

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139555/FH/2024

Date registered valid: 5 April 2024

Proposal: Erection of a part single, part two storey side and single storey rear extension to provide additional living accommodation.

Address: 153 Smedley Road, Manchester, M8 0RU

Ward(s): Crumpsall Ward

Applicant: Mohammed Aurangzeb

Agent (if any): Subhan Saleem

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

Recommendation: Refuse

Date of recommendation: 31 May 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 10 April 2024

Standard consultations:

Printed: 5 April 2024 Expired: 26 April 2024

Neighbour notifications

Printed: 22 May 2024 Expired: 30 May 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 153 Smedley Road within the north Manchester ward of Crumpsall. The property sits close to the junction of Smedley Road and Smedley Avenue and benefits from a large rear and side amenity space which consists of hardstanding. The property is enclosed by brick walls with composite and black iron detailing and a large gate encloses the private amenity space from the off street parking to the front of the property.

The immediate area is residential in context, with some commercial areas further from the applicant site.

Description of development

The submitted application seeks planning permission for the erection of a part single, part two storey side and single storey rear extension to provide additional living accommodation.

The part single storey side extension would be flush with the host property and have approximate dimensions of Height: 3.5 x Length: 8.6 x Width: 4 metres. The part two storey side extension would be set back from the primary elevation of the host property by 3 metres and have approximate dimensions of Height: 7.2 x Length: 5.6 x Width: 4 metres. The single storey

rear extension would extend the width of the host property and extension and create a garage against the northern boundary of the site. The rear extension beyond the existing rear building line would have approximate dimensions of Height: 3.7 x Length: 2 x Width: 9.7 metres. The garage would have a flat roof, be attached to the proposed extensions and have approximate dimensions of Height: 3 x Length: 5.6 x Width: 3.2 metres.

The proposal would involve the insertion of two windows and a garage door within the front elevation, one window within the side elevation and one window and a set of doors within the rear elevations. Five rooflights would be inserted across the extensions.

Materials to be used throughout the proposal would include:

- brickwork to match existing
- roof tiles to match existing
- PVC window to match existing
- glazed bifold door
- glazed rooflights
- garage shutter door

Negotiations during the course of the application

Concern was raised to the agent during the course of the application that the scheme could not be supported by the LPA.

The extent of the single storey rear extension would be considered to create, due to its projection, an overbearing feature.

Concern was also raised in relation to the proposed two storey side extension, as by reason of its scale, sideward projection, height and siting in such a prominent location, would form an overly dominant and visually obtrusive feature on a corner of Smedley Road/ Smedley Avenue and would project sideways of the established building line of properties along Smedley Avenue.

The agent produced a revised scheme for consideration. The agent reduced the projection of the rear extension to overcome concerns raised. The agent incorporated a 3 metre set back at first floor level of the side extension and created a garage to the northern boundary of the site. However, the revised scheme is not considered to overcome the concerns raised in relation to the side extension. The agent wished for the application to be assessed on the revised scheme and take a refusal to take to the appeals process. Neighbours were re-notified on the amended scheme and additional development to the northern boundary of the site accordingly.

Planning History

129003/FH/2020-Erection of a two storey side extension and single storey rear extension to form additional living accommodation.
Refused 5 February 2021.

127698/FH/2020-Erection of a two storey side extension and single storey rear extension to form additional living accommodation.
Withdrawn 16 December 2000.

Consultations & Notification Responses

Local Residents

Local residents were consulted, and no responses were received.

Environmental Health

Environmental Health were consulted on the application and provided the following comments:

Construction hours:

Construction works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

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

This application seeks planning consent for the erection of a part single, part two storey side and single storey rear extension to provide additional living accommodation. Extending a residential property, via extensions including a two-storey side extension, in order to provide additional living accommodation is usually acceptable in principle. However, in these circumstances, the extension would be situated on a corner plot, 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

Whilst the proposed single storey rear extension is considered acceptable given its limited projection, as is the proposed single storey garage, the two storey side extension is considered to give rise to adverse amenity implications which have not been mitigated from the revised scheme presented by the agent.

The property sits at the corner of Smedley Road and Smedley Avenue and despite high boundary treatment to the front of the property is largely open to the side and rear boundaries. Smedley Avenue consists of a small cul-de-sac with three pairs of semi-detached properties facing onto Smedley Avenue. Two properties including the applicant property and no.155 Smedley Avenue act as borders to the Avenue from the main road. Unlike other cul-de-sacs to the south of the applicant site, Smedley Avenue is pedestrian access only and does not allow

for any vehicular movements. As such, the applicant site is highly constrained given the relationship with properties on Smedley Avenue.

Due to the placement of fenestration within the side extension, it is acknowledged the proposal would not give rise to any adverse privacy implications to the surrounding neighbours. Although a window would be inserted within the side elevation of the extension on the ground floor facing in the direction of no.155, plans indicate the window would be obscure glazed and so would not give rise to any adverse privacy implications, if the application was to be recommended for approval. Although no.155 Smedley Avenue would experience additional built form, given the separation of the neighbouring property and applicant site from Smedley Avenue, any overbearing to this neighbour would not be considered significant given the extension would be to the side.

However, the proposal's impact upon the overall visual amenity of the area is unacceptable due to its siting on a corner plot and projection beyond existing building lines. Thus, when contextualised with the surrounding streets, the proposal is considered to be visually incongruous. The proposed side extension, due to its size, position, design and projection beyond the building line along Smedley Avenue, 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 side elevation of the house would project significantly beyond the front building line along Smedley Avenue leaving a narrower gap between the side elevation of the proposed development and the street. This would result in an overbearing feature for the properties within Smedley Avenue from their front amenity space and from the streetscene, and would give rise to a cramped relationship, exaggerated by the closed nature of Smedley Avenue as existing. The proposal therefore conflicts with Core Strategy policies DM1 and EN1.

Design and Appearance

The projection of the rear extension has been reduced during the course of the application and given the limited projection of 2 metres and the relationship with the neighbour to the rear which sits at a more elevated position and is less likely to be adversely impacted by the proposal, the design and appearance of the rear extension is considered acceptable.

Further, the garage given it is a single storey extension and given the fallback position of permitted development rights including outbuildings, is considered acceptable in size and form.

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 two storey side extension is not acceptable. The agent during the course of the application amended the form of the two storey side extension to have a significant setback of 3 metres from the primary elevation of the extension at first floor level. As such, the proposal could be considered pursuant to Policy DC1.4 of the UPD given the 3.3 metre distance from the boundary to the north and significant setback. However, the increased set back at first floor level does not mitigate the harm felt by the residents of Smedley Avenue, nor the adverse impact to the building lines of Smedley Road/ Smedley Avenue.

It is believed that the siting, scale and massing of the proposed two-storey side extension would have a harmful impact upon the street scene. This is because the 4 metre sideward projection would extend significantly beyond the principal building lines already present along Smedley Avenue and, thus, would be incongruous with the property's surroundings, negatively impacting

the appearance of the area. Further, within the immediate area any development on the corner of a similar cul-de-sac has been limited to single storey only and as such, the development would be out of keeping with the style of development in the surrounding area. It is considered that to permit the existing building line to be exceeded along Smedley Avenue 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.

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 policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Refuse

Article 35 Declaration

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. Officers have worked with the agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Significant issues have arisen during the consideration of this application 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 part single, part two storey side extension, would by reason of its scale, sideward projection, height and siting in such a prominent location, would form an overly dominant and visually obtrusive feature on a corner of Smedley Road/ Smedley Avenue and would project sideways of the established building line of properties along Smedley Avenue. This would affect views along the street from the properties to the rear (Smedley Avenue) onto Smedley Road to the detriment of visual amenity and as such is contrary to saved policies DC1.1, DC1.2, DC1.3 and Policy DC1.4 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document, policy JP- S1 within Places for Everyone and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

155 Smedley Road, Manchester, M8 0RU
9 Smedley Avenue, Manchester, M8 0LN
3 Smedley Avenue, Manchester, M8 0LN
7 Smedley Avenue, Manchester, M8 0LN
151 Smedley Road, Manchester, M8 0RS
11 Smedley Avenue, Manchester, M8 0LN
5 Smedley Avenue, Manchester, M8 0LN
1 Smedley Avenue, Manchester, M8 0LN

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA