

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133887/FH/2022

Date registered valid: 6 June 2022

Proposal: Erection of a part single/part two storey side and rear extensions together with single storey front extension to form additional living accommodation

Address: 541 Mauldeth Road West, Manchester, M21 7SP

Ward(s): Chorlton Park Ward

Applicant: Ms N Khan 541 Mauldeth Road West, Manchester, M21 7SP

Agent (if any): Holborow And Ormesher Station House, Adams Hill, Knutsford, Cheshire, WA16 6DN

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

Recommendation: Approve

Date of recommendation: 23 August 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 1st August 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 10 June 2022 Expired: 1 July 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

The property that is the subject of this householder application is a red brick built 2 storey semi-detached dwellinghouse. It sits on a roughly triangular plot close to the junction of Mauldeth Road West and Formby Avenue. It is sited at 45 degrees to the property at number 2 Formby Avenue. The boundary treatments comprised of hedging brick wall and timber post and panel fences with established hedges. There are pedestrian and vehicular access points taken off Mauldeth Road West.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature with properties of a similar age and design to the proposal site.

Description of development

The development proposed is for a part single/part two storey side and rear extensions together with single storey front porch extension. The ground floor extension would provide an additional bedroom with en-suite, utility room, extended kitchen and lounge area. The first-floor extensions would create additional living accommodation in the form of an extended bedroom and additional bedroom.

There are new vehicular gates to be installed within the existing front boundary and new timber panelled fencing to a height of 1.2 m in that location, where it would front onto Mauldeth Road

west. There is an existing dropped kerb in this location. The area previously used for parking is to be grassed over. A large tree within the front garden was initially proposed to be removed, however following negotiations this is now to be retained.

Consultations & Notification Responses

Local residents were informed- no representations have been received.

Issues

Policy and Issues

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

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance.
- o Policy DC1.5 - the Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy EN 19 - Waste Management
- o Policy SP1 - Spatial Principles
- o The National Planning Policy Framework (NPPF)

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

Principle - The principle of extending an existing residential property in an established residential area is considered acceptable.

Notwithstanding this, consideration must be given to the extensions siting, scale and massing, design, appearance and to the proposal's impact upon existing levels of residential amenity.

Siting - The proposal is to the side and rear of the property. It has been limited to single storey at the closest points to the boundary. The neighbouring property number 2 Formby Avenue is set at 45 degrees to the proposal site. The original submission projected further rearwards at first floor along both the side and rear extensions and the revised scheme now reduces the massing along the boundary with 2 Formby Avenue and the common boundary with number 543 Mauldeth Road West.

The proposal accords with the principles for residential extensions set out in saved UDP Policy DC1 and DM1 of the Core Strategy.

Design and Appearance - The design is similar in appearance to other properties that have had the benefit of extensions within the vicinity of the site, particularly the property on the opposite corner at 539 Mauldeth Road West. It remains subservient to the host property, being set back slightly from the front to enable brick match up, and with the ridge lower than the ridge on the host property. Given that the property is located at the end of that run of properties, there is no potential for the terracing effect. The materials to be used would match those of the existing property. It is considered that the proposal would be in keeping with the character of the original dwelling house and the area within which it is located.

The design is sympathetic to the general character of the building and therefore the proposal is acceptable with both policies SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP.

Scale and Massing - The first- floor side extension would be set back from the front elevation, the roof lines have been hipped reducing the bulk and massing along the common boundaries and takes the extension at its highest point well within the applicants own site away from the boundaries. The rear extensions have been designed with the same treatment towards the common boundaries. The rear being single storey with a staggered 2 storey extension being set back at first floor. Again, hipped rooflines reduce the scale and massing, and it is set down much lower than the ridge on the existing house.

Residential Amenity- It is not considered that the proposal would have a detrimental impact upon the residential amenity currently enjoyed by the neighbouring properties. The extension has been proposed with the single storey elements at the closest points to the neighbouring properties, and the 2- storey side extension and the modest 2 storey rear should not result in loss of light, overshadowing or overlooking. There are two windows proposed in the both the ground and first floor side elevations of the extensions, however given the relationship between the proposal site and the property at number 2 Ferndown, it is not considered that there would be any impact from overlooking that would warrant refusal. The windows that serve the en-suites shall be obscurely glazed and shall be conditioned to that affect. The remainder of the windows in either the ground or first floor would be to the front or rear elevations, looking out over the applicants own garden.

As such it is considered that the proposal accords with Policies DC1 and DM1 of the Core Strategy.

Visual Amenity- The design of the proposals are typical of extensions within the area, the extensions would remain subservient to the host property, and with the materials being proposed the same as the existing property there would be no detrimental impact upon the house itself or upon the character of the area within which it is located.

It is now considered that the proposal accords with the principles for residential extensions set out in saved UDP policy DC1, DC1.5 and policies SP1 and DM1 of the Core Strategy.

Parking - There is existing off street parking in curtilage on the driveway. This is to be relocated with the existing parking area being grassed over. Therefore, parking is not affected, and accords with the principles for residential extensions set out in policy DM1 of the Core Strategy.

Refuse bin storage - The bins are currently stored alongside the property this remains the case post development which accords with the principles set out in policy EN 19 of the Core Strategy.

Conclusion - The amended proposal is considered to be acceptable in this location in terms of design, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, and there are no material considerations of sufficient weight to indicate otherwise.

It is considered that the proposal would not give rise to any undue loss of amenity, loss of light or loss of privacy to neighbouring occupiers, therefore, the proposal is considered to accord with saved UDP policies DC1, DC1.5 and policies SP1 and DM1 of the Core Strategy.

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 agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case the tree that was to be removed has now been retained and the application has been determined in line with both national and local policies. Appropriate conditions have been attached to the permission granted.

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:

Location Plan- received 25th May 2022

2208/21/02 Rev C- received 16th 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 Core Strategy.

3) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture, including the mortar and patching in.

Reason - In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy, and the requirements of the National Planning Policy Framework.

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.

5) Before first occupation the glazing in the northern elevation at first floor serving the en suite bathroom and bedrooms 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.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

550 Mauldeth Road West, Manchester, M21 7AA
4 Formby Avenue, Manchester, M21 7SY
1 Formby Avenue, Manchester, M21 7SY
2 Formby Avenue, Manchester, M21 7SY
543 Mauldeth Road West, Manchester, M21 7SP
19 Wharton Avenue, Manchester, M21 7SQ

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
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH