

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 133258/FH/2022

**Date registered valid:** 18 March 2022

**Proposal:** Erection of single storey side extension to form additional living accommodation.

**Address:** 39 Armitage Avenue, Manchester, M12 5GN

**Ward(s):** Longsight Ward

**Applicant:** Mr. Mazhar Iqbal 39 Armitage Avenue, Manchester, M12 5GN

**Agent (if any):** Mr. Niamat Ali NA Design 47 Egerton Road South, Chorlton Cum Hardy, Manchester, M21 0YW

**Case officer:** Harriet Aidoo  
Tel: 0161 234 4532  
Email: harriet.aidoo@manchester.gov.uk

**Recommendation:** Approve

**Date of recommendation:** 10 May 2022

## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 13 April 2022

### **Standard consultations:**

No consultations have been printed and sent.

### **Neighbour notifications**

Printed: 30 March 2022      Expired: 20 April 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:**

**Tree Preservation Order:**

## **Description of site / building / area**

39 Armitage Avenue is a semi-detached property situated within a row of similar properties within a predominantly residential area of Longsight ward. The property benefits from amenity space to front, side and rear, with off street car parking space to the side gable of the property. The dwellinghouse comprises buff/brown colour brickwork with a pitched roof. There is a shed in the rear garden, gated side access, and the rear garden area is enclosed by high post and wooden panel fencing, approximately 1.8 metres.

## **Description of development**

The submitted plan relates to the proposed erection of a single storey side extension to form additional living accommodation.

The proposed single storey side extension would be set back approximately 6040mm from the front building line of the original dwellinghouse, whilst maintaining a width of approximately 3599mm along the front elevation.

It would be stepped away approximately 83mm from the common shared boundary with no. 37 Armitage Avenue, leaving a small gap. It then projects approximately 7583mm along this boundary whilst maintaining a proposed width of 3900mm along the rear elevation and a separation distance of approximately 5079mm from the common shared boundary with no. 41 Armitage Avenue.

The proposed rearward projection of the extension would not exceed 4500mm.

The extension would have a window and door facing Armitage Avenue, one window along the roof elevation, one window along the rear elevation and Frenchs door along the side elevation facing the common shared boundary with no. 41 Armitage Avenue.

In terms of proposed external facing materials, it is intended to use materials matching the existing dwellinghouse.

## **Consultations & Notification Responses**

### 1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations were received.

## **Issues**

### POLICIES

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'. The Framework has been related to the proposed development, with particular emphasis given to the following:

- Chapter 8: Promoting healthy and safe communities.
- Chapter 12: Achieving well-designed places.

2. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 - It is the key document in Manchester's Local Development Framework. The Core Strategy 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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies are relevant to the proposed development:

- Policy DM 1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

3. Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 (Residential Extensions) is considered relevant.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following paragraphs are of particular relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals. It is considered that these design principles have been satisfactorily incorporated into the development.
- ii. Section 8 Community Safety and Crime Prevention - Relates the importance of creating safe environments through the incorporation of informal surveillance and crime prevention measures as an integral part of new development. These objectives have been related to the assessment of the proposed design and layout of the development.

## **ISSUES**

### **Principle**

The principle of the proposal to create additional living accommodation is considered acceptable. Notwithstanding this, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

### **Residential and visual amenity**

**Impact of works (single storey side extension)** - In light of the existing contextual relationship, and due to the fact that the proposed extension would be single storey, it is considered that there would not be any significant adverse impacts from the proposed development as there are no overbearing, overshadowing, or loss of privacy impacts; and

therefore on balance, and subject to planning conditions, it is considered that the proposal would be acceptable in this location in this instance.

**Impact of works (Design and appearance)** - In design terms, it is not considered that the proposal would unduly harm the character of the building or the general area as it is intended to match materials with that of the existing dwellinghouse. However, a materials condition has been attached to ensure that the materials are adhered to.

**Impact of works (Car Parking)** - The existing arrangement would in-part be affected as the existing gated side access would be lost to accommodate the proposed extension. However, at least one off-street car parking space would be retained.

**Impact of works (Waste Management)** - The existing arrangement would be affected, as the existing gated side access would be lost to accommodate the proposed extension. Therefore, it is recommended that a planning condition is attached to any recommendation for planning approval requiring details of a bin store design including elevations and materials, to be submitted for further assessment to safeguard residential and visual amenity.

**Conclusion** - For the reasons outlined above, and subject to planning conditions, it is not considered that the submitted proposal would be unduly overbearing, nor would it present privacy and overlooking concerns which would adversely impact upon residential or visual amenity; pursuant with The National Planning Policy Framework; The Manchester Core Strategy Development Plan Document Policies EN1, DM1, SP1, EN18, EN19, T2; Saved Unitary Development Plan Policy DC 1; and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

### **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 local Planning Authority in its decision has had due regard for the National Planning Policy Framework, as well as the Development Plan, National Planning Policy and other material considerations and has approved the application for the reasons outlined in this delegated report. The local planning authority had no other issues to raise with the agent but have attached appropriate conditions to the approval.

### **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 forms received by the city council as the local planning authority on 18 March 2022.
- Existing Floor Plans and Elevations, DRAWING No NA-P01, received by the city council as the local planning authority on received by the city council as the local planning authority on 18 March 2022.
- Proposed Elevations, DRAWING No NA-B02, received by the city council as the local planning authority on received by the city council as the local planning authority on 18 March 2022.
- Proposed Floor Plans and Location Plan, DRAWING No NA-B01, received by the city council as the local planning authority on received by the city council as the local planning authority on 18 March 2022.
- Correspondence dated 03/05/2022.

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 (July 2012).

3) The external facing materials to be used on the extension hereby permitted shall match those of the primary dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the application form and approved drawings.

Reason - To ensure that 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 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.

4) Prior to the commencement of development hereby approved, the development shall include the installation of a proprietary gas protection membrane, in order to alleviate any possibility of landfill gas ingress to the building, an appropriate and comprehensive construction designs shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented prior to occupation of the proposed extension.

Reason - The development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas, pursuant to policies DM1 and EN18 of the Core Strategy (2012).

5) Before first occupation of the development hereby approved, details of a bin store design including elevations and materials, shall be submitted to, and approved in writing by, the City Council as local planning authority. The bin storage area shall be implemented in accordance with the approved scheme and shall thereafter be so maintained.

Reason - In the interests of visual and residential amenity pursuant to policy to saved policies DC1 of the Unitary Development Plan for the City of Manchester and SP1 and DM1 of the Core Strategy for the City of Manchester.

6) 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:

- Proposed Elevations, DRAWING No NA-B02, and
- Proposed Floor Plans and Location Plan, DRAWING No NA-B01, both received by the city council as the local planning authority on received by the city council as the local planning authority on 18 March 2022.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester (July 2012).

7) 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 outbuildings, sheds or extensions shall be erected without the express consent of the City Council as the Local Planning Authority.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

## 8) C3 restriction

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

## **Appendix 1 – List of consultees & neighbours notified**

22 Bickerdike Avenue, Manchester, M12 5SZ  
24 Bickerdike Avenue, Manchester, M12 5SZ  
26 Bickerdike Avenue, Manchester, M12 5SZ  
37 Armitage Avenue, Manchester, M12 5GN  
41 Armitage Avenue, Manchester, M12 5GN  
18 Armitage Avenue, Manchester, M12 5GN  
20 Armitage Avenue, Manchester, M12 5GN  
22 Armitage Avenue, Manchester, M12 5GN  
24 Armitage Avenue, Manchester, M12 5GN

## **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  
Coal Authority - Development Low Risk - Name: DEVELOPMENT\_LOW\_RISK\_AREA  
Historic Landfill Site 250m Buffer -  
Historic Landfill Site 250m Buffer -  
Area Team Boundary - Name: NORTH2