

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135916/FH/2023
Date registered valid: 9 January 2023
Proposal: Erection of single storey side and rear extension and single storey outbuilding, to form additional living accommodation
Address: 21 Armadale Avenue, Manchester, M9 6HS
Ward(s): Charlestown Ward

Applicant: Mr Matthew Brown
Agent (if any): Mr Les Foey
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 2 March 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 10 February 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 25 January 2023 Expired: 15 February 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 21 Armadale Avenue within the Charlestown ward of north Manchester. The property is a two storey, semi-detached, red brick dwellinghouse with box bay windows. The dwellinghouse sits at the head of the cul-de-sac of Armadale Avenue, within a corner plot. Amenity space to the front of the property consists of an area of hardstanding in connection with the off street parking area and a further area of pebbled hardstanding. The area to the side offers access to the rear of the property. This consists of an expansive rear garden and a patio area, measuring 337 square metres. An existing white painted garage is sited in the rear garden and at the time of the site visit the foundations of the proposed outbuilding were laid. The property benefits from an existing conservatory and two storey rear extension.

Description of development

The submitted application seeks planning permission for the erection of single storey side and rear extension and single storey outbuilding, to form additional living accommodation. The existing garage would be demolished as part of the development.

The single storey side extension would be set back from the primary elevation of the host property by 5 metres and would have approximate dimensions of Height: 2.4 (to the eaves)/ 3

(to the highest point) x Length: 8.3 x Width: 1.9 metres. The single storey rear extension would wrap into the side extension and the rear extension would have approximate dimensions of Height: 2.5 (to the eaves)/ 3.5 (to the highest point) x Length: 6 x Width: 5.8 metres. The extension would involve the insertion of a window within the front elevation, two windows within the side elevation and two doors within the rear elevation. The proposal would create additional living space.

In addition to the above, an outbuilding would be erected to the north east of the site, sited approximately 0.3 metres from the shared boundary with no.19 Armadale Avenue and would have approximate dimensions of Height: 2.7 x Length: 4.5 x Width: 9.8 metres. The agent stated the use of the outbuilding would be a 'grannie flat' and so would create a living room, hall, bedroom, bathroom and kitchen. Two windows and a door would be inserted in the front elevation of the outbuilding.

All the materials to be used throughout the proposal would match that of the host property, except the use of a firestone rubber roof for the outbuilding.

Planning history

129330/PDE/2021- Prior notification of proposed larger home extension projecting 6m to the rear with a maximum height of 3.65m and a height at eaves of 2.28m, following demolition of the existing two-storey rear extension.

Conditional extension- GDP- 10 March 2021.

128685/FH/2020- Erection of two storey side and part single, part two storey rear extension to form additional living accommodation.

Withdrawn- 16 December 2020.

054939/FH/NORTH1/98- Construction of conservatory rear of house.

Approved 2 September 1998.

054005/FH/NORTH1/98- Conservatory extension at rear of dwellinghouse.

Approved- 29 April 1998.

052198/FH/NORTH1/97- Extension at 1st floor level rear of dwellinghouse to form a bathroom and construction of a conservatory.

Refused 24 July 1997.

Consultations & Notification Responses

Local residents

Local residents were consulted and no responses were 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 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).

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.

ISSUES

Principle of Development

The submitted development application is for the erection of single storey side and rear extension and single storey outbuilding, to form additional living accommodation. This is considered acceptable in principle as many people prefer to alter and extend 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 dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

Side extension:

Due to the corner plot of no.21 Armadale Avenue and since the side extension would be set back from the primary elevation of the host property by 5 metres, it would not be easily visible from the streetscene. Therefore, it would not negatively impact the residential amenity for surrounding neighbours. The side extension would extend 8.3 metres into the rear amenity space and would be sited 3.6 metres from the shared boundary with no.19 Armadale Avenue. Two windows would be inserted in the side elevation facing onto the shared boundary with no.19, but since there would be a 5.6 metre distance between the windows and the gable of the neighbouring property, and as the proposal is single storey, no adverse privacy implications would arise. 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.

Rear extension:

This element of the proposal would have a rearward projection of 6 metres and would be sited against the boundary with no.23 Armadale Avenue. It is noted that the same projection for a rear extension had already been approved at the site under planning ref: 129330/PDE/2021. Due to no.23's existing single storey extension, the neighbour would only feel 3.5 metres of additional built form along the boundary. In addition, the neighbouring property also has permission for a 4.5 metre single storey extension (131596/FH/2021), meaning if the consent is

implemented, the neighbour would only feel 1.5 metres of additional built form against the boundary. Both situations are considered to not create an overbearing impact to the neighbour, and no adverse privacy or loss of light/ overshadowing implications would occur.

As the rear of the property faces onto land in connection with the Manchester Outer Ring Road, no properties to the side would be impacted by the proposal.

Outbuilding:

During discussions with the agent through the course of the application, the agent confirmed the outbuilding would be used for an elderly relative and therefore used in connection with the host property. A condition would be placed on any approval granted to ensure the outbuilding does not become a separate dwelling unit. Although the outbuilding would be sited 0.3 metres from the shared boundary with no.19 Armadale Avenue, it would be sited close to the neighbour's outbuilding which is sited against the common boundary. The property benefits from expansive rear amenity space and as such, although the outbuilding appears relatively large, it is not considered overbearing to the detriment of residential amenity. Two windows would be inserted in the front elevation, but due to the siting of the outbuilding away from the shared boundary with no.23 Armadale Avenue, it would not give rise to any overlooking/privacy implications.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity.

Design and Appearance

Side extension:

The side extension is considered acceptable in size and form, pursuant to Policy DC1 of the UDP. It is noted a similar side extension would be achieved through the route of Permitted Development.

Rear extension:

Although the 6 metre rear extension adjoining the boundary with no.23 Armadale Avenue exceeds the rearward projection of 3.65 metres as stated within Policy DC1.3 of the UDP, the property already benefits from consent in the form of a 6 metre projection under PDE (see planning ref: 129330/PDE/2021). As such, weight is given to this application. In addition, the amenity space to the rear is expansive, measuring 337 square metres, and as such the proposal is considered proportionate in its setting and as such is pursuant to Policy DC1.2 of the UDP. Adequate space remains between the shared boundary with no.23 Armadale Avenue and the rear boundary lines of both properties.

Outbuilding:

Although the outbuilding is considered large, it is to be noted an outbuilding with a similar footprint could have been approved through the route of Permitted Development, although the height slightly exceeds the maximum prescribed under Permitted Development rights. Given its position far from residential properties, the outbuilding is considered acceptable in size and form.

Materials:

All the materials would match that of the host property apart from the flat roof for the outbuilding. The materials are considered acceptable and a materials condition to this effect would be attached to any approval 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

Although off street parking close to the garage as existing would not be possible as a result of the proposal, space would still exist for a car to be parked off street.

Bin storage

Bin storage would be unaffected by the proposal.

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 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

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.

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:

- Householder Application for Planning Permission for works or extension to a dwelling, stamped as received by the City Council as Local Planning Authority on 9 January 2023.
- Drawing- Existing & Proposed- Plans and Elevations, numbered x6 Drawings, stamped as received by the City Council as Local Planning Authority on 23 February 2023.
- Drawing- Location Plan, stamped as received by the City Council as Local Planning Authority on 9 January 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 Drawing- Existing & Proposed- Plans and Elevations, numbered x6 Drawings, 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 detached outbuilding hereby approved shall only be used as ancillary accommodation in connection with the existing residential property 21 Armadale Avenue and for no other purpose.

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

Appendix 1 – List of consultees & neighbours notified

19 Armadale Avenue, Manchester, M9 6HS
17 Armadale Avenue, Manchester, M9 6HS
23 Armadale Avenue, Manchester, M9 6HS
16 Armadale Avenue, Manchester, M9 6HS
14 Armadale Avenue, Manchester, M9 6HS

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 High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH AREA