MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138500/FH/2023
Date registered valid:	6 November 2023
Proposal:	Erection of single storey side extension to form additional living accommodation
Address:	20 Armitage Avenue, Manchester, M12 5GN
Ward(s):	Longsight Ward
Applicant:	Mr Mustafa Khan
Agent (if any):	Mr Dabeer Rana MD Design Consultancy
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	20 December 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 15 November 2023

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 10 November 2023 Expired: 1 December 2023

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

The application site is a semi-detached dwellinghouse within an arear of housing of similar type. The site benefits from amenity space to front, side and rear. Off street car parking space is along the gable elevation; with a further demarcated car parking space along the front elevation. The dwellinghouse comprises buff/brown colour brickwork with a pitched roof. There is a shed along the side garden. The rear garden area is enclosed by high post and wooden panel fencing, approximately 1.8 metres which incorporates a timber frame gated access along the gable elevation. A similar extension has been approved along the Armitage Avenue street scene (ref: 133258/FH/2022).

Description of development

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

Clarification was sought from the agent regarding the proposed bin store arrangements given the existing gated access along the gable elevation would be lost to accommodate the proposed extension. Details were subsequently provided, (correspondence dated, 04/12/23,

20/12/23). It has been confirmed that wheeled bins would stored in a timber frame bin store, measuring approximately (2.4m wide, 870mm depth and 1.2m height) along the gable elevation.

The proposed single storey side extension would be set back approximately 3226mm from the front building line of the original dwellinghouse and stepped-away approximately 150mm from the common shared boundary with no. 22 Armitage Avenue; whilst leaving a small gap from this boundary. It would not project beyond the rear building line of the original house and would measure approximately (5400mm deep x 3500mm wide x 3500mm maximum height). It would incorporate a lean-to pitched roof design, with 2no. widows along the front elevation, 3no. windows along the roof elevation, including French doors along the rear elevation. 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.

2. Environmental Health

Environmental Health recommend the following condition and informative to be attached to the application:

GAS02

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.

Any further development shall not compromise any existing remedial measures previously installed at the site as part of Planning Permission 097655/FO/2011. Upon completion of the works, a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority, to ensure that the existing remedial measures have not been compromised.

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. The existing development has had remedial measures installed as part of Planning Permission 097655/FO/2011. The current works shall not compromise the protection afforded by these earlier measures. Pursuant to [INSERT] of the Unitary Development Plan for the City of Manchester.

CLAND Watching Brief

In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and contact Environment On Call on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

POLICY

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. Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

3. 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)

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

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

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

- Chapter 2: Design

ISSUES

In this instance, clarification was sought from the agent regarding the proposed bin store arrangements given the existing gated access along the gable elevation would be lost to accommodate the proposed extension. Details were subsequently provided, (correspondence dated, 04/12/23, 20/12/23).

Principle

The principle of the proposal to create additional living accommodation is considered acceptable. Notwithstanding this factor, 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) - The proposed extension would be informed by a similar planning permission along the Armitage Avenue street scene; therefore, in light of this factor and given the clarification in (correspondence dated, 04/12/23, 20/12/23) and the resultant contextual relationship of the proposal along the boundaries, 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 extension would be acceptable in this location in this instance, subject to planning conditions.

Impact of works (Design and appearance) - In design terms, the extension would be informed by similar development along the street scene and it is intended to match materials with that of the existing dwellinghouse and therefore, it is not considered that the proposal would unduly harm the character of the building or the general area. However, a materials condition has been attached to ensure that the materials are adhered to.

Impact of works (Car Parking) - The existing arrangement would be unaffected.

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. It has been confirmed that wheeled bins would stored in a timber frame bin store, measuring approximately (2.4m wide, 870mm depth and 1.2m height) along the gable elevation, (correspondence from agent dated, 04/12/23, 20/12/23).

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (2021) chapters 8 and 12; policies SP1, DM1, EN1, EN19, T2 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) and no comments or objections have been received in response to this application.

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

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:

o Householder Application for Planning Permission for works or extension to a dwelling forms received by the city council as the local planning authority on 06 November 2023.

o Location and Site Plan Existing Floor Plans and Elevations, (DR) A204, 0013, Revision B, received by the city council as the local planning authority on 06 November 2023.

o Existing Floor Plans and Elevations, (DR) A100, 0013, Revision B, received by the city council as the local planning authority on 06 November 2023.

o Proposed Ground Floor Plan and Proposed Roof Plan, (DR) A200, 0013, Revision B, received by the city council as the local planning authority on 06 November 2023.

o Proposed Front Elevation, LHS Elevation, Rear Elevation and RHS Elevation, (DR) A201, 0013, Revision B, received by the city council as the local planning authority on 06 November 2023.

o Proposed 3D View 1, (DR) A202, 0013, Revision B, received by the city council as the local planning authority on 06 November 2023.

o Proposed 3D View 2, (DR) A203, 0013, Revision B, received by the city council as the local planning authority on 06 November 2023.

o Proposed Bin Store Details, (DR) A206, 0013, Revision C, received by the city council as the local planning authority on 20 December 2023.

o Correspondence from agent dated, 04/12/23 and 20/12/2303.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant with saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies SP1 and DM1 of the Core Strategy (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 with saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

4) 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.

Any further development shall not compromise any existing remedial measures previously installed at the site as part of Planning Permission 097655/FO/2011. Upon completion of the works, a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority, to ensure that the existing remedial measures have not been compromised.

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. The existing development has had remedial measures installed as part of Planning Permission 097655/FO/2011. The current works shall not compromise the protection afforded by these earlier measures. Pursuant to policies EN18, DM1 of the Manchester Core Strategy (2012) and saved policy DC1 of the Unitary Development Plan for the City Manchester (1995).

5) Wheeled bins shall be stored along the gable elevation of the original dwellinghouse, in the specified location and enclosed bin store and as shown on: Proposed Bin Store Details, (DR) A206, 0013, Revision C, received by the city council as the local planning authority on 20 December 2023 and as stated in correspondence from agent dated, 04/12/23 and 20/12/2303, and only brought to the back of pavement on collection days, and this arrangement shall remain so in perpetuity, and be maintained.

Reason - In the interests of visual and residential amenity, pursuant with saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies EN19 and DM1 of the Core Strategy (July 2012).

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:

o Proposed Ground Floor Plan and Proposed Roof Plan, (DR) A200, 0013, Revision B, received by the city council as the local planning authority on 06 November 2023.

o Proposed Front Elevation, LHS Elevation, Rear Elevation and RHS Elevation, (DR) A201, 0013, Revision B, received by the city council as the local planning authority on 06 November 2023.

o Proposed 3D View 1, (DR) A202, 0013, Revision B, received by the city council as the local planning authority on 06 November 2023.

o Proposed 3D View 2, (DR) A203, 0013, Revision B, received by the city council as the local planning authority on 06 November 2023.

o Proposed Bin Store Details, (DR) A206, 0013, Revision C, received by the city council as the local planning authority on 20 December 2023.

Reason - In the interests of residential amenity pursuant with saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies EN19 and DM1 of the Core Strategy (2012).

7) 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.

Informative

1) In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and contact Environment On Call on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Appendix 1 – List of consultees & neighbours notified

35 Armitage Avenue, Manchester, M12 5GN
37 Armitage Avenue, Manchester, M12 5GN
39 Armitage Avenue, Manchester, M12 5GN
41 Armitage Avenue, Manchester, M12 5GN
22 Armitage Avenue, Manchester, M12 5GN
14 Armitage Avenue, Manchester, M12 5GN
18 Armitage Avenue, Manchester, M12 5GN
Longsight Cricket Club, 84 East Road, Longsight, Manchester, M12 5GZ

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: NORTH AREA

Overheads viewed on Google Earth