

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136873/FH/2023

Date registered valid: 14 February 2024

Proposal: Erection of first floor rear extension to provide additional living accommodation.

Address: 1 Maple Road, Manchester, M23 9RL

Ward(s): Brooklands Ward

Applicant: Mr Matt Bright

Agent (if any):

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 9 April 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 18th March 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 19 February 2024 Expired: 11 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

The application site is an early C20 detached dwelling house situated on the north side of Maple Road in the Brooklands ward. The property is located on the corner of Maple Road and Brencon Avenue with gardens to the front side and rear. There is a detached bungalow alongside to the west which trades as a pharmacy and was formerly within the site curtilage (Ref:096511/FO/2011/S2). The application site was formerly a doctors' surgery which changed use to a dwelling house in the late 1980's (Ref: 035020).

The application site is constructed of red brick and render with pyramid hipped red tile roofs and 2-storey bay windows to the front elevation.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The site is within a mainly residential area of a mixed house types. Similar house types to the site are found further east along Maple Road and on the eastern side of Brencon Avenue.

Facing the site to the south are parking spaces perpendicular to the highway whilst further to the south-west is a Co-Op and hot food takeaway.

Description of development

Erection of a first-floor rear extension to form additional living accommodation in the form of an extended family bathroom.

Consultations & Notification Responses

Local Residents were informed- no representations have been received.

Issues

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

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN 19 - Waste Management
- o The National Planning Policy Framework (NPPF)

Places for Everyone – GM Spatial Plan The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'. The nine constituent local authorities have now adopted the Plan following consideration of the Inspectors' Report. There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset). Given the stage the Plan has reached, the Plan and its policies is 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.

Principle

The principle of allowing an extension to a residential property in an established residential area is considered acceptable subject to further consideration being given to any detrimental impacts 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 considered that there are any factors of sufficient weight to indicate otherwise.

Residential Amenity

The applicant is for the erection of first floor rear extension to create additional living accommodation to the existing property through the enlargement of a family bathroom. The proposed extension would occupy an infill area to the existing 'L' shaped first floor above the existing single storey extension below, taking the north- west corner of the extension to two storeys. There are no windows proposed in the western elevation (side) with one window being proposed in the northern (rear elevation) this would be conditioned to be obscurely glazed to remove any views into or out of the window. There would be a skylight introduced into the flat roof of the extension to provide additional lighting.

There would be sufficient land retained around the property to provide a good level of residential amenity for occupants of the property. Given the lack of new widows, and the distance between the proposed extension and the gable elevation of the property at 1 Brencon Avenue, it is not considered that there would be any overlooking or loss of privacy for the neighbouring properties on Maple Road or Brencon Avenue.

Similarly, given the retained gap to the shared boundary with the pharmacy adjacent, which historically fell within the same site edged red, it is not considered that the proposal would result in any harm caused by overshadowing or loss of light to the existing residential properties.

Visual Amenity

The extension would not be highly visible from within the street scene, with only restricted views of the extension from Brencon Avenue. The proposal retains subservience when viewed in the context of the property itself and is modest in size. There is limited visibility from the public highway, and what can be seen does not appear as an incongruous feature given that many of the properties within the area have been similarly extended featuring rear or side extensions, however the character of the area has been retained. It is therefore considered that the appearance is acceptable and its impact upon visual amenity is considered negligible.

The proposal complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 of the Unitary Development Plan.

Scale and Massing

On balance, the extension is considered to be modest, and whilst it is acknowledged that the property has previously been extended, the proposed extension would be taking the first floor no closer to the adjoining boundary with number 3 Maple Avenue or projecting no further rearwards than the existing house to 1 Brencon Avenue. With the proposed and previous additions, it is still comparable in terms of size and its position to others found in the immediate area, therefore it is felt that the proposal can be acceptably accommodated at the application property. In context to the existing property the extension is acceptable. The scale and massing of the proposal is considered would not cause undue harm to the current levels of amenity being enjoyed by the occupiers of surrounding properties. The extension would not present an unusual feature in the immediate area and due to the existence of other similar extensions to a variety of house types within the vicinity, the size of the extension is considered acceptable within the surrounding context and is not considered to result in an overbearing impact when viewed in the context of the immediate and wider area.

It is therefore considered that the design, scale and appearance of the proposed extension is satisfactory and is 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 and in terms of the proposed materials it is intended to use materials to match the existing property as specified in the application form. The design is typical of such extensions, and, whilst the extension is proposed with a flat roof, as previously stated this is not readily from viewed within the street scene, and it reduces the bulk and massing of the extension on the adjacent common boundary with its height extending to just beneath the existing eaves.

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.

Refuse Storage

The proposed development does not impact on the refuse storage arrangements for the property.

Parking

The existing car parking arrangements are unaffected by this proposal.

Conclusion

The proposal is considered to be acceptable in this location in terms of design, scale and massing, allowing the occupiers to adapt their home to meet changing household needs, without detrimentally impacting on the amenities of the neighbouring properties, and there are no material considerations of sufficient weight to indicate otherwise. The proposal is considered to accord with saved UDP policy DC1, policies SP1 and DM1 of the Core Strategy.

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. The application has been determined in a timely manner and in accordance with both national and local policies and following that assessment has been considered to be acceptable subject to the attachment of appropriate conditions.

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:

Proposed Plans and Elevations- 01 received 27th of April 2023

Site Plan received 27th of April 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 of the extension hereby permitted including patching in and mortar shall match those of the existing building 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 extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) Before first occupation the windows in the northern elevation 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.

5) 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 the approved drawings.

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 development 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 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(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

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.

Appendix 1 – List of consultees & neighbours notified

3 Maple Road, Manchester, M23 9RL
1 Brencon Avenue, Manchester, M23 9HL
10 Keats Mews, Manchester, M23 9SF
8 Keats Mews, Manchester, M23 9SF
6 Keats Mews, Manchester, M23 9SF
4 Keats Mews, Manchester, M23 9SF
12 Guardian Mews, Cotteril Close, Manchester, M23 9HY
11 Guardian Mews, Cotteril Close, Manchester, M23 9HY
10 Guardian Mews, Cotteril Close, Manchester, M23 9HY
9 Guardian Mews, Cotteril Close, Manchester, M23 9HY
8 Guardian Mews, Cotteril Close, Manchester, M23 9HY
7 Guardian Mews, Cotteril Close, Manchester, M23 9HY
6 Guardian Mews, Cotteril Close, Manchester, M23 9HY
5 Guardian Mews, Cotteril Close, Manchester, M23 9HY
4 Guardian Mews, Cotteril Close, Manchester, M23 9HY
3 Guardian Mews, Cotteril Close, Manchester, M23 9HY
2 Guardian Mews, Cotteril Close, Manchester, M23 9HY
1 Guardian Mews, Cotteril Close, Manchester, M23 9HY
1A Maple Road, Manchester, M23 9RL
12 Keats Mews, Manchester, M23 9SF
2 Keats Mews, Manchester, M23 9SF
14 Keats Mews, Manchester, M23 9SF
2 Brencon Avenue, Manchester, M23 9HL

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