

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137553/FH/2023

Date registered valid: 20 July 2023

Proposal: Part retrospective application for the erection of single storey side and rear extension.

Address: 257 Mauldeth Road, Manchester, M19 1AB

Ward(s): Burnage Ward

Applicant: Mr Luay Hawwa

Agent (if any): Mr Mohammed Nasar Ishfaq, JAAN Architects Ltd

Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 19th September 2023



Application details

Type of application:	Full Householder Application
Development type:	Householder
Date of site visit:	12 th September 2023
Standard consultations:	No consultations have been printed and sent.
Neighbour notifications	Printed: 8 August 2023 Expired: 29 August 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

The site relates to a two storey semi detached property within the Burnage ward area of Manchester. The plot is situated on the junction of Mauldeth Road and Hembury Avenue.



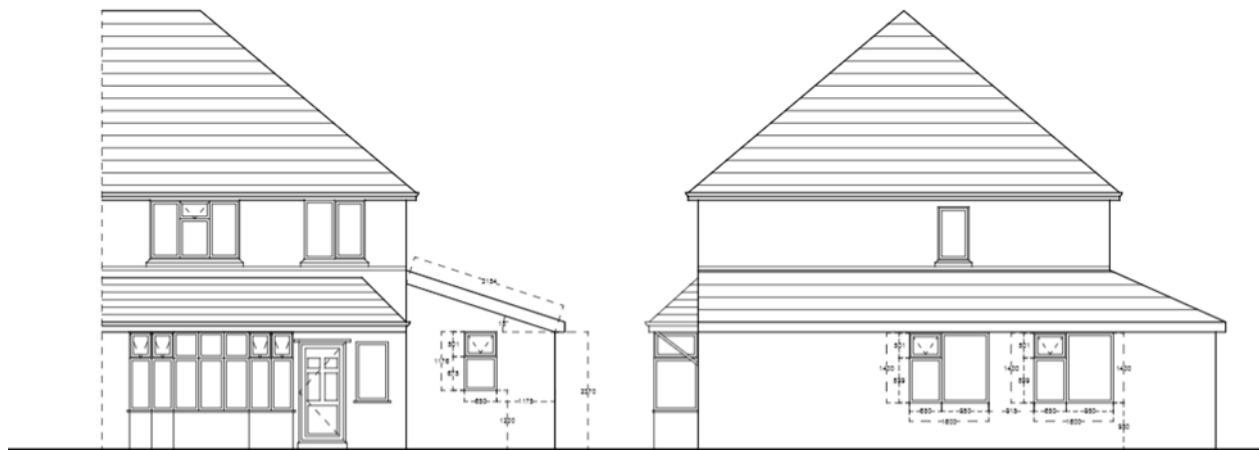
Listed building:	Not applicable
Conservation area:	Not applicable
Tree Preservation Order:	Not applicable

Description of area

The area is predominantly residential in character.

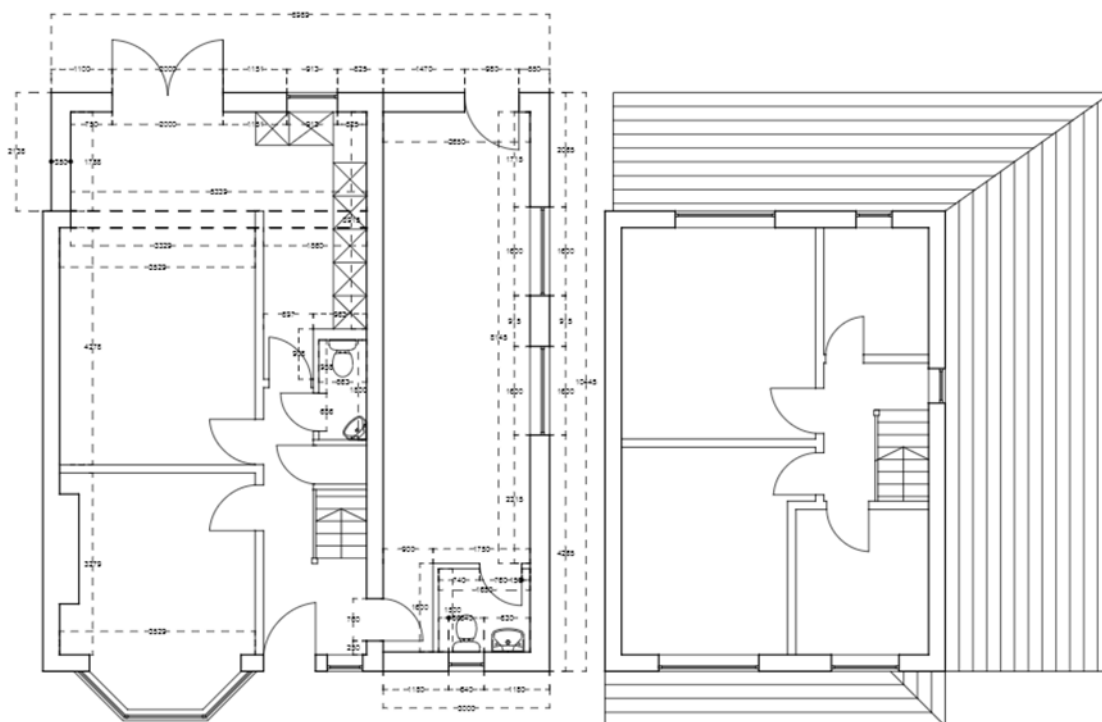
Description of development

The applicant is seeking planning permission for part retrospective application for the erection of single storey side and rear extension.



SOUTH ELEVATION
SCALE 1:100
PROPOSED - P006

EAST ELEVATION
SCALE 1:100
PROPOSED - P007



GROUND FLOOR
SCALE 1:100
PROPOSED - P003



FIRST FLOOR
SCALE 1:100
PROPOSED - P004



Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. No representations have been received in respect of this application.

Policy and 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)

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

The City 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.

Principle

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that 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.

History

No previous planning applications relating to the site.

Residential Amenity

The applicant is seeking planning permission for part retrospective application for the erection of single storey side and rear extension. The property is located on the junction of Mauldeth Road and Hembury Avenue.

The extension would be in line with the principle elevation of the house extending along the side and wrapping around the property and extending across the rear up to the shared boundary with the adjoining semi detached property. There would be a projection off the side wall measuring 3.0m retaining a small gap to the site boundary with a projection beyond the rear wall measuring 2.138m.

Windows are proposed on the front, side and rear with double doors and a single door leading into the rear garden. Although there are windows along the side elevation, given the gap to the property opposite separated by a road together with the boundary treatment, it is not anticipated that there would be any overlooking or loss of privacy to the property opposite.

The roof of the extension would be hipped reflecting the current roof design of the property.

The City Council is satisfied that the introduction of a side and rear extension, given the relationship to the adjacent and surrounding properties, would not provide any undue harm caused by overshadowing or loss of light to the existing residential amenities for the occupiers. It is not thought to provide an unusual addition, especially given that the property opposite also has a similar extension to the application site.

Overall, it is considered that the addition to the side and rear of the property would not provide an impact within the street scene or upon the occupiers of surrounding properties. Given the height, projection and relationship to adjacent properties, it is considered that the proportions of the extensions are acceptable. The footprint is not considered to create a bulky or disproportionate scale addition to the property and therefore the development accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

Scale and Massing

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 in the immediate area, the size of the extension is considered acceptable within the surrounding environmental context and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties.

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. In terms of the proposed materials, it is intended to use brick and tiles as specified in the application form. The 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.

Refuse Storage

The proposed development does not impact on the refuse storage arrangements for the property. The applicant has provided amended plans (dated 17.09.23) to show that there is adequate space along the side for the storage of bins and therefore the storage of refuse bins accords with policy EN19 of the Core Strategy.

Parking

An 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.

Conclusion

Although the proposal would be visible from the public highway and therefore would be a feature within the street scene, the character of the area is still retained. The proposal has been sited

and designed to ensure that it is subservient to the original dwellinghouse and the proposal is considered acceptable in this location, in terms of design, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, or the character and appearance of the surrounding street scene, and there are no material considerations of sufficient weight to indicate otherwise.

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:

Received 17th September 2023 numbered 257MDR Revision A as drawn by Jann Architects
Existing and Proposed Plans and Elevations

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 of the existing dwellinghouse as specified on the application forms 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.

Appendix 1 – List of consultees & neighbours notified

1 Hembury Avenue, Manchester, M19 1FH
250 Mauldeth Road, Manchester, M19 1AA
248 Mauldeth Road, Manchester, M19 1AA
246 Mauldeth Road, Manchester, M19 1AA
261 Mauldeth Road, Manchester, M19 1GF
259 Mauldeth Road, Manchester, M19 1GF
255 Mauldeth Road, Manchester, M19 1AB
253 Mauldeth Road, Manchester, M19 1AB
244 Mauldeth Road, Manchester, M19 1AA

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 (Less) -
Area Team Boundary - Name: SOUTH AREA