Applicatior 138378/FH/		Date of Appin 20 Oct 2023	Committee Date 14 Dec 2023	Ward Crumpsall Ward	
Proposal	Erection of part single, part two storey side and rear extension to form additional living accommodation				
Location	54 Ardern Road, Manchester, M8 4NW				
Applicant	Mrs N Nurgus				
Agent	Mr N Khai	n, NK Architectural			

Executive Summary

The application seeks planning permission for the erection of part single, part two storey side and rear extension to form additional living accommodation.

During the course of the application, it came to light the applicant works for Manchester City Council and for that reason it is necessary for the application to be presented to Committee for consideration. One representation from a neighbour has been received raising concern about the proposal in relation to loss of light.

Key issues relate to the proposal's impact upon neighbouring occupiers with regard to loss of light and the visual appearance as well as the impact on the character of the area in general. These issues are fully considered within the main body of the report.

Description

The application site is located on the southern side of Ardern Road within the north Manchester ward of Crumpsall. Ardern Road extends from the Metrolink line to the east to the junction with Middleton Road to the west.

The immediate area is residential in nature- characterised by two storey family dwellinghouses. The application property is closely bounded by Ardern Road to the north, Sinclair Avenue to the east, Crumpsall Lane to the south and St Mary's Hall Road to the west.

Immediately surrounding the application property, the southern side of Ardern Road is characterised by semi-detached, two storey dwellinghouses whilst properties to the northern side of Ardern Road are characterised by detached and larger semi-detached properties which are set back further from the street frontage than the neighbouring properties.

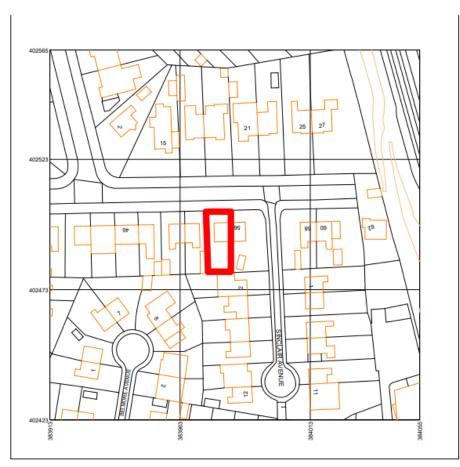




Figure 1. Submitted location plan with site edged red.

The application site relates to a two storey, red brick, semi-detached inter-war period dwellinghouse. The property is characterised by box bay windows with red brick tile detailing and a recessed front porch. The property is accessible from Ardern Road through a set of iron gates. An off street driveway extends from the front of the property along the length of the host property leading to the rear garden. The property benefits from a small section of greenery/ soft landscaping to the front of the property takes the form of a section of paved hardstanding and a grassed garden. The rear of the site is bounded by timber fences. The rear boundary of the site is mainly bounded by the built form in connection with no.2 Sinclair Avenue. The boundary treatment separating the applicant property to no.52 Ardern Road consists of a low timber fence.



Figure 2. Primary view of property as seen from Ardern Road.



Figure 3. Rear view of property as seen from the applicant's rear garden.



Figure 4. Rear garden.

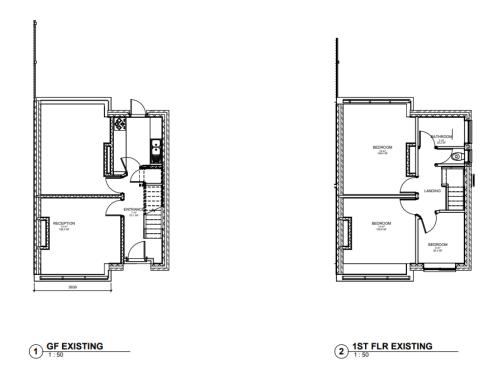


Figure 5. Submitted existing ground and first floor plan.

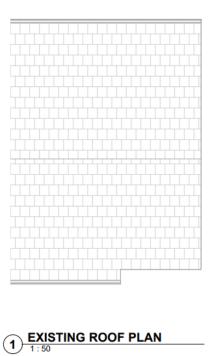


Figure 6. Submitted existing roof plan.



Figure 7. Submitted existing elevations.

The application seeks planning permission for the erection of part single, part two storey side and rear extension to form additional living accommodation.

Plans have been amended from those originally received. The revised plans show a greater level of subserviency of the side extension at first floor level. The application form attached with the application has also been amended to reflect the applicant's links to the City Council. Further information on a bin store to support the application has been provided.

Planning History

No planning history exists for this site.

Consultations

Local Residents:

Local residents were consulted and one response was received from a neighbouring property. Concern was raised that the proposal would give rise to adverse light implications, in that the two storey height would block out natural light to the side of the neighbour's property. The neighbour also raised concern that the two storey side element of the proposal would be out of keeping with the style of development in the immediate area.

Policies

The 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. Relevant policies in the Core Strategy are detailed below:

Policy SP1: Spatial Principles- 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 and protect and enhance the built and natural environment.

Policy DM1: Development Management- This policy 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, odours, litter, vermin, birds, 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.

• The use of alternatives to peat-based products in landscaping/gardens within development schemes.

- Flood risk and drainage.
- Existing or proposed hazardous installations.

• Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques.

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 for the City of Manchester (1995):

The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant and are relevant to consideration to the proposed extension to a residential dwellinghouse.

Policy DC1 of the Unitary Development Plan seeks to accommodate the 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. It relates specifically to residential extensions and the relevant criteria from this policy include:

DC1.1 The Council will have regard to:

- a. The general character of the property
- b. The effect upon the amenity of neighbouring occupiers
- c. The overall appearance of the proposal in the street scene;
- d. The effect of the loss of any on-site car-parking

DC1.2 states extensions will be allowed subject to:

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 a loss of sunlight/daylight or privacy

c. They are not out of character with the style of development in the area

d. They would not result in the loss of off-street parking Policy

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).

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 adaptations to their homes.

Guide to Development In Manchester:

The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development appropriate to Manchester. It seeks to retain the essential distinctiveness of its character areas, whilst not precluding new development.

National Planning Policy Framework (2023):

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. The NPPF was updated in July 2021 and provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e., the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF

is a material consideration in planning decisions. 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).

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.

Other Material Considerations:

Places for Everyone (2023)

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

The following policies are relevant: i.JP- S1- Sustainable development ii.JP- S2 – Carbon and energy iii.JP- S5 – Flood risk and the water environment iv.JP- H1 – Scale, distribution and phasing of new housing.

Other Legislative requirements:

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.

<u>Issues</u>

Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the Unitary Development Plan for the City of Manchester relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

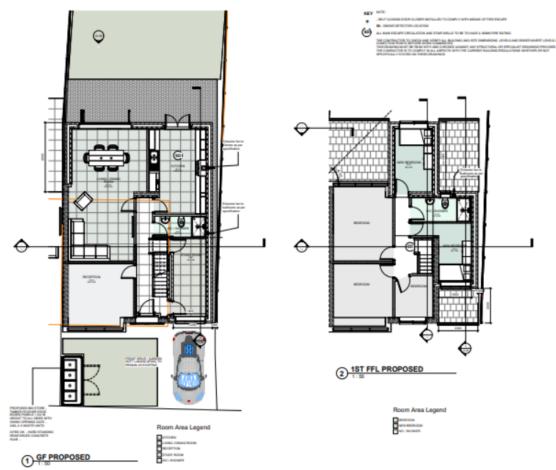


Figure 8. Submitted proposed ground and first floor plans.

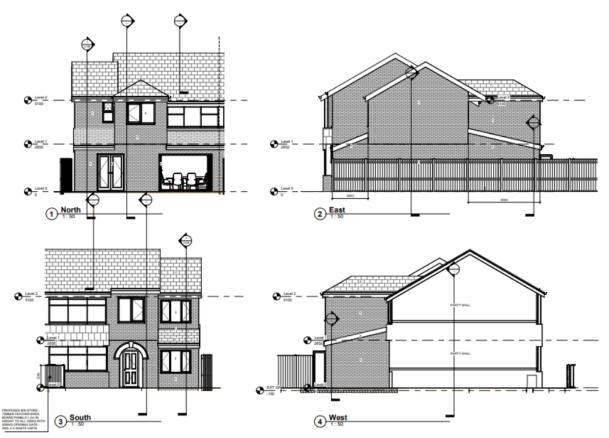


Figure 9. Submitted proposed elevations.

