

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138776/FH/2023

Date registered valid: 6 December 2023

Proposal: Erection of a single storey side extension with ramped access to front of property

Address: 228 Mauldeth Road, Manchester, M19 1AU

Ward(s): Burnage Ward

Applicant: Mrs Margaret Wallington

Agent (if any): Mr Alan Wood, MEAP

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 30 January 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 5 January 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 20 December 2023

Expired: 13 January 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 228 Mauldeth Road within the south Manchester ward of Burnage. The application site relates to a semi-detached, red brick, two storey dwellinghouse with curved bay window with fascia boards between and a small canopy above the front door. Amenity space to the front of the property consists of a grassed garden and off street driveway. Steel gates with a white timber surround gives access to the side and rear of the property.

The surrounding area is residential in nature sited to the east of the A road Kingsway.

Description of development

The submitted application seeks planning permission for the erection of a single storey side extension with ramped access to front of property.

The single storey side extension would align with the primary building line of the host property and would have approximate dimensions of Height: 3.7 x Length: 3.8 x Width: 2.3 metres. The proposal would create a bathroom for the disabled resident and would involve the insertion of a window within the primary elevation. Materials to be used throughout the proposal would match that of the host property.

An access ramp would be erected at the site to allow level access from the proposed driveway to the front door. The ramp would have a top, middle and lower level platform of 1200x1200mm and would have a width of 4.2 metres. The ramp would have a gate and step for ambulant visitors and the gradient would have a ramp of 1:15. Handrails would be used throughout the proposal and would be made of galvanised smooth continuous handrails and would be finished in black powder coat. A secondary safety rail would be fixed 600mm above the ramp surface level. The ramp would be made of paving.

Plans show the front garden would be paved for a car to be able to park off street. This element of works does not require planning permission so would not be assessed within this application.

Planning History

No planning history exists for this site.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

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).

DC1.5 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.

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 CABI 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

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, 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

ii.JP- S2 – Carbon and energy

iii.JP- S5 – Flood risk and the water environment

iv.JP- H1 – Scale, distribution and phasing of new housing.

ISSUES

Principle of Development

The submitted development application is for the erection of a single storey side extension with ramped access to front of property. 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, including disabled access needs. 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

Single storey side extension:

The side extension would be sited close to the shared boundary with no.226 Mauldeth Road which benefits from an extension. As such, the proposal would be sited against the neighbour's extension and would not cause any harm in terms of creating an overbearing impact, as the

proposal would be single storey. The neighbour's extension does not benefit from any windows within the side elevation and as such, no adverse implications in terms of privacy/ loss of light would occur.

A window would be inserted within the primary elevation of the extension. To protect the privacy of the applicant, a condition would be placed on any approval granted for the window to be obscure glazed. In addition, a further condition would be placed on any approval granted restricting the further insertion of windows and doors beyond those approved by this consent.

Ramped access:

The external access ramp would allow access out of the existing property into the front amenity space offering off street car parking. At the highest point the ramp would have a height of 1.2 metres. The additional built form may be felt by the neighbour's when utilising their front amenity spaces, especially no.226 Mauldeth Road as the ramp would run against the shared boundary. However, the structure is open in nature and any harm in terms of visual amenity would be outweighed by the need to provide level access for the need of the disabled user, pursuant to Policy DC1.5 of the UDP.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity and would benefit the needs of the disabled residents, pursuant to Policy DC1.5 of the UDP.

Design and Appearance

Single storey side extension:

The side extension would be of a single storey and would not extend the entire length of the existing property. The proposal would have a lean to hipped roof and would be considered a small addition to the side of the property, is considered therefore subservient and pursuant to Policy DC1.2 of the UDP. A similar extension could have been achieved through the route of Permitted Development and is therefore considered acceptable in size and form.

Materials to be used within the extension would match that of the host property and would be conditioned as such within any approval granted.

Ramped access:

An access ramp would be erected at the site to allow level access from the proposed driveway to the front door. The ramp would have a top, middle and lower level platform of 1200x1200mm and would have a width of 4.2 metres. The ramp would have a gate and step for ambulant visitors and the gradient would have a ramp of 1:15. The gradient would adhere to Document M of the Building Regulations and would therefore be acceptable in size and form.

Handrails would be used throughout the proposal and would be made of galvanised smooth continuous handrails and would be finished in black powder coat. A secondary safety rail would be fixed 600mm above the ramp surface level. A condition would be placed on any approval granted for the handrails to be made of galvanised powder coated steel and painted black. This would ensure the colouration which would not be out of keeping with the existing structures within surrounding residential properties. The use of a paved ramp structure is also acceptable and would be conditioned accordingly within any approval granted.

Given the relatively flat topography of the front amenity space, the ramp is considered an appropriate design solution to offer level access into the property in conjunction with the paving of the existing front garden space. As such, the form of the development is appropriate, pursuant to Policy DC1 of the UDP.

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

Plans show the existing front garden would be paved as a result of the proposal. Whilst this element does not require planning consent, it is appropriate to allow the access ramp to function for the applicant and is therefore considered acceptable.

Bin Storage

Bin store information was requested during the course of the application and plans show an enclosed wavy lap type fencing bin store would be erected within the front amenity space. This is considered acceptable and a condition to this effect would be attached to any approval granted.

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 and would increase the quality of life for the disabled resident.

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

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. 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 6 December 2023.
- Drawing- Proposed- Rear Elevation, numbered REF 007, stamped as received by the City Council as Local Planning Authority on 6 December 2023.
- Supporting information- Details, stamped as received by the City Council as Local Planning Authority on 6 December 2023.
- Drawing- Proposed- Layout Plan, numbered REF 004, stamped as received by the City Council as Local Planning Authority on 18 January 2024.
- Drawing- Proposed- Front Elevation Gradient, numbered REF 005, stamped as received by the City Council as Local Planning Authority on 18 January 2024.
- Drawing- Proposed- Side Elevation A and B Gradient, numbered REF 006, stamped as received by the City Council as Local Planning Authority on 18 January 2024.
- Drawing- Proposed- Front, Rear and Side Elevation of Bin Store, numbered REF 010, stamped as received by the City Council as Local Planning Authority on 18 January 2024.
- Correspondence- Agent Email, stamped as received by the City Council as Local Planning Authority on 18 January 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) Before first occupation, the proposed bathroom window as shown on the approved 'Drawing- Proposed- Layout Plan, numbered REF 004', stamped as received by the City Council as Local Planning Authority on 18 January 2024, 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 properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form and within the 'Supporting information- Details' 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.

6) The proposed handrails shall be made of galvanised powder coated steel and shall be painted black.

Reason - To ensure that the colour and appearance of the proposed handrails, access ramp and step lift is in keeping with the surrounding area, pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1, SP1 and EN1 of Manchester's Local Development Framework: The Manchester Core Strategy Development Plan Document.

7) The development hereby approved shall be carried out in accordance with 'Drawing- Proposed- Layout Plan, numbered REF 004', stamped as received by the City Council as Local Planning Authority on 18 January 2024, 'Drawing- Proposed- Front, Rear and Side Elevation of Bin Store, numbered REF 010', stamped as received by the City Council as Local Planning Authority on 18 January 2024 and 'Correspondence- Agent Email', stamped as received by the City Council as Local Planning Authority on 18 January 2024, in relation to a secure and ventilated bin storage area. The bin storage area shall be implemented in accordance with the approved scheme and be in place prior to the first use of the development and shall be so maintained and retained at all times thereafter.

Reason - In the interests of the provision of off-street car parking, and 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

2 Bournelea Avenue, Manchester, M19 1AF
231 Mauldeth Road, Manchester, M19 1AB
229 Mauldeth Road, Manchester, M19 1AB
230 Mauldeth Road, Manchester, M19 1AU
226 Mauldeth Road, Manchester, M19 1AU

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
Area Team Boundary - Name: SOUTH AREA