

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141806/FH/2024
Date registered valid: 23 December 2024
Proposal: Erection of part single, part two storey rear extension to form additional living accommodation
Address: 54 Givendale Drive, Manchester, M8 4PZ
Ward(s): Crumpsall Ward

Applicant: Mr Karzan Mohammad Ismael KK Design Solution
Agent (if any):
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 14 February 2025

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 27 January 2025

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 5 February 2025 Expired: 12 February 2025

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: No

Tree Preservation Order: No

Description of site / building / area

The application relates to a two storey, pitched roof, end-terraced property within a residential housing estate in the Crumpsall ward of north Manchester.

It is understood that the estate was originally built as starter homes for single occupants and small families consisting of a mix of bungalows, apartments, semi-detached and quasi-built properties. The existing housing layout arrangement between the application property and the immediate neighbouring properties along the north-eastern and north-western boundaries thereby appears unconventional, appearing as two storey semi-detached houses flanked by bungalows.



(Officer's site visit, 27.01.2025)



The application site benefits from amenity space along the front, side and rear, including boundary treatment, whilst incorporating a gated access along the gable elevation. Off-street car parking is along the front and gable elevations and bins are stored within curtilage. The occupiers of the application property and the immediate occupiers at no.105 Givendale Drive in-part traverse a shared access upon entering and exiting their individual driveways.

The existing rear garden of the application site is modest, measuring approximately 9.1 metres deep x 8.2 metres wide and is broadly north-east facing.

Site History:

- No pre-application advice was sought from the local planning authority in relation to this application.
- F16020 - Residential development comprising 35 houses, 8 bungalows, 36 flats, and 56 bedsits, APPROVED 02.09.198.
- F17451 - Erection of 3 dwellinghouses, APPROVED 28.07.1982.
- F13574 - Use of land for residential development, APPROVED, 03.09.1980.
- F13573 - Erection of buildings for light industrial use (Use Class III) together with associated car parking and roadways, REFUSED 03.09.1980

Description of development

The submitted application relates to a proposed part single, part two storey rear extension to form additional living accommodation.

Upon assessment of the initially submitted plans, concerns were raised with the planning agent regarding the proposed rearward projections, coupled with the resultant overbearing massing, and impact of proposed built form projecting rearwards and along the side boundaries; combined with the visually intrusive impacts to neighbouring gardens; together with proposed first floor side facing window to a habitable room and the adverse impacts to privacy ; including

failure to depict the issue on the existing site and therefore the agent was advised that the proposal could not be supported in its current form.

Revised plans were subsequently submitted, (dated, 05/02/2025). The revised plan package included- revised existing plans and elevations; the proposed first floor rearward projection being reduced to 2800mm; the proposed ground floor rearward projection also being reduced in depth to 4000mm; and the initially proposed first floor side facing window to a habitable room being removed.

These subsequent revisions were still considered not to overcome the concerns which had been raised. Further discussions took place with the agent in relation to the cumulative impact to residential amenity to adjacent occupiers due to the overbearing massing impact of proposed built form and relationship of the rear projection to the side boundaries; combined with the visually intrusive and oppressive impact to neighbouring gardens. It was therefore requested the agents withdrew the application or it would be determined on the basis of the latest sets of plans, (dated 05/02/2025). The agent subsequently instructed the planning officer that they did not wish to withdraw the application, (correspondence dated 07/02/2025); and therefore, the application will be determined on the basis on the latest sets of plans and recommended for refusal in this instance.

The revised plan (dated, 05/02/2025) along the ground floor would be sited along the common shared boundary with no. 52 Givendale Drive, whilst leaving a small gap of approximately 86mm from this boundary. It would then project approximately 4000mm deep along this boundary, then come forward of the common shared boundary with no. 105 Givendale Drive approximately 5452mm wide, then return forward of the rear building of the host dwelling, whilst being flush with the gable elevation. It would comprise of a lean-to pitched roof with a maximum proposed roof height of approximately 3024mm and would include 1no. door along the side elevation, together with 1no. window along the rear elevation. The proposed first floor element would be sited above and would measure approximately 2800mm deep x 5452mm wide, whilst being flush with the gable elevation of the host dwelling. It would comprise of a combined pitched to hip roof design, with the proposed roof ridge dropped below the existing roof ridge and would include 1no.window along the rear elevation. It is intended to use external facing materials matching the existing house.

Consultations & Notification Responses

1. Local residents / Public opinion

Occupiers of properties surrounding the application site were notified of the proposal. An objection was received by one local resident.

Comment

The local resident highlights several areas of concern, although the planning issues are related the proposed extension being imposing and oppressive. They have expressed concerns that the proposed expanse of brick work would be unduly overbearing thereby effecting access to light during most day light hours. They have also expressed concerns about being overlooked given the proposed window to serve a bedroom.

Following revised plans, neighbours were re-notified. An objection was received from the same local resident. They have reviewed the revised proposed plans and object strongly to them for the same reasons as before.

2. Cadent Gas Limited

Whilst Cadent Gas Limited have no objection to the proposed development, it is advised that an informative note is attached informing the applicant that the site is in close proximity to their medium and low pressure assets and the measures need to be taken to prevent damage or interference with them.

POLICY

The following guidance, policy and legislation are considered to be relevant to the proposed development.

1. Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

2. The National Planning Policy Framework (NPPF), (2021) -

This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- Chapter 12: Achieving well-designed places.

3. Places for Everyone (2022 - 2039)

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies in relation to jobs, new homes and sustainable growth for nine of the 10 boroughs which make up Greater Manchester. The Plan and its policies are a material planning consideration in the determination of planning applications, and therefore be given significant weight in the planning balance. The following policies are considered to be relevant:

- JP-P1 - Sustainable Places

4. Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.' The following Core Strategy policies are relevant to the proposed development:

- Policy DM1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)

5. Saved Unitary Development Plan (UDP), (1995)

- Saved Policy DC1 for Residential Extensions.

6. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 -

- Chapter 2: Design

Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals.

ISSUES

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 and 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.

Principle of development

The principle of extending one's home is generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property, or upon the visual and residential amenity of neighbouring occupiers. In this instance however, the principle of the revised proposal (dated 05/02/2025) is still considered unacceptable by virtue of proposed cumulative overbearing massing impact of built form to the rear of the existing dwellinghouse

and relationship to the side boundaries, combined with the visually intrusive and oppressive outlook when viewed from neighbouring gardens. It is therefore considered on balance these are factors of sufficient weight which would warrant the refusal of this application.

Residential and Visual Amenity

Having assessed the submitted revised plan, it is considered that the proposed extension would not accord with saved policy DC1 of the UDP, and policy DM1 of the Core Strategy, in addition to the general requirements set out under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Consideration has been given as to whether the scale, massing, design and appearance of the proposed extension is acceptable. In addition, consideration has been given to any impact the proposed extension may have on the residential and visual amenity of neighbouring occupiers.

A number of concerns relate to the scheme. Firstly, the existing housing layout appears to be a contributing constraint for the nature of the proposed revised plans, (dated 05/02/2025). As previously mentioned, the existing housing layout arrangement between the application property and the immediate neighbouring properties along the north-eastern and north-western boundaries are unconventional, consisting of a pair two storey semi-detached houses flanked by a pair of bungalows forming a terrace. The existing rear garden of the application site is also modest, measuring approximately 9.1 metres deep x 8.2 metres wide and is broadly north-east facing. The immediate neighbouring rear garden - (no. 52 Givendale Drive) is even smaller (8.6m x 5m). The revised proposed extension would measure approximately 4000mm in depth along the ground floor and 2800mm deep along the first floor and would extend across the full width of the rear elevation of the existing dwellinghouse at both ground and first floor levels. It is therefore considered that proposed rearward projections, would result in a cumulative overbearing massing impact in particular to no. 52 Givendale Drive; combined with the visually intrusive and oppressive outlook when viewed from neighbouring gardens, which would have a detrimental impact on the residential amenity of the neighbouring occupiers, and is therefore contrary to policies DM1 of the Core Strategy and saved UDP policy DC1.

For the reasons outlined, the proposed development is considered contrary to saved UDP policy DC1.1 a), DC 1.1b), DC1.1 c); DC1.2 a), DC1.2 b), DC1.2c); DC1.3 a); policy DM1 of the Core Strategy; and the guidance set out in the Guide to Development in Manchester Supplementary Planning Document.

Conclusion

In this instance, it is considered that the proposed extension would not accord with the principles of the policy documents outlined above. Although the proposed development would allow the adaptation of the existing house to meet changing residential needs, on balance, it is considered that the proposed rearward projections, would result in a cumulative overbearing massing impact in particular to no. 52 Givendale Drive; combined with the visually intrusive and oppressive outlook when viewed from neighbouring gardens, which would have a detrimental impact on the residential amenity of the neighbouring occupiers, contrary to The National Planning Policy Framework (2021) chapter 12; policy DM1 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) and cannot be approved due to its confliction with the

principles set out under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The proposal, therefore, cannot be supported by the Local Planning Authority.

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 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 communicated their concerns about this proposal during the course of the planning application, but these concerns have not been overcome. The planning agent subsequently confirmed that they wish for the application to be determined on the basis of the revised plans, (dated 05/02/2025). The proposal is still 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 extension by reason of the proposed rearward projection and resultant overall mass of built form in close proximity to the shared boundary with no.52 Givendale Drive , would create an overbearing, and visually oppressive feature in terms of outlook from neighbouring gardens to the detriment of the residential amenity of the neighbouring occupiers: contrary to The National Planning Policy Framework (2021) chapter 12; policy DM1 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995) for residential extensions.

Appendix 1 – List of consultees & neighbours notified

52 Givendale Drive, Manchester, M8 4PZ
Club Adjacent 102, Wilton Road, Crumpsall, Manchester, M8 4PX
105 Givendale Drive, Manchester, M8 4PZ
103 Givendale Drive, Manchester, M8 4PZ
104 Wilton Road, Crumpsall, Manchester, M8 4PX
102 Wilton Road, Crumpsall, Manchester, M8 4PX

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA