

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139721/FH/2024

Date registered valid: 22 April 2024

Proposal: Erection of part single, part two storey rear extension, two storey side extension and front porch to form additional accommodation.

Address: 2 Rothesay Road, Manchester, M8 4JA

Ward(s): Crumpsall Ward

Applicant: Mr Naveed Khan

Agent (if any): Building Design Services, M Farooq

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

Recommendation: Approve

Date of recommendation: 14 June 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 10 May 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 4 June 2024 Expired: 11 June 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

Description of area

The application site relates to 2 Rothesay Road within the Crumpsall ward of north Manchester. The application site relates to a two storey, semi-detached, red brick dwellinghouse with a tiled canopy over the entrance door and bay window. The property is one of only two properties located on the eastern side of Rothesay Road.

At the time of the site visit, works had commenced in the form of a two storey side extension and part single, part two storey rear extension. However, the built form did not appear to relate to the previously approved extension of 136595/FH/2023.

As a result of the proposal, the amenity space at the time of the site visit took the form of an off street driveway to the front of the property and a garden area to the rear.

The surrounding area is residential in context.

Description of development

The submitted application seeks planning permission for the erection of part single, part two storey rear extension, two storey side extension and front porch to form additional accommodation.

During the site visit, it became clear that works had started on site but did not relate to the development already approved at the site as shown on the drawings within planning reference: 136595/FH/2023. The works on site appeared to relate to the plans shown within the current submission.

The proposal consists of:

The part single storey rear extension would align with the neighbour's part single storey rear extension and have approximate dimensions of Height: 3.2 x Length: 3.7 x Width: 10 metres. The part two storey rear extension would be set in from the adjoining semi-detached property by 4 metres and have approximate dimensions of Height: 7.4 x Length: 3.7 x Width: 5.9 metres.

The two storey side extension would have a bay window to replicate the bay window within the host property at ground floor level and have approximate dimensions, at the largest point, of Height: 8.2 x Length: 8.2 x Width: 3.7 metres.

The front porch creates a new entrance to the site with approximate dimensions of Height: 3.8 x Length: 1.2 x Width: 2.6 metres.

The proposal would involve the insertion of two windows and a door within the front elevation, four windows within the side elevation, and three windows and a set of doors within the rear elevation.

Materials are listed within the proposal to match the host property; however it is noted that the built front elevation of the side extension relates poorly in terms of a brick match to the host property. The brickwork used for the side and rear elevation as built at site appears to match (although poor) to the existing multi-coloured brickwork of the host property within its existing side and rear elevations.

The current application differs to the development approved under 136595/FH/2023 with the insertion of an additional window within the side elevation and the increased width of the part first floor rear extension which also gives rise to an increased ridge height when viewed from the south of the applicant site.

Amended Plans

Plans were amended from those originally received. The boundaries shown on the block plans have now been altered to reflect the boundary positions within the submitted location plans following discrepancies, a further window added to the side extension to reflect the situation on site, the form of the rear extension changed on the block plan to reflect the situation on site, and further information has been supplied in respect of bin storage.

Planning History

136595/FH/2023-Erection of part single, part two storey side and rear extension and front porch to form additional accommodation.

Approved 25 May 2023.

Consultations & Notification Responses

Local Residents

Local residents were consulted and three responses were received raising the following concerns:

- The development approved under 136595/FH/2023 was under construction at the site, however the construction on site did not reflect the approved plans within the previous application in terms of form, the number of windows within the side elevation of the proposal and the retained gap between the proposed extension and shared boundary to the south of the applicant site and bin store arrangements.
- Civil disputes in relation to boundaries and land ownership.
- Concern regarding a number of mechanical extract vents to be installed within the proposed extension- concern this would lead to additional noise and smells to the detriment of residential amenity.
- The development as partially constructed leads to an overbearing and visually dominant feature for neighbouring properties and alters the outlook for neighbouring properties.

A further response was received during the re-notification period, however no new comments beyond those listed above were outlined.

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 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 development application is for the erection of part single, part two storey rear extension, two storey side extension and front porch to form additional accommodation. This is considered acceptable in principle as many people prefer to alter or extend homes, rather than move, to meet the changing residential needs of families. The current application reflects the partially constructed development on the site, as it appears the applicant started to build the development before gaining consent. The planning approval of the previous application 136595/FH/2023 has not been implemented. As such this application seeks to regularise the unlawful works on the site. Consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

The side extension would align with the primary elevation of the host property and have a roof which maintains the ridge height of the existing property. Neighbour objections raised concerns that the boundaries shown on the block plan did not truly reflect boundaries as shown on the location plan and the block plan was updated accordingly. As a result, the proposal appears to be closer to the shared boundary with no.60 Edilom Road and no.58 Edilom Road than was previously shown. The amendment to the block plan is considered to overcome this issue and any further disputes in relation to the boundaries would be considered a civil rather than planning matter.

Given the proposal is one of only two houses on the eastern side of the street, there is no opportunity for a terracing impact to occur, given the relationship with no.60 Edilom Road's rear garden and detached garage. The proposal has the same width as the previously approved scheme and as such the built form is considered to be no closer to the neighbours to the south than previously approved. For this reason and given the approximate 13 metre separation at the closest point from the rear building lines of the neighbouring properties, the extension is not considered to create an overbearing feature to no.60 and 58 Edilom Road. Whilst it is acknowledged the extension changes the outlook of the neighbouring properties, the distance from the rear building lines to the proposal is not considered to create an overbearing feature. Due to the increased width of the part two storey extension, this has resulted in the ridge height of the extension increasing and the increased ridge height is visible for the neighbours of no.58 and no.60 Edilom Road. Given the roof ridge slopes away from the host property and given the additional height of the roof would be minimal, it is not considered this element would create an unacceptable and overbearing feature, to the detriment of visual amenity.

On site four windows were shown, inserted within the side elevation of the proposal facing onto the properties along Edilom Road. Three windows were already approved on this elevation during the previous application. The additional window at first floor level therefore needs to be considered. Given a condition would be placed on any approval granted for the window to be obscure glazed, the additional window is not considered to cause any additional harm than the previously approved windows. The windows to be inserted within the rear elevation of the proposal are not considered to create an adverse impact to the neighbouring properties along Edilom Road given the obscure angle of the windows in relation to the neighbour's rear amenity space. A condition shall be attached to any approval granted restricting the further insertion of windows or doors beyond those approved by this consent.

An additional 3.7 metres of built form would be sited against the shared boundary with the immediate neighbour, no.4 Rothesay Road. However, due to the neighbour's part single storey extension, the neighbour would not feel the additional built form given both extensions at ground floor level would align with one another.

The width of the part two storey side extension has increased from the previous approval of 136595/FH/2023 and as such, built form at first floor level would come closer to the shared boundary with no.4 Rothesay Road than is previously the case. Whilst previously a set in of over 6 metres was achieved, there would now be a 4 metre gap between the development at first floor level and the shared boundary with no.4. However, a 4 metre gap is still considered adequate and the form of the development would mirror the neighbour's extension seen on site. Due to the length and existing relationship, the proposal is not considered to create an overbearing feature for the adjoining neighbour. Although the applicant site would be due south of the adjoining neighbour, given the neighbour's existing built form and given the extension within this application would not come forwards than the projection of the neighbour's, any loss of light/ overshadowing is not considered significant to warrant a refusal on the scheme. Any opportunities for overlooking into the neighbour's property would be limited given the 4 metre set in of built form.

Built form and fenestration would be sited closer to the shared boundary with no.9 Plymtree Close than existing. However, given the approximate 24 metre distance between the proposal and the rear building line of the neighbour to the east, no adverse implications are considered to be caused for this neighbour.

One neighbour raised concerns regarding a number of mechanical extract vents to be installed within the proposed extension which could lead to additional noise and smells to the detriment of residential amenity. This piece of development relates to an extractor fan for the proposed kitchen and is considered an appropriate feature to have for a kitchen's ventilation. This piece of

development would not be considered substantial development and so would not be considered within the consideration of the application.

As the front porch would be extremely small and only have a 1.2 metre projection, it would not give rise to any adverse implications to the neighbouring properties.

Overall, it is not considered that the new scheme presented would differ significantly from the impacts created by the previously approved application 136595/FH/2023. Any potential adverse harm would be mitigated with the conditioning of the windows within the side elevation to be marked as being obscure glazed.

Design and Appearance

The two storey side extension at the point closest to the shared boundary with no.60 Edilom Road would be sited 0.7 metres from the shared boundary. The two storey side extension would sit flush with the host property and the roof level would continue that of the host property's. Given the position of the applicant site which is only one of two properties along the east side of Rothesay Road and given the neighbour to the south sits and faces towards Edilom Road, it is not considered the proposal could give rise to a terracing impact due to its unique position. Further, the extension would replicate the two storey extension as approved at the adjoining neighbour no.4 Rothesay Road (see planning reference: 107548/FH/2014/N1) and is considered a sympathetic addition to the streetscene. For these reasons, the proposal would be considered pursuant to Policy DC1.4 of the UDP.

The rearward projection of the rear extension would be 3.7 metres at both levels. This would slightly exceed the maximum projection as specified through Policy DC1.3 of the UDP. However, given permitted development rights including the Larger Homes Extension route, the additional 0.5 metres beyond the policy requirement is considered acceptable given the decent amenity space afforded to the property. Further, the form of the extension at first floor level set away from the shared boundary with the adjoining neighbour is considered appropriate to mitigate any harm in terms of amenity. As such, the form and scale of the rear extension is considered acceptable in form, pursuant to Policy DC1.3 of the UDP.

A similar front porch could be achieved through the route of Permitted Development, would reflect similar structures in the immediate area and is considered acceptable in size and form. This is pursuant to Policy DC1 of the UDP.

In terms of materials, the application form indicates that the materials would match those within the host property. As such, the materials are considered acceptable and a materials condition to that effect would be attached to any consent granted. However, whilst undertaking the site visit it is clear the two storey extension built relates poorly to the main dwellinghouse in terms of the colouration of bricks. This is not acceptable to the LPA. The agent and applicant agreed to work with the LPA to tint the colouration of the bricks used within the front elevation of the side extension to overcome the adverse visual feature at the property. Given the bricks used for the existing and side elevation are multi coloured brick it is considered to match the multi coloured bricks used in the host property on these two elevations. As such, the LPA are satisfied the brick tint work to the front elevation would be sufficient to overcome the harm. The wording of the condition was supplied to the applicant for consideration and discussed with colleagues in Enforcement. Both parties were happy with the wording of the condition and a condition to this effect would be attached to any approval granted.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered

acceptable.

Bin Storage

The boundaries of the site have been amended during the course of the application and as such, space would not be retained for bins to be stored to the side/ rear of the property. As such an enclosed bin store and details were requested from the agent. Although there was correspondence with the agent, the agent failed to show an enclosed structure. As such, a bin store condition would be attached to any approval granted for a bin store to be agreed at a later date.

Car Parking

Space would still remain for one car to be parked off street as a result of the proposal. This is considered acceptable.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area.

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: Approve

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 positive and proactive manner and issues arising during the course of the application have been overcome. Appropriate conditions have been attached to the approval granted.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- Householder Application Form for Planning Permission for works or extension to a dwelling, stamped as received by the City Council as Local Planning Authority on 27 March 2024.
- Drawing- Proposed- Elevations, stamped as received by the City Council as Local Planning Authority on 15 May 2024.
- Drawing- Proposed- Floor Plans and Block Plan, stamped as received by the City Council as Local Planning Authority on 12 June 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) Before first occupation, all fenestration within the side elevation of the proposal facing Edilom Road as shown on the approved 'Drawing- Proposed- Elevations', stamped as received by the City Council as Local Planning Authority on 15 May 2024, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

5) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

6) a) Within three months of the date of this permission a sample panel of treated brickwork shall be prepared on site and shall be inspected by the Local Planning Authority. For the avoidance of doubt the sample panel shall be on the primary elevation of the two storey side extension adjacent to original brick.

b) Any required changes following the inspection shall then be carried out within a further one Month period and again inspected by the Local Planning Authority; those changes shall continue until the final finish of the sample panel has been inspected and agreed.

c) The agreed final finish shall then be approved in writing by the Local Planning Authority and the remainder of brickwork of the front elevation of the two storey side extension shall then be finished in accordance with the agreed details within a further 12 month period. The finish shall then be retained at all times thereafter.

Reason - In the interests of visual amenity and to protect the character of the local area, pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

7) Notwithstanding the details shown within condition 2 of this approval, prior to the occupation of the development hereby approved, full details of a secure and ventilated bin storage area, including location and any elevations, shall be submitted to the City Council as local planning authority for prior approval in writing.

The bin storage area shall be implemented in accordance with the approved scheme and be in place prior to the first use of the development and shall be so maintained and retained at all times thereafter.

Reason - In the interests of the provision of off-street car parking, and the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

Appendix 1 – List of consultees & neighbours notified

31 Haversham Road, Manchester, M8 4JB
27 Haversham Road, Manchester, M8 4JB
56 Edilom Road, Manchester, M8 4HZ
7 Rothesay Road, Manchester, M8 4JA
3 Rothesay Road, Manchester, M8 4JA
15 Rothesay Road, Manchester, M8 4JA
1 Rothesay Road, Manchester, M8 4JA
29 Haversham Road, Manchester, M8 4JB
25 Haversham Road, Manchester, M8 4JB

17 Rothesay Road, Manchester, M8 4JA
13 Rothesay Road, Manchester, M8 4JA
11 Rothesay Road, Manchester, M8 4JA
60 Edilom Road, Manchester, M8 4HZ
58 Edilom Road, Manchester, M8 4HZ
54 Edilom Road, Manchester, M8 4HZ
9 Plymtree Close, Manchester, M8 4JR
35 Haversham Road, Manchester, M8 4JB
33 Haversham Road, Manchester, M8 4JB
9 Rothesay Road, Manchester, M8 4JA
5 Rothesay Road, Manchester, M8 4JA
4 Rothesay Road, Manchester, M8 4JA

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA