MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139631/FO/2024
Date registered valid:	23 April 2024
Proposal:	Conversion of property to form 2no. semi-detached dwellinghouses (Class C3).
Address:	7 And 9 Lanark Avenue, Manchester, M22 4NJ
Ward(s):	Northenden Ward
Applicant:	Mr Gideon Ilechukwu, Peter N Hewitt Associates Ltd
Agent (if any):	Mr Peter Hewitt, Peter N Hewitt Associates Ltd
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**11 June 2024**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 17 May 2024

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 29 April 2024 Expired: 21 May 2024

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

The application relates to a two-storey detached dwellinghouse of redbrick with a red concrete tile dual pitch roof. The application site as it originally existed consisted of a pair of two-storey semi-detached C3 dwellinghouses. At some point during their history however, a doorway was inserted into the shared party wall at first floor level, linking the rear bedrooms, and merging the properties into a single detached dwellinghouse. This alteration was able to be undertaken under permitted development regulations. As such, there is no formal documentation for when this merger occurred.

The half of the property which was originally numbered No.7 Lanark Avenue features white uPVC windows, including a two-storey bay to the front, a front porch, a brick driveway, a single storey rear outrigger, a single storey conservatory extension to the rear, a detached garage and a spacious rear garden.

The other half of the property, originally numbered No.9 Lanark Avenue, features white uPVC windows, including a two-storey bay to the front, a paved driveway and modest front garden bordered by a low-level stone wall, a front porch, and a detached outbuilding/garage situated within the rear garden.



Figure 1. Application site, as viewed from Google Earth.



Figure 2. Front view of properties.



Figure 3. Front view of No.7 Lanark Avenue.



Figure 4. Side of No.7 Lanark Avenue.



Figure 5. Rear view of No.7 Lanark Avenue.



Figure 6. Rear amenity space of No.7 Lanark Avenue.



Figure 7. Rear amenity space of No.7 Lanark Avenue.



Figure 8. Front view of No.9 Lanark Avenue.



Figure 9. Side of No.9 Lanark Avenue.



Figure 10. Rear view of No.9 Lanark Avenue.

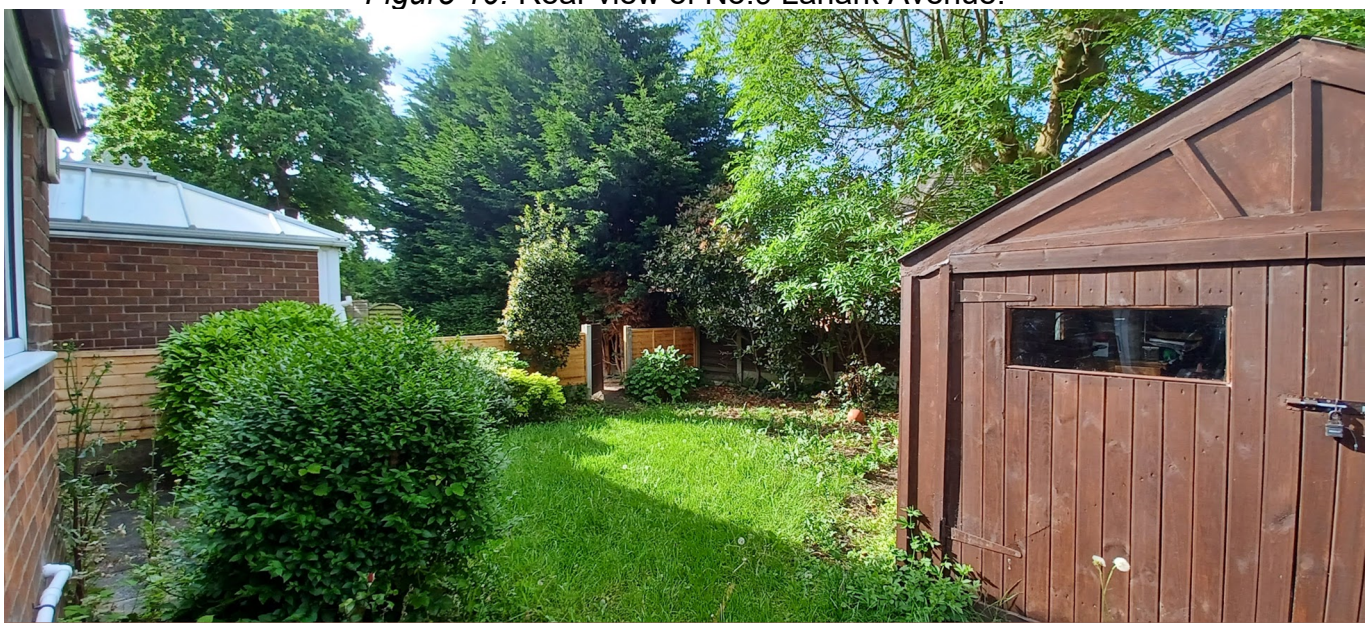


Figure 11. Rear amenity space of No.9 Lanark Avenue.

Description of area

Lanark Avenue is a residential cul-de-sac situated within the Northenden ward of Manchester, close to Manchester Outer Ring Road (M60), the River Mersey, and Wythenshawe Cricket & Football grounds. The area is primarily residential in terms of its character, consisting of terraced and semi-detached residential properties, and benefits from its proximity to public outdoor amenity and green spaces.

Description of development

The applicant is seeking permission for the conversion of a property to form 2no. semi-detached dwellinghouses (Class C3).

Planning history

No previous history.

Consultations & Notification Responses

One letter of support was received from one local resident in response to this application. Their comments are summarised as follows:

- The property originally consisted of two semi-detached dwellinghouses.
- They were subsequently joined with the insertion of a doorway to create a single property.
- The owner now wishes to close the doorway to revert the properties back to their original form.
- No other alterations are proposed.
- Unsure why this alteration would require planning permission.

Policies

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

The Manchester Core Strategy – Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on the 11th of July 2012:
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN19 - Waste
- Policy H1 – Overall Housing Provision
- Policy H7 – Wythenshawe

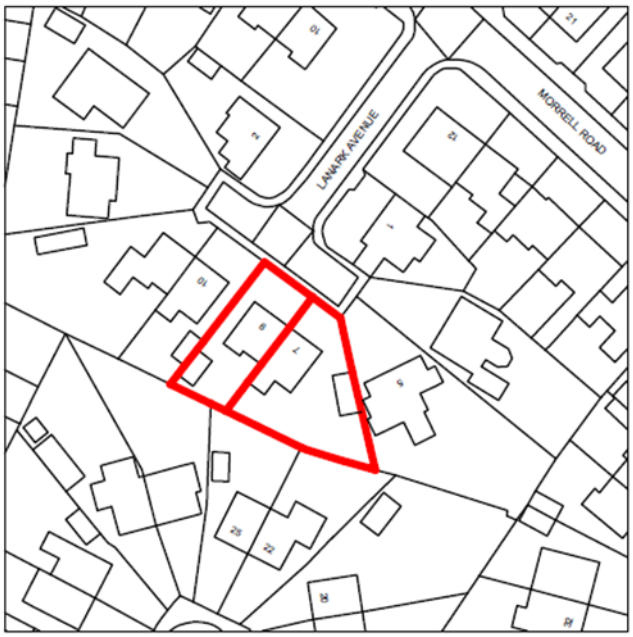
The National Planning Policy Framework (NPPF, 2021)
- Chapter 12 – Achieving Well-Designed Places

Places for Everyone - is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

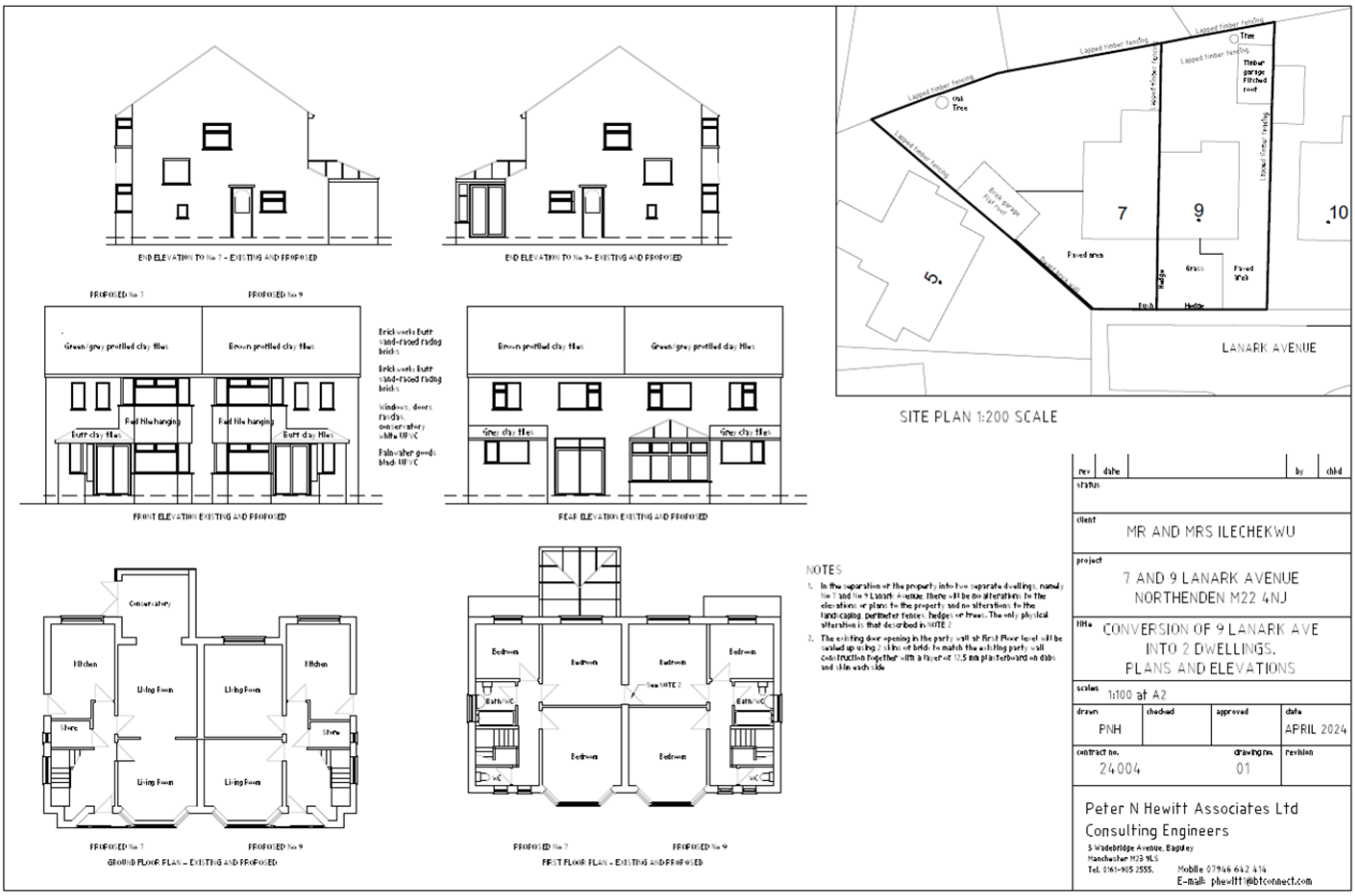
- Policy JP-P1 – Sustainable Places
- Policy JP-H1: Scale, Distribution and Phasing of New Housing Development
- Policy JP-H4: Density of New Housing



BLOCK PLAN SHOWING PRESENT SITUATION



BLOCK PLAN SHOWING PROPOSED SITUATION



NOTES

1. In the separation of the property into two separate dwellings, namely No 7 and No 9 Lanark Avenue, there will be no alterations to the elevations or plans to the property and no alterations to the hard-caping, perimeter fences, hedges or trees. The only physical alteration is that described in NOTE 2
2. The existing door opening in the party wall at First Floor level will be sealed up using 2 skins of brick to match the existing party wall construction together with a layer of 12.5 mm plasterboard on dabs and skim each side

rev	date		by	chkd
status				
client	MR AND MRS ILECHEKWU			
project	7 AND 9 LANARK AVENUE NORTHENDEN M22 4NJ			
title	CONVERSION OF 9 LANARK AVE INTO 2 DWELLINGS. PLANS AND ELEVATIONS			
scales	1:100 at A2			
drawn	checked	approved	date	
PNH			APRIL 2024	
contract no.		drawing no.	revision	
24004		01		

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Issues

Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context.

Policies H1 and H7 of the Manchester Core Strategy provide guidance in relation to how the Council aims to meet Objective 3 (Housing), whereby a significant increase in high quality housing provision at sustainable locations throughout the City is sought after in order to address demographic needs as well as supporting economic growth. Policy H7 relates specifically to Wythenshawe, stipulating that approximately 3% of new residential development is expected to take place in this region over the lifetime of the Core Strategy.

The National Planning Policy Framework seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle - the principle of reinstating an internal party wall in order to form 2no. dwellinghouses is acceptable given that the application site as it originally existed consisted of two semi-detached residential properties, rather than one singular detached property. Separating this, now merged, property back into its original counterparts would therefore sit in accordance with policies H1 and H7 of the Manchester Core Strategy.

Siting, scale, and massing – the proposal includes the reinstatement of an internal party wall which would separate the property into its original counterparts. The doorway linking the two first floor bedrooms at the rear of the property, would be infilled and blocked up, thus restoring the application site to two semi-detached dwellinghouses. The proposed works are internal only and, as such, their siting, scale, and massing does not require assessment. It is understood that sufficient private outdoor amenity space would be retained for each of the new dwellinghouses as each property would have access to a spacious rear garden.

The proposal therefore accords with policies SP1, DM1, H1 and H7 of the Core Strategy.

Appearance and visual amenity – as the proposed works are to be internal only, the proposal will have no effect on the external appearance of the proposed dwellinghouses. The proposal will not be visible within the street scene or public realm and will therefore cause no harm to the visual amenity or character of the area.

The proposal therefore accords with policies SP1 and DM1 of the Core Strategy.

Residential amenity – the proposed works would have a minimal effect upon residential amenity and would not pose issues associated with overshadowing, loss of light, loss of outlook and loss of privacy, nor would it introduce an overbearing presence into the area.

The proposal therefore accords with policies SP1 and DM1 of the Core Strategy.

Waste storage – adequate space and access would be retained to the rear of the properties to allow refuse bins to be stored away from the street scene.

The proposal therefore accords with policies DM1 and EN19 of the Core Strategy.

Parking – the properties would retain the existing driveways and, as such, the proposal should not result in an unacceptable increase in on-street parking demands. The proposal is therefore acceptable in this regard.

Standard of accommodation – the standard of accommodation is likely to reflect the existing

standards currently enjoyed by the surrounding semi-detached properties present along Lanark Avenue as well as the application site as it originally existed (as two semi-detached properties). The existing driveways, front gardens, rear gardens, internal space, and residential extensions are to be retained with the works only affecting the internal layout of the property, separating it into two. The proposal is therefore acceptable as it would revert the application site back into two separate dwellings with similar standards of accommodation than as they were originally built, pursuant to policies H1 and H7 of the Core Strategy.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale and massing, appearance, and impact upon existing levels of visual and residential amenity as well as waste storage and parking as it broadly complies with policies DM1, SP1, EN1, EN19, H1 and H6 of the Core Strategy and chapter 12 of the NPPF.

Other Legislative Requirements

Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 polices 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 significant problems 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 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 permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following documents labelled:

-'Application for Planning Permission', numbered 'PP-12922580', stamped as received by the City Council as Local Planning Authority on the 26th March 2024.

-‘Conversion of 9 Lanark Ave into 2 dwellings. Plans and elevations’, numbered ‘01’, stamped as received by the City Council as Local Planning Authority on the 23rd April 2024.
-‘Block plan showing proposed situation’, numbered ‘SK.1’, stamped as received by the City Council as Local Planning Authority on the 26th March 2024.

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) 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 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 policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

5 Lanark Avenue, Manchester, M22 4NJ
1 Lanark Avenue, Manchester, M22 4NJ
25 Overwood Road, Manchester, M22 4JB
10 Lanark Avenue, Manchester, M22 4NJ
8 Lanark Avenue, Manchester, M22 4NJ
6 Lanark Avenue, Manchester, M22 4NJ
4 Lanark Avenue, Manchester, M22 4NJ
2 Lanark Avenue, Manchester, M22 4NJ
23 Overwood Road, Manchester, M22 4JB
22 Overwood Road, Manchester, M22 4JB
20 Overwood Road, Manchester, M22 4JB
18 Overwood Road, Manchester, M22 4JB
3 Lanark Avenue, Manchester, M22 4NJ

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
Area Team Boundary - Name: SOUTH AREA