

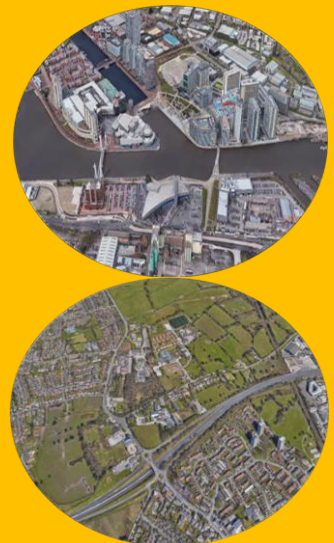
Plan:8 Town Planning Ltd

Grounds of Appeal

Proposal: Erection of two-storey side extension with replacement detached
outbuilding within rear garden

Site Address: 17 Ambrose Drive, Manchester, M20 2YE

February 2023



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Supporting Planning Statement

INTRODUCTION

Scope of Statement

- 1.1** This Statement of Case has been prepared on behalf of Mr Kamran Haq (the appellant) in respect of his planning appeal made under Section 78 of the Town and Country Planning Act (as amended) against the refusal of planning permission for the erection of a two-storey side extension with replacement detached outbuilding within rear garden at 17 Ambrose Drive, Manchester, M20 2YE [Local Planning Authority (LPA) Application Ref. 135391/FH/2022].
- 1.2** This Statement sets out the appellant's full planning case relating to the refusal of planning permission, responding to the reason for refusal given in the LPA's decision notice (attached as Appendix 1) and detailing the planning merits of the development.
- 1.3** A copy of the Case Officer's Report on the application has been obtained from the Council website and it is accepted that the site is described accurately in the report.
- 1.4** The format of this statement, following this introductory chapter, is then as follows:
- Section 2 describes the planning history relevant to the site.
 - Section 3 provides a summary of relevant planning policy.
 - Section 4 sets out the grounds of appeal and the appellant's case.
 - Section 5 provides a summary and conclusion.

2. PLANNING HISTORY

- 2.1 The planning application subject to this appeal (135391/FH/2022) was submitted on 4th November 2022 and the Decision Notice issued by the Council is dated 23rd December 2022. The application was determined under delegated powers and the Decision Notice contained the following one reason for refusal:-

Reason for Refusal (1)

The proposed two-storey side extension, by reason of its scale, sideward projection, height and siting in such a prominent location, would form an overly dominant and visually obtrusive feature on the corner of Ambrose Drive and Highcroft Avenue and would project beyond the established building line of Highcroft Avenue, affecting views along the street to the detriment of visual amenity and as such is contrary to saved policies DC1.1, DC1.2 and DC1.3 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document and the National Planning Policy Framework.

- 2.2 According to the Council's published on-line Planning records, there has been no previous planning applications lodged in respect of the appeal site.

3. POLICY CONTEXT

3.1 The policy context governing the determination of the application is given by the Manchester City Council Core Strategy that was adopted by the Council on 11 July 2012 and the Unitary Development Plan that has a number of ‘saved policies’ relevant to this application, and the ‘Guide to Development in Manchester’ Supplementary Planning Document (SPD).

3.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) was revised in July 2021 and is a material consideration in planning decisions.

3.3 The reason for refusal as stated in the Decision Notice refers to the following Manchester City Council Core Strategy Policies and the National Planning Policy Framework. With regard to the NPPF, it does not specifically mention any particular Sections or Paragraphs, but the Case Officer Report does refer to Chapter 12, which relates to ‘Achieving well-designed places’ and it includes paragraphs 126 – 136.

Relevant Manchester City Council Policies

Unitary Development Plan (UDP) Saved Policies - Residential Extensions

Policy 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 street-scene;

e. The effect of the loss of any on-site car parking.

Policy DC1.2 - 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 the original buildings)

b) they do not create an 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 street scene by virtue of design, use of materials or constructional 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 car 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 (12ft) 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.

DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

DC1.6 - For the avoidance of doubt, policies DC1.1 to DC1.4 apply to domestic houses, flats, houses in multiple occupation, nursing homes, rest homes and hotels.

Reasons: Many people prefer to extend their existing homes rather than move, and the planning system needs to accommodate this demand for more living space, while at

the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The Council is not generally in favour of dealing with this issue by laying down firm rules about home extensions; the policy therefore allows each case to be looked at on its individual merits, having regard to a range of criteria.

LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY DEVELOPMENT PLAN DOCUMENT (ADOPTED 11 JULY 2012)

Policy SP1 identifies 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 including:-

- 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 or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM 1 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:-

- Appropriate siting, layout, scale, form, massing, materials and detail.

- 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.
- 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.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

CITY COUNCILS GUIDE TO DEVELOPMENT IN MANCHESTER 2: SUPPLEMENTARY PLANNING DOCUMENT AND PLANNING GUIDANCE ADOPTED APRIL 2007.

The Guide aims to support and enhance the ongoing shaping of the City by providing a set of reasoned principles which guides developers, designers and residents to the sort of development that Manchester want to see.

Part 1 of the Supplementary Planning Document, Chapter 2 Design, Character and Context: A place with its own identity, Paragraph 2.3 states 'A high quality environment is created by buildings which reflect their purpose and respect the place in which they

are located. Different parts of the City, its neighbourhoods and streets have distinct or individual characters which are a product of the design of their buildings, the nature of the streets, the quality of the landscape or the nature of their activities. Such positive characteristics should be recognised and enhanced by new development. Each new development should be designed having full regard to its context and the character of the area. This should be demonstrated in planning submissions by way of design statements and where appropriate, visual means such as models and photomontages'.

National Planning Policy Framework revised in July 2021

Chapter 12 – Achieving well-designed places (Paras 126 – 136)

4 GROUND OF APPEAL

4.1 Reason for Refusal 1

The proposed two-storey side extension, by reason of its scale, sideward projection, height and siting in such a prominent location, would form an overly dominant and visually obtrusive feature on the corner of Ambrose Drive and Highcroft Avenue and would project beyond the established building line of Highcroft Avenue, affecting views along the street to the detriment of visual amenity and as such is contrary to saved policies DC1.1, DC1.2 and DC1.3 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document and the National Planning Policy Framework.

4.2 From assessing the Planning Officer Report and the justifications outlined / explained within it, we would wish to highlight that it is quite clear that the case officer does not have any issue with the replacement detached outbuilding within the rear garden that also formed part of the submitted planning application proposal. The report states that *'The proposed replacement outbuilding is considered acceptable as its scale and*

massing is believed to be appropriate for its location as well as it being relatively standard in design and appearance for proposals of this type. Its siting at the rear of the property also ensures that it would not be visible in the street scene. The proposal would therefore have a minimal impact upon the visual and residential amenity of the area and would not result in an 'excessively large or bulky' addition to the property. It therefore accords with policy DC1 of the UDP, policies DM1 and SP1 of the Core Strategy and chapter 12 of the NPPF. Therefore, we do not intend to comment in respect of this aspect of the application proposal in this appeal statement, and our arguments will be entirely focused on the merits of the proposed two storey side extension.

- 4.3** The appeal site at 17 Ambrose Drive consists of a two-storey semi-detached dwelling house and it is situated on corner plot at the junction with Highcroft Avenue. The external construction materials of the house include a mixture of red brick and white render for the walls, and it has a with a red concrete tile roof. The red brick is on the ground floor element and the render is on the first-floor element of the property. The overall design / style of the house would not be considered common or traditional in terms of its visual appearance particularly in respect to the front elevation, and it has a dormer bungalow type look with the first floor rendered element only covering part of the front roof scape and this element is mirrored with the adjoining semi next door. This removes some of the internal first-floor space that you would normally find with a standard design full width and full height two storey semi-detached house. This results in a very awkward small narrow family bathroom that has very limited head height, as shown in the image below:



4.4 The property has a good size residential curtilage with garden areas situated to the front, side, and rear. There are driveways situated at both the front and side of the property providing off road car parking, and the one to the side (served off Highcroft Avenue) provides access to a detached garage building that is present in the rear garden. There is low level wall and railing boundary in place on the property frontage. Along the side boundary (adjacent to Highcroft Avenue), there is a combined wall and fence boundary treatment in place measuring approximately 1.8 metres in height, and directly behind the wall / fence in the side garden area are some mature trees and other shrubbery that have grown to a height close to the ridge line of the dwelling house. The trees and vegetation fill over half of the space that exists between the gable wall of the house and the side boundary. These trees and vegetation are under the full control of the appellant being on his private land.

4.5 The surrounding area is predominantly residential in character and there are attractive residential properties situated to the front, side and rear of the site and the majority

are large semi-detached style. There are however some detached houses positioned in and amongst the semis. The properties on Highcroft Avenue have a similar style and design, but some of the houses on Ambrose Drive differ considerably in terms of their design, shape and size and the construction materials used. It is also evident that some of the properties have been extended and altered over the passage of time.

4.6 Ambrose Drive and Highcroft Avenue both have cul-de-sac type arrangements and the building lines along these highways are noticeably different. Ambrose Drive follows a relatively straight alignment from Darley Avenue to its end, but Highcroft Avenue is kinked and angled approximately halfway along its length, and this alters the context of the wider street scene and takes away from the eye that there is any form of rigid or uniform building line on this avenue. The setting out of the properties on the avenue follows the angle and kink in the road and the property positions and front garden area sizes significantly alter as a result.

4.7 The first house on the cul-de-sac (No.1 Highcroft Avenue) directly faces the appeal site and it has been extended to the side and it contains an attached single storey garage structure which is noticeable at this corner plot location. This garage extension projects beyond the established and more prominent building line that exists along Ambrose Drive. There is also a pair of semi-detached properties situated at the cul-de-sac end on Highcroft Avenue that are positioned behind the other properties, and they have a slightly unusual (even odd) and juxtaposed relationship to the rest of the houses on the Avenue, which also immediately catches the eye. There are various photographs showing the appeal site and the surroundings included for reference in this statement.

4.8 On the following page is a Google Earth image showing the appeal site and its relationship with the adjoining properties. The image shows 1 Highcroft Avenue and the change to original building line that has occurred as a result of the construction of the planning approved side garage / extension at this property.



Google Earth image showing the appeal site and its relationship with the adjoining properties. Image shows 1 Highcroft Avenue and the change to original building line as a result of the planning approved side garage / extension at this property



Existing front elevation of 17 Ambrose Drive



View of appeal site from the junction of Ambrose Drive and Highcroft Avenue – front and side of the house obscured by large trees and shrubbery on the boundary



View of appeal site from the junction of Ambrose Drive and Highcroft Avenue – front and side of the house obscured by large trees and shrubbery on the boundary – even in winter



View along Highcroft Avenue towards rear and side elevation of 17 Ambrose Drive - side of the house obscured by large trees and shrubbery on the boundary



Above: View along Highcroft Avenue towards rear and side elevation of 17 Ambrose Drive - side of the house obscured by large trees and shrubbery on the boundary



Above image of the two houses at the end of Highcroft Avenue with unusual juxtaposition



Above and Below: Views looking along Highcroft Avenue showing the curved alignment of the highway where there are varying and non-uniform property positions following its shape



- 4.9 It is acknowledged that planning application proposals should be considered on their individual merits and assessed against relevant local and national planning policy. The Council's saved UDP policies for Residential Extensions (Policies DC1.1 to 1.6) appears

to also follow this sensible and reasonable approach and it outlines the criteria that they expect the various types of extension proposals at dwelling houses to broadly meet in order to be considered acceptable. They also include a 'Reasons' for the policies and this states:-

'Many people prefer to extend their existing homes rather than move, and the planning system needs to accommodate this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The Council is not generally in favour of dealing with this issue by laying down firm rules about home extensions; the policy therefore allows each case to be looked at on its individual merits, having regard to a range of criteria'.

4.10 In this case, the appellant is wishing to extend and improve the existing dwelling house for use and enjoyment as a long-term family home, and this is a reasonable aspiration for most homeowners. The appellant is very happy in the house and local area where he lives, but he just requires some additional living space for his young family. He is a considerate neighbour, and this is the reason why he has chosen to try and extend at the side of the property rather than at the rear. It was considered that this location will have the least amount of impact on the neighbours. This appears to have been justified as none of the adjoining neighbours chose to comment or formally object to the planning application for the proposed development.

4.11 The appellant and his architects that designed the submitted scheme proposal (Mistry Swire Architects) tried to work proactively with the Council to achieve a satisfactory

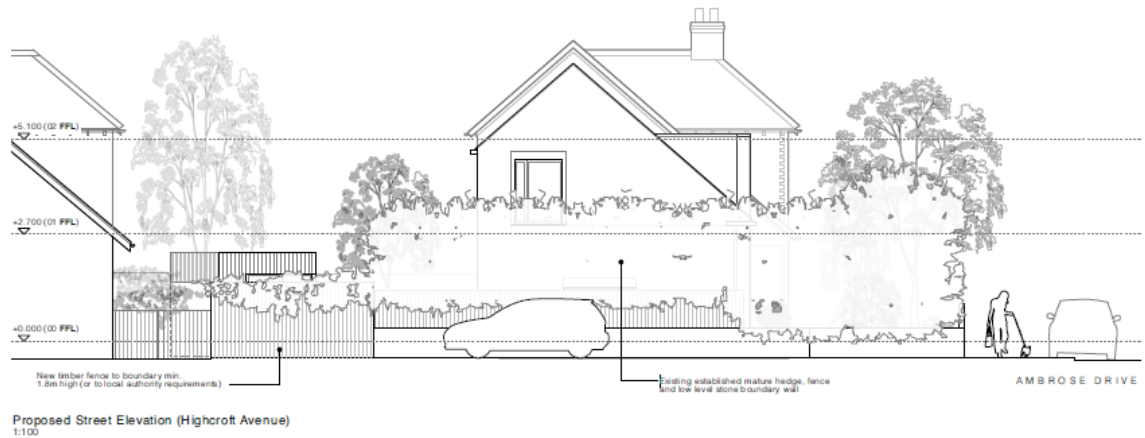
outcome on the planning application, but unfortunately this proved to be unsuccessful. They prepared and submitted various detailed planning drawings, photo montages and scale and massing models to show how the development would fit into the site and surroundings and some of the examples are shown on the following pages. The photo montage and the scale and massing models are particularly helpful and show that this is an attractive and very well-designed proposal that complements the host dwelling house and surrounding area.



Proposed Front Elevation



Proposed Rear Elevation



Proposed Side Elevation





Proposed elevations, site layout plan, photo montage, and scale / massing model

4.12 The Council has commented in the Case Officer Report that they consider the proposed two-storey extension to be generally acceptable in terms of its design and appearance, its impact on neighbouring residential amenity, its on-site waste management provision, and its on-site parking arrangements. The primary reason for refusing the extension however relates to its position / siting on this corner plot and the perceived detrimental effect it will have at this particular location. The Council has stated that they consider the extension will be overly dominant and visually obtrusive projecting beyond the established building line on Highcroft Avenue, which will affect views along the street to the detriment of visual amenity. We would dispute the Council's views for the following reasons.

4.13 We have already pointed out in paragraph 4.6 that the building lines along Highcroft

Avenue are not uniform with the existing side gable wall of the appeal property (17 Ambrose Drive) due to the kinked and angled alignment of the highway and the fact the houses have been set and built around this highway arrangement with a keyhole style cul-de-sac turning head. As a result, the various property positions and front garden area sizes are noticeably different. The layout of the properties does not align nor do they follow a strict and obvious grid type pattern that you find in some residential areas. Rather the views along Highcroft Avenue are of a loose street layout. The appellants architect submitted to the Council a helpful building line assessment, which showed the proposed extension in context with the various positions of the properties located close to the junction of Ambrose Drive and Highcroft Avenue. Copies are included below for reference.



Excerpts from the Architects building line assessment of the site and surroundings

- 4.14** It is accepted that the proposed two storey extension will take up some of the current gap that exists between the gable elevation of the existing house and the side boundary on Highcroft Avenue, but we do not consider that the proposed development will appear overly dominant and visually obtrusive at this location. The

appellant is not proposing to completely fill the gap and the scheme shows that a distance of 2 metres would be retained between the side wall of the extension and the side boundary, which will help to provide a sense of openness on this corner. We note that policy DC1.4 of the UDP normally requires that 1.52m of gap is left to the side boundary of a two storey side extension, the appeal proposal exceeds this distance. We would also wish to highlight that the current side garden area of the appeal site contains mature trees and shrubbery that are almost as tall as the house and dense in width, so any building lines are not currently noticeable or obvious particularly when viewed from Ambrose Drive. These trees and shrubbery are well established in the street scene environment, and they are under the full control and maintenance of the appellant. This can be seen in the photograph images provided earlier in this statement.

- 4.15** The original building line relationship at this junction was also previously allowed to be changed by the Council when they granted planning permission to 1 Highcroft Avenue to construct an attached single storey side extension to form entrance porch, garage and enlarged kitchen at the property. This application was approved by the Council in 1994 under application Ref. 046101/FH/SOUTH2/94. Therefore, arguably a precedent has been already set in this area and we consider that this important fact should be taken into consideration and be afforded some weight in the consideration of this appeal. We have provided images on the following pages that show how the original building line has changed in respect of No.1 Highcroft Avenue and its relationship with Ambrose Drive.





Images showing 1 Highcroft Avenue and change to original building line as a result of planning approved side garage / extension

- 4.16** The single storey extension clearly projects outwards from the original side elevation towards Ambrose Drive beyond the established building line and it is noticeable in the street scene. We would not however consider this extension to be a visually obtrusive feature at this junction, and we consider that this will be the same with the proposed development at 17 Ambrose Drive. It is accepted that the proposed development is taller being a two-storey extension, but it is a subservient addition with the front elevation being set back and the ridge line set below the height of the main dwelling house. These factors help to remove some of the overall bulk and mass of the extension, along with its siting being set 2 metres away from the side boundary and

positioned behind mature trees and hedging that are being retained on the boundary.

The extension will appear from the front as 1 ½ storey. The design and palette of materials are very sympathetic to the parent house and setting. The extension will therefore not be particularly prominent or noticeable in the wider street scene views.

4.17 The Councils UDP Policies DC1.1 and DC1.2 include various criteria that relate to residential extensions. The policies mention issues such as general character, overall appearance in the street-scene and large/bulky structures that project from original buildings, and these appear to have been applied by the Council in this case as reasons for the refusal. We however believe that the development is acceptable regarding these matters for the reasons already explained in this statement.

4.18 With regard to UDP Policy DC1.3 which is also mentioned in the reason for refusal, we are unable to find any of the criteria that we believe to be directly relevant to the appeal matter. We also wish to point out that the Council has a specific policy relating to two-storey side extension proposals and this is covered in UDP Policy DC1.4. The two-storey extension that is the subject of this appeal would appear to meet all the necessary criteria that is outlined in the Policy DC1.4. The policy does mention however that the Council will also have regard to the earlier general guidance that is included in policies DC1.1 - DC1.3. The Case Officer has not made any reference to Policy DC1.4 in the application assessment, and the reasons for this are unknown.

4.19 Policy SP1 of the Core Strategy Development Plan Document requires developments to make a positive contribution to neighbourhoods of choice and it quotes various criteria. Two of the criteria relevant to the application proposal include:

- Creating well designed places that enhance or create character
- Protect and enhance the built and natural environment

We consider that the proposal would adhere with both of these for the reasons already explained.

4.20 In respect of Policy DM1, the policy states that all development should have regard to specific issues for which more detailed guidance may be given within a supplementary planning document and it provides a detailed list of criteria. The most relevant to the proposal are the first three which include:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.
- 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

The proposal would also appear to adhere to these for the reasons already explained.

4.21 With regard to Chapter 12 (Achieving well designed places) of the NPPF, we believe that the proposed extension has been well designed and is visually attractive because of the use of good architectural practices. It will function well and add to the overall quality of the local area. The layout, size, scale and massing of the development is sympathetic and appropriate in context of the host dwelling and its site location, and the appellant is retaining effective mature landscaping on the boundary to reduce the impact and appearance of the extension. The proposed development also includes the use of

construction materials that suitably match the host dwelling and respect the character of the local area. Overall, we believe that the proposal aligns with the governments aims and objectives of achieving of creating high quality buildings and places to live.

5.0 Summary and Conclusion

5.1 At the heart of the NPPF is a presumption in favour of sustainable development, this requires planning applications that accord with the development plan to be approved without delay and where the development plan is absent, silent or out of date granting permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole or specific policies in the framework indicate that development should be restricted.

5.2 We consider that this Appeal Statement has demonstrated that the proposed development is appropriate for this property and location, and therefore it is compliant with the relevant sections of the Manchester City Council Core Strategy and the Unitary Development Plan saved policies and the NPPF.

5.3 The 'Reasons' explanation for saved UDP Policies DC1.1 – DC1.6 (Residential Extensions) states that *'Many people prefer to extend their existing homes rather than move, and the planning system needs to accommodate this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The Council is not generally in favour of dealing with this issue by laying down firm rules about home extensions; the policy therefore allows each case to be looked at on its individual merits, having regard to a range of criteria'*. The applicant is wishing to extend and improve the existing dwelling

house for use and enjoyment as a long-term family home, and this is a reasonable aspiration for most homeowners. The appellant is very happy in the house and local area where he lives, but he just requires some additional living space for the family. This would appear to align with the Councils thinking and the Council have also accepted that the proposal will not adversely affect any neighbouring residential amenity. It is a fair and common-sense approach to assess each planning proposal on its individual merits, and clearly each site circumstances are often materially different. The layout situation of the properties at Ambrose Drive and Highcroft Avenue would not be regarded as standard grid pattern type built development and therefore for the various reasons outlined in this statement we do not consider that the introduction of an attractive well-designed subservient extension on this corner will cause undue harm to the street scene and the visual amenity of the area. The adjoining neighbours have also raised no objections or concerns about the proposal.

5.4 The presumption in favour of sustainable development means that a planning application should only be refused where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies as a whole. We believe that the Council made an incorrect decision in refusing the planning application and the contents of this appeal have justified that on balance the benefits of the proposal clearly outweigh any dis-benefits and the proposal conforms with both national and local planning guidance and therefore represents appropriate sustainable development.

5.5 Therefore, we respectfully request that the Planning Inspectorate allow this appeal at the earliest opportunity and allow our client to undertake a development that is appropriate for this residential property.