

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134562/FH/2022

Date registered valid: 1 August 2022

Proposal: Erection of part single, part two storey side and rear extension following demolition of existing garage

Address: 21 Maldwyn Avenue, Manchester, M8 4PF

Ward(s): Crumpsall Ward

Applicant: Mr Roberg, 24 Craigwell Road, Prestwich, M25 0EF, UK

Agent (if any): Mr Joseph Chelms, JC Design, Suite 2, Park Gates, Salford, M25 0JW

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 26 September 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 23 August 2022

Standard consultations:

Printed: 9 August 2022 Expired: 30 August 2022

Neighbour notifications

Printed: 9 August 2022 Expired: 30 August 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: No

Tree Preservation Order: No

Description of area

The application site relates to 21 Maldwyn Avenue within the Crumpsall ward of north Manchester. The property relates to a semi-detached, two storey, brick dwellinghouse which sits within the cul-de-sac of Maldwyn Avenue. Amenity space to the front of the property consists of a small area of hardstanding to the front which extends along the side of the property. A garage is sited at the end of the driveway, leading into the rear amenity space which consists of further hardstanding with a flower bed.

Description of development

The submitted application seeks planning permission for the erection of part single, part two storey side and rear extension following demolition of existing garage.

The part single storey side extension would have approximate dimensions of Length: 5.9 x Width: 1.9 metres and the part two storey side extension would have approximate dimensions of Length: 4.1 x Width: 1.9 metres, as the first floor element would be set back by 1.5 metres with a 0.8 metres drop in roof height from the host property. At its largest point, this element of the proposal would have a height of 6.4 metres.

The part single storey rear extension would have approximate dimensions of Length: 3.1 x Width: 8.1 metres and the part two storey rear extension would have approximate dimensions of Length: 3.1 x Width: 5 metres. At its largest point, this element would have a height of 6.1 metres.

The submitted application would create a study, utility and enlarged kitchen within the ground floor and a bedroom and en-suite within the first floor.

The proposal would involve the insertion of two windows within the front elevation, one window within the side elevation and two sets of sliding doors and three windows within the rear elevation. An atrium style roof light would be inserted within the single storey rear element of the extension.

Materials to be used for the proposal would match the host property.

Planning history

No planning history exists for this site.

Consultations & Notification Responses

Local residents

Local residents were consulted and no responses were received.

Highway Services

Highways were consulted and provided the following comments:

The proposed extension is sited only within the curtilage of the site and does not impinge onto the adopted highway.

Pedestrian access will remain as existing, which is acceptable to Highways.

Plans do not confirm if on-site parking is provided. All driveway spaces should provide a minimum space of 3.0m x 6.0m in line with MCCs standard minimum dimensions.

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.

There are no boundary treatments noted. 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.

Detail should be sought from the applicant in relation to any proposed construction or fitout arrangements, where there is an impact on the highway.

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

Issues

POLICY

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Of relevance are:

Policy DM1 (Development Management); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a

supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The impact; on the surrounding areas; in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area. The effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1 (Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of the neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

Principle of development

The submitted development application is for the erection of part single, part two storey side and rear extension following demolition of existing garage. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

Side extension:

The part single, part two storey side extension would be sited 1 metre from the shared boundary with no.19 Maldwyn Avenue. As the proposal would be set away by 1 metre and the first floor element of the extension would be set back by 1.5 metres it is not considered to create an overbearing feature for the neighbour. In addition, as the neighbouring property sits at an elevated position in comparison to the applicant's property, the level of overbearing may be slightly reduced.

The window to be inserted within the side elevation facing no.19 Maldwyn Avenue is marked on the application form as being high level opening only, with obscure glazing. This is considered appropriate to mitigate against any overlooking that could occur to and from this window and the obscure glazed window would be conditioned accordingly, 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, a condition to this effect would be placed on any approval granted. In addition, a condition shall be attached to any approval granted restricting the further insertion of windows or doors beyond those approved by this consent. As such, no overlooking or privacy implications would occur for this neighbour from the side extension element of the proposal. This neighbour, due to the orientation of the streetscene, would not experience any loss of light or overshadowing implications.

As the side extension would be set back at first floor level by 1.5 metres, it would not create an overbearing feature for those neighbours' opposite and within the wider streetscene. The windows to be inserted in this elevation are considered appropriate and would not give rise to any overlooking or privacy implications.

Rear extension:

The side extension would wrap into the rear extension. With regards to the impact to the neighbouring property no.19 Maldwyn Avenue, the proposal would extend forward only 0.6 metres beyond the neighbour's rear building line. As such, it would not create an overbearing feature close to the boundary line.

Windows and two sets of sliding doors are to be inserted within the rear elevation of the proposal. Other properties within the streetscene, including no.19 and no.17 Maldwyn Avenue have already extended beyond the existing rear building line and as such have established new privacy distances along the streetscene. As such, the insertion of windows within the first floor are considered acceptable and would not create any negative amenity implications to those properties to the rear of the applicant property (along Mayberth Avenue).

The part single, part two storey rear extension would be sited 2.6 metres from the other immediate neighbour no.23 Maldwyn Avenue and would have a rearward projection of 3.1 metres. The design is respectful to the neighbour as the setting in of the first floor would ensure the first floor element would not create an overbearing feature along the boundary. No windows are to be inserted along the shared boundary and as such no overlooking or privacy implications would occur, nor would any overlooking or overshadowing implications.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity.

Design and Appearance

The materials to be used for the proposal would match the host property and as such the appearance is considered sympathetic and acceptable. A materials condition to that effect would be attached to any consent granted.

Side extension:

Despite being two storey, the side extension is not considered excessively large or bulky, pursuant to Policy DC1.2 of the UDP. DC1.4 of the UDP requires the creation of domestic extensions which are subservient to the main house, do not cause a terracing effect and must provide a 1.53 metre gap to the shared boundary. In order to avoid the terracing effect and to ensure that subserviency to the original dwellinghouse is achieved, it is acknowledged that a 1.53 metre gap to the boundary cannot be provided without reducing the internal space of the extension (current gap of 1 metre). Therefore, the extension was set back by 1.5 metres at first floor level and the roof of the property is lowered to create a sense of subservience, pursuant to Policy DC1.4 of the UDP.

Rear extension:

Both the ground and first floor extension have a rearward projection of 3.1 metres and as such are compliant with the rearward projection specified under DC1.3 of the UDP. By setting in the part two storey rear extension by 2.6 metres from the other immediate neighbour no.23 Maldwyn Avenue, this element of the design is considered sympathetic and complies with Policy DC1 of the UDP.

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.

Car parking

Car parking provision would be unaffected by the proposal. The agent explained the side space attached to the property is not used to park cars due to an inadequate width and due to the difficult angle to enter the space from the cul-de-sac.

Bin storage

Space would be retained between the shared boundary and the proposed side extension and as such, bins could be stored within the rear amenity space.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area.

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner.

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:

- Householder Application for Planning Permission for works or extension to a dwelling, stamped as received by the City Council as Local Planning Authority on 1 August 2022.
- Drawing- Existing & Proposed- Plans and Elevations, stamped as received by the City Council as Local Planning Authority on 1 August 2022.
- Drawing- Location Plan- The Location Plan, stamped as received by the City Council as Local Planning Authority on 1 August 2022.

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

3) Before first occupation, the ground floor utility room and the first floor en-suite as shown on the approved 'Drawing- Existing & Proposed- Plans and Elevations', stamped as received by the City Council as Local Planning Authority on 1 August 2022, shall be obscure 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.

In addition, the ground floor utility room window shall be top-opening only and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

5) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

Informatives

- 1) 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

17 Maldwyn Avenue, Manchester, M8 4PF
24 Mayberth Avenue, Manchester, M8 4PH
19 Maldwyn Avenue, Manchester, M8 4PF
24 Maldwyn Avenue, Manchester, M8 4PF
23 Maldwyn Avenue, Manchester, M8 4PF
22 Maldwyn Avenue, Manchester, M8 4PF
20 Maldwyn Avenue, Manchester, M8 4PF
18 Maldwyn Avenue, Manchester, M8 4PF
22 Mayberth Avenue, Manchester, M8 4PH
21 Maldwyn Avenue, Manchester, M8 4PF

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA