MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	137648/FH/2023
Date registered valid:	24 July 2023
Proposal:	Part single, part two storey side extension and single storey rear extension to form additional living accommodation; with associated elevation alterations including relocation of front door
Address:	65 Lewis Avenue, Manchester, M9 4FR
Ward(s):	Harpurhey Ward
Applicant:	D Evans
Agent (if any):	Mr Andrew Brodie, AGB CAD Services Ltd
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**18 September 2023**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 16 August 2023

Standard consultations:
Printed: 29 August 2023 Expired: 5 September 2023

Neighbour notifications
Printed: 29 August 2023 Expired: 5 September 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: No

Tree Preservation Order: No

Description of area

The application site relates to 65 Lewis Avenue within the north Manchester ward of Harpurhey. The application site relates to a semi-detached, two storey dwellinghouse clad in a cream render, with an existing single storey side extension, with grey coloured fenestration across the property. Amenity space to the front of the property consists of a small courtyard although this is not sufficient for a car to park. Further amenity space is sited to the rear of the property in the form of a raised patio and garden. The rear of the property benefits from a very small single storey outrigger.

Description of development

The submitted application seeks planning permission for the part single, part two storey side extension and single storey rear extension to form additional living accommodation; with associated elevation alterations including relocation of front door.

The part single storey side extension would have approximate dimensions of Height: 3.7 x Length: 5.6 x Width: 2.3 metres and the part two storey side extension would have a set back of 2 metres with dimensions of Height: 7 x Length: 3.6 x Width: 2.3 metres.

The single storey rear extension would have approximate dimensions of Height: 3.8 x Length: 1.5 x Width: 4 metres.

The proposal would involve the insertion of a door and window within the front elevation and a window and sliding doors within the rear elevation. Two skylights would be inserted in the single storey rear extension and a further skylight inserted in the part two storey side extension.

The proposal would create a family room and enlarged kitchen on the ground floor and a bedroom 3 on the first floor.

Associated elevation alterations would include the relocation of the front door to the front elevation of the side extension. In its place, the existing door would be blocked up and finished with render to match the main house.

Materials to be used throughout the proposal would match that of the host property, except the use of alumimum framed bi-fold doors.

Amended Plans

Plans were amended from those originally received. The side extension did not offer an adequate level of set back to create a subservient feature at the property and ensure a terracing impact was not created. As such, the side extension was changed to provide a 2 metre set back at first floor level. Further, the original plans included the insertion of a large central window within the primary elevation of the property. The introduction of a double height window would not be in keeping with the character and precedent of fenestration in the immediate area, and as a result would not respond positively to the character of the area, appearing visually intrusive. As such, this element of the works was removed from the proposal.

Revised plans were considered to overcome concerns and neighbours were re-notified accordingly.

Planning History

No planning history exists for this site.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Highway Services

Highway Services were consulted on the application and provided the following comments: The proposed extension is fully contained within the site's perimeter.

Pedestrian access is acceptable to Highways.

Clarification is sought to confirm if in-curtilage parking will remain available. If it is available the applicant should verify the dimensions of the driveway, which should provide

a minimum of 3.0m x 6.0m in line with MCCs standard minimum dimensions.

Clarification is sought to confirm the location of the refuse storage area, which should be located within the site boundary.

There are no proposed boundary treatments.

Detail should be sought from the applicant in relation to any proposed construction or fitout arrangements, where there is an impact on the highway.

The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email --highwaylicences@manchester.gov.uk highwaynetworkmanagement@manchester.gov.uk

FURTHER HIGHWAYS COMMENTS - 31 August 2023
Highways comments remain applicable.

It is noted that suitable bin storage has been indicated within the curtilage of the site to the front of the property, this will prevent any obstruction on adjacent footways. This is acceptable to Highways.

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.

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 CABE 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 of Development

The submitted development application is for the part single, part two storey side extension and single storey rear extension to form additional living accommodation; with associated elevation alterations including relocation of front door. This is considered acceptable in principle as many people prefer to alter and adapt 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 dwelling house, it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

Part single/ part two storey side extension:
The side extension would be sited against the shared boundary with no.63 Lewis Avenue. As existing, a single storey side extension is sited against the boundary, however the amount of built form against the boundary would increase. The neighbouring property benefits from a first floor side window and as a result of the proposal the neighbour would be impacted by some loss of light. However, given the neighbour’s window is already obscure glazed, any loss of light implications is thought to be minimal. Further, with the 2 metre set back at first floor level, it is considered to minimise impacts in terms of overbearing to the neighbour.

By having the first floor set back of 2 metres it ensures the proposal is viewed as a subservient addition to the property, ensuring a terracing impact is not created, to the detriment of visual/ residential amenity.

As the two storey side extension would align with the existing rear building line, no adverse implications would occur to the neighbours to the rear from the insertion of a rear window at first floor level. In addition, a condition would be attached to any approval granted restricting the further insertion of windows and doors beyond those approved within this consent.

Single storey rear extension:
The property already benefits from a small bay window to the rear of the property with a 0.7 metre projection from the existing rear building line. The proposal would involve the insertion of a small rear extension, with a 1.5 metre projection. As such, no.67 Lewis Avenue would feel an additional 0.8 metres of built form against the boundary. Given this is small and of a single storey, any impact to the immediate neighbour is not considered to be severe. Further this neighbour would not be impacted by any loss of light/ overshadowing implications, due to the orientation of the properties. No privacy implications would occur for no.67 Lewis Avenue.

Given the single storey rear extension would be sited 4.8 metres from the shared boundary with no.63 Lewis Avenue, no adverse implications would occur to this neighbour.

A 4 metre gap would be retained from the proposed rear extension to the rear boundary and as such no adverse implications to the neighbours to the rear would occur.

Associated elevation alterations:
The re-positioning of the front door would not give rise to any adverse visual/ residential implications.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity, and any harm has been mitigated within the revised drawings presented.

Design and Appearance

Part single/ part two storey side extension:
DC1.4 of the UDP requires the creation of domestic extensions which are subservient to the main house, do not cause a terracing effect and must provide a 1.53 metre gap to the shared boundary. In order to avoid the terracing effect and to ensure that subservience to the original dwellinghouse is achieved. In this instance, the two metre set back at first floor level ensures the proposal is subservient and does not create a terracing impact. As such, the form of this element is considered acceptable, pursuant to Policy DC1.4 of the UDP.

Single storey rear extension:
The single storey rear extension would have a projection of 1.5 metres. This is considered pursuant with Policy DC1.3 of the UDP and is considered a small extension given the proposal does not extend the width of the host property. This element of the proposal is considered acceptable in size and form.

Associated elevation alterations:
Associated elevation alterations would include the relocation of the front door to the front elevation of the side extension. In its place, the existing door would be blocked up and finished with render to match the main house. This is considered acceptable as although it would be different to the location of front doors along Lewis Avenue, it would still be viewed as the main entrance to the property, and would link the new proposal to the existing property.

Materials:
Materials to be used throughout the proposal would match that of the host property, except the use of alumimum framed bi-fold doors. The materials are considered sympathetic and appropriate. A materials condition to that effect would be attached to any consent granted.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Car Parking

Highway Services questioned whether parking was available off street at the property. The agent confirmed it was not possible as existing and as proposed no changes would occur in terms of car parking.

Bin Storage

Bin storage provision would be affected by the proposal. Plans indicate a bin store would be provided within the front amenity space of the site and would be a timber bin store. This is considered acceptable and would be conditioned accordingly within any approval granted. Highways were also happy with this arrangement.

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.

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 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. In this instance officers have worked with the applicant in a positive and proactive manner and a revised scheme has been submitted which is considered to overcome issues raised. Appropriate conditions have been attached to any approval 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:
-Application Form, stamped as received by the City Council as Local Planning Authority on 24 July 2023.
-Drawing- Proposed- Plans and Elevations, numbered 2324-03, stamped as received by the City Council as Local Planning Authority on 28 August 2023.

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 to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form and within the 'Drawing- Proposed- Plans and Elevations' specified in Condition 2 of this approval.

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, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

5) The development hereby approved shall be carried out in accordance with 'Drawing- Proposed- Plans and Elevations, numbered 2324-03', stamped as received by the City Council as Local Planning Authority on 28 August 2023, in relation to a secure and ventilated bin storage area.

The bin storage area shall be implemented in accordance with the approved scheme and be in place prior to the first use of the development and shall be so maintained and retained at all times thereafter.

Reason - In the interests of the provision of off-street car parking, and the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

Informatives

1) The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email -highwaylicences@manchester.gov.uk/ highwaynetworkmanagement@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Highway Services

64 Lewis Avenue, Manchester, M9 4FR
63 Lewis Avenue, Manchester, M9 4FR
60 Lewis Avenue, Manchester, M9 4FR
67 Lewis Avenue, Manchester, M9 4FR
58 Lewis Avenue, Manchester, M9 4FR
62 Lewis Avenue, Manchester, M9 4FR
61 Lewis Avenue, Manchester, M9 4FR
10 Woodleigh Street, Manchester, M9 4ES
14 Woodleigh Street, Manchester, M9 4ES
12 Woodleigh Street, Manchester, M9 4ES

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
Area Team Boundary - Name: NORTH AREA