

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131459/FH/2021

Date registered valid: 23 August 2021

Proposal: Erection of a two storey side extension to form additional living accommodation together with removal of chimney

Address: 86 Amesbury Road, Manchester, M9 6JF

Ward(s): Charlestown Ward

Applicant: Mr Dariusz Morawiec 86 Amesbury Road, Manchester, M9 6JF

Agent (if any): Mr Gabriel Nketia Novus Haus 410 Ashton Old Road, Manchester, M11 2DT

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

Recommendation: Approve

Date of recommendation: 15 October 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 20 September 2021

Standard consultations:

Printed: 3 September 2021

Expired: 24 September 2021

Neighbour notifications

Printed: 31 August 2021 Expired: 21 September 2021

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 area

The application site relates to 86 Amesbury Road within the Charlestown ward of North Manchester. It is a two storey, semi-detached, red brick property, located on the corner plot of Amesbury Road and Colindale Avenue. The property benefits from amenity space to the front in the form of a garden area and a driveway which wraps around the side of the property. The rear of the property consists of a small decking area leading off the family room and a grassed garden area. Boundary treatment used around the curtilage consists of a low wooden fence to the sides and rear, and a low brick wall with wooden fencing, a personnel gate and an electric driveway gate to the front.

Description of development

The submitted application seeks planning permission for the erection of a two storey side extension to form additional living accommodation together with the removal of the chimney. The removal of the chimney will be done above roof level. The proposal will have approximate dimensions of: Height: 3.87 (at the highest point)/ 2.62 (at the eaves) x Length: 5.96 x Width: 3 metres. The side extension will be set back from the primary building line by ½ metre on both ground and first floor levels and will then extend the length of the house. The height of the new roof eaves will be in line with those of the existing roof.

The proposal will create an office, lobby and shower room on the ground floor and on the first floor a new master bedroom. The extension would involve the insertion of 2 windows within the front elevation, a door and window to the west elevation and 2 windows in the south elevation. Within the existing property, the first floor window closest to the side extension will be altered; the right windowpane would be obscured, and the left pane would be a fixed window to the staircase landing. The size of the window would be enlarged.

Materials to be used, which will match the existing house in colour and style include bricks and mortar, slate roof tiles, fascia boards and guttering and white uPVC windows and doors.

The proposal details have been amended following conversations with the agent. Amended drawings were submitted and registered, by City Council as Local Planning Authority, on 23 September 2021. The original submission did not have an adequate set back and the proposed roof extension was not lowered enough to create a subservient feature to the original property.

Planning history

A rear extension has been erected at the property, which currently acts as a family room. This has not gone through the planning system for approval, it appears it was erected through Permitted Development.

Pre-planning advice

Pre-planning advice was given to the agent regarding the application property (during the dates 21st-28th July 2021). The advice discussed which application form to use, side extensions under Permitted Development, how to progress with the removal of a chimney with regards to planning and the agent was pointed to DC1 of the Unitary Development Plan, to understand the City Council's policy of subservience.

Consultations & Notification Responses

Local residents

The occupiers of the surrounding properties were consulted, and no representations were received.

Environmental Health

Environmental Health reviewed the application and asked that the following condition is placed on any approval. Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill had ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development. Reason - The development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill, pursuant to policy EN18 of the Manchester Core Strategy (2012). The pre-commencement condition letter was sent to the agent dated 17 September 2021, however due to technical issues the applicant did not receive the letter until 15 October 2021. The agent agreed to the condition via email on 15 October 2021.

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.

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.

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

The submitted development application is for the erection of a two storey side extension to form additional living accommodation together with the removal of the chimney. This is considered acceptable in principle as many people prefer to alter and extend homes rather than move, to meet the changing residential needs of families. 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.

Residential/Visual Amenity

As a result of the siting of the property, 1 Colindale Avenue will be primarily affected by the development. Since 86 Amesbury Road sits on a splayed/ corner plot, additional distance is created between the neighbouring property. Since it is the garage of 1 Colindale Avenue that will be closest to the new proposal, the proposed extension is not considered to give rise to any significant overbearing or overshadowing impacts on the amenity of the neighbouring property. Properties opposite the application property will experience additional built form across the highway. The ½ metre set back proposed from the principal building line will help ensure the development is not as overbearing within the streetscene. 3 and 5 Glenwyn Avenue may experience some overlooking impacts from the rear of the first-floor side extension, although a level of overlooking may already be experienced from the applicant property.

A door and a small window are proposed on the side elevation that will overlook 1 Colindale Avenue. A window currently exists in the side elevation and no window will be positioned within the first floor. Two additional windows will be placed within the front elevation and will look onto those properties on the opposite side of Amesbury Road. This is typical of the positioning of windows along the streetscene. Therefore, there are no significant overlooking impacts associated with the extension. A condition shall be attached to any approval granted restricting the further insertion of windows or doors beyond those approved by this consent.

In terms of residential amenity, since the proposal will not extend forward of the primary building line, the residents will still benefit from the front amenity space. The amenity space to the rear will be unaffected by the proposal.

Due to the reasons stated above, there are no significant impacts associated in terms of residential or visual amenity. The amended drawings offer a more appropriate design in terms of scale, as the proposal is less bulky than the original submission. The enlarged set back will help reduce potential terracing implications within the streetscene.

Design and Appearance

The proposed extension has been designed sympathetically to relate to the existing property. The extension will be made of materials used to match the existing property. A condition to that effect would be attached to any consent granted. The extension would involve the insertion of 2 windows within the front elevation, a door and window to the west elevation and 2 windows in the south elevation. Within the existing property, the first floor window closest to the side extension will be altered; the right windowpane would be obscured, and the left pane would be a fixed window to the staircase landing. The size of the window would be enlarged. The extension roof would match the hipped roof of the host property and the eaves level of both the existing and proposed will align. Therefore, the proposal has been designed to be in keeping with the character of the existing house. It would not adversely affect the appearance of the existing dwelling.

The proposed extension would be set back from the front elevation by 0.5 metres, and due to its corner plot location and the siting of the garage of 1 Colindale Avenue (helping to minimise visual impact), the proposed side extension is considered subservient to the existing property.

This is pursuant to Policy DC1 within the UDP. Therefore, the siting and form of the extension is considered acceptable.

Car parking

Although there will be some loss in car parking provision within the curtilage of the property, there will still be room for some on-street parking. Off-street parking is also available outside the property.

Bin storage

Bins are currently located to the western elevation of the property curtilage, placed against the garage of 1 Colindale Avenue. The placement would be affected by this proposal. However, bins could be stored within the remaining property 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. Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

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 form, stamped as received by the City Council as Local Planning Authority on 23 August 2021.
- Drawing- Proposed- Plans and Elevations, numbered NH-06-PL-001, stamped as received by the City Council, as Local Planning Authority, on 23 August 2021.
- Drawing- Existing- Plans and Elevations, numbered NH-06-PL-000, stamped as received by the City Council, as Local Planning Authority, on 23 August 2021.

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) 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.

4) 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.

5) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - The development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill had pursuant to policy EN18 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Environmental Health

1 Colindale Avenue, Manchester, M9 6JD
85 Amesbury Road, Manchester, M9 6JQ
5 Glenwyn Avenue, Manchester, M9 6JE
83 Amesbury Road, Manchester, M9 6JQ
88 Amesbury Road, Manchester, M9 6JF
3 Glenwyn Avenue, Manchester, M9 6JE
1 Glenwyn Avenue, Manchester, M9 6JE
3 Colindale Avenue, Manchester, M9 6JD
2 Colindale Avenue, Manchester, M9 6JD

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH1