

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141330/FH/2024
Date registered valid: 8 January 2025
Proposal: Erection of single storey rear extension.
Address: 17 Humphrey Street, Manchester, M8 9JS
Ward(s): Crumpsall Ward

Applicant: Mrs Aqsa Hasware
Agent (if any): Mrs Aqsa Hasware
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 4 March 2025

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 16 January 2025

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 9 January 2025 Expired: 30 January 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

The application site relates to 17 Humphrey Street within the north Manchester ward of Crumpsall. The application site relates to a mid-terraced, two storey, red brick Victorian dwellinghouse characterised by a large two storey outrigger to the rear of the property. The amenity space to the front is characterised by an off street driveway and amenity space to the rear is confined, characterised by a courtyard with an open 'store'/ shed against the rear boundary of the site. The communal alley to the rear of the property is accessible up a set of stairs, due to the change in levels with the rear alleyway sitting at a higher topography than the applicant property.

Description of area

The surrounding area is mixed, including residential and commercial uses, including the Cheetham Hill Job Centre and the Cheetham Hill District Centre to the west of the site.

Description of development

The submitted application seeks planning permission for the erection of single storey rear extension.

The assessment of the application is based on the revised scheme received 25 February 2025.

The proposal seeks to create a rear extension extending beyond the existing rear outrigger against the boundary with no.15 Humphrey Street up to the rear boundary of the site. The extension would have approximate dimensions of Height: 3.7 x Length: 4.5 x Width: 3.8 metres.

The proposal would involve the insertion of a door facing in the direction of no.19 Humphrey Street and the extension would have a hipped roof. It appears as though the existing bay windows would be changed as a result of the proposal. Whilst the floor plan shows an approximate 1.6 metre gap would be retained between the proposed side elevation and shared boundary with no.19, the roof form outline on the same plan shows the roof of the extension would extend the entire width of the rear courtyard.

The proposal would create a WC, pantry and kitchen.

Materials to be used have been listed as:

- slate tiles to match existing,
- anthracite grey UPVC window and doors,
- red brick masonry to match existing.

However, via email on 25 February 2025 the agent advised that the materials had been chosen by the agent, and not by the applicant, as the applicant was uncontactable during much of the duration of the application. The agent requested if the materials stated could be amended at a later date.

Negotiations during the Course of the Application

Issues were raised and addressed during the course of the application in relation to an incorrect site edged red and the provision of plans with an accurate and useable scale bar.

The roof form of the proposal was amended from a flat roof to hipped roof to attempt to reduce the bulkiness of the proposal to no.15, given the built form extends up to the rear boundary of the site. However, there are discrepancies with the width of the proposed roof.

Concern was raised to the agent due to potential overlooking from the windows in the side of the proposal.

The revised plan received 25 February 2025 inaccurately shows the existing outrigger in relation to the proposal. A second side elevation was not provided for review.

The agent was advised that there were significant errors with the plans, and that the revised scheme does not mitigate harm to the neighbouring properties. The agent was advised to withdraw the application; however no such request was received.

On 28 February 2025 the agent stated the proposed bathroom within the extension is needed for disability purposes of the applicant. No such intended arrangements were declared during the course of the application and the normal planning fee had been paid.

Difficulties with contacting the agent and applicant was experienced during the course of the application, given both parties were abroad.

Planning History

110094/FH/2015/N1- Erection of a single storey extension to form additional living accommodation.

Approved 23 December 2015.

*This application is similar to the current proposal. The application approved the following built form (see Figure 1), with conditions. It appears as though the application was never implemented nor conditions discharged.

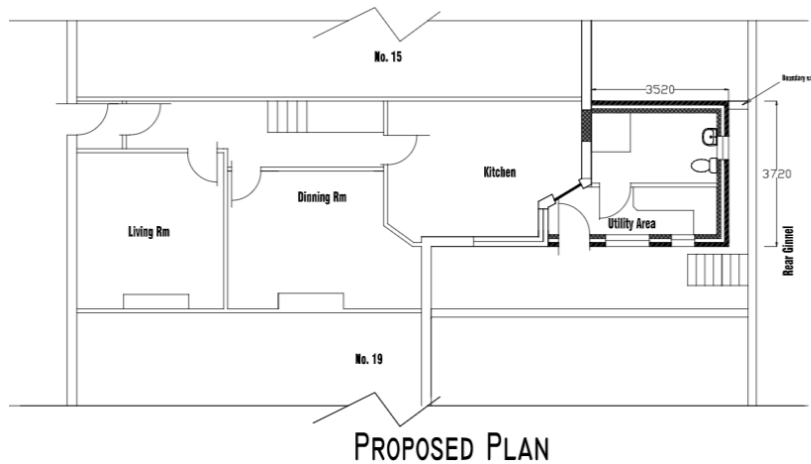


Figure 1, Floor plan approved under 110094/FH/2015/N1

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Issues

POLICY

The National Planning Policy Framework (December 2024)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective
- b) a social objective and
- c) an environmental objective.

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

- i. Chapter 8. Promoting healthy and safe communities.

ii. Chapter 12. Achieving well-designed places.

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

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are Policy DM1 (Development Management), Policy SP1 (Spatial Principles) and Policy EN1 (Design Principles and Strategic Character Areas).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

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 states that 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 original buildings);
- b. They do not create 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 scene by virtue of design, use of materials or construction 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 parking problem that unacceptable additional pressures would be created.

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).

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

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles

recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The following policies are relevant:
i.JP- S1- Sustainable development

ISSUES

Principle of Development

The submitted application seeks planning permission for the erection of single storey rear extension. Extending a residential property, via extensions including single storey rear extensions in order to provide additional living accommodation is usually acceptable in principle. This has been previously accepted at the site under 110094/FH/2015/N1. Whilst the proposed extension is similar to the approved extension albeit seeks a larger projection than previously approved, there are errors and omissions within the submitted drawings and the proposed roof form would be considered to constitute over development of the site.

The development is therefore not acceptable, as the benefits to the applicant do not outweigh the potential harm in relation to visual/residential amenity and design and appearance.

Whilst a revised scheme was presented to the LPA on 25 February 2025, the plans did not fully overcome the issues raised during the course of the application. The areas of concern will now be discussed in detail.

Inaccurate Information

The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) provides general requirements for the submission of planning applications and states that “*an application for planning must....be accompanied by.... 7(1c)(ii) any other plans, drawings and information necessary to describe the development which is the subject of the application*”.

With this in mind, it is considered that the information submitted under this application fails to meet the requirements set out in this Order on account of the numerous inaccuracies and discrepancies which exist amongst the submitted drawings. These are set out more clearly below:

- Despite the built form on the proposed ground floor plan showing a 3.8 metre width of the extension, the roof form appears to extend the width of the applicant plot (5.4 metres) within the submitted floor plan.
- Only one set of existing and proposed side elevations have been provided. Existing and proposed side elevations taken from the southern view (from no.15 Humphrey Street) are missing.
- Existing and proposed elevations show a section of the proposal and inaccurately reflect the existing and proposed side elevation of the property as would be viewed on site. The property appears as a box structure and does not accurately show the existing two storey outrigger nor the terraced nature of the property nor the gable roof form of the host property.
- Plans received on 25 February 2025 show the existing two storey outrigger as being single storey and so the resultant built form and potential impact to the neighbours cannot be properly understood.
- The existing and proposed side elevation drawing does not truly reflect the bay windows at the site. The proposed side extension shows the change of window frames and loss of window sill, however insufficient details have been provided to understand the resultant form of the proposal.

Therefore, given the quality and accuracy of the submitted information, and the uncertainty of how the proposal may affect the amenities of neighbouring residents, the City Council is unable to support this application, as it conflicts with the principles set out under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Visual/Residential Amenity

The previous application of 110094/FH/2015/N1 approved built form with a rearward projection leaving a 0.5 metre gap to the rear boundary, and a height of 3 metres. As part of the current application, a bulky flat roof was proposed with a height of 3.2 metres, to extend up to the rear boundary of the site. Concern of the bulky nature of the proposal was raised to the agent and the agent provided the revised scheme with a hipped roof sloping away to attempt to reduce bulk and massing. However, the revised scheme with hipped roof has a height of 3.7 metres and so does not reduce the level of massing to the proposal. Given the confined nature of the applicant and neighbouring site, this would result in an overbearing level of built form to neighbouring property no.15, from the proposed massing and height of the proposal. This would be contrary to Policy DC1.1b and DC1.2a of the UDP and Core Strategies policies SP1 and DM1, to the detriment of visual/ residential amenity. Albeit it is difficult to fully assess the harm to no.15, given existing and proposed elevations from the neighbours direction are missing from the submission.

No.19 Humphrey Street as existing benefits from a single storey rear extension (similar to the applicant proposal) however appears to have been built without adequate consent. Given the roof form of the extension has not been amended to overcome concerns, this property would be adversely impacted by loss of light to the neighbour's windows due to the existing orientation of properties in the streetscene. Whilst the LPA would accept the amount of built form in this location given the proposal would be single storey and is approved in this location under 110094/FH/2015/N1, the built form and resultant roof form of the proposal would need to be amended to reduce the height of the proposal.

Further, whilst the built form on the proposed ground floor plan shows a 3.8 metre width of the extension, the roof form appears to extend the width of the applicant plot (5.4 metres) within the submitted floor plan. The extent of built form at roof level shown on the floor plan would be considered over development of the site and be considered overbearing to no.19 Humphrey

Street. This would be contrary to Policy DC1.1b and DC1.2a of the UDP and Core Strategies policies SP1 and DM1, to the detriment of visual/ residential amenity.

Design and Appearance

The existing and proposed side elevation drawing does not truly reflect the bay windows at the site. The proposed side elevation shows the existing window would be amended to grey UPVC windows and seem to show a change in window frames. Such change can not be easily assessed due to the quality of drawings; however concern is raised as to the loss of architectural features of the property, which could result in a poor design feature although the resultant appearance is difficult to fully understand. This change would be contrary to Policy DC1.1a of the UDP and Core Strategies SP1 and EN1.

The proposal would result in a projection of approximately 4.5 metres. Whilst it is acknowledged this projection would exceed the rearward projection of 3.65 metres within Policy DC1.3 of the UDP, if the roof form be acceptable, the site could be considered to accommodate such projection. However, with the overly dominant roof form and discrepancies within the floor plan and elevational drawings, the proposal would be considered contrary in terms of design, contrary to Policy DC1.2a of the UDP and Core Strategies SP1 and EN1.

Materials to be used have been listed as:

- slate tiles to match existing,
- anthracite grey UPVC windows and doors,
- red brick masonry to match existing.

However, via email on 25 February 2025 the agent advised that the materials had been chosen by the agent, and not by the applicant, as the applicant was uncontactable during much of the duration of the application. The agent requested whether they could be altered at a later date once any consent is granted. It is acknowledged that if the application be approved, materials could be conditioned and agreed during the condition discharge process.

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a proactive manner, but an acceptable revised scheme was not supplied to the LPA in a timely manner and so the application is therefore refused in a timely manner.

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

1) A number of errors have been identified within the submitted drawings. Corrected plans have been requested but inaccurate plans were submitted. Southern existing and proposed side elevation drawings have been requested but not supplied. Therefore, given the quality and accuracy of the submitted information, and the uncertainty of how the proposal may affect the amenities of neighbouring residents, the City Council is unable to support this application, as it conflicts with the principles set out under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC1 of the Unitary Development Plan for the City of Manchester.

2) The proposed single storey rear extension by reason of its form, scale, height and massing, sited against the shared boundary with no.15 Humphrey Street and in close proximity to no.19 Humphrey Street would create an overly large and bulky feature, and so would give rise to an overbearing feature to no.15 Humphrey Street and adverse loss of light implications to no.9 Humphrey Street due to the resultant roof form. As such, the proposal would adversely impact the detriment of the amenity that the neighbouring occupants could reasonably expect to enjoy, contrary to the City Council's Planning Policies SP1 and DM1 of the Manchester Core Strategy (2012), saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD, policy JP- S1 of Places for Everyone and the National Planning Policy Framework.

3) The proposed single storey rear extension by reason of its form, scale, height and massing forms an overly bulky and visually obtrusive feature to both adjoining properties, which is out of character with, and fails to contribute positively to, the local area. The proposal would therefore have an unduly harmful impact in relation to design and appearance, which is contrary to the City Council's Planning Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD, policy JP- S1 of Places for Everyone and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

52 Crescent Road, Manchester, M8 9JU
21 Humphrey Street, Manchester, M8 9JS
19 Humphrey Street, Manchester, M8 9JS
54 Crescent Road, Manchester, M8 9JU
15 Humphrey Street, Manchester, M8 9JS

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
Area Team Boundary - Name: NORTH AREA