MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	127694/FO/2020
Date registered valid:	24 August 2020
Proposal:	Erection of single storey extension to rear and addition of external stair to provide access to first floor flat
Address:	1154 Rochdale Road, Manchester, M9 6ER
Ward(s):	Charlestown Ward
Applicant:	Mr U Notarpippo 1154 Rochdale Road, Manchester, M9 6ER
Agent (if any):	Ms Sarah Bolsover Smashbox Architecture 97 Alderley Road, Wilmslow Road, SK9 1PT
Case officer:	Eve Woolstencroft Tel: 0161 234 4533 Email: eve.woolstencroft@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	30 November 2020

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:
Printed: 23 September 2020 Expired: 14 October 2020

Neighbour notifications
Printed: 23 September 2020 Expired: 14 October 2020

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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

The proposal site is situated on Rochdale road within a row of two storey terraces, the adjoined terrace units have commercial and retail ground floor uses and mostly appear to be used as flats at first floor.

The site adjoins a rear alleyway to the rear which leads onto the public highway of Bossal lAvenue. This rear alleyway is accessed through a gate which is approximately 2 metres in height. At the time of the site visit on the alleyway had a number of large refuse and household refuse bins located along the alleyway.

A dwelling to the North of the site two properties down no, 1158 Rochdale Road currently has a metal staircase to the rear that leads to the first floor of the unit, which can be seen from the street scene of Bossall Avenue. The planning department have no record of permission for this staircase.

The ground floor plans provided with the application indicate that the ground floor of the unit contains a shop with associated small back room and stock room to the rear. The ground floor plans show what appears to be a flat at first floor with bedroom, kitchen and bath/wc facilities. The first floor unit appears to be internally accessed through the ground floor of the unit via the shop. The property has a external yard space to the rear , the neighbouring property to the south 1152 Rochdale Road has a single storey rear and single storey side extension with a flat roof.

Description of Development

The submitted application seeks planning permission for the erection of single storey extension to rear and addition of external stair to provide access to first floor flat. The external staircase which would be situated in the rear yard area of the plot providing first floor access, including the addition of an external first floor door on the North (side) elevation of the existing two storey rear outrigger of the building. The proposed stair case would lead to the flat roof of the rear extension which would then form a walkway to the proposed door.

Consultations & Notification Responses

Local residents were notified and one response was received, comments made can be summarised as follows:

- Concerns raised with regards to overlooking and loss of privacy
- The proposed extension would add to the unsightly nature of the rear of the properties
- Concerns regarding the potential installation of security lights and loss of amenity due to this
- Concerns with regards to the existing gate which the objector alleges is currently often left unlocked which leads to concerns regarding crime and security
- Concerns with regards to refuse storage issues exacerbated
- Concerns regarding the address of the proposed flat and issues with regards to the post

With regards to the concerns raised on the proposed address of the flat and issues with post, this is not a material planning consideration and the creation of the first flat alone would not require planning permission. Other concerns raised with regards to residential and visual amenity will be addressed in the issues section of this report.

Highways - Whilst the lack of on-site car parking for the upper floor residential use is not ideally preferred, Highways accept that this is an existing situation with no increase to the number of apartments proposed.

The additional retail space at ground floor presents no highway concerns, with no significant increase in trip levels anticipated.

Highways, in principle, are supportive of the proposals.

Design for Security at Greater Manchester Police: Observations of the site and surroundings

The site is in a mixed area consisting of retail, hot food takeaway's and residential dwellings in close proximity.

The entrance to the proposed first floor is to be accessed via a new staircase at the rear of the property which is located via the yard gate which is located off the alley from Bossall Avenue.

To access the property residents would have to access the rear yard via the existing gate from the alleyway off Bossall Avenue which currently has alley gating in place, then they would have to gain access to the first floor flat via the proposed new staircase

Risk Assessment

-During the evening hours there is no indication on the plans that there will be lighting to rear of the site nor any security measures.

-The entrances to the proposed flat is situated to the rear and sufficiently secluded as to prompt concerns regarding the security of this flat. Visitors, as well as residents themselves, would have to access the rear yard in order to access the staircase and subsequent apartment entrance door.

-There are no provisions for parking for potential residents and visitors, residents or visitors would have to park on Bossall Avenue which appears to already be in use with vehicles from the adjacent properties and also appears to be used for parking for customers of the retail units on Rochdale Road.

-Crime statistics show that there have been multiple incidents of theft, violence and burglary in close proximity to the location of the proposed development

Summary

Consideration given to ways of making the development more secure, including: the use of access controls at the access gate; the use of security rated entrance doors; and, additional lighting on the building. However, there are other issues that are more difficult to address, i.e. the lack of surveillance to the rear, the quality of the street environment, and the isolation of the property at night-time and the crime statistics evidencing the multiple incidents of theft, burglary and violence.

For the reasons set out above, it is not considered that the proposed rear entrance via the existing first floor flat; will provide a sufficiently safe and secure development for future or existing residents

Policy

The following guidance from the National Planning Policy Framework (NPPF) is considered to be particularly relevant to the proposed development:

The NPPF sets out the Government's Planning Policies for England and how these are expected to be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that the planning system should perform and economic, environmental and social objective

Pursuing sustainable developments involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. There should be a presumption in favour of sustainable development and plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

Paragraph 91 of the NPPF states that panning policies and decisions should aim to achieve healthy, inclusive and safe places that are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion

Paragraph 95 states that the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security.

Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The Local Development Framework Core Strategy Development Plan Document (Adopted 11 July 2012). The following specific policies of the Core Strategy are considered to be particularly relevant to the proposed development:
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.

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 listed above and have regard to the strategic character area in which the development is located.

The following specific adopted Supplementary Planning Documents (SPDs) are considered to be particularly relevant to the proposed development:

The City Councils Guide to Development in Manchester - 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 will guide developers, designers and residents to the sort of development we all want to see in Manchester. Part 1 of the Supplementary Planning Document, Chapter 2 Design, Character and Context: A place with its own identity, paragraph 2.3 states the following;

2.3 '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'.

The following specific policies saved from the Unitary Development Plan for the City of Manchester (1995), are considered to be particularly relevant to the proposed development:

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 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

Policy 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).

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.

Pursuing sustainable developments involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. There should be a presumption in favour of sustainable development and plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

Paragraph 17 of the NPPF states that within the overarching roles of the planning system should be a set of core land-use planning principles which should underpin both plan-making and decision-taking. A key principle of the NPPF as set out in paragraph 17 is that development

should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Policy consideration

The proposed rear staircase would allow access to the first floor flat through the alley way off Bossall Avenue. GMP have stated that proposed entrance is secluded and thus prompts concerns regarding the security of the flat, as visitors and residents themselves would have to access the flat via the rear staircase and therefore would be vulnerable. Furthermore, there are no provisions for parking for potential residents and visitors, residents or visitors would have to park on Bossall Avenue which appears to already be in use with vehicles from the adjacent properties and also appears to be used for parking for customers of the retail units on Rochdale Road.

GMP have indicated consideration given to ways of making the development more secure which include the use of access controls at the access gate; the use of security rated entrance doors; and, additional lighting on the building. However given the lack of surveillance to the rear, the quality of the street environment, and the isolation of the property at night-time and the crime statistics , it is not considered that the proposed rear entrance via the existing first floor flat; will provide a sufficiently safe and secure development for future or existing residents

It was evident from the site visit undertaken by both the City Council (planning officer) and GMP that the rear alley way is used for bin refuse storage for the neighbouring units which further provides potential easy access to the rear entrance.

The developer was made aware of GMPs concerns during the application process given the opportunity to remove the proposed staircase from the scheme so that the proposal would consist only of the proposed single storey extension. No revisions were subsequently received, and the proposal cannot be supported in its current form.

The Core Strategy Policy SP1 clearly state that development should; make a positive contribution to the health, safety and wellbeing of residents. Core Strategy Policy DM1 clearly states that regard should be had for community safety and crime prevention and design for health. When taking into account the issues raised by GMP, significant weight must be given the highlighted safety and security concerns in line with the adopted Core Strategy policies regarding community safety, crime prevention, health and wellbeing of residents.

Paragraph 95 states that the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security.
The NPPF sets out that the planning system should perform a social objective in supporting healthy communities and taking into account the potential safety issues highlighted by GMP, the development is not considered to accord with the principals set out in the NPPF.

Visual and neighbouring occupier's amenity

In relation to visual amenity Core Strategy Policy DM1 and EN, and saved UDP policies DC1.1 and DC1.2 set out the general guidelines regarding neighbouring occupier's amenity and the quality of elevational design and its contribution to the building environment and relationship to the character of the surrounding area, which in this case predominantly comprises of red-brick two storey dwellings.

In the context of the site the proposal would be set back from the street scene and staircase would be obscured by the existing brick wall which surrounds the rear boundaries. When taking into account the siting, length, scale and appearance of the proposal, the proposed single storey rear extension with a flat roof in conjunction with the staircase would be considered to have a significantly negative visual impact on the street scene of Bossal Avenue.

Although there is an existing metal staircase to the rear of one of the neighbouring units, as previously stated, the City Council has no planning record of permission for the metal staircase on record.

In this instance it is therefore not considered that the existing metal staircase on the neighbouring unit sets a precedent for this type of development. Furthermore the proposed drawings indicate a handrail that would be positioned on the flat roof of the proposed extension to facilitate access to the first floor flat. Whilst details of the materials of this are not provided, this would be visible above the existing brick wall and is considered to have a significant negative visual impact on the street scene and therefore would not be considered to accord with Core Strategy Policy DM1, EM1 and saved UDP policies DC1.1 and DC1.2.

Taking into account that the site has a small rear open space, and that access to the flat would be via the flat roof of the proposed extension, it is possible the occupier of the first floor flat could use the external staircase in a similar fashion to a roof terrace/balcony. Given that the site is directly adjacent to neighbouring rear gardens, particularly no. 1152 Rochdale Road, the staircase would be considered to harm neighbouring amenity in regard to privacy and would likely result in overlooking or perceived overlooking. The development would therefore not be considered to accord with Core Strategy Policy DM1 and saved UDP policy DC1.1 in this regard.

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 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 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 applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, negotiations were undertaken but no practical design or other suitable mitigation could be found to alleviate the concerns of Greater Manchester Police and the City Council in regard

to the potential impacts of the development regarding community safety, crime prevention, health and wellbeing of residents or visual and neighbouring occupier's amenity.

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

1) The proposal is considered to not result in a safe and secure development as a result of the lack of natural surveillance to the proposal site making users of the structure vulnerable. The proposal would thereby have a negative impact on community safety and crime prevention and would fail to make a positive contribution to the health, safety and wellbeing of residents. The proposal would therefore not be in accordance policies SP1 and DM1 of the Manchester Core Strategy (2012) and the National Planning Policy Framework (NPPF).

2) The introduction of the staircase and flat roof rear extension, by virtue of their siting, scale length and appearance will create a feature that is considered to be out of character with the street scene and would have an unduly harmful visual impact on the street scene. The staircase would be considered to harm neighbouring occupier's amenity in regard to overlooking from the staircase and flat roof extension into neighbouring gardens. The proposal is therefore not considered to accord with policies SP1, DM1 and EN1 of the Manchester Core Strategy (2012), saved policy DC1.1, DC1.2, DC1.3 and DC1.6 of the Unitary Development Plan for the City of Manchester (1995), and the National Planning Policy Framework (NPPF).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Greater Manchester Police

First Floor, 1156 Rochdale Road, Manchester, M9 6ER
Ground Floor, 1156 Rochdale Road, Manchester, M9 6ER
3 Bossall Avenue, Manchester, M9 6EN
1 Bossall Avenue, Manchester, M9 6EN
1152 Rochdale Road, Manchester, M9 6ER

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 Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH1