MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	126478/FH/2020
Date registered valid:	17 March 2020
Proposal:	Erection of part single, part two storey side and rear extension and installation of rear roof dormer to form additional living accommodation
Address:	20 Newton Avenue, Longsight, Manchester, M12 4EW
Ward(s):	Ardwick Ward
Applicant:	Mr Muhammad Irfan 20 Newton Avenue, Manchester, M12 4EW
Agent (if any):	Mr Mohsin Miah M-Design 24 Bushell Street, Bolton, BL3 4HQ
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: h.aidoo@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	17 July 2020

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 18 March 2020 Expired: 8 April 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

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of site / building / area

The application relates to a semi-detached dwellinghouse within a mixed-use area of Ardwick ward. The property is situated along a busy no-through road with commercial/industrial uses facing the application site. The property benefits from amenity space to the front, side & rear, along with boundary treatment. Given the commercial/industrial nature of some of the uses along Newton Avenue, on-street parking is in demand. The dwellinghouse is also within a short walking distance of Stockport Road (the A6) and Longsight District Centre, and there are parking restrictions within the wider neighbourhood.

Description of development

The submitted application relates to the erection of part single, part two storey side and rear extension and installation of rear roof dormer to form additional living accommodation.

At ground floor, the proposed side extension would extend along the full length of the original dwellinghouse, and beyond the rear building line of the original house, by a further 4m into the

rear garden. The side extension would be 2.94m in width the frontage to Newton Avenue, and would wrap around the rear elevation, extending across the full length of the rear façade.

At first floor, the proposed side extension would be set-back 1.8m from the front elevation at ground floor ,and would then extend along the remainder of the length of the original dwellinghouse, and beyond the rear building line of the original house, by a further 3 m into the rear garden, and wrap around the rear elevation for a distance 6.1m along the rear elevation. Thus, being stepped away from the common boundary with no.18 Newton Avenue at first floor level by 2.7m. A window is proposed along the first side elevation (as shown on the floor plans) to serve a bathroom, however, this has not been shown on the submitted elevational plans.

A combination of pitch roof, and lean-to pitch roof design are proposed for the part single, part two storey side and rear extensions.

The scheme would also include the incorporation of a dormer extension to the rear roof slope.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal; 1 email has been received which objects to the scheme.

The objection is based on the impacts of the proposed extension, in terms of its proposed location and their abilities to able to undertake building works to their own property, and concerns of how the sewage and drainage will be dealt with, together with how maintenance and associated access would be achieved.

POLICIES

National Planning Policy Framework (2019)

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.
The NPPF states that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, these are:
a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity,

using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
ii. Chapter 9: Promoting sustainable transport - States that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.
iii. 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.

Manchester Core Strategy
Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.
The following policies are relevant to the proposed development:

Policy DM 1 - Development Management
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.
-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 in terms of Code for Sustainable Homes and BREEAM.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:
-Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to 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 EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:
-Both construction and demolition waste will be minimised and recycled on site wherever possible;
-The sustainable waste management needs of the end user will be met.

Policy T2 - Requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking have been proposed.

Extant UDP Policies
A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

Policy DC1.1 - Relates to residential extensions and in this case requires consideration of: the impact of the general character of the property; the effect upon the amenity of neighbouring occupiers; the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs and the overall appearance of the proposal in the street-scene.

Policy DC1.2 - Requires consideration of the extensions to ensure that it is not excessively large or bulky. It is considered that the extension would not accord with policy DC1.2 in that the combination of part single , part two storey side and rear extension together with a dormer extension at roof level would result in a large bulky extension which would adversely impact on residential amenity of the occupiers no. 22 Newton Avenue.

Policy DC1.3 states that notwithstanding the generality of the above policies, the Council will not normally approve:
a). rearward extensions greater than 3.65 metres 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 he 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.

ISSUES

Principle of development

The principle of extending one's home is acceptable and the planning system accommodates 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. Matters that will require consideration, in order to assess the acceptability of any proposal are siting, scale and massing, design and appearance and car parking.

Siting, scale and Massing

The applicant is seeking to extend the property at the side and rear of the dwellinghouse to increase the amount of living accommodation in the property.

At ground floor, the proposed side extension would extend along the full length of the original dwellinghouse, and beyond the rear building line of the original house, by a further 4m into the rear garden. The side extension would be 2.94m in width to the frontage of Newton Avenue, and would wrap around the rear elevation, extending across the full length of the rear façade.

At first floor, the proposed side extension would be set-back 1.8m from the front elevation at ground floor ,and would then extend along the remainder of the length of the original dwellinghouse, and beyond the rear building line of the original house, by a further 3 m into the rear garden, and wrap around the rear elevation for a distance 6.1m along the rear elevation. Thus, being stepped away from the common boundary with no.18 Newton Avenue at first floor level by 2.7m. A window is proposed along the first side elevation (as shown on the floor plans) to serve a bathroom, however, this has not been shown on the submitted elevational plans.

A combination of pitch roof, and lean-to pitch roof design are proposed for the part single, part two storey side and rear extensions.

The scheme would also include the incorporation of a dormer extension to the rear roof slope.

The combination of the proposed side, rear and dormer extension would give rise to a large bulky extension which would not be subservient to the original house, which would be contrary to saved policy DC 1.1 (d) of the Unitary Development Plan.

Residential and Visual Amenity
Saved Unitary Development Plan policy DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to: the general character of the property; the effect upon the amenity of neighbouring occupiers; the overall appearance of the proposal in the street-scene; Furthermore, DC1.2 states '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); 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.

In this instance, it is considered that if the proposal were to be allowed, it would result in a visually overbearing development that will unduly impact on the homes and gardens of the adjoining properties, particularly; those at nos. 18 and 22 Newton Avenue, and 15 -17 Kirkmanshulme Lane, by virtue of the combination of a part single part two storey side and rear extension and rear dormer extension, which would take up the full width of the existing roof plane, creating a significant built form along this elevation.

It is further considered that the creation of a side extension, 11.7m in length along the side boundary with no. 22 Newton Avenue, would establish a significant expanse of solid, brickwall (with the exception of a bathroom window at first floor level) would therefore appear over dominant and over bearing to the rear of the neighbouring properties and consequently would increase the sense of enclosure.

Furthermore, the introduction of a window at first floor level on the side elevation (shown on the submitted floorplans , but not shown on the elevation), and its relationship to the shared common boundary with no. 22 Newton Avenue, is considered to be unacceptable, as although this window would be likely to be obscurely glazed (due to the window serving a bathroom), it could open out over the driveway of the adjacent property, and impact on the adjacent occupiers being able to undertake works at the side of their property in the future.

In terms of use of materials or constructional details of the proposed dormer, it is stated that it is to be clad with "Marley Plain Tiles", of which, it is considered that the proposed colour would be out of character with the existing roof, and therefore would be unacceptable.

On balance, it is considered the proposal does not respond positively to The Manchester Core Strategy Development Plan Document Policies SP1, DM1 and EN1; saved Unitary Development Plan policy DC1; and The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

Correspondence was sent to the agent on 14th May 2020 (hand delivered to the applicants address) and asking them to contact officers to discuss matters in connection with the application . A further letter was sent on 6th June 2020, outlining the changes which would be needed to be made to the submitted scheme , in order for the development to be acceptable in design terms. At that time it was advised that it is unlikely that the current application would be supported, and the applicant was requested to confirm how they wished to proceed with the application. A 10 day time frame was given for a response , and they were advised if no response was forthcoming that the application be determined on the basis of the submitted plans. No response or revisions has been received.

Loss of car parking

The existing space along the side gable of the application property would be lost to accommodate the proposed extension. However, the existing amenity space along the front of the property would be unaffected , this would enable the retention of an off street parking space for a small vehicle. This , however, had not been demonstrated on the submitted plans.

Refuse Management

The existing side access to the rear of the property would be lost to accommodate the proposed part single, part two side extension. Although the existing amenity space along the frontage would be unaffected, the proposal has not demonstrated how sustainable waste management needs of the end user would be met within the curtilage of the dwellinghouse , which is contrary to saved Unitary Development Plan policy DC1, and policies DM1 and EN19 of the Manchester Core Strategy.

Conclusion

Concerns were raised during application process in relation to the proposed development in terms of the scale, bulk and massing and the adverse impacts to residential and visual amenity, and it was advised the proposal could not be supported in its current form, and advice provided on how to mitigate these matters.

Several requests were made to the agent and client to ascertain how they wished to mitigate the above mentioned impacts and how they wished to proceed with the planning application, although to date no further contact has been received; therefore the application has been recommended for refusal in this instance.

In this instance, it is considered the proposal does not sufficiently accord with the principles of the policy documents outlined above. In light of the information available, it is considered that the proposed cumulative impact, along with the proposed window along the common boundary first floor side elevation would create adverse impacts to residential and visual amenity. Although the proposed development would allow the adaptation of the existing house to meet changing residential needs, on balance, it is considered that the proposal does not represent a proportionate addition to the existing dwelling. It is also considered that the proposal would create an unsatisfactory visual relationship between the neighbouring properties, particularly those at no. 22 Newton Avenue and the overall character of the property would be harmed and therefore the development is not suitably related to the existing building and its context. It is

therefore considered that the proposed development does not respond positively to the NPPF, Core Strategy policies SP1, DM1 and EN1 and saved Unitary Development Policy DC1.

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. The application has been determined in accordance with the guidance contained within saved policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan, to policy SP1 and DM1 of the Core Strategy, the National Planning Policy Framework and all other material considerations; however, in this instance, a solution that was satisfactory to both the Local Planning Authority and the applicant could not be reached as the nature of the proposal was considered to be unacceptable.

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

.
The proposed development by reason of its proximity to the common boundary, together with the projection, size, scale, bulk and massing of the proposal, will result in the creation of an overly large feature at the side and rear of the property in close proximity to the boundary with neighbouring property no. 22 Newton Avenue which would have an overbearing impact as a result of a large expanse of brickwork along this boundary, to the detriment of the residential amenity of neighbouring occupiers. The proposal is therefore contrary to policies SP1 and DM1 of the Manchester's Core Strategy Development Plan Document and saved Unitary

Development Plan policies DC1 and the guidance within the National Planning Policy Framework, and the guidance within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

13 Kirkmanshulme Lane, Manchester, M12 4NA
11 Kirkmanshulme Lane, Manchester, M12 4NA
306 New Bank Street, Manchester, M12 4HW
18 Newton Avenue, Longsight, Manchester, M12 4EW
300 New Bank Street, Manchester, M12 4HW
17 Kirkmanshulme Lane, Manchester, M12 4NA
15 Kirkmanshulme Lane, Manchester, M12 4NA
22 Newton Avenue, Longsight, Manchester, M12 4EW
308 New Bank Street, Manchester, M12 4HW
304 New Bank Street, Manchester, M12 4HW
302 New Bank Street, Manchester, M12 4HW
298 New Bank Street, Manchester, M12 4HW
20 Newton Avenue, Longsight, Manchester, M12 4EW

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
Area Team Boundary - Name: NORTH2