Planning

Growth & Development

Delegated officer report for planning application

Application no.	141061/FH/2024
Date registered valid:	16 October 2024
Proposal:	Erection of a first floor and roof extension to form additional living accommodation
Address:	2 Totland Close, Manchester, M12 5RY
Ward(s):	Longsight Ward
Applicant:	Mr Asghar Butt
Agent (if any):	Mr Dean King NK Architectural
Case officer:	Ian Jarvis Tel: 0161 234 4079 Email: ian.jarvis@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	10 December 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 22 October 2024 Expired: 12 November 2024

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: Not applicable

Tree Preservation Order: Not applicable

This application relates to an existing bungalow, on a residential estate, which was established as a result of the following planning permission:

F07698 - Erection of 10 blocks of four-apartments, 27 bungalows, and 17 houses with associated roads and sewers - Approved 4 January 1978.

The estate does not have a typical arrangement with some properties not directly having a road frontage, and being well set-back into their curtilages, with some situations where houses are in close proximity to each other.

The application site is a bungalow, although the immediately surrounding properties are all two storey. The property has a dual pitched roof, either side of the front of the property, which faces onto Totland Close.

It is proposed to erect a first floor/roof extension to the property. The extension would be set slightly away, from the front of the property, but would otherwise cover the whole of the existing ground floor, thereby making the property a predominantly two-storey building. The existing bungalow is rendered, at the front, but otherwise appears to have a brick finish with a concrete tiled roof. It is indicated that the extension would be constructed in brickwork with a concrete tiled dual pitched roof.

Consultations & Notification Responses

Local residents - Two objections have been received, from the occupiers of the directly adjoining property to the west (51 Pink Bank Lane), and the directly adjoining property to the south-west (53 Pink Bank Lane). The occupier of no.51 states that they have kitchen and bathroom windows on the side of their property, which would directly adjoin the proposed extension, so the new structure would completely block their natural light, and the occupier of no.53 states that the structure would block light to their lounge and sunroom windows.
In addition the following concerns were raised:
- The new upper floor windows would overlook their garden area.
- It will add to existing issues with drainage in the area.
- The premises are already at high occupancy with noise at unsocial hours.
- The current occupiers have a number of taxis, which have caused parking difficulties on Totland Close.

Issues

National Planning Policy Framework (December 2023) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

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;

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 well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:
a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. paragraph 126).

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City 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.

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 EN3 relates to heritage and states that, throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those in the City Centre.
New development must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character , setting and accessibility of areas and buildings of acknowledged importance, including scheduled monuments, listed buildings registered parks and gardens , conservation area and archaeological remains.

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.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is presently unallocated within the Manchester Unitary Development Plan.

Saved Policy 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.

DC1.3 States that, notwithstanding the generality of the above policies, the council will not normally approve:
a) rearward extensions greater than 3.65m (12ft) 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 councils guidelines on privacy distances (which are published as supplementary guidance).

Principle of development - The principle of extending dwellings, to accommodate need, is enshrined within local and national policy, subject to an assessment of the details, and any impacts, of a proposal.

Impact on visual amenity and the street scene - The existing property is a bungalow, and surrounding properties are two-storey, so it is not that a two storey property, would necessarily be seen as inappropriate in the street scene. However, the property is just one metre away from the rear wall, of no.51 Pink Bank Lane, and it would not normally be expected to see two detached properties, in such close proximity to each other, in the street scene, and this is not consistent with gaps, between properties, which exist elsewhere on the estate. The proposal is therefore considered to be out of character with its surroundings, and detrimental to the visual amenity of the locality.

Impact on residential amenity - It appears that the estate has been designed in such a way that bungalows were a necessary part of the estate, in order to accommodate such a close arrangement of properties in an untypical layout. An example of this is that the rear wall of the adjoining property (no.51 Pink Bank Lane) contains an upper floor window, which directly

adjoins the application site. At present light is able to reach this widow, as it sits above the roof of the bungalow, but the proposal would result in a long gable wall, directly facing this window, and just 1 metre away, which would cause significant overshadowing and significantly reduce light from reaching that window, which would be detrimental to the living conditions of the occupiers of that property.

In addition, the application property sits directly adjacent to the common boundaries with nos. 51, 53 and 55 Pink Bank Lane. Whist the upper floor extension has been designed so that no new windows directly overlook the garden areas, of these properties, it is considered that the creation of a substantial additional building mass, along these garden boundaries, would create a significant loss of outlook, from the garden areas of these properties, as well as potential overshadowing, which would be detrimental to the visual and general amenity of the occupiers of those properties.

Conclusion - Whilst the principle of extending dwellings, to meet family need, is accepted, in this instance, it is considered that this is outweighed by the adverse impact, that the proposed development would have, on the character of the local area, and the amenities of surrounding residents.

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 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. However the proposal is considered to be contrary to the development plan and therefore

refused in a timely manner. The applicant was invited to withdraw the application, but no response was received.

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

1) The proposed first floor/roof extension, by reason of its position, scale, massing and relationship with neighbouring properties, would be incongruous with the character of the area in general, to the detriment of visual amenity and would thereby be contrary to saved policies DC1.1, DC1.2 and DC1.3 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document and the National Planning Policy Framework.

2) The proposed first floor/roof extension, by reason of its position, scale, massing and relationship with neighbouring properties, would form an unduly dominant structure that would lead to a loss of outlook from, and overshadowing of, neighbouring properties and would thereby be contrary to saved policies DC1.1, DC1.2 and DC1.3 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Flat 7, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 5, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 38, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 36, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 33, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 3, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 27, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 25, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 22, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 20, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 19, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 16, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 14, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 10, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
8 Totland Close, Manchester, M12 5RY
Flat 6, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 39, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 37, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 35, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 34, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 32, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 30, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 29, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 26, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 24, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 23, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 21, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 2, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 18, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 17, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 15, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 11, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
Flat 1, Bankside Court, 49 Pink Bank Lane, Manchester, M12 5GA
10 Totland Close, Manchester, M12 5RY
6 Totland Close, Manchester, M12 5RY
4 Totland Close, Manchester, M12 5RY
53 Pink Bank Lane, Manchester, M12 5GR
51 Pink Bank Lane, Manchester, M12 5GR
55 Pink Bank Lane, Manchester, M12 5GR

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA