

Katie Raw
Planning Officer
Manchester City Council

Date: 08/10/2024

Our Ref: 24-025_75_Polefield Road

Re: Application 140812/FH/2024 - 75 Polefield Road, Blackley, Manchester, M9 7EN

Dear Ms. Raw

Introduction

Urban Imprint has been commissioned by Tsiantar Architects to review comments received from the local planning authority (LPA) with regard to the 'live' planning application for the proposed extension to 75 Polefield Road (application ref: 140812/FH/2024), and to prepare a response to these comments. We have also reviewed the planning application as it was presented, and discussed this with the architects. We have sought to further address the LPA concerns through minor changes to the application at present. This letter has been prepared mindful of the relevant development plan policies and other material considerations.

We have reviewed the email correspondence between Drew Farren and the planning officer, Katie Raw dated the 25th September that set out why the LPA finds the proposed extension unacceptable. In simple terms this is a result of additional habitable windows that will face an adjacent care home and its garden area. Before we address the concerns raised by the LPA, this letter will provide further context to the changes that have been made to the drawings and plans.

Whilst we considered the original plans to be acceptable when measured against the provisions of the development plan, we have reviewed the scheme and sought to address the concerns raised by officers through a redesign. We think that the recent amendments to the drawings improve the application and result in a scheme that is entirely acceptable in all regards.

We would also like to highlight that the original plans received no objections from the nursing home or the adjoining property, and that the residents of the adjoining property are aware of and happy with the recent amendments to the plans.



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Concerns Raised

Having reviewed the email correspondence, Urban Imprint recognise that the concerns raised relate to the following issues, and that these issues raised would be contrary to current local and national policies:

1. An adverse impact on residential and visual amenity as the proposed habitable rooms of 75 Polefield Road overlook the habitable rooms of the retirement property to the east of the site.
2. Whilst some element of this could be delivered under permitted developments, the windows inside the dormer would need to be obscure glazed and non-opening, which would not be considered appropriate for residential accommodation of the host property.
3. The adverse impact that the proposed extension would have on a future change of use of the care home to a residential property.

The following section will outline how this letter has sought to mitigate the concerns above by drawing from national and local policy.

Context for Recent Drawing Revisions

This section of the letter provides a general overview of the recent revisions made to the recent drawings. Drawing 959-EX-01 Rev A illustrates the following amendments, which address these concerns:

- More detailed annotations and the reorientation of Bedroom 4, which comprises a window that is now overlooking the back garden instead of towards the properties boundary. This reorientation means that there is no interface between habitable rooms and adjacent properties.
- The reorganisation of the first floor accommodation so that the proposed En Suite and the Family Bathroom are now located where Bedroom 2 was originally placed (see drawing 959-PA-01 Rev B). The relocation of the bathrooms means that the residential impact on amenity is now mitigated even further because the bathrooms are not habitable rooms, and will have obscured glazed windows that will overlooking the care home. Only one habitable room now looks east towards the care home, and this would provide



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an oblique angled relationship with the garden area and the windows of the care home.

- Two evergreen cypress trees have been introduced along the site boundary (within the application site) between the proposed development and the care home. These can be conditioned and secured in perpetuity. This will further assist with screening and lessening the impact on amenity. If it was required, we could add more planting to this landscape strip. For example, a 3m planted strip the length of the building could be located on our side of the fence however, in this case further planting and screening is considered unnecessary given the impacts and distances involved – see comments below.

Local and National Policy Context

Considering the comments raised by the LPA, and the revisions proposed, we will draw from relevant policies to clearly demonstrate that this scheme is in complete accordance with the provisions of the development plan. In doing so we are mindful of the wider policy context in national policy guidance (as set out in the NPPF), which requires us to consider making an effective use of land and a high standard of amenity.

The key development plan policies raised in previous correspondence were:

- SP1 and the DM1 in the Manchester Core Strategy (2012)
- DC1 (Residential Extensions) in the Unitary Development Plan (1995)
- JP-S1 in Places for Everyone

Compliance with the relevant policies

The following paragraphs set out a response to each of the relevant policies in turn.

NPPF

Paragraph 124a (Making effective use of land) states that planning decisions should promote the effective use of land by “supporting opportunities to use airspace above residential... premises... in particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene.”



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In sum, 124a promotes high density development and encourages upwards extensions as long as they complement the street scene and neighbouring properties. This policy supports the proposal because drawing 959-EX-01 illustrates that the height of the extension is in line with the neighbouring property to the West of the site. In addition, it is invisible from the street and therefore cannot adversely impact the street scene.

Paragraph 135F (Achieving well-designed and beautiful places) states that planning decisions should ensure that developments deliver “a high standard of amenity for existing and future users”. This leads us to consider the amenity of the users of the proposed dwelling and the neighbouring properties, which serves as the basis of our argument. The adjacent care home is of course the only neighbour that would be possibly impacted. In this case future users refers to the proposed users (i.e the residents of 75 Polefield Road once extended), and not any possible future use of either the application site or others (see comments below).

Regarding the need to provide a high standard of amenity, aerial images in drawing 959-PA-01 Rev B show that the care home to the east of the site is higher than the property on the site of 75 Polefield Road. This again shows that the proposed extension will not adversely change the street scene, as well as highlights the low impact on residential amenity that the extension would have on the neighbouring care home.

Places For Everyone:

Policy JP-S1 Sustainable Development provides guidance on climate change mitigation. It outlines that developments should “*minimise adverse impacts*”, however JP-S1 does not specifically reference impacts on residential or visual amenity. Instead, it concentrates on sustainable growth. 5.16 explains that the policy is concerned with the impact that renewable energy could have on residential amenity. This diverts from the concerns raised about the proposed extension, which focus on amenity, and we therefore do not think that this policy holds significant weight in this instance.

Manchester Core Development Plan (2012)

SP1 (Spatial Principles) – The policy outlines the ambition to make a positive contribution to neighbourhoods, however it does not specifically reference impacts on residential or visual amenity. In addition, the revised drawings demonstrate that the proposal does not oppose this policy because it does not alter the existing roofscape and is not visible from the street scene (please refer to the above comments).



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DM1 (Development Management) – The policy explains that development should have regard to the issues on the impact on the surrounding area and the effects on amenity, including privacy. However, the policy does not specifically reference how to measure impact on amenity, and underlines that development should ‘solely’ consider possible impacts. The lack of measurable elements in local policies reduces their weight in issuing a decision. It is clear from the revised drawings that the proposal does consider the impact on amenity by taking considerable measures to increase screening and reduce overlooking.

DC1 (Residential Extensions):

DC1.1 of the policy explains that the council will consider a proposal’s effect upon the amenity of neighbouring properties. DC1.2.b underlines that the council will allow extensions that do not create an undue loss of privacy. DC1.3.e explains that the council will not normally approve extensions which conflict with the council’s guidance on privacy distances, which are published as supplementary guidance. This letter will explain in further detail that, with regard to supplementary guidance provided by the council in *Manchester Residential Quality Guidance*, this proposal does indeed take appropriate measures to comply with policy DC1.

Other elements of DC1 were found to support the proposal. DC1.2 outlines that the council will allow extensions that are not excessively large and bulky and are not out of character or style with the surrounding area or street scene. This letter highlights that, with the support of the revised drawings, the proposed extension does not impact the existing street scene and does keep in character with the wider area.

Furthermore, we would like to highlight that the Unitary Development Plan document was published in 1995. Given that the document is outdated in the context of other current development plans, we think that this guidance should be given less weight in the decision making process.

Manchester Residential Quality Guidance (Issue 1 2017)

We found that the reasons why the authority regards the proposal to adversely impact residential and visual amenity does not make reference to the Manchester Residential Quality Guidance document, which provides detailed measurements on overlooking distance standards.



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Section 4 “*Ensure visual and acoustic privacy*” in the guidance document explains that the standard minimum overlooking distance between properties is 20m. It also outlines that measures to reduce direct overlooking should be taken into consideration. We argue that the proposal does this effectively through the reorientation and reorganisation of habitable rooms and additional planting for screening.

Detailed response to the concerns

Following on from discussions with the architect, the next part of this letter will set out why we think that the proposed elevation should be deemed acceptable.

Firstly, we will discuss the visual and residential amenity and privacy issue that accounts for the primary objection to the scheme, and set out how it clearly meets the policy guidance detailed above.

Distance to Neighbouring Property is in line with the LPAs own guidance:

The distance between the windows of 75 Polefield Road and the opposite windows of the neighbouring care home is 23 meters. The gable end of the care home has no windows. It is recognised in the Manchester Residential Quality Guidance document that 20 meters is accepted as the standard minimum overlooking distance between neighbouring properties. In this respect the proposed amenity distances are in excess of the distances recommended for amenity. Furthermore, there is a small change in levels between the two sites, with the nursing home being some 0.5m higher than Polefield Road. In this respect, the impact is also lessened. Whilst this is only guidance, there does not appear to be any material considerations that would indicate why the LPA should follow a different approach.

The relationship of habitable rooms is both limited and acceptable:

As reported by the architect in his email response to the case officer, two out of the three windows of the retirement accommodation that are overlooked are not those of habitable rooms, and are instead made up of a kitchen window and a cleaning cupboard window. The remaining window is a second window into a dining area. This underlines that the impact the proposal would have on residential and visual amenity, particularly privacy, would already be minimal, prior to redesign. The revised drawings strengthen the measures taken to reduce overlooking, as described in the Manchester Residential Quality Guidance.



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The reorientation of the windows of the proposed elevation of 75 Polefield Road in the revised drawings further mitigate the impact on residential amenity. All but one of the windows in the side elevation of the application site are no longer habitable, and instead consist of two bathrooms and the remaining bedroom two window. Bedroom 4 now overlooks the back garden, and Bedroom 3 and 2 overlook existing trees.

Impact on the overlooking the nursing home curtilage is entirely appropriate:

Another point that we would like to draw attention to is the character of the land that the rooms of the proposed extension would overlook. Surely the council cannot accept that the public car park at the rear of the neighbouring care home, a secondary rear entrance pavement and the smoking hut could be considered as a 'sensitive area' that needs to be protected for amenity reasons? Rear garden areas in residential areas are typically and normally overlooked by adjacent properties, and it is concerning that the LPA consider that the intensity of the overlooking from a few bedroom windows would impact negatively on the outdoor space and enjoyment of this element of the nursing home. Any impact is clearly overstated.

In the case that the council does find that more measures need to be taken to increase privacy, a condition can be created to secure in perpetuity the two cedar trees (or any other planting within the application site) where there is some 7m distance between the building and the boundary. This would increase screening between the properties, minimising the impact on residential amenity even further.

In regards to the concern relating to making the windows obscure, we do not think it is a necessary measure to take considering that the overlooking distance between the properties is beyond the accepted standard and that two of the three facing windows are to bathrooms and thus will be obscured glazed as standard. The reorientation of internal rooms and additional planting further reduces the necessity to obscure the windows and allows for the proposed rooms to benefit from effective internal daylighting and amenity.

Impact on future development is misdirected and unevindenced:

Lastly, we do not think that the impact this proposal could have on future developments is a legitimate argument against the development of this extension. It is in our view that this would be a misdirection of local policy and planning power. Planning decisions should be made based on existing evidence and policy that affects communities in the built environment at present. As far as we can ascertain there are no proposals to end the nursing homes use or convert it to flatted accommodation.



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Without such evidence, surely the council agree that using a “what if” argument to refuse a proposal marks poor practise and poor decision making and should be afforded no weight in the decision making process.

Conclusion

The paragraphs above set out why the proposed extension is considered to be acceptable in the policy context and the wider setting. It sets out how the amended changes the applicant has made to the drawings improves the scheme by going beyond the minimum measures detailed in local policy guidance to limit impacts on amenity, particularly in regard to privacy.

Despite it being our view that there was no significant impact in the original proposal, this letter outlines that the revisions to the drawings diminish the perceived adverse impact on visual and residential amenity on the neighbouring care home by reorientating the internal rooms and introducing a planting strip to aid with screening, with scope to create a condition to secure the trees in perpetuity.

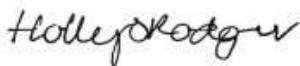
Ultimately, the final recommendation is up to the decision of the planning officer. However, with regard to local planning policy and guidance, it is in our view that the proposal does not adversely impact the visual and residential amenity, particularly privacy, of the neighbouring care home.

We consider that the scheme is in complete accordance with guidance in the development plan and other relevant guidance at the local and national level, and see no reason why the LPA should not issue a decision without delay.

As amendments to the original plans are so minor, and the fact that the original scheme received no objections from neighbouring properties including the nursing home, we do not think there is a need to re-consult. This is at the discretion of the planning officer. If the planning officer feels like they need to grant an Extension of Time, then the applicant is happy to open a re-consultation period.

Should there be any questions or queries on this application please do not hesitate to contact either Urban Imprint or the agent for the application, Tsiantar architects.

Yours sincerely,



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ENCS: Drawing 959-EX-01 Rev A and Drawing 959-PA-01 Rev B.



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