

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139905/FH/2024
Date registered valid: 14 May 2024
Proposal: Erection of single storey side and rear extension
Address: 5 Mayberth Avenue, Manchester, M8 4PH
Ward(s): Crumpsall Ward

Applicant: Mr Abrar
Agent (if any): Nu-Fit Design Ltd
Case officer: Jake Walther
Tel: 0161 234 1625
Email: jake.walther@manchester.gov.uk

Recommendation: **Approve**
Date of recommendation: **05/07/2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 05/06/2024

Standard consultations:

Printed: 14 May 2024 Expired: 5 June 2024

Neighbour notifications

Printed: 14 May 2024 Expired: 5 June 2024

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

The application site is a semi-detached class C3 dwellinghouse within an area of houses of similar type. The property is built from red brick with slate roof tiles and white uPVC windows. There is existing amenity space along the front, side and rear elevation, including boundary treatment. The existing rear garden is approximately 12.2 metres deep, and the existing side access measures approximately 2.8 metres wide.



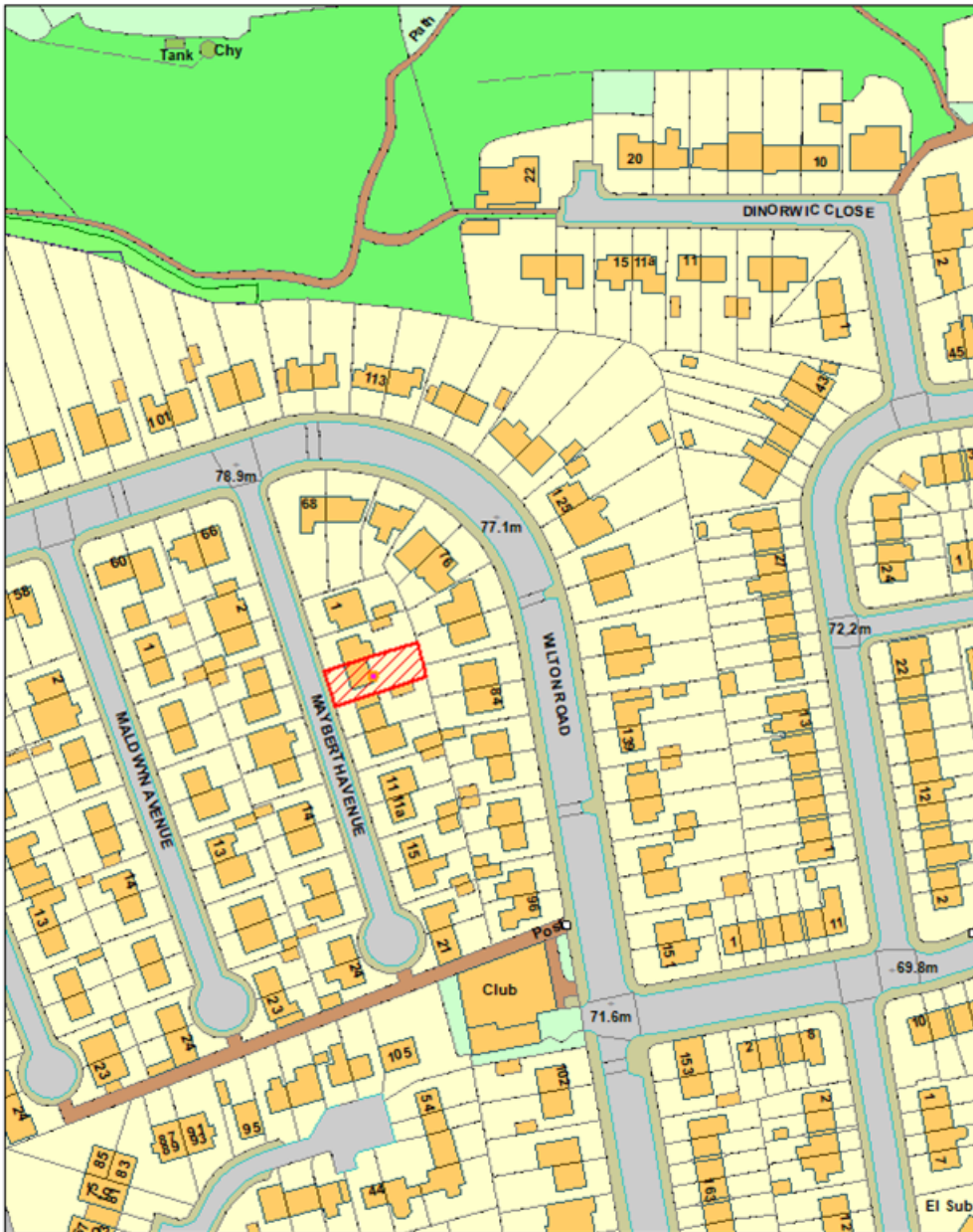
Listed building: Not applicable

Conservation area: Not applicable

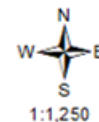
Tree Preservation Order: Not applicable

Description of area

Mayberth Avenue is a residential cul-de-sac off Wilton Road in Crumpsall, North Manchester. The area is predominantly residential in terms of its character, consisting of mostly semidetached two-storey dwellinghouses. The property is in close proximity to Herristone Park, Crumpsall Metrolink station, and Crumpsall Lane Primary School.

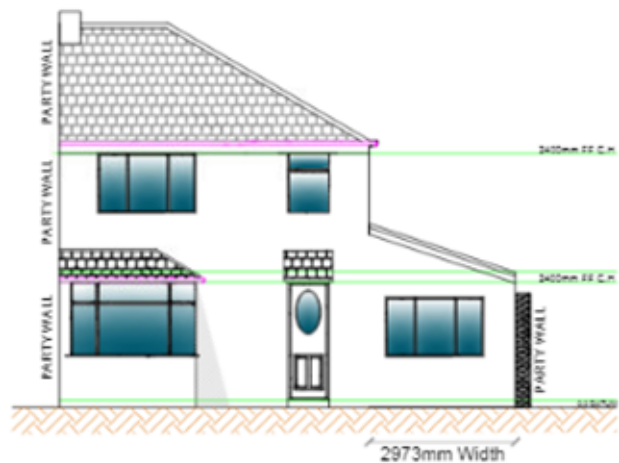


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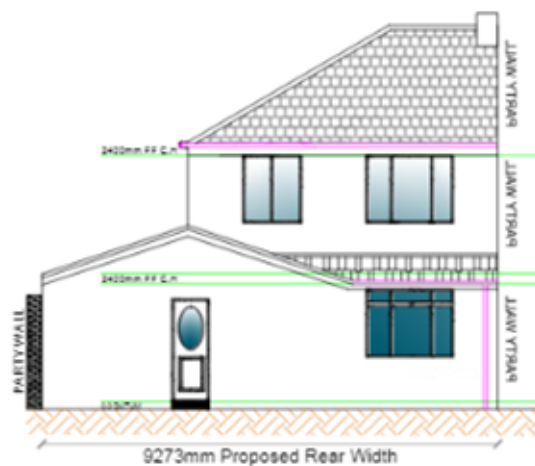


Description of development

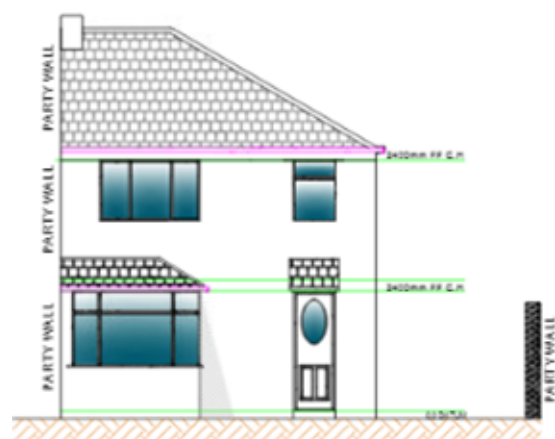
The applicant is seeking permission for the erection of a single-storey side and rear extension to provide additional living accommodation. The proposed extension will project by 2973mm from the side and by 4000mm from the rear elevation, spanning 9000mm across entire rear with a total length of 12310mm from front to rear. It would have a pitched roof with a maximum height of 3600mm, sloping down to 2400mm at the rear and side elevations. The proposal will use brick, black roof tile and white uPVC windows and doors to match the existing dwellinghouse.



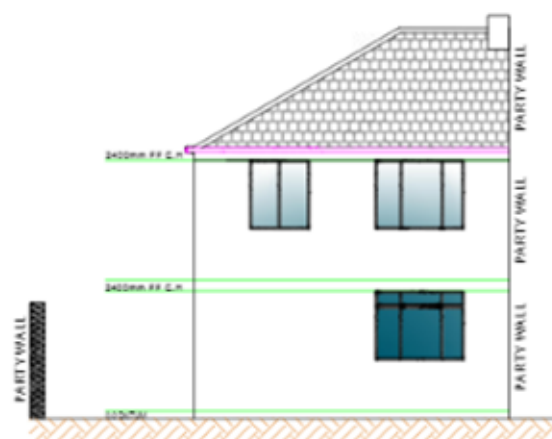
PROPOSED FRONT ELEVATION
(Mayberth Ave)
1:50 @ A1



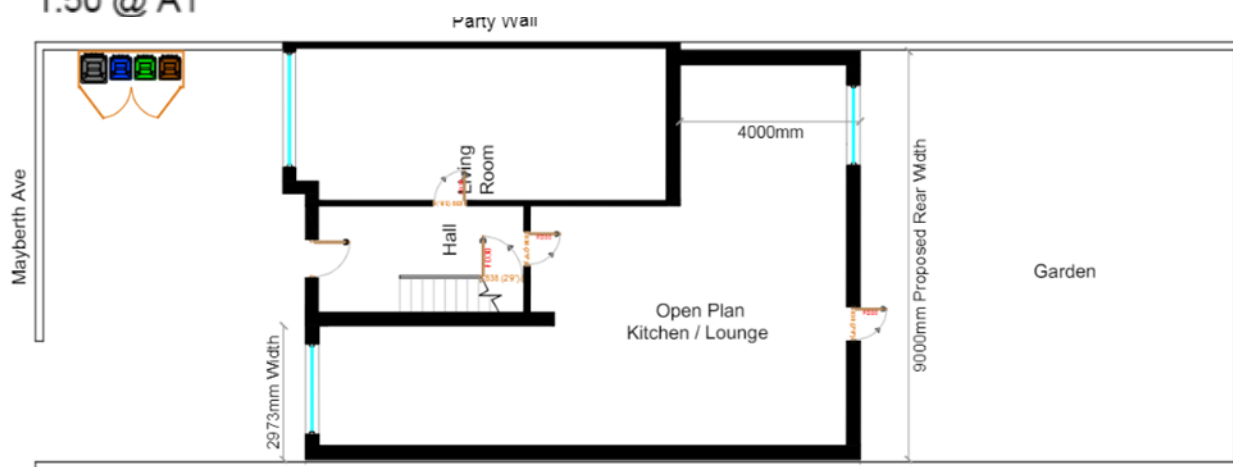
PROPOSED REAR ELEVATION
1:50 @ A1



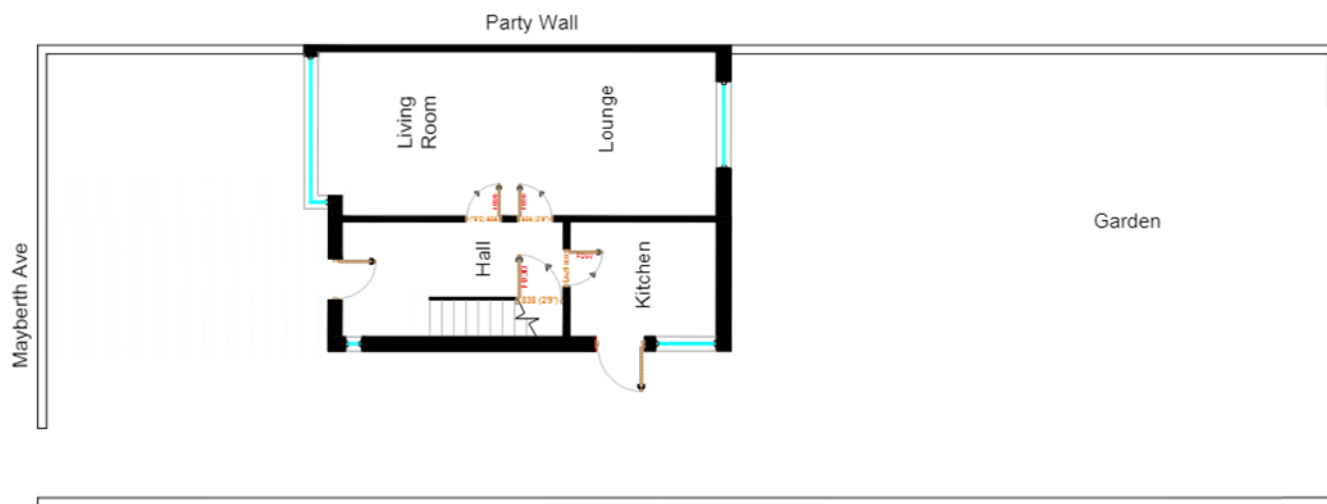
EXISTING FRONT ELEVATION
(mayberth avenue)
1:50 @ A1



EXISTING REAR ELEVATION
1:50 @ A1



PROPOSED GROUND FLOOR PLAN
1:100 @ A1



EXISTING GROUND FLOOR PLAN

1:100 @ A1

Property History

The submitted application is a revision of this original application that was refused earlier this year:

139118/FH/2024 – Single storey side and rear extension – Decision: 13/03/2024 – The application was refused on the basis of its large scale, with an original total length of 14310mm and a rear width of 9000mm up to the boundary wall with both neighbouring properties, it was considered to be unacceptable by reason of its proposed size and scale, rearward projection and resultant massing impact along common shared boundary with nos. 3 and 7 Mayberth Avenue as well as the lack of waste storage solutions,

Consultations & Notification Responses

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

Environmental Health – Environmental Health have requested construction hours are confined in order to safeguard the amenities of nearby residents.

Policy

The Manchester Core Strategy Development Plan Document 2012-2027 - The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and forms the framework that planning applications are assessed against. We consider the following Core Strategy Policies relevant to this proposal.

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN19 – Waste

Extant Unitary Development Plan (UDP) - The Core Strategy replaced much of the UDP, but some UDP Development Control policies are extant (remain). The following extant policy is still considered relevant to this proposal.

- DC1 - Residential Extensions

Places for Everyone

Places for Everyone (2022-2039) – Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the

GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The following policies are relevant:

- S1- Sustainable development
- S2 – Carbon and energy
- S5 – Flood risk and the water environment

The National Planning Policy Framework (December 2023)

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):

- an economic objective
- a social objective and
- an environmental objective.

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

- Chapter 8. Promoting healthy and safe communities.
- Chapter 12. Achieving well-designed and beautiful places.

Issues

Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the Unitary Development Plan for the City of Manchester relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle

The principle of erecting a single storey side and rear extension to provide additional living accommodation for a family dwellinghouse is acceptable given that many individuals prefer to extend and alter their homes to meet changing household needs rather than move. However, consideration must be given to the proposal's siting, scale and massing, appearance and impact upon visual amenity, residential amenity, waste storage and parking.

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

Sitting, Scale and Mass

The proposed extension would be single storey with a pitched roof, with 1no. new window on the front elevation and 1no. window and 1no. door on the rear elevation, the side elevations would remain blank. This would have a total length (front to rear) of 12310mm and a width of 9000mm, projecting 4000mm from the existing rear elevation and 2973mm from the side.

The use of a hipped roof ensures that both the neighbouring and adjoining properties would not have an overbearing presence added to the boundary as the side elevations have a height of just 2400mm.

Although the proposed extension is reasonably large, its use of a pitched roof reduces the presence on party walls. It is considered that scale and mass of the proposal is satisfactory as it would not result in 'excessively large or bulky' additions to the property. The proposal therefore is considered to accord with the principles for residential extensions set out in the carried forward policies DC1 and DM1 of the UDP and EN1 of the Core Strategy.

Residential Amenity

The proposed extension would have a rearward projection of 4000mm and a side projection of 2973mm, it would come up to the boundary wall on both party walls with no.3 and no.7 Mayberth Avenue. However, it should be noted that no.3 has an existing rear outrigger against the party wall, and no.7 has an outbuilding on the party wall with the applicant's property, in addition the side elevations of the proposal are to be blank and featureless, with only windows and a door being added to the front and rear elevations.

The condition on restrictions to construction hours from Environmental Health would not be reasonable to impose on a householder development of this scale, as it is only marginally larger than permitted development limitations. In addition, the scale of this development would fail to meet the use of planning conditions tests that are set out in the NPPF.

Visual Amenity / Design

The proposed extension would be constructed of brickwork and black roof tiles to match the existing dwellinghouse, with 2no. new uPVC windows and 1no. new rear door. The side elevations would be blank and featureless. The proposal would have a lean-to roof to the front and an open gable at the rear.

The proposal is relatively standard in terms of its design and scale for developments of this type and would be in-keeping with the existing precedent of residential extensions in this locale. Moreover, its use of matching materials should provide a blended appearance with the host dwellinghouse, thus ensuring that it does not form a prominent visual feature. Hence, the overall character of the property and its surrounding area should not be significantly harmed by these works. It is therefore 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

No change to parking arrangements would occur as a result of the proposal.

Waste Storage

As through access to the rear would be lost with the side extension, the proposal includes a bin store at the front of the property for waste storage, this is considered an acceptable solution for waste storage in this instance.

Conclusion

Given the above issues, it is considered that the proposed single storey side and rear extension is acceptable in terms of principle, siting, scale and massing, appearance, and impact upon existing levels of visual and residential amenity as well as waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1, SP1, EN1 and EN19 of the Core Strategy and chapter 12 of the NPPF.

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

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. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

Condition(s) to be attached to decision for approval

1. 3-year time limit:

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. Specified plans:

The development hereby approved shall be carried out in accordance with the following drawings and documents:

- a. Drawing - Location Plan - 29 April 2024
- b. Drawing - Existing and Proposed Plans Elevations - 29 April 2024 - Drawing number PLANNING/26158192-B
- c. Drawing - Existing and Proposed Floor Plans - 29 April 2024 - Drawing Number PLANNING/26158192-A

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM1, SP1 and EN1 of the Core Strategy.

3. Specified materials:

The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form 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 policies DM1, SP1 and EN1 of the Core Strategy.

4. Additional glazing restriction:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no additional glazing, windows, or doors, other than those shown on the approved plans, shall be inserted at the property unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring residences, pursuant to policy DM 1 of the Core Strategy for the City of Manchester and saved policy DC1 of the Unitary Development Plan.

5. Bin Store

The bin store, detailed on the drawing PLANNING/26158192-B and PLANNING/26158192-A, shall be implemented and be in place prior to the first use of the extension and shall be so maintained and retained at all times thereafter.

Reason - In the interests of the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

84 Wilton Road, Crumpsall, Manchester, M8 4PJ
10 Mayberth Avenue, Manchester, M8 4PH
78 Wilton Road, Crumpsall, Manchester, M8 4PJ
8 Mayberth Avenue, Manchester, M8 4PH
80 Wilton Road, Crumpsall, Manchester, M8 4PJ
7 Mayberth Avenue, Manchester, M8 4PH
3 Mayberth Avenue, Manchester, M8 4PH
82 Wilton Road, Crumpsall, Manchester, M8 4PJ

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA