

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136033/FH/2023

Date registered valid: 14 February 2023

Proposal: Retrospective application for the erection of a two storey side and part single/part two storey rear extension

Address: 408 Mauldeth Road West, Manchester, M21 7RA

Ward(s): Chorlton Park Ward

Applicant: Mr Sheraz Altaf

Agent (if any): Mr Garry Logan, Loganbuilding Architectural Design

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

Recommendation: Approve

Date of recommendation: 20 April 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 18.04.2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 8 March 2023 Expired: 29 March 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 application relates to a two storey semi-detached C3 dwellinghouse of red brick with a hipped roof. The property is identified as 408 Mauldeth Road West. It has a block paved garden to the frontage, which provides off road parking. There is a large garden to the rear, which is laid mainly to lawn with a paved area access direct from the rear of the property. The application now under consideration is a revision to the previously approved scheme ref: 133834/FH/2022

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

Mauldeth Road West, Chorlton Park, is predominantly residential in nature, with the addition of a petrol station, sports complex and secondary school, and is mainly characterised by similar pairs of family dwellinghouses. To the rear lies the Fallowfield Loop cycle path and to the front, across the road, lies Hough End playing fields, and Greater Manchester Police canine and equine mounted unit. The area is well served by public transport and cycle routes enabling travel to and from the area by alternative modes of transport to the motor vehicle.

Description of development

There was a planning approval under ref: 133834/FH/2022 granted, however there have been on site revisions that are now being assessed under the current application in order to regularise the situation. The works have been altered to reduce the impact further on the neighbouring properties following on from discussions between the applicants and their neighbours. As a result the 2 storey rear extension is chamfered and the single storey extension has a flat chamfered roof. The dimensions remain the same as previously approved, but the changes reduce the massing on the common boundaries. The proposal has been

constructed and as such the proposal is retrospective and its impacts have been assessed on the site visit. The materials used match those of the existing property.

Consultations & Notification Responses

Local residents have been informed- one letter of support for the changes has been received.

Issues

The following planning policy documents which make up the Development Plan for Manchester are material considerations in this application.

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan. Several policies have been saved by way of a Secretary of State Saving Direction. For the purposes of this application, policy DC1 'Residential Extensions' is extant and therefore material to the assessment of the application.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. The following policies of relevance to this application:

- o Policy DM1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN19 - Waste

The National Planning Policy Framework (NPPF) (June 2021)

For reasons to be outlined below, it is considered the proposal accords with the principles of the Development Plan.

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (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 UDP relate specifically to residential extensions and set out criteria against which proposals for extensions will be assessed.

Principle

The principle of allowing residents to extend their homes in an established residential area to provide enlarged or improved accommodation is generally acceptable, subject to consideration of any potential impacts on residential and visual amenity and adequate arrangements for car parking and bin storage.

Residential Amenity

As amended, the proposal will not have a detrimental impact upon the residential amenity currently enjoyed by the neighbouring properties. The first-floor rear extension which on the previously considered applications had been of some concern to the neighbouring properties has now been chamfered originally which takes the edges of the extensions away from the common boundaries. The extension has been set in by 0.5 metre and the roof hipped to reduce the impact on the adjacent neighbours at No.406 to the east.

The development is on the boundary with No.406, the nearest corner of this property being 2.0 metres off the boundary and with a detached garage between. These factors act as a buffer from any overshadowing or overbearing impacts. It should be noted that the rear elevations are orientated north-west and so are generally shaded at the rear by the dwellings themselves. The middle to ends of rear gardens which are on average 21-metres in length however receive sunlight.

The first floor is off-set by 3.7-metres from the adjoining property, No.410 which is sufficient to mitigate any detrimental amenity impacts.

The only windows on the gable elevation at first floor are for 2no. bathroom / WC's which will be obscurely glazed on any approval of the application.

The ground floor extends to 4.6 metres which whilst deeper than saved UDP policy guidance, is within current Permitted Development limits for single storey rear extensions. The height of the ground floor is 2.0-metres to eaves and 2.3-metres overall.

Visual Amenity

The extension is typical of extensions for this house type seen on Mauldeth Road West. It is sited on the 2-metre gap to the side being 1.9 metres in width and with the ground floor flush. The first floor is set back 1.3 metres off the principal elevation and while this is slightly reduced from the previously approved setback, given that the ridge height has been set down further, it is considered that the changes would be sufficient to ensure that there would not be a terracing effect as a result of the proposed development. It also retains subservience when viewed in the context of the street scene.

There are front-facing windows on both storeys which relieve the mass of brickwork as well as bringing light and ventilation into the ground floor playroom and bedroom above.

The elevations are designed to fit the aesthetic of the main dwelling with eaves lined through and materials to match which will be conditioned on any approval to ensure the proposed development assimilates well with the original dwelling.

Parking / Bin Storage

There are no changes proposed to the parking and waste management arrangements. However as there is no potential to locate the bins away from the property frontage due to the side extension, a condition requiring the details of a bin store shall be attached to any consent granted.

Conclusion

Based on the above, the proposal will have acceptable impacts on residential and visual amenity, parking and bin storage with no significant loss of existing levels of amenity. The proposal therefore accords with saved policies within the development plan including UDP policy DC1 and Core Strategy policies DM1 and EN19.

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 to resolve any matters arising in relation to dealing with the planning application. The application has been determined in accordance with both national and local policies.

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:

2301-02 Proposed elevations received 20th January 2023

2301-03 1 Proposed Floor Plans received 20th January 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 window serving the WC to the ground floor and bathroom window to the first floor on the eastern side elevation shall be obscurely 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 properties from overlooking or perceived overlooking in accordance with policy DM1 of the Core Strategy and saved UDP policy DC1.

4) 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 plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

6) Prior to the occupation of the development hereby approved, the details of a bin store including size, location and materials shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be implemented and thereafter retained and maintained so long as the development hereby approved is in use.

Reason - In the interests of the provision of adequate waste storage, 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

410 Mauldeth Road West, Manchester, M21 7RA
406 Mauldeth Road West, Manchester, M21 7RA

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