MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139407/FH/2024
Date registered valid:	29 February 2024
Proposal:	Erection of first floor side extension, installation of rear dormer and outbuilding to the rear garden
Address:	21 Mayville Drive, Manchester, M20 3RB
Ward(s):	Didsbury West Ward
Applicant:	Dominique Gobbi
Agent (if any):	Mr Phil Ryan, Cube Design Solutions
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**25 April 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 15 March 2024

Standard consultations:
Printed: 8 March 2024 Expired: 30 March 2024

Neighbour notifications
Printed: 8 March 2024 Expired: 30 March 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site relates to 21 Mayville Drive within the south Manchester ward of Didsbury West. The application site relates to a semi-detached, two storey, red brick dwellinghouse with render elements and pitched and gable roof formations including a cat slide roof, typical of the arts and crafts movement. Amenity space to the front of the property consists of a gravelled off street parking area and amenity space to the rear is characterised by a grassed garden with some areas of hardstanding. The property benefits from a side and rear extension, as approved under planning reference: 117190/FH/2017.

The surrounding area is residential in context.

Description of development

The submitted application seeks planning permission for the erection of first floor side extension, installation of rear dormer and outbuilding to the rear garden.

The first floor side extension would build above the existing side extension at the site and at the largest point, the structure would have approximate dimensions of Height: 7.5 x Length: 5.3 x

Width: 1.3 metres. The side extension would have a gable roof formation to match the roof form of the host property and would be set back from the primary elevation of the host property by 3.5 metres.

A rear roof dormer would be inserted within the roof space of the host property and would have approximate dimensions of Height: 2.6 x Length: 5.8 x Depth: 3.5 metres, and a volume of 26.4 cubic metres. The dormer would involve the insertion of two windows within the rear elevation of the host property.

An outbuilding would be erected within the rear garden of the applicant site and would be sited close to the southern boundary of the site. The outbuilding would create a study, gym and wet room and would have approximate dimensions of Height: 2.5 x Length: 9.5 x Width: 3 metres. The outbuilding would involve the insertion of two doors and a window within the side elevation.

Materials to be used throughout the proposal would involve:
-Brickwork to match existing
-Roof tiles to match existing
-Windows to match existing
-Timber cladding for outbuilding facing wall material
-Flat roof system for dormer window

Amended Drawings

Plans were amended from those originally received. The roof form of the first floor side extension was amended to ensure the side extension reads as a subservient feature at the site. A window was removed from the side elevation of the proposed side extension following concerns in relation to adverse privacy implications. The size of the rear dormer was reduced and now sits within the host property only, so to not read as an overly bulky feature within the roof plane of the property. Revised plans were received in a timely manner and the amended scheme is assessed within this report.

Planning History

117190/FH/2017- Erection of a single-storey side and rear extension.
Approved 25 September 2017.

115302/FH/2017- Erection of a single storey side and rear extension to form additional living accommodation.
Approved 10 April 2017.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

High Speed Rail (HS2)

HS2 were consulted on the application and provided the following response:

Firstly, I can confirm that the application red line location plan boundary falls within limits of land subject to sub-surface safeguarding directions for Phase 2b of HS2. However, as you may be aware, on 4 October 2023 the Prime Minister announced the cancellation of this section of high-speed rail between Crewe - Manchester. The Network North: Transforming British Transport Command Paper also states that safeguarding throughout Phase 2b is to be amended by Summer 2024 to allow for safeguarding needed for Northern Powerhouse Rail, and at this time it is not fully understood what land will remain in safeguarding.

Given the nature of the development HS2 Ltd have no objections in planning terms but in light of the above, should the Council be minded to grant consent it is requested that the following standard informative is included on the decision notice for awareness:
“Informative:
The applicant is advised that application site falls within land that is currently safeguarded for construction and/or operation of HS2 Phase 2b (Crewe to Manchester). Although the Government have announced the cancellation of this section of high-speed rail line, Safeguarding Directions are still in place. However, in line with the commitments made in the accompanying Network North Command Paper, safeguarding is to be amended for HS2 Phase 2b by summer 2024 to allow for any safeguarding needed for Network North schemes. As such, the applicant is advised to closely follow on going progress of the Network North programme for any updates at:
https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fpublications%2Fnetwork-north.%25E2%2580%259D&data=05%7C02%7Ckatie.raw%40manchester.gov.uk%7C31189c993e85439bdea108dc4337611b%7Cb0ce7d5e81cd47fb94f7276c626b7b09%7C0%7C0%7C638459152336347214%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=8XMilzr6F%2BLE49OA5ZOanxPhEdVQtNkzaCltXzmFtj8%3D&reserved=0

Issues

POLICY

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):
a) an economic objective
b) a social objective and
c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:
i. Chapter 8. Promoting healthy and safe communities.
ii. Chapter 12. Achieving well-designed and beautiful places.

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), Policy SP1 (Spatial Principles) and Policy EN1 (Design Principles and Strategic Character Areas).

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).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:
a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
c. the actual or potential result of building the extension will not be the creation of a very narrow

gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.
As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

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

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 CABE 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.

Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

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 Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

The following policies are relevant:
i.JP- S1- Sustainable development

ISSUES

Principle of Development

The submitted development application is for the erection of first floor side extension, installation of rear dormer and outbuilding to the rear garden. This is considered acceptable in principle as many people prefer to alter and extend homes, rather than move, to meet the changing residential needs of families. 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

First floor side extension:

The first floor side extension would sit above the existing single storey side extension, as approved under planning reference: 117190/FH/2017. As such, whilst the neighbour no.19 Mayville Drive would experience an additional storey of built form, the built form would not come closer to the shared boundary than is currently the case. The neighbour has two windows within the side elevation; however, any loss of light is not considered to be significant given the existing relationship of the properties. No windows would be inserted at first floor level to the side and as such, no adverse overlooking implications would occur as a result of the proposal to either the applicant property or no.19 Mayville Drive. A further condition would be placed on any approval granted restricting the further insertion of windows and doors beyond those approved by this consent.

The bedroom window within the rear elevation would be located slightly as a result of the first floor side extension but would not give rise to any amenity implications different to those already experienced for the neighbouring properties to the rear.

Installation of rear dormer:
The rear dormer would create a bedroom and shower room for the property. The dormer would sit on the roof of the host property and would encompass much of the existing roof. The dormer due to its nature would not give rise to any overbearing or loss of light implications.

Two windows would be inserted within the rear elevation of the dormer. Any overlooking opportunities to the immediate neighbours would not be different to the existing opportunities for overlooking from the first floor rear windows within the applicant property. The properties along Danesmoor Road or Sandileigh Avenue would not be impacted by any adverse privacy implications given the approximate 15 metre gap between the dormer windows and the rear boundary line of the neighbouring properties.

The ridge height of the dormer is no higher than the existing and the dormer does not project further than the roof plane. It is considered to be an acceptable addition to the roof of the property, given the Permitted Development rights that exist for roof extensions. As such, the dormer is not considered to be a detrimental and overpowering feature and would not be visible from the streetscene.

Outbuilding to rear garden:
The outbuilding would be sited against the southern boundary of the site and create a study, gym and wet room in connection for use with the applicant property. A condition would be placed on any approval granted ensuring the outbuilding is only used for ancillary use. At the highest point, the proposal would have a height of 2.5 metres and therefore, it is not considered to create an overbearing feature close to the boundary with no.19 Mayville Drive, given both properties benefit from a spacious rear amenity space and so built form would not run continuously along the shared boundary.

Given the two sets of doors and window would be inserted within the side elevation facing into the applicant's garden, the insertion of windows is not considered to give rise to any adverse overlooking implications to the neighbouring property no.23 Mayville Drive. Given the 5.4 metre gap to the shared boundary with no.23, it is not considered to create an overbearing feature for this neighbour.

Due to the reasons stated above, there are no significant impacts associated in terms of residential or visual amenity.

Design and Appearance

First floor side extension:
DC1.4 of the UDP requires the creation of domestic extensions which are subservient to the main house, do not cause a terracing effect and must provide a 1.53 metre gap to the shared boundary. In order to avoid the terracing effect and to ensure that subservience to the original dwellinghouse is achieved. The first floor extension would retain the 3.5 metre set back from the primary elevation of the host property, be set in 1 metres from the side boundary of the site and have a roof lower than the host property. As such, the proposal is considered pursuant to Policy DC1.4 of the UDP. The first floor side extension would sit above the existing single storey side extension and take the form from the existing built form. As such, the proposal is considered a sympathetic addition to the property in terms of size and form.

Given the gable roof formation of the host property, the use of the gable roof form of the side extension is considered acceptable given it would match the host property and the impacts in terms of amenity would be considered acceptable.

Installation of rear dormer:
Permitted Development rights allow rear dormers to be obtained through the route of Permitted Development, and as the dormer has a volume of 26.4 cubic metres cubic metres, the size would be considered Permitted Development.

The dormer is set above eaves level and set below the ridge height of the host property. As such, the form of the dormer is acceptable, pursuant to Policy DC1 of the UDP.

Further, the facing dormer material would match the tiles used within the host property and therefore be considered a sympathetic addition to the roof. The dormer would mirror others along Mayville Drive, in size and form, pursuant to Policy DC1 of the UDP.

Outbuilding to rear garden:
Whilst it is acknowledged the outbuilding would extend along much of the shared boundary with no.19, Permitted Development rights allow large outbuildings and given the remaining external amenity space which would remain at the property, this proposal in terms of its form and design is considered acceptable, pursuant to Policy DC1 of the UDP.

Materials to be used would match that of the host property where possible, except the use of timber cladding for the outbuilding and flat roof for the rear roof dormer and therefore respond positively to the existing materials of the applicant site. This is considered acceptable and a materials condition to this effect would be attached to any approval granted.

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.

Car Parking

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

Bin Storage

No change to bin store arrangements would occur as a result of the 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. The current proposal is considered to overcome concerns raised during the course of the application.

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 polices 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, and a revised scheme considered to overcome harm has been provided. Appropriate conditions have been attached to the approval granted.

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:
-Application Form, stamped as received by the City Council as Local Planning Authority on 29 February 2024.
-Drawing- Proposed- Site Plan and Elevations of Outbuilding, numbered 1338-07, stamped as received by the City Council as Local Planning Authority on 29 February 2024.
-Drawing- Site Plan- Site Plan/Location Plan, numbered 1338-09, stamped as received by the City Council as Local Planning Authority on 29 February 2024.
-Drawing- Proposed- Floor Plan, numbered 1338-04 REV A, stamped as received by the City Council as Local Planning Authority on 18 April 2024.
-Drawing- Proposed- Floor Plan, numbered 1338-05 REV A, stamped as received by the City Council as Local Planning Authority on 18 April 2024.
-Drawing- Proposed- Elevation, numbered 1338-06 REV A, stamped as received by the City Council as Local Planning Authority on 18 April 2024.

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 within the ‘Application Form and ‘Drawing- Proposed- Elevation, numbered 1338-06 REV A’, 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 detached outbuilding hereby approved shall only be used as ancillary accommodation in connection with the existing residential property 21 Mayville Drive and for no other purpose.

Reason - In the interests of visual and residential amenity, pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

Informatives

1) The applicant is advised that application site falls within land that is currently safeguarded for construction and/or operation of HS2 Phase 2b (Crewe to Manchester). Although the Government have announced the cancellation of this section of high-speed rail line, Safeguarding Directions are still in place. However, in line with the commitments made in the accompanying Network North Command Paper, safeguarding is to be amended for HS2 Phase 2b by summer 2024 to allow for any safeguarding needed for Network North schemes. As such, the applicant is advised to closely follow on going progress of the Network North programme for any updates at:
https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fpublications%2Fnetwork-north.%25E2%2580%259D&data=05%7C02%7Ckatie.raw%40manchester.gov.uk%7C31189c993e85439bdea108dc4337611b%7Cb0ce7d5e81cd47fb94f7276c626b7b09%7C0%7C0%7C638459152336347214%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=8XMilzr6F%2BLE49OA5ZOanxPhEdVQtNkzaCltXzmFtj8%3D&reserved=0

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited

17 Mayville Drive, Manchester, M20 3RB
14 Mayville Drive, Manchester, M20 3RB
40 Sandileigh Avenue, Manchester, M20 3LW
39 Danesmoor Road, Manchester, M20 3JT
37 Danesmoor Road, Manchester, M20 3JT
25 Mayville Drive, Manchester, M20 3RB
23 Mayville Drive, Manchester, M20 3RB
19 Mayville Drive, Manchester, M20 3RB
16 Mayville Drive, Manchester, M20 3RB
12 Mayville Drive, Manchester, M20 3RB
10 Mayville Drive, Manchester, M20 3RB

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
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA