MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	126042/FH/2020
Date registered valid:	21 February 2020
Proposal:	Erection of a single storey rear extension to form additional living accommodation
Address:	24 Newland Street, Manchester, M8 5RY
Ward(s):	Crumpsall Ward
Applicant:	Mr Abdul Wahid 24 Newland Street, Manchester, M8 5RY
Agent (if any):	Mr Mohsin Miah M-Design 24 Bushell Street, Bolton, BL3 4HQ
Case officer:	Eve Woolstencroft Tel: 0161 234 4533 Email: eve.woolstencroft@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	16 April 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: 25 February 2020 Expired: 17 March 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 application site relates to a two storey mid terraced property located in the Crumpsall Ward of North Manchester. The property does not benefit from any front garden or defensible space and the frontage back directly onto the pavement. The property has a small rear yard that has an associated brick wall boundary treatment.

Description of Development

The submitted application is part retrospective and seeks planning permission for the erection of a single storey rear extension to form additional living accommodation. The extension would have a mono pitch roof with an eaves of 2.45 metres and maximum roof height of 4 metres, a length of 3.2 metres and width of 3.1 metres.

Consultations & Notification Responses

Local residents were notified however no responses were received

Policy

NPPF (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.

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. Given the requirements of the resident it is considered that this policy is relevant and the proposed design represents an appropriate response.

Policy DC1.2 - Requires consideration of the extensions to ensure that it is not excessively large or bulky. It is considered that the extension is a proportionate response to meet changing occupational needs.

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.

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 for this application:

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.

Residential/Visual Amenity

Upon assessment of the proposal a number of concerns related to the rear extension, the rear extension has a mono pitched roof, the highest point of which, at 4 metres, is positioned along the boundary with no. 22 Newland Street. The rear gardens of the terraces along Newland Street are characterised by short and narrow rear yards with brick wall boundary treatments. The 4 metres wall of the rear extension along the boundary with no 22 Newland Street extends approximately 1 metre above the existing boundary wall, expanding all the way along the boundary.. Due to the small size of the rear garden of 22 Newland Street, the depth and height of the extension would be clearly visible and would establish a significant expanse of solid, brick wall 1 metre higher than the existing and would therefore appear over dominant and over bearing to the rear of the neighbouring properties and consequently would increase the sense of enclosure.

The terraces on Newland Street front directly onto the back of the pavement and therefore the rear garden is the only amenity space that the property has. The proposed extension covers

more than 50% of the rear garden, leaving a rear garden area of 6.4 metres sq. It was noted on site that the remaining space is used to store the household bins and therefore leaves no space for the rear yard to be used by the occupiers for recreation.

Furthermore, as the application is part retrospective, it was noted on site that the extension extends slightly beyond the existing rear boundary wall that is uniform along the rear boundaries of new land street thus the extension is out of character for the style and pattern of development in the immediate area, to saved UDP policies DC1.1a, DC1.1c and DC1.2c and policies SP1 and DM1 of the Manchester Core Strategy.

Correspondence was sent to the agent on 3 April 2020 expressing concerns with the scheme and requesting revised drawings to show a reduction in the height and rear projection of the extension to mitigate these concerns.

No revisions have been received in relation to the email dated and sent 3 April 2020 to the agent. The proposal cannot be supported in its current form and therefore will be refused.

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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

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

1) The proposed single storey rear extension, as a result of its height, rear projection, will result in the creation of an overly large feature at the rear of the property in close proximity to the boundary with neighbouring property no. 22 Newland Street which would have an overbearing a 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.

Appendix 1 – List of consultees & neighbours notified

26 Newland Street, Manchester, M8 5RY

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4