

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131288/FH/2021

Date registered valid: 6 August 2021

Proposal: Retrospective planning application for two storey rear extension, hip to gable alteration and rear dormer extension to provide additional living accommodation.

Address: 52 Bexhill Drive, Manchester, M13 0RD

Ward(s): Rusholme Ward

Applicant: Mr Abdul Sattar Kaifi, 52 Bexhill Drive, Manchester, M13 0RD

Agent (if any): Mr Ahmed Choudhry, Nada Architects, 169 Kingsway, Manchester, M19 2ND

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Refuse & Enforce

Date of recommendation: 5 October 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 30 September 2021

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 13 August 2021 Expired: 3 September 2021

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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two storey semi-detached C3 dwellinghouse of brick which originally featured a hipped roof. The plot includes a driveway to the front and garden to the rear which contains a breezeblock outbuilding which is currently under investigation (ENF/14748/19). The property now features a gable roof, two storey rear extension and rear box dormer which are currently unauthorised.

Description of area

Bexhill Drive, within Rusholme, is residential in nature and comprises of semi-detached and terraced family dwellinghouses with gardens. The area benefits from its proximity to several bus routes, two public parks and Longsight District Centre.

Description of development

The applicant gained permission for a loft conversion, dormer and two storey rear extension along with the adjoining semi No.54 in 2019 (under ref 124072/FH/2019). It has only been implemented at No.52, whilst No.54 have built a single storey rear extension. It has not been built in accordance with the approved drawings at No.52 and therefore requires permission, hence this retrospective application.

Consultations & Notification Responses

Local residents, as per appendix 1 – No comments received.

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan but certain policies are still considered of relevance:

- Policy DC1 - Residential Extensions

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF, 2021)

- Chapter 12 - Achieving well-designed places

For reasons to be outlined below, it is considered the proposal conflicts with the principles of these policy documents.

Issues

Principle – Extending a residential property, via a two storey rear extension, hip to gable and rear dormer, in order to provide additional living accommodation for a family dwellinghouse is normally acceptable in principle, however, consideration must be given to the proposals siting, scale, design, appearance and impact upon both residential and visual amenity.

Siting, scale and massing – The rear extension, as built, projects 4m at both ground and first floor, occupying the full width of the property at 6.8m, encroaching 0.2m over the boundary shared with No.54. It has an eaves height of 4.8m and ridge height of 6m, which sits 0.9m above the eaves height of the original roof. Although the rearward projection exceeds the depth stipulated within policy DC1, of 3.65m, it was approved under the previous application at 4m, given it only exceeds this by 35cm. The first floor element is sited beyond the party wall line and therefore far too close the rear bedroom window at No.54. This massing along the boundary is unacceptable and had the previous application been for just 1 property and not the pair, it would have been negotiated away from the boundary. The dormer occupies the full width of the roof at 6.8m, with a height of 2.83m and a depth of 3.3m, with no gap left to the eaves or ridge. The hip to gable alteration increases the roof space by 12.5 cubic metres and the rear dormer increases the volume by 31.75 cubic metres, with an overall increase of 44.25 cubic metres which is within the limit set out under Permitted Development, however as it adjoins the rear extension roof, it could not be built under PD. Normally we would ask that the dormer does not interfere with the roof of the two storey rear extension and the previous approval showed a gap between the two, however they have been built adjoining. Altogether the works are not considered to be appropriately sited or scaled nor subservient to the host dwelling, contrary to residential policies DM1 and DC1.



Design and visual amenity – A condition of the previous approval was for materials to match existing. The extension and new gable have been built of red brickwork which does not quite match existing and the new brickwork has not been keyed into the old, meaning the courses are not in line, giving a rough appearance. The roof tiles are grey concrete interlocking to match existing, with dark grey uPVC windows and doors. The front elevation is acceptable in appearance, as the new roof has been well matched. However, as viewed from the rear (and from neighbouring plots) the extension obscures the entirety of the original rear elevation and roof slope and therefore lacks visual subordination. The eaves and ridge of the two storey rear are 0.9m above the original eaves and due to the nature of the high mono-pitched roof, the junction between this, the dormer and the eaves of the adjoining semi forms an unattractive and incongruous feature. The poor design and workmanship of the proposal exacerbates its excessive bulk, hence it is considered to be overly dominant and forms an unattractive and overbearing feature, visible from many surrounding properties and gardens, in particular No.54 Bexhill Drive and No's 72a, 74 and 76 Beresford Road. The cumulative impact of the extension's design, height, width, siting and substandard construction result in an overly bulky and obtrusive feature, which fails to be subservient to the original house, contrary to saved policy DC1 of the UDP and the residential development policies contained within the Core Strategy.

Residential amenity – The orientation of the rear elevation is south, therefore the property is sited west of the adjoining semi, No.54, which is unfortunate as this leads the extension to block the late afternoon and evening sun from the neighbouring rear first floor windows (bedrooms) and part of the garden. Given the proposed height, proximity to the boundary and bulk of the proposal it creates not only a loss of light for No.54, but an unacceptable loss of outlook and has an overbearing impact. If the 45 degree rule were utilised the rear bedroom window at No.54 would look out at 2.4m of brick wall. The full-width 4m deep first floor rear element was only approved previously in tandem with the same extension at No.54, which has not been implemented. The scale and massing along the shared boundary is oppressive and unneighbourly and although no objections were received from local residents, the extension is considered to cause undue harm to the residential amenity previously enjoyed by surrounding occupiers, contrary to saved policy DC1 of the UDP and policies DM1 and SP1 of the Core Strategy.

Conclusion – For the reasons explored above, it is considered that the proposal is of an unacceptable design and scale and the resultant dwelling has a bulky appearance with an overbearing massing which unduly impacts the adjoining property and does not appear subservient to the original dwelling, to the detriment of neighbouring occupiers. Policy DC1 states that the alteration and extension of residential properties may be required to accommodate changing household needs, however, the extension built at No.52 is considered to cause undue harm to the residential amenity currently enjoyed by occupiers of No.54 and visual amenity of the semi, thus acting against the principles set out in the aforementioned policies, hence the proposal cannot be supported by the City Council. The agent was informed of the decision but no negotiations have taken place due to the retrospective nature of the application.

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: Refuse

Article 35 Declaration

Officers have worked with the agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Significant issues have arisen on this occasion a satisfactory solution was not possible due to the retrospective nature of the application.

Reason(s) for refusal

1) The development, by reason of its proximity to the shared boundary, together with the scale, bulk and massing of the extension, is considered to have an overbearing impact upon the occupiers of the adjoining property No.54 Bexhill Drive, and would cause a loss of light and outlook, to the detriment of residential amenity. The proposal is therefore contrary to policies SP1 and DM1 of the Manchester's Core Strategy Development Plan Document and saved Unitary Development Plan policy DC1 and the guidance within the National Planning Policy Framework.

2) The development, by reason of its scale, design and relationship to the original eaves and adjoining semi; forms an overly dominant and visually obtrusive feature, as viewed from No.54 Bexhill Drive and No's 72a, 74 and 76 Beresford Road, to the detriment of visual amenity and as such is contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document and the guidance within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

54 Bexhill Drive, Manchester, M13 0RD
50 Bexhill Drive, Manchester, M13 0RD
67 Copthorne Crescent, Manchester, M13 0QY
21 Bexhill Drive, Manchester, M13 0RH
65 Copthorne Crescent, Manchester, M13 0QY
63 Copthorne Crescent, Manchester, M13 0QY

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH