MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140426/FH/2024
Date registered valid:	15 August 2024
Proposal:	Erection of a part single/part two storey side and a single storey rear extension with raised steps and associated elevational alterations together with alterations and extension to existing single storey outbuilding.
Address:	29 Bennett Road, Manchester, M8 5FA
Ward(s):	Crumpsall Ward
Applicant:	Mr Ikram Rabanni
Agent (if any):	Subhan Saleem, Saleem Architects
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	**9 October 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 23 August 2024

Standard consultations:
Printed: 19 August 2024 Expired: 10 September 2024

Neighbour notifications
Printed: 19 August 2024 Expired: 10 September 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: No

Tree Preservation Order: No

The application site relates to 29 Bennett Road within the north Manchester ward of Crumpsall. The property relates to a semi-detached, two storey, multi brick dwellinghouse with timber patterned gable feature above box bay windows at both levels with a gable formation with green fascia boards and drain pipes. The applicant property is a corner property sitting close to the junction of Bennett Road and Rectory Road. The property benefits from amenity space in the form of soft landscaping to the front boundary, an outbuilding between the property and highway, dense greenery in the form of 15 trees alongside the boundary with Rectory Road and a garage and off street parking provision to the rear of the property. The rear amenity space is characterised by a grassed garden.

Description of area

The immediate area is residential in context, with a range of property types including Victorian villa style properties to the eastern side of Rectory Road.

Description of development

The submitted application seeks planning permission for the erection of a part single/part two storey side and a single storey rear extension with raised steps and associated elevational alterations together with alterations and extension to existing single storey outbuilding.

The part single storey side extension would have a bay window to match the host property sitting flush with the primary elevation of the host property and would have approximate dimensions of Height: 4 x Length: 9.9 x Width: 4 metres. The part two storey side extension would be set back from the primary elevation of the host property by 1.5 metres and have approximate dimensions of Height: 7.7 x Length: 8.4 x Width: 4 metres.

The single storey rear extension would extend the width of the host property and side extension and would have approximate dimensions of Height: 3.7 x Length: 3 x Width: 11 metres.

Paving slab steps would be provided from the single storey rear extension allowing access into the rear amenity space. The steps would have a height of approx. 0.5 metres and project 2 metres from the rear extension.

The extension would involve the insertion of two windows within the front elevation, one window within the side elevation and two windows, a set of bi-fold doors and four rooflights within the single storey rear extension.

The proposal would involve associated elevational alterations to the host property. This would take the form of a double door with side glazed panel windows to the front elevation and the loss of the rear bay window at both levels with the replacement of a flush window at first floor level.

Alterations and an extension to existing single storey outbuilding is also proposed. As a result of the proposal, the outbuilding would have approximate dimensions of Height: 3 x Length: 6 x Width: 6 metres. The outbuilding would involve the insertion of a window within the front elevation, a window within the rear elevation and a window and door within the proposed right hand side elevation, and the insertion of three skylights. The outbuilding would create a games room/ study.

Materials to be used would include:
-Brickwork to match
-roof tiles to match
-PVC windows to match
-glazed bifold door
-roof lights
-double door with side glazed panel windows.

Negotiations during the Course of the Application

The initial plans gave rise to concerns. The following concerns were addressed via revised plans during the course of the application:
-Side extension: The insertion of windows along the side elevation of the proposal give rise to an unsatisfactory outlook to the boundary of the site and would not give rise to a good design feature. The revised plans show the retention of 1no. window within this location.
-Confirmation that the proposed steps require consent and should be included within the description of development for the application.
-The proposed creation of rear balcony and privacy screen is considered unacceptable. In terms of design, the balcony is not a feature of the streetscene and is considered wholly inappropriate given the context of the host property, and would give the perception of overlooking to the adjoining neighbour and would give rise to adverse amenity implications in relation to overlooking. The balcony was removed from the proposal.

-Outbuilding: The existing outbuilding elevations did not appear reflective of the outbuilding on site in terms of fenestration. Revised plans were received. The agent confirmed the outbuilding would be converted and extended, not demolished as was originally presumed.

The description of development was amended accordingly to reflect the changes to the scheme.

However, concern was raised that the proposed two storey side extension given the property sits on a corner plot and the proposed side extension only retains a 1 metre gap would give rise to an overbearing feature, to the detriment of the streetscene. The agent confirmed the client was not willing to amend the side extension to overcome this concern.

As such, the application is assessed on the revised scheme.

Planning History

No planning history exists for this site.

Consultations & Notification Responses

Local Residents

Local residents were consulted and two objections were received. Concerns were raised with the creation of the balcony at first floor level above the proposed flat roof single storey extension. Concerns included the possibility to give rise to adverse privacy implications as well as the balcony not respecting the style of development in the immediate area. Although a privacy screen was proposed for the balcony, one neighbour raised concerns this would not go far enough to overcome potential overlooking implications.

MCC Neighbourhood Officer (Arboriculture)

The MCC Arboriculture Officer considered the application and confirmed no objections from an arboricultural perspective.

Issues

POLICY

The National Planning Policy Framework (December 2023)

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 and beautiful 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).

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.

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 CABE 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

This application seeks planning consent for the erection of a part single/part two storey side and a single storey rear extension with raised steps and associated elevational alterations together with alterations and extension to existing single storey outbuilding. Extending a residential property, via extensions including two storey side extensions and offering further incidental accommodation in the form of outbuildings, in order to provide additional living accommodation is usually acceptable in principle. However, in these circumstances, the part single, part two storey side extension would be situated on a corner plot with an inadequate gap to the eastern

boundary, and the principle of development cannot be supported due to adverse implications in terms of residential/ visual amenity and design and appearance.

Visual/Residential Amenity

Concerns relating to potential adverse privacy implications from the proposed balcony were overcome with the removal of the balcony within the revised plans received 1 October 2024. The elements of development including the single storey rear extension with raised steps and associated elevational alterations together with alterations and extension to existing single storey outbuilding are not considered to give rise to adverse visual/ residential amenity implications. The acceptability of the elements would be on the basis of the use of appropriate conditions including a privacy screen for the proposed steps, restrictions to glazing and insertion of further fenestration and restrictions of the use of the proposed outbuilding, if the application were to be recommended for approval.

During the course of the application, windows within the side elevation at ground floor level were proposed, which given the proximity to the eastern boundary of the site would have given rise to an unsatisfactory outlook to the boundary of the site and would not give rise to a good design feature, contrary to Policy DC1 of the UDP and Core Strategy policies DM1 and SP1. Within the revised proposal, all but one window were removed at ground floor level facing the direction of the eastern boundary. On consideration, given the number of windows have been reduced, given the placement of windows available through permitted development rights and given the applicant's design preference, the window is not considered so harmful to the applicant to warrant a refusal on the scheme.

However, concern is raised with the part single, part two storey rear extension from a visual amenity perspective. The ground floor level the proposed side extension would sit flush with the host property with replicating bay window to the host property and the first floor would be set back by 1.5 metres. Whilst it is acknowledged the side extension would offer a decent sense of subserviency in comparison to the host property, due to its corner location the scale and sideward projection of the extension is not considered acceptable.

Due to the applicant's corner location at the junction of Bennett Road and Rectory Road and the proposed side extension, due to its size, position, design and proximity to the eastern boundary of the site (a 1 metre gap) would have an undesirable, obtrusive effect on the street-scene and would be detrimental to the visual amenity of the occupiers of the surrounding properties. The negative impact would be exaggerated by the loss of the trees along the eastern boundary of the site. Whilst the loss of the trees raised no concern from the MCC Arboriculturist and could be done without the need for planning consent, the loss of the trees are regrettable from an environmental perspective and would exaggerate the bulky built form proposed to the side of the property. In addition, this would result in an overbearing feature for the properties along Rectory Road from the streetscene. Given the introduction of built form close to the eastern boundary this would give rise to a cramped relationship which would adversely affect the streetscene. The proposal therefore conflicts with Core Strategy policies DM1 and SP1 and Policy DC1 of the UDP.

Design and Appearance

The revised scheme is considered acceptable in terms of design, massing, projection and scale for all elements of the development, except the part single, part two storey side extension. It is also noted the proposed materials to be used in the proposal would largely match the host

property and therefore is considered acceptable and could be conditioned as such within any approval granted.

However, the form of the part single, part two storey side extension is not acceptable. The form of the side extension includes a setback of 1.5 metres at first floor level. Given the side extension would be set approx. 1 metre from the eastern boundary of the site, the proposal could be considered compliant with Policy DC1.4 of the UDP which considers two storey side extensions. However, the form of the extension to ensure compliance with Policy DC1.4 of the UDP does not mitigate the harm felt by the streetscene of Rectory Road.

It is believed that the siting, scale and massing of the proposed side extension would have a harmful impact upon the street scene. This is due to the extent of the sideward projection resulting in a 1 metre gap between the built form and eastern boundary. The 1 metre gap is not considered sufficient to ensure a sense of openness currently felt at the property given the prominent position as a corner plot. As such, the proposal would be incongruous with the property's surroundings, negatively impacting the appearance of the area.

Further, any similar development of a two storey side extension sited on a corner plot has benefitted from a much larger gap to the side boundary to retain the sense of space at the site. This includes no.32 Crumpsall Lane (see planning reference: 080839/FH/2006/N1).

It is considered that to permit a development with such proximity to the boundary on a corner plot with multiple storeys would create an adverse impact upon the established environment and would be unduly prominent within the street-scene, making a negative contribution to the character and appearance of the streetscape, unbalancing the appearance and rhythm of the road frontage. The proposal is therefore deemed unacceptable as it conflicts with saved policy DC1 of the UDP, policies DM1 and SP1 of the Core Strategy and chapter 12 of the NPPF.

The applicant may wish to consider the loss of the built form at first floor level within any side extension, as the principle of a ground floor extension would be acceptable given a set in from the eastern boundary is provided and given the available permitted development rights for the property.

Conclusion

For the reasons specified above, it is considered the proposal is unacceptable due to its siting, scale and massing and resultant negative impact upon the visual amenity of the area and the appearance of the street scene. Policy DC1 states that the alteration and extension of residential properties may be required to accommodate changing household needs, however, this proposal is considered to cause undue harm to the street scene and the visual amenity of the area, thus acting against the principles set out in the aforementioned policies, hence the proposal cannot be supported by the City Council.

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

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. Officers have worked with the agent in a proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Issues have arisen during the consideration of this application, whilst some issues were overcome one remains outstanding and a satisfactory resolution has not been reached.

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

1) The erection of a part single/part two storey side extension would by reason of its scale, sideward projection, height, proximity to the eastern boundary and siting on a prominent corner location, would form an overly dominant and visually obtrusive feature on a corner of Bennett Road and Rectory Road. This would create an excessively large and overbearing structure to the detriment of visual amenity, and as such is contrary to saved policy DC1 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

Neighbourhood Team Leader (Arboriculture)

Flat 4, 37 Rectory Road, Manchester, M8 5EA
Flat 3, 37 Rectory Road, Manchester, M8 5EA
Flat 2, 37 Rectory Road, Manchester, M8 5EA
Flat 1, 37 Rectory Road, Manchester, M8 5EA
43C Rectory Road, Manchester, M8 5EA
43B Rectory Road, Manchester, M8 5EA
43A Rectory Road, Manchester, M8 5EA
37 Rectory Road, Manchester, M8 5EA
Flat 10, 41 Rectory Road, Manchester, M8 5EA
41 Rectory Road, Manchester, M8 5EA
39 Rectory Road, Manchester, M8 5EA
Flat 9, 41 Rectory Road, Manchester, M8 5EA
Flat 8, 41 Rectory Road, Manchester, M8 5EA
Flat 7, 41 Rectory Road, Manchester, M8 5EA
Flat 6, 41 Rectory Road, Manchester, M8 5EA
Flat 4, 39 Rectory Road, Manchester, M8 5EA
Flat 3, 39 Rectory Road, Manchester, M8 5EA
Flat 2, 39 Rectory Road, Manchester, M8 5EA
Flat 1, 39 Rectory Road, Manchester, M8 5EA
45 Rectory Road, Manchester, M8 5EA
32 Crumpsall Lane, Manchester, M8 5FB
30 Crumpsall Lane, Manchester, M8 5FB
27 Bennett Road, Manchester, M8 5FA
28 Rectory Road, Manchester, M8 5EA
25 Bennett Road, Manchester, M8 5FA

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) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA