

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136420/FH/2023

Date registered valid: 7 March 2023

Proposal: Erection of two story rear and side extension to provide additional living space

Address: 10 Mouldsworth Avenue, Manchester, M20 1AS

Ward(s): Old Moat Ward

Applicant: Mr Mohammad Chowdhry

Agent (if any): Mr N Abdalla M1 Architecture Ltd

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 30 May 2023

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: 22 May 2023 Expired: 29 May 2023

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:

This is a two-storey brick built semi-detached property with a hipped roof. The property benefits from a front and rear garden with a driveway to the front. It is within an established residential area within Old Moat Ward, which is predominantly characterised by family dwelling houses, many with original boundary treatments, such as the hedging and some with low brick boundary walls.

Description of area

This is primarily a residential area in character.

Description of development

Erection of two-story rear and side extension to provide additional living space

Negotiation

The first-floor rear extension was pulled away from the common boundary with the adjoining property to lessen the impact of the extension.

Consultations & Notification Responses

Local residents- Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations in respect of this application were received.

Issues

For reasons to be outlined below, it is considered the proposal accords with these policies. Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy DM 1, Development Management, - Follows the principles advocated in the aforementioned policies and informs 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 given below:-

- o Appropriate Siting, layout, scale, form, massing, materials and detail.
- o 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.
- o 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 states that priority will be given to the creation of neighbourhoods of choice outside of the regional centre. In particular, developments which make a positive contribution and enhance areas for residents will be supported.

Policy EN1 'Design Principles' States that all development in Manchester will be expected to follow the seven principles of urban design in accordance with the National Planning Guidance and states that in any new development the principal features of the local area should be retained.

The National Planning Policy Framework (NPPF) - The NPPF was published on the 27 March 2012. The NPPF replaces and revokes all Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) previously produced by Central Government. The NPPF is therefore a material planning consideration in the determination of planning applications.

The NPPF states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Unitary Development Plan (UDP)

The UDP has been superseded by the Core Strategy Development Plan, however, some policies have been saved and are still considered as part of the planning process. Policy DC1 for Residential Extensions is still considered of relevance and states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- o the general character of the property,

- o the effect upon the amenity of neighbouring occupiers,

Extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- o 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 the original buildings);

- o they do not create an undue loss of sunlight, daylight or privacy;

- o they are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details;

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

Policy

The following policies within the Core Strategy are considered relevant in the determination of this application:

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and that all development in the City should:

Make a positive contribution to neighbourhoods of choice including:-

- 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 or income.

- protect and enhance the built and natural environment.

- . This includes protection of amenity and local character, environmental standards and practical matters such as access and safety.

Saved policy DC1 provides criteria to be considered in determining applications for extensions to residential properties.

The policy 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 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 street-scene;

- e. the effect of the loss of any on-site car parking.

The policy states further that extensions to residential properties will be allowed subject to compliance with other relevant policies of the UDP 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 the original buildings);

- b. they do not create an 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 street scene by virtue of design, use of materials or constructional 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.

Principle

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered acceptable, and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Ground Floor

The ground floor element extends along the length of the side of the dwelling house and projects beyond the rear elevation. A considerable gap between the gable of the extension is maintained to the boundary and no windows are inserted on the side elevation of the property that would not be obscurely glazed. Therefore, due to its position and distance from the neighbouring property no 8 and 12 Mouldsworth Avenue the proposal would not give rise to overlooking or loss of privacy on the adjacent neighbouring property.

First Floor

The first-floor element of the proposal is flush with the front wall of the property extending along the side and terminating on the same plane as the ground floor extension. The roof and the side extension is designed to knit into the property creating the appearance of one large property without the extension being subservient. No terracing occurs as a result of no articulation within the old and the new due to the distance and relationship with no 8 Mouldsworth Avenue. The extension does not appear to be an obvious addition to the host building, it appears as a large single dwelling individually designed. The standalone design assimilates well into the street scene and makes a positive contribution along with the variety of differing designs of dwellings within the area. The two-storey extension brings building form closer to the properties to the rear and side of the application site however, due to the distance between the extension and the neighbouring properties there is no overlooking or loss of privacy on the adjacent neighbouring properties.

Given the retained gap to the shared boundary the adjacent semi-detached property and the distance between the properties, rear of the application site together with the orientation of the property, it is not considered that the proposal would provide any undue harm caused by overshadowing or loss of light to the existing residential amenities for the occupiers.

In terms of residential amenity, it is not considered that there will be any significant impact and the proposed development therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

Siting, scale and massing

The size and footprint of the proposed extension is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of

surrounding properties. The appearance is acceptable and its impact upon visual amenity is considered negligible.

It is therefore considered that the scale and mass of the proposed extensions are satisfactory and are considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

The design of the proposal would be in keeping with the existing and surrounding properties in the area. In terms of the proposed materials, it is intended to use brick and tiles as specified in the application form. The first-floor front extension mimics the first-floor extension on the adjoining property as do a variety of different first floor elevations arrangements that forms part of the vernacular. Therefore, the overall, design of the extension has been tailored to fit the shape of the existing property/plot and respect the relationship with the neighbouring property at the side and rear and is considered acceptable and detailed as what is normally expected of such a structure.

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.

Parking

Off street car parking space would be retained to the site and therefore it is considered that car parking arrangements are not affected by this proposal.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

Positive and proactive working 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. The application has been determined in a timely manner and in accordance with the policies within the Development Plan.

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:

The Location Plan, stamped as received on the 7 March 2023 and drawing numbers 01, 04 and 05, stamped as received on the 22 May 2023.

Reason - To ensure that 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 hereby permitted shall match those as specified on the application form and drawings in type, size, colour and texture.

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 structure, pursuant to policy DM1 of the Manchester Core Strategy.

4) Before first occupation the windows on the side ground and first floor elevation facing no. 8 Mouldsworth Avenue, shall be obscure 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 residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

87 Mauldeth Road West, Manchester, M20 1AH
85 Mauldeth Road West, Manchester, M20 1AH
83 Mauldeth Road West, Manchester, M20 1AH
81 Mauldeth Road West, Manchester, M20 1AH
8 Mouldsworth Avenue, Manchester, M20 1AS
11 Mouldsworth Avenue, Manchester, M20 1GR
12 Mouldsworth Avenue, Manchester, M20 1AS
8 Pownall Avenue, Manchester, M20 1GP
6 Pownall Avenue, Manchester, M20 1GP
89 Mauldeth Road West, Manchester, M20 1AH

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA