

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136494/FH/2023

Date registered valid: 16 March 2023

Proposal: Erection of single storey side extension following demolition of existing single storey extension to eastern (side) elevation, together with the erection of a first floor extension to western (side) elevation over existing garage

Address: 322 Lapwing Lane, Manchester, M20 6UW

Ward(s): Didsbury West Ward

Applicant: Mr Ward & Mrs Farrell

Agent (if any): Mr Simon Miles S R Miles Ltd

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 11.05.2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 2nd visit 26th April 2023

Standard consultations:

Printed: 29 March 2023 Expired: 19 April 2023

Neighbour notifications

Printed: 29 March 2023 Expired: 19 April 2023

Site notice

Posted: 31 March 2023 Expired: 21 April 2023

Press advert

Published: 4 April 2023 Expired: 25 April 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The proposal that is the subject of this householder application is a red brick and slate 2 storey detached dwellinghouse. It has additional space within the loft, and there is an dormer within the rear roof slope. It is identified as 322 Lapwing Lane. There is a single storey garage to the side (western boundary) of the property facing the common boundary with number 320 Lapwing Lane, and a small single storey unit on the eastern side of the property which houses a cloakroom. The property is bay windowed to the ground and first floor to the front of the property and has a canopied timber porch that runs from the bay across the front entrance. The front garden is laid mainly with gravel, and has double vehicular and pedestrian access, with one to either side of the frontage. There is a good sized garden to the rear.

Listed building: Not applicable

Conservation area: Blackburn Park Conservation Area 1979

Tree Preservation Order: Not applicable

Description of area

The property sits within the Blackburn Park conservation area. The area is predominantly residential in nature with properties of a similar age and style to the proposal site. It is in close proximity to Didsbury village which houses the centre where a wide range of retail and commercial uses can be found to serve the residents within the area. The area is easily linked to other areas of the City and Stockport by means of alternative modes of transport to the motor car.

Description of development

The proposal is for the erection of a single storey side extension following the demolition of the small single storey extension on the eastern side of the property and a small extension to the first floor over the existing garage on the western side of the property. The extensions are modest and will create additional accommodation in the form of a WC, cloakroom and large

butlers pantry with storage units and an en suite bathroom to the first floor. Part of the existing garage will be converted to create an additional lounge area. The existing garage will be re-roofed in new clay tiles.

Consultations & Notification Responses

Local residents were informed- no representations have been received.

Blackburn Park Conservation Society were informed- no representations have been received.

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 9: Promoting sustainable transport - States that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.

iii. 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.

iii. Chapter 16. Conserving and enhancing the historic environment- States that heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 197- In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

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.

Policy EN3 (Heritage); states that throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

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 states that 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).

DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas. a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues: i) the relationship of new structures to neighbouring buildings and spaces; ii) the effect of major changes to the appearance of existing buildings; iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees); iv) the effect of signs and advertisements; v) any further guidance on specific areas which has been approved by the Council. b. The Council will not normally grant outline planning permission for development within Conservation Areas.

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.

Paragraph 11.45 stresses that proposals should preserve or enhance the character of the conservation area. It is important that new developments in conservation areas or elsewhere are not designed in isolation. This does not prevent or inhibit creative design. Considerations of design and layout must be informed by the wider context, having regard not just to any immediate neighbouring buildings, but also to the townscape and landscape of the wider locality. The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the character and identity of a development. Paragraph 11.46 states that planning submissions within conservation areas must be supported by sufficient

information to enable the Council to assess in detail the context of the area. This will include full contextual drawings, photomontage, and where appropriate, a model of the proposed development.

Listed Building Act

Section 72 provides an exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Principle of development

The proposed development is for the erection of a single storey side extension following the demolition of the existing single storey unit on the side (eastern elevation) and a first floor extension to the side over the existing garage, to form additional living accommodation. This is considered acceptable in principle as many people prefer to alter homes and erect outbuildings rather than move, in order to meet the changing residential needs of families. 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

When viewed from the front of the property the extension on the western elevation is staggered and appears as a very narrow addition. This is because the existing single storey element is very shallow, and the extension is built out from the side and then behind the existing building that houses the WC. The windows are in the front or rear elevation, and there is one entrance door on the side that would lead into the cloak room. However given the established boundary treatment, this would not result in a detrimental impact upon the level of amenity currently enjoyed by the occupants of 324 Lapwing Lane. It only takes the property slightly closer to the neighbouring property at 324 and still retains a gap to that common boundary.

The proposed first floor extension over the existing garage is very modest in size, and does not start until 3/4 of the way down the extent of the garage, and it is set in from the eaves of the garage. There are no windows in the side elevation with small windows in the front and rear, with these serving the en suite, these would be obscurely glazed. The position of the windows in the side elevation of number 320 Lapwing Lane are unlikely to be affected as there is only one window in that position on number 320 and it is in the wall of the gable that occupies a recessed position, this together with the setback and no windows in the side elevation of the proposed extension means that there are no impacts upon the privacy/ overlooking or residential amenity of the occupants of number 320 Lapwing Lane.

To further protect the privacy of the applicant and the neighbouring properties, the windows serving the en suite bathroom should be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity, a condition to this effect would be placed on any approval granted. In addition, a condition shall be attached to any approval granted restricting the further insertion of windows or doors beyond those approved by this consent.

Design and Appearance

The materials to be used in the proposal would match the existing building and therefore would be considered sympathetic to the host property. A materials condition would be attached to any approval granted to ensure the materials listed are used.

Both the extensions are considered appropriate in their size and scale and given the spacious rear amenity space, they would be pursuant to Policy DC1.2 of the UDP as they would not be considered excessively large or bulky. The insertion of the replacement windows in the existing

property together with those in the extensions have also been given a considered approach matching in with those of the existing property and are similar to other properties in the immediate area and so would not be out of character with other developments.

Blackburn Park Conservation Area

The property is situated within Blackburn Park Conservation Area, the proposed development would remain true to the style of the original property and other properties within the conservation area. The extensions are modest and do not detract from the character of the property itself or the area within which it is located.

Policy EN3 requires that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas including conservation areas. Saved Policy DC18 of the UDP requires consideration of the relationship of new structures to neighbouring buildings, in relation to conservation areas. The proposal seeks planning permission for erection of single storey outbuilding to rear and reconstruction of existing garage, to form additional living accommodation. Both the ground floor and first floor extensions would not be readily viewed from within the street scene, however the materials to be used and the proposed fenestration would be considered appropriate when viewed within the local and slightly wider context. On balance, it is considered that the proposed development would not have a detrimental impact on the character of the conservation area.

Car parking

Off-street car parking would be unaffected by this proposal.

Bin storage

At the time of the site visit, bins were stored along the side of the property and there would be sufficient space along the western elevation to bring the bins to the front on collection day.

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

Officers have worked with the applicant in a positive and proactive manner to resolve any matters arising in relation to dealing with the planning application. The application has been determined in a timely manner and in accordance with both national and local policies.

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:

PL200- Proposed Floor Plans

PL201- Proposed Elevations

PL202- Proposed Site Plan.

All dated 16th March 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) The materials to be used on the external surfaces of the extension hereby permitted shall be similar in appearance to those used during the construction of the original dwellinghouse in type, size, colour and texture.

Reason - To ensure 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 to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) Before first occupation, the proposed first floor windows in the northern and southern elevations serving the en suite bathroom shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

5) 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 the approved plans.

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

Appendix 1 – List of consultees & neighbours notified

Blackburn Park Conservation Society

Flat 8, 137 Lapwing Lane, Manchester, M20 6US
Flat 7, 137 Lapwing Lane, Manchester, M20 6US
137 Lapwing Lane, Manchester, M20 6US
Flat 14, 139 Lapwing Lane, Manchester, M20 6US
Flat 11, 139 Lapwing Lane, Manchester, M20 6US
Flat 8, 139 Lapwing Lane, Manchester, M20 6US
Flat 5, 139 Lapwing Lane, Manchester, M20 6US
Flat 3, 139 Lapwing Lane, Manchester, M20 6US
Flat 6, 137 Lapwing Lane, Manchester, M20 6US
Flat 3, 137 Lapwing Lane, Manchester, M20 6US
145 Lapwing Lane, Manchester, M20 6US
Flat 15, 139 Lapwing Lane, Manchester, M20 6US
Flat 13, 139 Lapwing Lane, Manchester, M20 6US
Flat 12, 139 Lapwing Lane, Manchester, M20 6US
Flat 10, 139 Lapwing Lane, Manchester, M20 6US
Flat 9, 139 Lapwing Lane, Manchester, M20 6US
Flat 7, 139 Lapwing Lane, Manchester, M20 6US
Flat 6, 139 Lapwing Lane, Manchester, M20 6US
Flat 4, 139 Lapwing Lane, Manchester, M20 6US
Flat 2, 139 Lapwing Lane, Manchester, M20 6US
Flat 1, 139 Lapwing Lane, Manchester, M20 6US
Flat 5, 137 Lapwing Lane, Manchester, M20 6US
Flat 4, 137 Lapwing Lane, Manchester, M20 6US
Flat 2, 137 Lapwing Lane, Manchester, M20 6US
Flat 1, 137 Lapwing Lane, Manchester, M20 6US
8 Marlowe Drive, Manchester, M20 6DE
6 Marlowe Drive, Manchester, M20 6DE
324 Lapwing Lane, Manchester, M20 6UW
320 Lapwing Lane, Manchester, M20 6UW

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
Conservation Area - Blackburn Park Conservation Area 1979
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA