19/07/2020: Existing and Proposed Elevations and Floor Plans, and Existing and Proposed Site and Location Plan, Drawing No. MS19520, Revision A, shall be opaquely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking, pursuant to The Manchester Core Strategy Development Plan Document, policies DM1 and SP1.

6) The 2000mm high boundary brick wall along the Dillon Drive elevation, as shown on: Email and attached plan from agent dated 19/07/2020: Existing and Proposed Elevations and Floor Plans, and Existing and Proposed Site and Location Plan, Drawing No. MS19520, Revision A shall be retained in perpetuity.

Reason - In the interests of residential amenity pursuant to policy to saved policies DC1 of the Unitary Development Plan for the City of Manchester and SP1 and DM1 of the Core Strategy for the City of Manchester.

7) 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 premises shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 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(a).

Reason - 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 policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

Informatives

1) Considerations in relation to gas pipeline/s identified on site:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection

Team to see if any protection measures are required.

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Appendix 1 – List of consultees & neighbours notified

Manchester Breakdown, New Bank Street, Manchester, M12 4TN
2 Dillon Drive, Manchester, M12 4PL
9 Dillon Drive, Manchester, M12 4PL
84 Martindale Crescent, Manchester, M12 4WQ
7 Dillon Drive, Manchester, M12 4PL
5 Dillon Drive, Manchester, M12 4PL
3 Dillon Drive, Manchester, M12 4PL

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
Area Team Boundary - Name: NORTH2