

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136913/FH/2023

Date registered valid: 1 June 2023

Proposal: Erection of first floor and single storey rear extension to provide additional living accommodation

Address: 402 Mauldeth Road West, Manchester, M21 7RA

Ward(s): Chorlton Park Ward

Applicant: Mr K Hanif

Agent (if any): David Ormesher, Holborow & Ormesher

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24 July 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 9 June 2023

Standard consultations: Printed: 7 June 2023 Expired: 28 June 2023

Neighbour notifications: Printed: 7 June 2023 Expired: 28 June 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two-storey semi-detached C3 dwellinghouse of redbrick and white render, with a grey concrete tile hipped roof. The property features white uPVC windows, including a two-storey and first-floor bay to the front and a two-storey bay to the rear, a paved driveway and front garden, single storey rear extension and detached outbuilding / garage situated within a spacious rear garden.



Figure 1. Principal elevation of property.



Figure 2. Rear view of property.



Figure 3. Shared boundary with No.400.



Figure 4. Shared boundary with No.404.



Figure 5. Relationship with neighbouring property.



Figure 6. Rear garden.



Figure 7. View of similar extension along Mauldeth Road West.

Description of area

Mauldeth Road West is a residential street situated within the Chorlton Park ward of Manchester, close to Hough End Allotments, Princess Road (A5103), and Red Lion Brook. The area is primarily residential in terms of its character, consisting of semi-detached and detached residential properties.

Description of development

The applicant is seeking permission for the erection of a first floor and single storey rear extension to provide additional living accommodation.

Planning History

F06841 - Dining-room extension at rear of dwellinghouse – **APPROVED** (29.07.1977).

Consultations & Notification Responses

Four letters of objection were received from two local residents at one address point. Their concerns are summarised as follows:

- Negative impact upon neighbouring properties.
- Erection of the extension would result in the adjoining semi being unable to fully extend / open their ground floor bay window, which faces the shared boundary.
- Concerns relating to loss of light and overshadowing.
- Concerns relating to loss of outlook and views.
- The extension would introduce an overbearing presence to the detriment of neighbouring residents.

Sustainable Transport (Fallowfield Loop) – no comments or objections received.

Policies

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

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:

- Policy DC1 – Residential Extensions

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN19 - Waste

The National Planning Policy Framework (NPPF, 2021)

- Chapter 12 – Achieving Well-Designed Places

For reasons to be outlined below, it is considered that the proposal accords with the principles of these policy documents.

Issues

Policies SP1 and DM1 of the Manchester 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 Unitary Development Plan for the City of Manchester relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle – the principle of erecting a first floor and single-storey rear extension in order to provide additional living accommodation for a family dwellinghouse is acceptable given that many individuals prefer to extend and alter their homes rather than move. However, consideration must be given to the proposal’s siting, scale, and massing, appearance, and impact upon existing levels of visual and residential amenity, waste storage and parking.

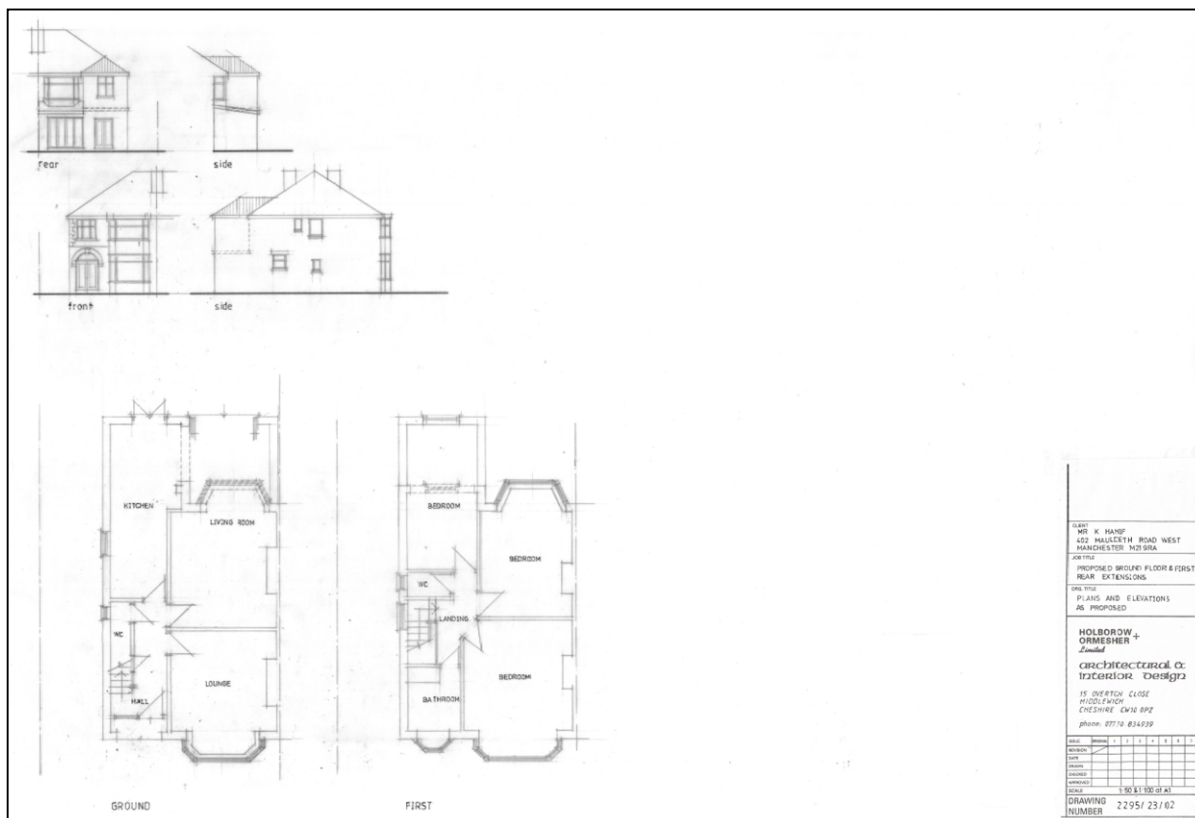


Figure 8. Submitted proposed plans and elevations.

Siting, scale, and massing – the first floor and single storey rear extension would be sited at the back of the property, facing northwest.

The single storey element of the rear extension would act as an infill between the property's existing rear extension and the boundary shared with No.400 Mauldeth Road West. It would project 3.066m rearwards from the host dwellinghouse, tying in with the rearmost wall of the existing extension. The extension would be sited along the boundary shared with No.400, with a width of 3.011m, mono pitch roof height of 3.186m and an eaves height of 2.482m. As such, it would replace the existing ground floor bay, whilst its roof would wrap around and respect the first-floor bay.

The first-floor element of the rear extension would be sited atop of the existing single storey extension, leaving a gap of 3.063m to the boundary shared with No.400 and a gap of 2.139m to the boundary shared with No.404. It would project 2.424m rearwards from the host dwellinghouse, also tying in with the rearmost wall of the existing extension. The proposed extension would have a width of 2.978m, hipped roof height of 6.742m, and an eaves height of 5.218m. As such, it would be set 3.287m below the ridge of the main roof with the eaves set at the same level as the existing.

The extension's maximum rearward projection of 3.066m does not exceed the limit stipulated within policy DC1 of the UDP (of 3.65m) and is therefore considered acceptable. It is understood that the proposal would not result in an 'excessively large or bulky' addition to the property, thereby according with policies DM1 and SP1 of the Core Strategy as well as policy DC1 of the UDP.

Appearance and visual amenity – on their application form, the applicant and their agent indicated that the proposed extension would be built of facing brickwork, roof tiles, windows, and doors to match the existing. However, during their site visit, the case officer documented that the host dwellinghouse and the existing single-storey rear extension possess different coloured brickwork and noted that it is unclear which brickwork the proposed extension is

intended to match. As such, a condition has been attached to the decision notice which requires the applicant to submit specifications / details of all materials to be used on all of the external elevations of the development for approval, in writing, by the City Council prior to the commencement of above-ground works. This condition will ensure that the design and appearance of the proposal is acceptable, thus safeguarding the visual amenity of the area, pursuant to policies SP1 and DM1 of the Core Strategy.

In regard to the proposal's elevational features, the extension would have blank side elevations, whilst its rear elevation would feature one window and a set of bi-folding doors at ground floor level as well as one window at first floor level.

Residential amenity – a local resident raised concerns relating to the proposal's potential to cause issues associated with overshadowing, loss of light, loss of outlook, and its potential to restrict the window openings of neighbouring properties, most notably No.400's ground floor bay window, which faces the shared boundary.

However, in terms of loss of light and outlook, it is understood that such affects would not be unduly harmful given the extension's relatively minor rearward projection (3.066m at ground floor level, 2.424m at first floor level), considerable gaps to the shared boundaries at first floor level and subservient dimensions. This is particularly true of the single-storey element of the proposal (sited along the boundary shared with No.400) which would feature a maximum height of 3.186m and which would largely be sited within the existing shadow of the host dwellinghouse, causing no further degree of harm. It should also be noted that the extension's maximum rearward projection of 3.066m is in line with Council policy and does not exceed the limit stipulated within policy DC1 of the UDP (of 3.65m). The dimensions of the single storey element of the proposal are also not significantly larger than those of a single storey rear extension which could be erected under permitted development rights. As such, whilst there may be some overshadowing and loss of light at certain times of the day, these impacts are not considered to be significant enough to warrant refusal of the application. Moreover, the proposal's blank side elevations should ensure that the privacy of neighbouring occupants is not infringed upon.

With regards to the proposal's potential to limit the accessibility of the adjoining semi's windows, it is understood that the lower pane of the rear ground floor bay (facing the shared boundary) would experience no further restriction than at present as the existing rear boundary treatment would already limit the opening of this window. The upper pane of the bay window may be somewhat affected; however this would not be to an unacceptable degree as, due to the size, angle and positioning of the pane, sufficient space should be retained within the boundary of the adjoining plot, which would allow the window to continue to be opened. Moreover, if the aforementioned window were unable to open, this would not limit airflow / ventilation to an unacceptable degree as the bay window features other windows and doors that are able to open.

Lastly, it should be noted that a single storey rear extension (with a rearward projection of 3m) could be erected at the application site, without the need for an application for planning permission, under permitted development rights. As such, it is understood that the single storey element of the proposal would not inflict significantly more harm to residential amenity than would be caused as a result of an extension that could be erected under permitted development.

The proposal is therefore acceptable in regard to its minimal effect upon residential amenity as they accord with Core Strategy policies DM1 and SP1 and saved policy DC1 of the UDP.

Waste storage – the current waste storage arrangements would be unaffected by the proposal.

Parking – the current parking arrangements would be unaffected by the proposal.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale and massing, appearance and visual amenity, residential amenity, waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1, SP1, EN1 and EN19 of the Core Strategy and chapter 12 of the NPPF.

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. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with 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 permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following documents labelled:

- 'PLANS AND ELEVATIONS AS PROPOSED', numbered '2295/23/02', stamped as received by the City Council as Local Planning Authority on the 26th April 2023.

Reason - To ensure the development is carried out in accordance with the approved plans, pursuant to Policies SP1 and DM1 of the Core Strategy.

3) No above-ground works shall commence until samples and/or specifications of all materials to be used on all external elevations of the development, have been submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Sustrans

404 Mauldeth Road West, Manchester, M21 7RA

400 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