

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136231/FH/2023

Date registered valid: 10 February 2023

Proposal: Erection of single storey side and rear extension following demolition of existing conservatory, including a raised decked area and access works

Address: 15 Lincoln Avenue, Manchester, M19 3LA

Ward(s): Levenshulme Ward

Applicant: Ms Millie Shenton-Jones

Agent (if any): Mr Laurie Durston

Case officer: Harriet Aidoo
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Recommendation: Approve

Date of recommendation: 5 April 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 8 March 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 23 February 2023 Expired: 16 March 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

This application relates to a two storey, bay fronted, inter-war, semi-detached dwellinghouse. The application site lies within a predominantly residential area of Levenshulme ward. The street consists of a mix of terraces and semi-detached houses. The application property benefits from amenity space along the front side and rear elevations, with gated access along the side elevation to access the rear garden, including boundary treatment, which comprises of timber frame panel fencing - approximately 1.5 - 1.8 metres along the rear elevation. There is an existing elevated stepped access, timber decking with balustrades along the rear of the application building -approximately, (6418mm deep x 7997mm wide x 2000mm high); a rear conservatory - approximately, (5303mm wide x 4353mm deep x 3028mm high) whilst retaining a separation distance of approximately 2252mm from the common shared boundary with no.13 Lincoln Avenue and a gap of approximately 422mm from the common shared boundary with no.17 Lincoln Avenue. Along the rear boundary are mature trees with an area of open green space beyond this screening.

Description of development

The submitted plan relates to the proposed erection of a single storey side and rear extension following demolition of existing conservatory, including a raised decked area and access works.

The proposed development would also comprise of elevational alterations to the original dwellinghouse involving render to the rear façade; including installation of 1no. obscurely glazed window along the ground floor side elevation to serve the w/c room.

The initially submitted plan has been slightly revised in the interest of residential amenity and revised plans subsequently submitted, (dated, 03/04/2023 and 04/04/2023). The revised plan would comprise of:

- The removal of the initially proposed side facing windows along the common boundaries with nos.13 and 17 Lincoln Avenue.

The proposed extension would be set-back approximately 7391mm from the front building line of the original dwellinghouse, and would maintain a proposed width of approximately 1042mm along the front elevation, and a gap of approximately 900mm would be retained from the common shared boundary with no. 13 Lincoln Avenue; it would then project in a straight line along this boundary approximately 4314mm into the rear garden. The would approximately 6659mm in width, whilst retaining a gap of approximately 403mm from the boundary with no.17, and maintaining a proposed rearward projection of approximately 3951mm along this boundary. The proposed extension would be flat roof - approximately 3000mm high and incorporate a roof lantern along the roof elevation (maximum proposed height inc. the roof lantern, approximately 3395mm high), including bi-fold doors along the rear elevation.

The proposed development would also comprise of elevational alterations to the original dwellinghouse involving render to the rear façade; including installation of 1no. obscurely glazed window along the ground floor side elevation to serve the w/c room.

In terms of the proposed gradient 1:12 access ramp with side handrail along the side boundary with no.13 Lincoln Avenue, it would be set-back approximately 3259mm from the front building line of the original dwellinghouse and screened behind the existing gated side access, and measure approximately 4972mm length x 900mm wide; whilst retaining a gap of approximately 942mm from the side elevation of the original dwellinghouse.

With regards to the proposed raised decked area with stepped access and balustrades, it would be sited along the common shared boundary with no.13 Lincoln Avenue and the side elevation of the proposed conservatory and would be set-back approximately 8304mm from the front building line of the original dwellinghouse, and project approximately 6367mm along this boundary, then come forward of the common shared boundary with no.17 Lincoln Avenue approximately 7952mm wide. The proposed depth of rearward projection of the decking would be approximately 2948mm, and it would measure approximately 1904mm high.

External facing materials for the proposed development would involve red engineering brick , through coloured render and zinc cladding, glass reinforced plastic flat roof covering - colour grey, white UPVC double glazed windows and white aluminium doors, timber panel fencing composite external decking board, and as stated on the submitted information and annotated on the submitted plans.

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.

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:

- o Chapter 8: Promoting healthy and safe communities.
- o 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:

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

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

- o 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.

ISSUES

In the instance, the initially submitted plan has been slightly revised in the interest of residential amenity and revised plans subsequently submitted, (dated, 03/04/2023 and 04/04/2023).

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 (Erection of single storey side and rear extension together with front porch) - In light of the revised plans, (dated, 03/04/2023 and 04/04/2023), and due to the pre-existing contextual relationship along the side and rear boundaries, and the resultant contextual relationship as a result of the proposed development, the proposal is considered to be acceptable in terms of its impact on residential amenity as there are no overbearing, overshadowing or loss of privacy impacts, subject to planning conditions.

Impact of works (elevational alterations to the original dwellinghouse involving render along the rear façade) - Whilst the proposed colour choice of render would not be the preferred option, and it is considered that a colour more in keeping with the proposed conservatory or the existing bricks would be a better option in design terms, on balance, as the proposed render would be solely limited in-part along the rear façade of the original dwellinghouse, and given the contextual relationship along the rear boundary with the mature trees and area of open green space, and due to the fact that other properties along this side of the street have a similar development, it is considered that the use of materials of differing texture and colouration of the original dwellinghouse may be acceptable in this location without a significant detrimental adverse impact to residential amenity. It is however, proposed to attach a condition to require the submission of samples of the proposed materials to ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area within which the site is located.

Impact of works (installation of 1no. obscurely glazed window along the ground floor side elevation of the original dwellinghouse to serve the w/c room) - The nature of such developments would fall within permitted development.

Impact of works (design and appearance) - It is not considered that the proposal would unduly harm the character of the building or the general area. As advised earlier it is considered that the use of materials of differing texture and colouration of the original dwellinghouse may be acceptable in this location without a significant detrimental adverse impact to residential amenity. It is however, proposed to attach a condition to require the submission of samples of the proposed materials to ensure that the appearance of the development is acceptable in the interests of the visual amenity of the area within which the site is located.

Impact of works (waste management) - The existing arrangement would be unaffected.

Impact of works (car parking) - The existing arrangement would be unaffected.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the revised proposed development responds positively to The National Planning Policy Framework (July 2021); policies SP1, DM1, EN1, T2, and EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

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 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**

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, following negotiations, the initially submitted plan has been slightly revised in the interest of residential amenity and revised plans subsequently

submitted, (dated, 03/04/2023 and 04/04/2023). The application has been determined in accordance with the guidance contained within saved policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan, the Core Strategy, the National Planning Policy Framework and all other material considerations. 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 form, received by the city council as the local planning authority on 10 February 2023.
- o Location Plan with application sight edged in red, received by the city council as the local planning authority on 10 February 2023.
- o EXISTING SIDE ELEVATION NO 2 , 1656 .AL(0) 06, received by the city council as the local planning authority on 10 February 2023.
- o EXISTING REAR ELEVATION, 1656 .AL(0) 05, received by the city council as the local planning authority on 10 February 2023.
- o EXISTING SIDE ELEVATION SIDE ELEVATION NO 1, 1656 .AL(0) 04, received by the city council as the local planning authority on 10 February 2023.
- o EXISTING FRONT ELEVATION, 1656 .AL(0) 03, received by the city council as the local planning authority on 10 February 2023.
- o EXISTING FIRST FLOOR PLAN, 1656 .AL(0) 02, received by the city council as the local planning authority on 10 February 2023.
- o EXISTING GROUND FLOOR PLAN, 1656 .AL(0) 01, received by the city council as the local planning authority on 10 February 2023.
- o PROPOSED SIDE ELEVATION, 1656 .AL(0) 10, REV B, received by the city council as the local planning authority on 03 April 2023.
- o PROPOSED FRONT ELEVATION, 1656 .AL(0) 09, REV A, received by the city council as the local planning authority on 03 April 2023.
- o PROPOSED REAR ELEVATION, 1656 .AL(0) 11, REV A, received by the city council as the local planning authority on 03 April 2023.

- o PROPOSED FIRST FLOOR PLAN, 1656 .AL(0) 08, received by the city council as the local planning authority on 03 April 2023.
- o PROPOSED GROUND FLOOR PLAN, 1656 .AL(0) 07, REV A, received by the city council as the local planning authority on 03 April 2023.
- o PROPOSED SIDE ELEVATION NO 2, 1656 .AL(0) 12, REV B, received by the city council as the local planning authority on 04 April 2023.

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) Prior to above ground works, samples and specifications of all materials (cladding and render) to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason -To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

Reason - To ensure that the appearance of the building is not adversely affected by the materials to be used for the proposed elevational alterations, 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) 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 development hereby approved other than those shown on:

- o PROPOSED SIDE ELEVATION, 1656 .AL(0) 10, REV B, received by the city council as the local planning authority on 03 April 2023.
- o PROPOSED FRONT ELEVATION, 1656 .AL(0) 09, REV A, received by the city council as the local planning authority on 03 April 2023.
- o PROPOSED REAR ELEVATION, 1656 .AL(0) 11, REV A, received by the city council as the local planning authority on 03 April 2023.
- o PROPOSED FIRST FLOOR PLAN, 1656 .AL(0) 08, received by the city council as the local planning authority on 03 April 2023.
- o PROPOSED GROUND FLOOR PLAN, 1656 .AL(0) 07, REV A, received by the city council as the local planning authority on 03 April 2023.
- o PROPOSED SIDE ELEVATION NO 2, 1656 .AL(0) 12, REV B, received by the city council as the local planning authority on 04 April 2023.

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

5) 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

13 Lincoln Avenue, Manchester, M19 3LA
17 Lincoln Avenue, Manchester, M19 3LA
42 Lincoln Avenue, Manchester, M19 3LB
46 Lincoln Avenue, Manchester, M19 3LB
44 Lincoln Avenue, Manchester, M19 3LB

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: NORTH AREA