The application seeks planning consent for erection of part single, part two storey side and rear extension to form additional living accommodation. The side extension would have approximate dimensions of Height: 7.2 x Length: 7.7 x Width: 2.4 metres. At the first floor level, the side extension would be set back from the primary elevation of the host property by 2 metres. The rear extension at the largest point would have approximate dimensions of Height: 6.3 x Length: 4 x Width: 8.5 metres. The first floor of the rear extension would be positioned centrally, set in from both of the neighbouring properties. The proposal would create a study room, WC/shower, kitchen and living/dining room on the ground floor and two new bedrooms and WC/shower room on the first floor.

Principle of development:

The submitted development application is for the erection of part single, part two storey side and rear extension 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. Amended plans are considered to overcome initial concerns of the scheme. 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:

Part single, part two storey side extension:

The side extension would be sited close to the common boundary with the neighbouring property no.52 Ardern Road. Due to the splayed nature of the plot, a slight gap between the proposed built form and common boundary would be retained, as the side extension extends further back from the primary elevation of the host property.

With reference to the neighbouring property to the west there are five windows in that side elevation facing towards the proposed two storey side extension and there would be some impacts relating to loss of light and an overbearing appearance.

However, due to the orientation the existing main property already has an impact with direct sun from the east and it is considered that any loss of light would not be unduly harmful and there would be sufficient separation so as to maintain sufficient daylight. The proposed relationship is commonplace across the City and allows householders to extend a property to improve accommodation. The proposed two storey side extension would not project beyond the rear elevation of the main house which retains an acceptable and appropriate relationship. It is not considered that the single storey rear extension would have an unacceptable impact on the amenities enjoyed by neighbouring occupiers. The roof would slope down and away from the two storey side extension.

No windows are proposed to be inserted in the side elevation of the proposal and as such, no adverse implications in terms of overlooking would occur for the neighbouring property. In addition, a further condition would be placed on any approval granted restricting the further insertion of windows and doors beyond those approved by this consent.

Plans have been amended from those originally received with revised plans showing an increased 2 metre set back of the side elevation from the primary front elevation of the host property. This set back would increase a sense of openness between the applicant property and no.52 Ardern Road. This would in turn help minimise any overbearing feature to the neighbouring property, by decreasing the amount of built form at first floor level.

Part single, part two storey rear extension:

The part two storey rear extension has a projection of 4 metres rearwards but would be set 2.6 metres away from the shared boundary with no.52 Ardern Road. This is considered to be a sufficient distance away from that property so as not to result in an unacceptable impact.

As both the applicant and neighbouring property benefit from a south facing garden, any loss of light from the rear extension would not be unduly harmful, given the sun in the middle of the day at the highest point would not be obstructed by the proposal. No windows would be inserted in the side elevation thus not creating any adverse amenity implications to no.52 Ardern Road.



Figure 10. Existing relationship between the rear of the applicant property and the rear of the neighbouring property to the west.

The proposal would result in built form being sited 4 metres closer to the applicant's rear boundary line than is currently the case. The rear of the property as existing looks onto built form – the gable of the immediate property to the south no.2 Sinclair Avenue (as shown in Figure 11). Any overlooking is not considered to be so harmful so as to warrant a refusal of planning permission or to require obscured glazing in that window. This is due to the fact that the proposal would face onto built form in connection with no.2 Sinclair Avenue, rather than into the rear amenity space of the neighbour. In addition, an approximate 8 metre gap would be retained from the proposed built form to the common boundary to the rear.



Figure 11. View from the rear of the applicant's property southwards, looking onto built form in connection with no.2 Sinclair Avenue.

A single storey rear extension would be located on the side common boundary with 56 Ardern Road and there would be some impact but it is considered that those impacts would not be unacceptable. The first floor rear projection would be 3.5 metres from the rear of the main house when viewed from the east but would be located 3.4 metres from the shared boundary.

The distance is considered adequate to not create a tunnelling impact for the neighbour's rear first floor windows, retaining the sense of openness to an acceptable level.

Due to the orientation of the properties in the streetscene, this neighbour would not be impacted by adverse loss of light implications, nor any adverse privacy implications at both levels.



Figure 12. Existing relationship between the applicant property and neighbouring property no.56 Ardern Road.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity and the design of the proposal with the 2 metre set back of the side extension at first floor level and the set in of the part two storey rear extension helps minimise any adverse impacts to the neighbouring properties.

It must be noted that a single storey rear extension could be erected under permitted development rights without the need for any form of application to the Local Planning Authority and a single storey rear extension could be erected up to a 6m rearward projection under a Larger Homes Prior Approval submission. This must be considered as a fall back position.

Design and appearance:

Plans were amended during the course of the application to include a 2 metre set back at first floor level of the side extension from the primary elevation of the host property. This is considered adequate to ensure the property is viewed as a subservient feature and would not give rise to a terracing effect. As such, the form of this element is considered acceptable, pursuant to Policy DC1.4 of the UDP. The proposal would not prevent the neighbouring house from erecting a similar extension. Numerous two storey side extensions are evident in the wider residential area surrounding Ardern Road and allow householders the opportunity to extend properties to the side. As the form of the side extension offers a decent level of subserviency with the set back at first floor level and the lowering of the roof level, the erection of a two storey side extension is considered acceptable in size and form, pursuant to Policy DC1 of the UDP.

The projection at first floor of 4 metres at the largest point is considered acceptable in size and form given it is substantially set in from the shared boundaries with the neighbouring properties.

In this instance and due to the reasons discussed, the 4 metre projection at both levels is considered to appropriately relate to Policy DC1 of the UDP. The rear elements of the extension would not form unduly intrusive features within the character of this part of Crumpsall.

The existing soft landscaping to the front of the property would be retained as a result of the proposal. A small additional hardstanding element would be added to the front of the amenity space to allow the bin store to stand on. This is considered acceptable. Boundary treatment to the front of the property would not change as a result of the proposal. A space would still be retained for one car to be parked off street.

Materials:

Materials to be used throughout the proposal would include red facing brick to match existing, roof tiles to match existing, proposed white PVCu double glazed windows, double glazed external door and composite double glazed doors. The materials would match the host property where appropriate and the introduction of white PVCu windows and doors and composite doors would be considered acceptable. As such, the materials would ensure the proposal appears in keeping with the host property and therefore acceptable to Policy DC1 of the UDP.

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:

The proposed side extension would reduce the existing off street parking provision. However, as the drive extends from the highway through to the rear of the site, space would be retained for one car parking space to be parked off street. This is considered acceptable.

Bin storage:

During the time of the site visit, bins were stored along the side of the applicant property, where the part single, part two storey side extension would be positioned. During the course of the application, information in relation to an enclosed bin store was provided for review. The proposed bin store would be sited in the front amenity

space of the property and would be a timber feather edge board panels 1.2 metres in height to all sides with swing opening gate- 240L 4X waste units. The bin store would be sited on hardstanding of reinforced concrete slab. The details are considered acceptable and would be conditioned within the decision notice accordingly.

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 and the amended design is considered to overcome issues raised.

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 the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner and an amended scheme, which is considered to overcome concerns, has been submitted. Appropriate conditions have been attached to the approval granted.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1)The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

-Application Form, stamped as received by the City Council as Local Planning Authority on 29 November 2023.

-Drawing- Proposed- Floor Plan, numbered A100 REV D, stamped as received by the City Council as Local Planning Authority on 29 November 2023.

-Drawing- Proposed- Elevations, numbered A103 REV D, stamped as received by the City Council as Local Planning Authority on 29 November 2023.

-Drawing- Location Plan- Location Plan and Proposed Site Plan, numbered A105 REV D, stamped as received by the City Council as Local Planning Authority on 29 November 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) Before first occupation, the first floor WC/ shower room window as shown on the approved 'Drawing- Proposed- Floor Plan, numbered A100 REV D', stamped as received by the City Council as Local Planning Authority on 29 November 2023, shall 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.

In addition, the window shall be top opening only and shall remain so in perpetuity.

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

5) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the 'Drawing-Proposed- Elevations, numbered A103 REV D', 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.

6) The development hereby approved shall be carried out in accordance with 'Drawing- Proposed- Floor Plan, numbered A100 REV D', stamped as received by the City Council as Local Planning Authority on 29 November 2023 and 'Drawing-Proposed- Elevations, numbered A103 REV D', stamped as received by the City Council as Local Planning Authority on 29 November 2023, in relation to a secure and ventilated bin storage area. The bin storage area shall be implemented in accordance with the approved scheme and be in place prior to the first use of the development and shall be so maintained and retained at all times thereafter.

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

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 138378/FH/2023 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Relevant Contact Officer	:	Katie Raw
Telephone number	:	0161 234 4164
Email	:	katie.raw@manchester.gov.uk

