

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141576/FH/2024

Date registered valid: 10 December 2024

Proposal: Retention of two storey front extension, single storey side extension, part single, part two storey rear extension and installation of rear dormer

Address: 11 Ardern Road, Manchester, M8 4WN

Ward(s): Crumpsall Ward

Applicant: Rosenbaum

Agent (if any): Mr Sam Golding, Gold Sketch Studios Ltd

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 4 February 2025

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 7 January 2025

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 3 January 2025 Expired: 24 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 11 Ardern Road within the Crumpsall ward of north Manchester. The property is a two storey, semi-detached, red brick property and has been recently developed with extensions to the front, side, rear and roof (see planning history for further details). The development is said to have commenced on 2/7/2023 and was completed on 7/4/2024. The property still benefits from amenity space to the front and rear, in the form of front and rear gardens.

Description of area

The surrounding area is primarily residential in nature.

Description of development

The application seeks to regularise the unauthorised works at the site. Whilst permission was granted for extensions under 133202/FH/2022 (Erection of a front extension, single storey side extension, part single, part two storey rear extension and installation of rear dormer together with elevational alterations including installation of a skylight following demolition of existing rear extension to form additional living accommodation- approved 9 May 2022), the development on site does not reflect the approved plans. The current application seeks to gain consent for those discrepancies on site.

The submitted application seeks planning permission for the retention of two storey front extension, single storey side extension, part single, part two storey rear extension and installation of rear dormer.

The two storey front extension has infilled the existing staggered building line of the primary elevation, creating an entrance way and utility.

The single storey side extension extends the length of the host property and wraps into the built rear extension. The side extension is sited 600mm off the shared boundary with neighbouring property no.13 Ardern Road, with a parapet roof form.

The part single storey rear extension is sited against the shared boundary with no.9 Ardern Road and 600mm off the shared boundary with no.13 Ardern Road, with a projection of 4.5 metres. The part two storey rear extension is set off the shared boundary with the adjoining neighbour by 3 metres and again projects 4.5 metres. The part two storey rear extension benefits from a flat roof construction with large white PVC fascia board.

The rear dormer has been constructed on the roof plane of the existing property built with grey dormer hanging materials and has an approximate volume of 18.4 cubic metres.

Negotiations during the Course of the Application

The agent was advised of the LPA's intentions to refuse the application, given the unauthorised works on the site gave rise to significant concerns, and that the application would then be dealt with by colleagues in the Planning Enforcement Team.

Whilst the agent provided revised plans to try to overcome issues raised, the agent did not overcome all concerns first raised to the agent. As such, a decision was made that the application was determined on the initial scheme presented under the current application.

The agent sought consent for a part approval and a part refusal on the elements of work identified. This is not considered to be an acceptable solution to the LPA and the assessment of the scheme is based on the initial scheme submitted.

Planning History

133840/JO/2022- Variation of condition 2 (specified plans) attached to planning permission referenced 133202/FH/2022 to allow enlargement of rear roof dormer.
Withdrawn 4 July 2022.

133202/FH/2022- Erection of a front extension, single storey side extension, part single, part two storey rear extension and installation of rear dormer together with elevational alterations including installation of a skylight following demolition of existing rear extension to form additional living accommodation.
Approved 9 May 2022.

132720/PDE/2022- Prior notification of proposed larger home extension projecting 4.5m to the rear with a maximum height of 3m and a height at eaves of 3m. Withdrawn- 9 March 2022.

132242/PDE/2021- Prior notification of proposed larger home extension projecting 4.5m to the rear with a maximum height of 3m and a height at eaves of 3m. Turned Away (Legislative)- 20 December 2021.

131869/PDE/2021- Prior notification of proposed larger home extension projecting 6m to the rear with a maximum height of 3m and a height at eaves of 3m. Turned Away (Legislative)- 12 November 2021.

Consultations & Notification Responses

Local Residents

Local Residents were consulted and five responses were received; two objections and three in neutral response.

The three neutral responses raised the development had already been built at the site.

The following concerns were raised from the three neighbour objections:

- The proposal results in overlooking to neighbouring properties causing a loss of privacy and feeling of invasion- from the side windows and dormer windows.
- The extension appears overly dominant and results in overshadowing in comparison to the neighbouring properties.
- The proposal is out of keeping with the surrounding development in the immediate area given the insertion of a flat roof and two storey structure.
- The possibility of the single storey side extension with flat roof being used for a balcony in the future.
- The development has resulted in a common boundary wall cracked and leaning with the possibility to collapse.
- Supporting images were provided from one neighbour to evidence their concerns.

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)

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 retention of two storey front extension, single storey side extension, part single, part two storey rear extension and installation of rear dormer.

Extending a residential property, via extensions in order to provide additional living accommodation is usually acceptable in principle. This includes the approved householder application at the site, approved in May 2022 (planning ref: 133202/FH/2022). However, in this instance, the applicant has decided to build extensions which defer from the approved plans and so this application seeks to regularise such amendments.

For the avoidance of doubt, the changes between the approved scheme of 133202/FH/2022 and the scheme on site (as applied for under 141576/FH/2024) can be summarised as:

- First floor rear extension: The scheme on site has a flat roof and not hipped as previously approved. The projection of this element is 4.5 metres and not 3.5 metres as originally approved.
- Rear roof dormer: Different window patterns on site than those approved. The resultant material of the dormer does not match the roof tiles of the existing property as was conditioned within condition 5 under 133202/FH/2022.
- Side extension: Additional fenestration has been inserted within the side elevation of the side extension than originally approved. No boundary treatment has been erected as per the approved plans.
- Further fenestration changes have occurred across the scheme. This includes changes to window patterns within the rear elevation of the proposal. Further window size amendments within the gable elevation at first floor level.
- The resultant appearance of the primary elevation of the two storey front extension has resulted in a poor brick colour match. Whilst the primary elevation of the host property has a dark red brick of one colour, the adjoined two front extension has been constructed with multi-coloured bricks with dark elements (see Figure 1 below).



Figure 1, Applicant site and built two storey front extension

It is acknowledged that the further fenestration changes, including the changes to window patterns within the rear elevation of the proposal- including the extension and dormer, plus the further window size amendments within the gable elevation at first floor level, are considered design preferences. As such, these elements in isolation are not considered to cause harm in relation to amenity or design and appearance.

However, the other elements of change are not considered acceptable. In accumulation, the development on site has resulted in a scheme which cannot be supported and gives rise to concern in regard to visual/residential amenity and design and appearance. Neighbour objections have raised concern to the proposal both in terms of amenity and design and appearance. Elements of concern will now be discussed in detail.

Visual/ Residential Amenity

Single storey side extension:

The single storey side extension appears to have been built to the same size and massing as the approved scheme of 133202/FH/2022. However, the on-site scheme has involved the insertion of additional fenestration within the side elevation of the side extension facing onto the shared boundary with no.13 Ardern Road. The boundary treatment of the timber fence has not been installed as shown within the plans of 133202/FH/2022.

During the course of the application, neighbours raised concerns that the side extension has given rise to an overbearing feature with overlooking from the windows. It is acknowledged that the relationship between the two neighbours is challenging, given the applicant site sits at a

much higher position than the neighbouring property. Whilst it is recognised that development 600mm from the shared boundary emphasises the relationship further, it is noted that this relationship could be achieved through the route of Permitted Development and so measures to mitigate harm should be prioritised. Whilst the windows along the boundary are obscure glazed which is necessary and welcome given the lack of boundary treatment to screen views, the additional fenestration with the lack of boundary treatment results in the perception of overlooking and reduces the feeling of privacy for no.13 Boardman Road, when utilising their rear amenity space. As such, this element is considered contrary to Policy DC1 of the UDP, and Core Strategy policies SP1 and DM1.

First floor rear extension:

The most prominent variation from the approved plans is the form, projection and resultant roof form of the first floor rear extension. The approved plans result in a first floor rear extension which was set 3 metres from the shared boundary with the adjoining neighbour with a projection of 3.5 metres, set in from the ground floor extension. During negotiations within 133202/FH/2022 the built form of the first floor was reduced in order to mitigate harm to the surrounding properties. The scheme that has been built consists of first floor rear extension which has no set back and has a projection of 4.5 metres and has a flat roof with a PVC fascia board band.

This element of works results in a ground floor extension against the boundary with no.9 Ardern Road and a first floor extension. Whilst the first floor extension is set off the shared boundary by 3 metres, it still results in a projection of 4.5 metres, with a flat roof. As such, given the orientation of the properties within the streetscene, the proposal results in loss of light to no.9 Ardern Road in the mornings. Given the bulky flat roof structure it creates an overbearing feature when no.9 utilises their rear amenity space and from the neighbour's first floor windows.

The additional projection and flat roof nature of the first floor rear extension also creates an overbearing feature to no.13 Ardern Road. The large and bulky rear extension in connection with the increased fenestration within the side extension results in an overly large and bulky structure, to the detriment of no.13 Ardern Road.

Further, views of the flat roof structure are evident from Boardman Road and to the east of Ardern Road and so contrary to Policy DC1.3 part B- 'The Council will not normally approve b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway'. As such, this results in an overly large and dominant structure which relates poorly to the existing property or wider streetscene, to the detriment of visual amenity.

Overall, the scheme as built on site is considered to give rise to harm on the grounds of visual and residential amenity, contrary to policy DC1 of the UDP and Core Strategy policies SP1 and DM1.

Design and Appearance

Extensions:

The first floor rear extension with a projection of 4.5 metres and a flat roof has resulted in an overly large and bulky structure. As previously approved the projection of the first floor element was reduced to 3.5 metres to mitigate harm to the adjoining properties. The approved hipped roof scheme also helped mitigate harm by reducing the amount of bulk given the roof would slope away. The projection of 4.5 metres at first floor level given the proximity of the neighbouring properties is considered overly large. Whilst a projection of this length is considered acceptable at ground floor level given the fallback of permitted development and the Larger Homes Extension route, the site is not considered to accommodate such projection at

first floor level. The projection at first floor level is contrary to Policy DC1.3 of the UDP which states the maximum projection of rearward projections should be no larger than 3.65 metres.

The introduction of the flat roof is contrary to Policy DC1.3 part B- 'The Council will not normally approve b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway'. The introduction of the flat roof exaggerates the large projection of the first floor rear extension and results in an incongruous feature. Whilst there are some flat roof two storey extensions in the immediate area, they are historic and overall are not a common feature in the immediate area. As such, the use of the flat roof creates an overly bulky structure, which reads as an alien feature within the streetscene, contrary to Policy DC1 of the UDP and SP1 and EN1 of the Core Strategy on the grounds of design.

Materiality:

The constructed dormer has been covered in a dormer hanging material which does not match the red roof tiles of the host property. As such, the scheme is in breach of condition 5 under 133202/FH/2022, which states that materials must match the existing dwellinghouse. As constructed, a grey tile system has been used and so appears out of character with the red roof tiles of the host property. Given the prominent nature of the applicant site, sitting close to the junction of Ardern Road and Boardman Road and sitting at a higher topography than the non-adjointing neighbour, the dormer with the contrasting colouration results in an overly bulky structure. Views of the dormer can be seen from Boardman Road and Ardern Road and results in a poor design feature which is not sympathetic to the existing materiality of the host property. As such, this element is considered contrary to Policy DC1 and SP1 and EN1 of the Core Strategy.

Further, the colour match of the bricks used within the two storey front extension to the host property is poor, resulting in a poor quality scheme. As existing, the gable elevation of no.11 Ardern Road benefitted from a multi-coloured bricks with variances of reds and darker colours. A brick to this effect has been used for the side and rear extension which in isolation does not give rise to significant concern. However, the same brick has been used for the front elevation of the primary elevation. However, within the host property the primary elevation appears to have been constructed with a dark red brick which does not benefit from much colour variance. The combination of the dark red brick and the multi-coloured brick results in a poor colour match which further exaggerates the overall bulky and visually intrusive development on the site. As such, the use of the bricks within the primary elevation of the proposal is considered contrary to Policy DC1 of the UDP, and Core Strategy policies SP1 and EN1 in terms of materiality and sympathetic development.

Matters raised within the Neighbour Notification

One neighbour raised concern that the side extension as it is flat roof could be used as a terrace in the future which would further exaggerate loss of privacy implications. This matter could be controlled via condition if a new application were to be submitted.

Another comment raised concern with a common boundary wall becoming cracked and leaning with the possibility to collapse, as a result of the proposal. This could not be investigated within the remit of planning and should be investigated by other parties.

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 and have outlined issues with the scheme built at the site. Whilst the agent proposed a revised scheme, it did not overcome all issues raised and so the decision is based on the submission of the scheme as built on site. The agent was advised of the LPA's intention for the application to be passed to the Planning Enforcement Team.

Reasons for recommendation to refuse

1.Side extension- amenity:

The retention of the single storey side extension by reason of its amount, size and arrangement of fenestration facing in the direction of no.13 Ardern Road with no mitigation measures, creates the perception of overlooking to the neighbouring property. As such, the proposal adversely impacts 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.

2.Rear extension- amenity:

The retention of the part two storey rear extension by reason of its form, scale, height, massing, roof form and projection, in close proximity to the adjoining neighbour, no.9 Ardern Road and non-adjoining neighbour no.13 Ardern Road creates an overly large and bulky feature. Due to

the projection and resultant roof form at first floor level, the proposal results in loss of light to no.9 Ardern Road and creates an overbearing feature to both immediate neighbours. As such, the proposal adversely impacts 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.Rear extension- design:

The retention of the part single, part two storey rear extension by reason of its form, scale, height, massing, roof form and projection, in close proximity to the adjoining neighbour, no.9 Ardern Road and non-adjoining neighbour no.13 Ardern Road creates an overly large and bulky feature. The introduction of the flat roof exaggerates the large projection of the first floor rear extension and results in an incongruous feature. The rear extension reads as an alien feature within the streetscene, contrary to the City Council's Planning Policies SP1 and EN1 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.

4.Materials- design:

The retention of two storey front extension and installation of rear dormer by nature of the colouration and materials of the development results in a poor design feature and creates a bulky and unsympathetic addition to the streetscene. The contrasting dormer facing material in a grey colouration is out of keeping with the host property and due to its prominent position creates an overdominant feature for the surrounding properties. Further, the colour match of the bricks used within the two storey front extension adjoining the host property is poor, resulting in an unsympathetic development. As such, the scheme is contrary to the City Council's Planning Policies SP1 and EN1 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, on the grounds of design.

Appendix 1 – List of consultees & neighbours notified

13 Ardern Road, Manchester, M8 4WN
9 Ardern Road, Manchester, M8 4WN
36 Ardern Road, Manchester, M8 4NW
3 Boardman Road, Manchester, M8 4NT
2 Belhaven Road, Manchester, M8 4NS
5 Boardman Road, Manchester, M8 4NT
7 Ardern Road, Manchester, M8 4WN
11 Ardern Road, Manchester, M8 4WN
34 Ardern Road, Manchester, M8 4NW
32 Ardern Road, Manchester, M8 4NW
4 Belhaven Road, Manchester, M8 4NS

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