

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134798/FH/2022
Date registered valid: 2 September 2022
Proposal: Erection of a single storey rear extension together with a single storey front porch
Address: 121 Mauldeth Road West, Manchester, M20 1BB
Ward(s): Old Moat Ward
Applicant: Mr Abdulkadir Hashim, 121 Mauldeth Road West, Manchester, M20 1BB
Agent (if any): Mr Ahmad Turkmani, AT A. Design, 12 Hastings Gardens, Stockport, Manchester, SK5 8BF
Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 25 October 2022



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: Photos received from agent dated April 2022

Standard consultations: Printed: 6 September 2022 Expired: 27 September 2022

Neighbour notifications: Printed: 6 September 2022 Expired: 27 September 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

This application relates to a two storey semi detached house on the south side of Mauldeth Road West close to its junction with Doncaster Avenue. The property has a half brick half glazed porch on the front elevation and a conservatory, projecting approximately 3 metres, across the rear elevation. The front garden is 6 metres deep and the rear garden 35 metres long. There is a 1.6 metres wide path down the side of the property.

Description of area

This is a predominantly residential area. The attached property to the west is not extended and has a significantly shorter rear garden. To the east is a similar semi, again not extended. The bottom of the garden adjoins the rear garden of a house on Alford Avenue.

Description of development

The applicant is seeking permission to build a single storey rear extension and front porch, following the demolition of the existing conservatory and porch, to provide additional living accommodation.

Consultations & Notification Responses

Local residents, as per appendix 1 – No comments received.

Highway Services – The proposed extension is fully contained within the site's perimeter and does not impinge onto the adopted highway.

Pedestrian access alterations are acceptable.

It is noted that on site car parking for minimum 1 vehicle will remain. It should be noted that driveway parking spaces should be minimum 3m wide and 6m length to ensure that vehicles do not encroach onto the footway.

Should any amendment be required to the adopted highway to facilitate access to the driveway it should be undertaken via a Section 184 agreement with MCC Highways. This will be subject to the expense of the applicant.

The applicant should be advised that all boundary treatments with frontage to the adopted highway should retain appropriate visibility from a height of 600mm upwards in order to protect sight lines. All gating which is accessed from the highway must be ensured to be inwardly opening in order to prevent obstruction to passing footway users.

It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

MCC Flood Risk Management – No specific objection to the proposal but requested a pre-commencement condition be attached requiring a revised flood risk statement, as well as an SuDS informative.

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 11th July 2012:

- Policy DM1 - 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 single storey rear extension and porch to provide additional living space for a family dwellinghouse is acceptable, however consideration must be given to the proposals siting, scale and massing, appearance and impact upon existing levels of residential and visual amenity.

Siting, scale and design – Consent is sought to erect a single storey rear extension projecting 6 metres. It would have a dual pitch roof with 2.5m eaves and a 3.5m ridge. The rear elevation would contain two windows and a door and there would be a single window in the side elevation overlooking the path. Two new ground floor windows would be added to the side elevation of the existing property. The existing conservatory would be demolished. It is also proposed to erect a new porch to replace the existing one. The porch would project 2 metres and be 3 metres wide. It would have a dual pitch roof 3.5 metres high to the ridge. The porch would be largely of brick construction with a door in the front face and a window in either side.

Under the large homes provisions the proposed rear extension would be acceptable in terms of projection and height, therefore it is considered that the scale of the proposed extension is acceptable.

Residential amenity – The side windows to the proposed porch raise are unlikely to significantly alter overlooking of the adjacent properties over the existing porch. The proposed windows in the rear elevation face down a very long rear garden and give rise to no privacy or overlooking issues. The new windows in the side are close to the shared boundary and therefore an obscure glazing condition is proposed. The porch would be sufficiently far from the neighbouring properties not to have an overbearing impact. The rear extension by having a dual pitch roof rather than a lean to minimises the height of the extension on the boundary. As the rear elevation is south facing it is considered that whilst there may be some impact on the adjoining property this would not be significant, given their rear would still receive plenty of sunlight. Under the larger homes provisions the eaves could be higher than is proposed. On balance it is considered that the proposed development would not have a significant Impact on residential amenity.

Parking – The front porch would occupy 6m² of the existing driveway, which would not leave enough space for a car. The applicant is therefore proposing a new driveway to the other side of the front curtilage, with new/moved access to a classified road. Highways have confirmed this would be acceptable and asked that an informative be attached to remind the applicant of the need to agree a new dropped kerb with their department.

Conclusion – The refuse storage and provision of off-street parking would remain as existing, pursuant to policy DM1. The proposal also complies with policies DC1, SP1 and the NPPF and it is not thought to significantly harm the existing levels of residential amenity enjoyed by neighbouring occupiers nor the visual amenity of the street/area, therefore the development is deemed acceptable and may commence in accordance with the following conditions.

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 issues 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

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 drawings numbered 'PP136-1/22' and 'PP136-3/22', stamped as received by the City Council as Local Planning Authority on the 26th August 2022.

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) The materials to be used on the external surfaces of the extensions hereby permitted shall match those of the existing building in type, size, colour and texture, as stated on the submitted application form and drawings.

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 extension, 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) No development shall commence until an updated flood risk assessment has been submitted to and approved in writing by the local planning authority. For the avoidance of doubt, as per the government standing advice, the assessment must include the following:

- The estimated flood level for your development (the estimated flood level is a river flood level with a 1 in 100 or greater annual probability, plus an allowance for climate change). The estimated flood level may be obtained freely from the Environment Agency.

- Provide a plan showing the finished floor levels (FFLs) and the estimated flood levels. FFLs should take into consideration predicted flood levels and should be set to an appropriate level, this may be either no lower than existing internal FFLs of the adjoining dwelling or 300 millimetres (mm) above the estimated flood level. All levels should be in mAOD.

- If you cannot raise FFLs 300 mm above the estimated flood level, you should demonstrate flood resilience and resistance measures in your design. Use the following guidance: <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#extra-flood-resistance-and-resilience-measures> - See <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice> for further guidance on preparing your documents and obtaining the required data.

Reason - To ensure that the development is not at an increased risk of flooding (from various sources) and that the appropriate flood resilience and resistance measures have been

implemented on site where required, pursuant to policies EN14 and DM1 of the Core Strategy for Manchester.

Informatives

1) The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system. We recommend considering green SuDS components to mitigate for any loss of permeable area.

2) The plans indicate the dropped kerb will need to be extended. Should any amendment be required to the adopted highway to facilitate access to the driveway it should be undertaken via a Section 184 agreement with MCC Highways. This will be subject to the expense of the applicant. More information can be found here: https://www.manchester.gov.uk/info/474/parking_at_your_home/8170/apply_for_a_dropped_kerb/2

All gating which is accessed from the highway must be ensured to be inwardly opening in order to prevent obstruction to passing footway users.

The applicant should be advised that any requirements for licensing, hoarding/scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
MCC Flood Risk Management

123 Mauldeth Road West, Manchester, M20 1BB
119 Mauldeth Road West, Manchester, M20 1BB
12 Alford Avenue, Manchester, M20 1AQ
186 Mauldeth Road West, Manchester, M20 1BA
14 Alford Avenue, Manchester, M20 1AQ
2 Darnall Avenue, Manchester, M20 1BZ
1 Darnall Avenue, Manchester, M20 1BZ
184 Mauldeth Road West, Manchester, M20 1BA

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA