MANCHESTER CITY COUNCIL

# Planning

## Growth & Development

## Delegated officer report for planning application

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| **Application no.** | 137934/FH/2023 |
| **Date registered valid:** | 18 September 2023 |
| **Proposal:** | Erection of two storey side extension, together with alterations to boundary fencing and creation of vehicular access to provided off road parking. |
| **Address:** | 2 Redrose Crescent, Manchester, M19 2WT |
| **Ward(s):** | Levenshulme Ward |
| **Applicant:** | Mr Usman |
| **Agent (if any):** | Mr Subhan Saleem, Saleem Architects |
| **Case officer:** | Harriet Aidoo<br>Tel: 0161 234 4532<br>Email: harriet.aidoo@manchester.gov.uk |
| **Recommendation:** | Refuse |
| **Date of recommendation:** | 7 April 2024 |

**Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 10 October 2023

**Standard consultations:**
Printed: 20 September 2023 Expired: 11 October 2023

**Neighbour notifications**
Printed: 20 September 2023 Expired: 11 October 2023

**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

**Description of site / building / area**

The application relates to a semi-detached dwellinghouse sited along a prominent corner plot position at the junctions of Cringle Road and Redrose Crescent in the Levenshulme ward of Manchester.

The site benefits from amenity space along the front side and rear elevations. There is an existing rear dormer extension, including a front porch - (measuring approximately 1.5 metres deep x 1.9 metres wide).

The existing front garden measures approximately 3.9 metres deep (from the front building line of the existing porch); or approximately 5.5 metres deep (from the front building line of the dwellinghouse); the side garden approximately 6.4 metres wide, and rear garden approximately 3.7 metres deep.

There is an existing driveway and detached garage along the rear elevation with access from Cringle Road. The existing garage shares a common boundary with an electricity substation with access from Cringle Road. The electricity substation shares a common boundary with another detached garage with driveway, also with access from Cringle Road.

In total, there are 2no. driveways, an electricity substation, and 2no. detached garages along the rear boundary of the application site, all with access from Cringle Road.

Whilst the existing detached garage along the rear elevation in-part forms the boundary treatment along this elevation; the remaining existing boundary treatment along the significant perimeter is defined by a low brick wall.

**Site History:**

- No pre-application advice was sought from the local planning authority in relation to this application.

- 123891/FH/2019 - Raise the existing boundary wall at the front, side and down the driveway above 2 meters. This will include a mixture of raising the wall, erecting metal railings and a fence all the way round and including hedging (artificial or otherwise) - APPLICATION RETURNED

- F11527 - Single storey kitchen/dining room extension rear of dwellinghouse - APPROVED September 1979.

**Description of development**

The initially submitted plans related to the proposed erection of a two storey side extension and enlarged roof dormer, together with alterations to the boundary fencing and creation of vehicular access to provided off road parking.

Concerns were raised with the planning regarding the initially submitted plans. Whilst the principle of the proposed two storey side extension on its own was considered to be acceptable, subservience had not been sufficiently demonstrated. The cumulative impact of the proposed dormer would also create an undue massing impact along rear roof plane, together with the proposed boundary treatment which presented significant adverse impact in relation to visibility splays, sight lines and pedestrian and highway safety - in particular child pedestrians, coupled with and the proposed new car parking space with access from Redrose Crescent, which did not conform to the council's minimum standards, and therefore, the application could not be supported on the basis of the initially submitted plans. It was requested the agent confirms how they wished to proceed with the application, within specified timescales.

Revisions to the initially submitted plan were subsequently submitted, (dated, 11/12/2023), and the title description subsequently amended to reflect these sets of plans. These plans would comprise of:

- the removal of the dormer extension.
- the proposed boundary treatment along the front elevation and in-part along the side elevation and up to the front building line of the existing dwellinghouse would now involve a dwarf brick wall with permeable metal railings above.
- the existing garage along the rear elevation would now be used as a store, thereby, resulting in the loss of 2no. off-road car parking spaces.

These subsequent revisions were still considered to be unacceptable, along with ensuing discussions with the agent in relation to the visibility splays, sight lines, highway, and pedestrian safety, including the proposed new accessible car parking space not conforming to the council's minimum standards and in particular meeting the needs of disabled people.

Officers have communicated their concerns about this proposal during the course of the planning application, but these concerns have not been overcome and several requests were made to the agent to ascertain how they wished to mitigate the above mentioned impacts; however, in this instance, a solution that was mutually satisfactory could not be reached and ultimately, following various requests, the applicant instructed the planning officer to determine the application on the basis of the revised plans, (dated 11/12/2023); (Correspondence from agent dated, 28/02/2024). Therefore, the application will be recommended for refusal in this instance.

**Consultations & Notification Responses**

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections, or representations were received.

2. Environmental Health

Environmental Health officers have advised for the following informative o be attached to any approval:

Contaminated Land Watching Brief

In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and call Contact Manchester on 0161 2345004 or email contact@manchester.gov.uk for advice on how to proceed.

3. Highways

Highway Officers comments are outlined as follows:

TRIP GENERATION AND JUNCTION CAPACITY:
Given that the proposals will provide a single bedroom residential extension and additional living space for the existing house, the proposals are unlikely to give rise to a significant level of new vehicle trips. It is accepted that no highway concerns in terms of safety or capacity are considered likely to arise.

PARKING AND ACCESS:
A driveway and garage providing on-site parking provision is currently provided to the side/rear of the property accessed from Cringle Road. The proposals indicate that the garage will be retained as part of the proposals. The proposals also involve the creation of a new accessible

car parking space to the front of the house with a new dropped kerb proposed on Redrose Crescent to facilitate access to this space.

To be in accordance with MCC standards, accessible parking spaces should be minimum of 3.6m wide x 6.0m length. The new driveway will need to be 3.0m x 6.0m.

As part of the proposals, the boundary treatment in the vicinity of the driveway access should not exceed 600mm in height in order to retain appropriate levels of pedestrian visibility.

The introduction of a new dropped kerb would result in minor off-site highways works. The new access will need to be built in accordance with MCC construction standards under a Section 184 vehicle crossing licence/agreement which will need discussion and agreement with the council's Highways Applications and Network Resilience team. Applications can be made using the link below;
https://www.manchester.gov.uk/info/474/parking_at_your_home/8170/apply_for_a_dropped_kerb/2

As the proposals relate to the creation of an accessible parking space and associated accessible bedroom. The submitted plans indicate that a porch will be provided for access the house however there are no details provided on the access arrangements for wheelchair users. Highways request confirmation of these access arrangements.
Manchester City Councils Design for Access 2 document (http://www.manchester.gov.uk/downloads/download/5366/design_for_access_2) outlines that "Landings should be at least the width of the ramp and a minimum of 1800mm x 1800mm, clear of any door swing or other obstruction".

BOUNDARY TREATMENT:
The submitted plans indicate that a new 2-metre-high fence will be provided along the perimeter of the property adjacent to the adopted footway on Cringle Road. The proposed boundary treatment is likely to impede visibility for vehicles exiting Redrose Crescent onto Cringle Road. It is also likely to impede the forward visibility of vehicles travelling along Cringle Road. Highways request that a review of the visibility splay is provided at the Redrose Crescent/Cringle Road junction.

The submitted plans indicate that the new boundary treatment will continue up to the edge of the existing driveway on Cringle Road. The introduction of a new boundary in this location is likely to impede pedestrian visibility. Highways request that a review of the pedestrian visibility splay is provided at the existing driveway.

Any boundary treatments located within the pedestrian visibility splay should be permeable from a distance of 600mm upwards to ensure that child pedestrians are visible when accessing / egressing from the site.
Highways request that any new gated accesses provided as part of the proposals open inward to ensure they do not impact on the footway or adopted highway.

REFUSE AND SERVICING:
Given the proposals relate to the extension of an existing residential property it is considered that there will be no alternations to the refuse collections and servicing as part of the proposals.

The proposals do not indicate where bins will be stored within the curtilage of the property therefore confirmation is sought on the location of the bin store.

CONSTRUCTION MANAGEMENT:
The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk.

**POLICY**

The following policies are considered relevant in the consideration of this application.

1. Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

2. The National Planning Policy Framework (NPPF), (2021) -
This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system `only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through `which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- Chapter 12: Achieving well-designed places.

3. Places for Everyone (2024) -

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. The plan was adopted by the Council on 20 March 2024 and will come into effect from 21 March 2024. The plan sets out the kind of development that takes place across the city-region. It maximises the use of brownfield land and urban spaces; protects green belt land from the risk of unplanned development; releases some sites for housing and employment in key locations; ensures we integrate all new developments into Greater Manchester's transport network. Otherwise, new roads and transport will support them. The Plan and its policies are now a material planning consideration in the determination of planning applications, and therefore be given significant weight in the planning balance.

4. Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 (`the Core Strategy') was adopted by the 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.'

The following Core Strategy policies are relevant to the proposed development:

- Policy DM1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy T2 (Accessible areas of opportunity and need)

5. Saved Unitary Development Plan (UDP), (1995)

- Saved Policy DC1 for Residential Extensions.
- Saved Policy DC1.5 relating to applications from disabled people who may require particular adaptations to their homes.

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

- Chapter 2: Design

7. Design for Access 2 (DFA2) (2003) -

The Council's adopted design guidance on creating accessible environments and buildings, in particular meeting the needs of disabled people. DFA2 demonstrates the Council's approach and should be used by developers as a best practice guide.

**ISSUES**

Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context.

Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the Unitary Development Plan for the City of Manchester relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

In this instance, revisions to the initially submitted plan were subsequently submitted, (dated, 11/12/2023), and the title description subsequently amended to reflect these sets of plans. However, these sets of revised plans were still considered to be unacceptable, along with ensuing discussions with the agent. Officers have communicated their concerns about this proposal during the course of the planning application, but these concerns have not been overcome and several requests were made to the agent to ascertain how they wished to

mitigate the impacts of the proposal; however, a solution that was mutually satisfactory could not be reached and ultimately, following various requests, the agent instructed the planning officer to determine the application on the basis of the revised plans, (dated 11/12/2023); (Correspondence from agent dated, 28/02/2024). Therefore, the application will be recommended for refusal in this instance.

**Principle**

The principle of extending one's home is generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property, or upon the visual and residential amenity of neighbouring occupiers. In this instance however, the principle of the revised proposal (dated, 11/12/2023) was still considered unacceptable as the issues in relation to the boundary treatment, visibility splays, sight lines, highway, and pedestrian safety, including the proposed new accessible car parking space not conforming to the council's minimum standards and in particular meeting the needs of the disabled occupier had not sufficiently been overcome; which means the application cannot be approved. It is therefore believed that there are factors of sufficient weight that would warrant the refusal of this application.

**Residential and Visual Amenity**

Having assessed the proposal, and on balance, the proposal is deemed to conflict with the guidance set out in Design for Access 2 and Guide to Development in Manchester Supplementary Planning Documents; saved policy DC1 of the UDP, and policies DM1 and SP1 of the Core Strategy, as well as the general requirements set out under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

**(proposed two storey side extension) -** Whilst the principle of the proposed two storey side extension on its own is considered to be acceptable; in this instance, subservience has not been sufficiently demonstrated. The existing dwellinghouse is approximately 5153mm wide. The proposed side extension would measure approximately 3938mm wide (more than half the width of the original dwellinghouse), and the design of the proposed roof ridge to appear as one seamless dwellinghouse would create and outlook that would be excessively large resulting in a structure which is not subservient to original dwellinghouse and would project out too far in front of the original building along the Cringle Road elevation. Moreover, the proposed accessible bathroom would not conform the minimum turning circle requirements for a disabled user. For these reasons, the two storey side extension element is contrary to saved UDP policy DC1.2 a) and DC1.5; policy DM1 of the Core Strategy; and the guidance set out in Design for Access 2 and Guide to Development in Manchester Supplementary Planning Documents.

**(proposed 2.0 - 2.4 metre high boundary fencing and associated pedestrian and highway safety) -** As previously advised, the existing context along the rear boundary of the application site is defined by 2no. driveways, an electricity substation, and 2no. detached garages, all with access from Cringle Road. Whilst the revised plans, (dated, 11/12/2023) indicate that the

existing garage along the rear elevation would no longer be used as a garage but as a store, there would still be 1no. garage with driveway along the rear boundary of the application site. The submitted plans indicate that a new 2.0 - 2.4 metre high fence will be introduced along the perimeter of the property adjacent to the adopted footway on Cringle Road which will continue up to the edge of the existing driveway on Cringle Road and along the rear of the application site. Highways officers have commented that any boundary treatments located within the pedestrian visibility splay should be permeable from a distance of 600mm upwards to ensure that child pedestrians are visible when accessing / egressing from the site. The impermeable nature of the proposed new boundary treatment in-part along the Cringle Road elevation and along the rear boundary would therefore impede pedestrian visibility, and as a consequence, pedestrian safety would be compromised. Therefore, on balance, it is considered that the adverse impact to child pedestrian safety and the amenity of neighbouring occupiers far outweighs the proposed 2.0 - 2.4 metre high boundary treatment that would be created in-part along the perimeter of the property adjacent to the adopted footway, along Cringle Road which would continue up to the edge of the existing driveway along Cringle Road and along the rear of the application site. This element of the proposal is therefore contrary to saved UDP policy DC1 b), and policy DM1 of the Manchester Core Strategy Development Plan Document.

**(proposed new driveway with associated dropped kerb along Redrose Crescent) -** The submitted information indicates that the application benefits the needs of the disabled occupier residing at the property. The proposed two-storey side extension element would involve the creation of a new accessible bedroom and associated bathroom on the ground floor; together with a new driveway with associated dropped kerb along Redrose Crescent. To be in accordance with MCC standards, accessible parking spaces should be minimum of 3.6m wide x 6.0m length and 3.0m wide x 6.0m length for non-accessible parking spaces. Policy T2 of the Core Strategy, states that, car parking standards are maximums, and the cycle and disabled car parking standards are minimums. However, the Council will take the circumstances of each proposal into account to establish what level of parking is appropriate. In this instance, the revised proposal, (dated 11/12/23) would result in the loss of 2no. off-street car parking spaces - (the garage and driveway along the rear elevation); the proposed new driveway with associated dropped kerb along Redrose Crescent at approximately 5.5 metres deep would also not conform to council's minimum standards for both disabled and non-disabled car parking spaces and is therefore contrary to policy T2 of the Core Strategy and Saved UDP policy DC1.1 e), DC1.2 d) , DC1.5; and Design for Access 2 (DFA2).

**Conclusion -** In this instance, it is considered the proposal does not sufficiently accord with the principles of the policy documents outlined above. Although the proposed development would allow the adaptation of the existing house to meet changing residential needs, on balance, it is considered to be unacceptable by reason of the proposed two storey side extension element which would create and outlook that would be excessively large resulting in a structure which is not subservient to original dwellinghouse and would project out too far in front of the original building along the Cringle Road elevation; combined with the proposed new boundary treatment in-part along the Cringle Road elevation and along the rear boundary which impede pedestrian visibility, and as a consequence, pedestrian safety would be compromised; together with the proposed new proposed car parking space at approximately 5.5 metres deep which would not conform to council's minimum standards and for these reasons, the application cannot be approved. It is therefore believed that there are factors of sufficient weight that would warrant the refusal of this application.

## 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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, a solution that was mutually satisfactory could not be reached and ultimately, following various requests, the agent instructed the planning officer to determine the application on the basis of the revised plans, (dated 11/12/2023); (Correspondence from agent dated, 28/02/2024).

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

1) The proposed 2.0 - 2.4 metre boundary treatment in-part to the back of pavement along Cringle Road, up to the edge of the existing driveway along Cringle Road and in-part along the rear boundary would impede and undermine pedestrian visibility and would thereby present significant adverse impacts on pedestrian safety. The proposal is therefore contrary to Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended); The National Planning Policy Framework (NPPF), (2019); The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan for Manchester (1995) and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007).

2) The proposal by reason of its lack of a first-floor setback and reduced ridge height would introduce a visually inappropriate elevational design feature that would not be visually subservient to the host dwellinghouse, which would not be sympathetic to the appearance of the host dwellinghouse or its surrounding area, and as such, is contrary to The National Planning Policy Framework (2021) chapter 12; policy DM1 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1.2 a) of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007).

**Appendix 1 – List of consultees & neighbours notified**

Highway Services
Environmental Health

3 Lingcrest Close, Manchester, M19 2WJ
1 Lingcrest Close, Manchester, M19 2WJ
4 Redrose Crescent, Manchester, M19 2WT
3 Redrose Crescent, Manchester, M19 2WT
1 Redrose Crescent, Manchester, M19 2WT

**Appendix 2 – Planning constraints**

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA