

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135079/FH/2022

Date registered valid: 29 September 2022

Proposal: Erection of a part single, part two storey side and rear extension with installation of rear dormer and hip to gable roof conversion, along with widening of existing driveway.

Address: 306 Mauldeth Road West, Manchester, M21 7RF

Ward(s): Chorlton Park Ward

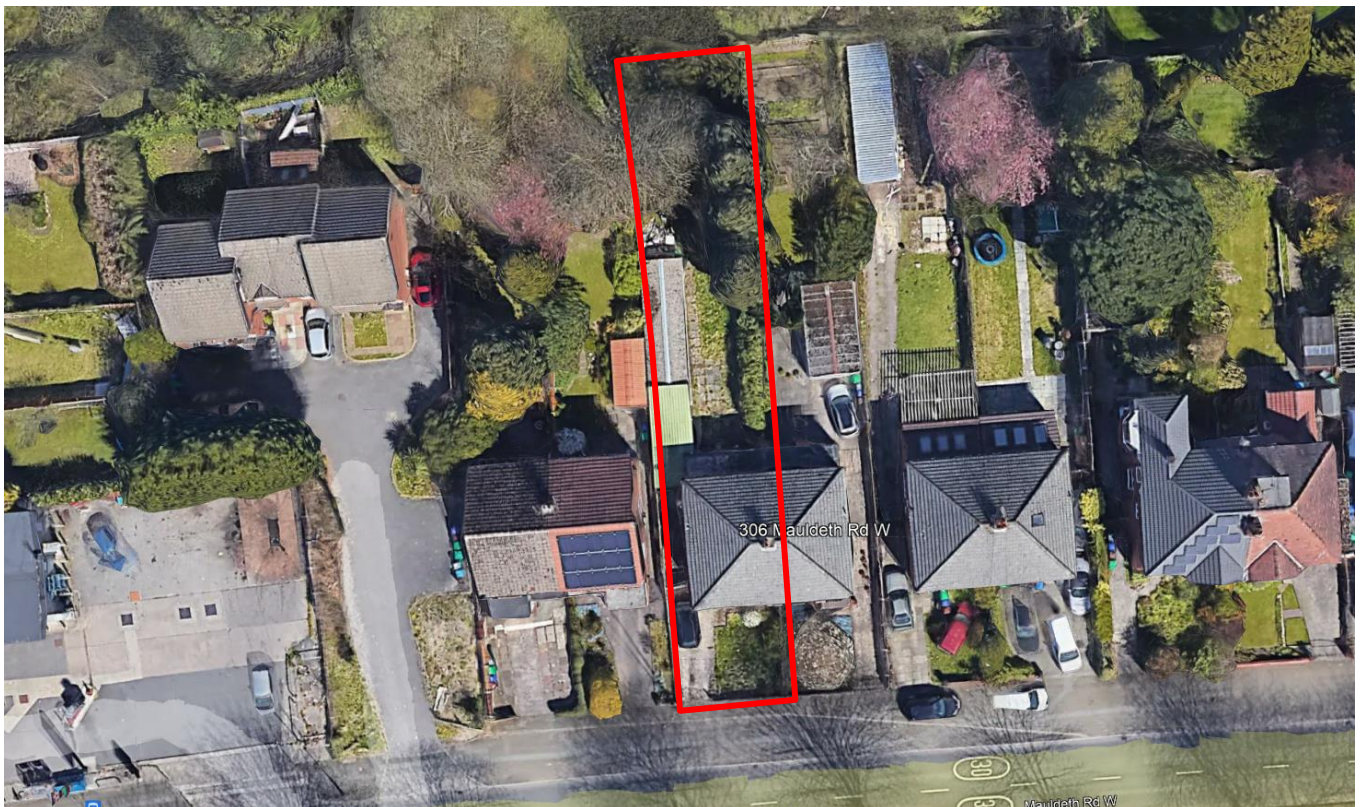
Applicant: Riaz

Agent (if any): Mr Sam Golding, Gold Sketch Studios Ltd

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18 January 2023



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 4 November 2022

Standard consultations: Printed: 21 December 2022 Expired: 31 December 2022

Neighbour notifications: Printed: 21 December 2022 Expired: 31 December 2022

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 red brick with a hipped roof. The property features an existing single storey rear extension and detached outbuilding which is joined to the house by a carport/canopy. The plot includes a garden and driveway to the front, access to the side and a long paved and lawned garden to the rear.

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.

Description of development

The applicant is seeking permission to build a part single, part two storey side and rear extension, hip to gable alteration and rear dormer, following the demolition of the existing extension and outbuilding, to provide additional living accommodation.

Consultations & Notification Responses

Sustrans – No comments received.

Local residents, as per appendix 1 – 5 objections received from 3 objectors in relation to 2 notifications. They raised the following issues:

Issues raised in relation to initial design:

- Excessive scale and massing -no local precedent to justify scale
- Loss of daylight and sunlight to neighbouring windows and gardens
- Loss of, or works to, concrete fencing between gardens which is not shared
- Loss of outlook and overbearing impacts
- Extreme loss of privacy and overlooking from side-facing windows
- Dormer not in-keeping with the area
- Widening of driveway will lead to noise and light issues for neighbouring living room window
- Extreme proximity of extensions to shared boundaries
- Design is out of character
- Not enough room for scaffolding or maintenance
- Terracing effect
- Trees were felled just before the application was submitted
- Loss of biodiversity due to front paving, no mitigation provided
- Unneighbourly and unfair to surrounding occupiers

Issues raised in relation to revised design:

- Excessive scale and massing - no local precedent to justify scale
- Loss of daylight and sunlight to neighbouring windows and gardens
- Loss of, or works to, concrete fencing between gardens which is not shared
- Loss of outlook and overbearing impacts
- Dormer not in-keeping with the area and would overlook gardens
- Widening of driveway will lead to noise and light issues for neighbouring living room window
- Extreme proximity of extensions to shared boundaries
- Design is out of character
- Not enough room for scaffolding or maintenance



Policies

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

Unitary Development Plan (UDP, 1995) - The UDP has been superseded by the Core Strategy Development Plan but some 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 11th July 2012.

- Policy DM 1 - Development Management

- Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF 2012, amended in 2021):

- Chapter 12 – Achieving well-designed places

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



Issues

Principle – The principle of building a two storey side and rear extension with hip to gable and rear dormer, to provide additional living space for a family dwellinghouse, is acceptable, given policy DC1.1 allows residents to adapt their homes to meet changing household needs. However, consideration must be given to the proposal's siting, scale and design and its impact upon both visual and residential amenity.

Siting, scale and massing – The side element would project 2.28m to the shared boundary, running the full depth of the property, with a setback from the principle elevation at first floor of 1.75m. The extension ridge would be set 0.41m lower than the extended main ridge. The rear element would project an additional 3.2m to the rear at ground floor (5m overall) and 2.5m at first floor, with a width of 8m at ground floor and 4.95m at first floor. The ground floor projection would feature a 3m high flat roof, whilst the ridge of the first floor rear would sit 1.4m lower than the main ridge, with eaves to match existing. Above this would sit a rear box dormer, with a volume of 32.87 cubic metres, a setback from eaves of 0.3m and a gap to the gable of 0.1m. This would project from a hip to gable alteration with an additional volume of 20.34 cubic

metres, creating a total of 53.21m³. Originally the excessive extensions together appeared imposing, therefore extensive negotiations took place to reduce the scale and massing. Though the rear projection far exceeds the limit stipulated within policy DC1 (of 3.65m), it would replace the existing outbuilding which currently sits along the boundary shared with No.308 and would only project beyond the adjacent properties by 3.2m which is deemed acceptable. The large garden can easily accommodate the footprint of the extension and the 2.5m first floor rear is sited at least 2.1m from both adjacent properties and features a low hipped roof. Altogether the revised scheme is considered acceptable in terms of siting, scale and massing, pursuant to policies DC1, DM1 and SP1.

Design, appearance and visual amenity – The extensions would be constructed from materials to match existing, including brickwork, concrete roof/hanging tiles and uPVC windows, which has been conditioned. The driveway is to be extended with permeable paving, which does not require permission. The property would retain a relatively traditional appearance, in keeping with the dwellinghouse and surrounding area, in line with development in the area and are not considered to significantly harm the street scene of Mauldeth Road West. The additions are considered subservient and proportional, with lowered roofs, matching pitches and appropriate materials. Many family dwellinghouses in this residential area of Chorlton Park already feature two storey extensions, hence the character of the area is not considered to be further affected by this proposal, as the additions would be sufficiently in-keeping with the style of the house and the scale and design of similar nearby works along this stretch of Mauldeth Road West.



Residential amenity – Three local residents submitted objections, with 2 submitted following notification of the revised scheme. The material issues raised include:

- Loss of light
- Loss of privacy
- Overbearing
- Out of character

- Proximity to boundaries
- Loss of outlook

Although the total extension is considered large, it is not considered to form an unduly overbearing feature as viewed from either neighbouring plot given the gap between the first floors of the proposal and neighbouring properties, both of which would satisfy the 45 degree rule from the adjoining properties' first floor windows, thus not impeding outlook. These properties have 28m long north-facing rear gardens and therefore currently benefit from a lot of outdoor space but very little direct sunlight to the rear elevations as existing, meaning any further loss of light would not be significant. The ground floor rear element would be sited along the boundaries shared with both adjacent neighbours, though only 3.2m beyond neighbouring rears and would replace a much longer outbuilding sited along the boundary shared with No.308. The first floor is to be set 3m away from the boundary shared with the adjoining semi No.304, and 2.1m away from the side elevation of No.308, projecting just 0.55m beyond the rear elevation of the latter. Originally the proposal contained several side-facing windows, but these have been negotiated away due to the close proximity to the shared boundaries, hence privacy is not deemed to be unduly impacted by these works. A precedent exists in the locality for large house extensions, with many two storey side and/or rear extensions visible along Mauldeth Road West and the avenues running off it, including nearby Endon, Mellowstone and Greystone. For this reason the proposed additions are not considered to be out of character for this residential area. On balance, the revised scheme is not considered to cause undue harm to the residential amenity currently enjoyed by the surrounding occupiers. Issues raised which cannot be controlled by this planning application:

- Loss of works to boundary fence, which is not shared – civil matter
- Widening of driveway will lead to excess noise and light for neighbouring living room window – driveway is permeable and thus permitted development
- Not enough room for scaffolding or maintenance following the build – civil matter

Parking and refuse – The driveway is to be retained and extended, with permeable paving, which does not require permission. The new driveway would fit at least 2 cars off-street, reducing the impact on the highway, where many currently park on the wide pavements. External access to the rear garden would be lost, therefore a bin store has been provided on the site plan, adjacent to the side extension, pursuant to policy DM1.

Conclusion – The proposal broadly accords with the policies contained within the Core Strategy and NPPF, and the revised scheme is not considered to cause undue harm to the character of the property or visual amenity of the street scene nor cause undue harm to the residential amenity currently enjoyed by the surrounding occupiers, therefore the development may commence in accordance with the approved plans and the following conditions.

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. Issues have arisen during the consideration of this application and the officer negotiated with the agent in order to reach a satisfactory solution.

Condition(s) to be attached to decision for approval

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 revised drawing '003 Rev 4' stamped as received by the City Council as Local Planning Authority on the 18th November 2022 and the revised drawing '001 Rev 3' stamped as received by the City Council as Local Planning Authority on the 1st December 2022.

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 extensions and dormer hereby permitted shall match those used in the construction of the existing building, as specified on the submitted application form.

Reason - To ensure the appearance of the dwellinghouse is not adversely affected by the materials to be used in the construction of the outbuilding, 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) 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 extensions hereby approved other than those shown on the approved plans.

Reason- In the interest of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1.

5) The proposed bin store shall be installed in accordance with the drawing '001 Rev 3' stamped as received by the City Council as Local Planning Authority on the 1st December 2022. The bin store shall be in place prior to the first occupation of the extensions and shall thereafter be retained and maintained in situ.

Reason - To ensure an appropriate location for the refuse storage pursuant to policy SP1, EN19 and DM1 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Sustrans

308 Mauldeth Road West, Manchester, M21 7RF

304 Mauldeth Road West, Manchester, M21 7RF

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)

Area Team Boundary - Name: SOUTH AREA