MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140013/FH/2024
Date registered valid:	22 May 2024
Proposal:	Erection of front porch, part single, part two storey side and part single/part two storey rear extensions
Address:	2 Heathbank Road, Manchester, M9 0NA
Ward(s):	Higher Blackley Ward
Applicant:	Mr Zubair Hussain
Agent (if any):	Subhan Saleem
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**16 July 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 7 June 2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 23 May 2024 Expired: 14 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 Heathbank Road within the north Manchester ward of Higher Blackley. The application site relates to a semi-detached, red brick, two storey dwellinghouse sitting close to the junction of Heathbank Road and Cecil Road. Amenity space for the dwellinghouse consists of an off street driveway to the front of the property and further amenity space to the side and rear taking the form of hardstanding. The property benefits from a single storey conservatory to the side of the dwellinghouse. High timber fences enclose the site along Cecil Road with vehicular access available from Cecil Road into the rear of the site.

The surrounding streets are residential in nature.

Description of development

The submitted application seeks planning permission for the erection of front porch, part single, part two storey side and part single/part two storey rear extensions.

The front porch would have approximate dimensions of Height: 3 x Length: 1.5 x Width: 2.5 metres.

The part single storey side extension would extend the length of the applicant property and have approximate dimensions of Height: 3 x Length: 6.4 x Width: 4 metres. The existing conservatory to the side of the property would be removed as a result of the proposal. The part two storey side extension would extend the length of the host property but would have a set back from the primary elevation of the host property at first floor level of 1 metre.

The part single storey rear extension would extend the width of the host property and side extension with approximate dimensions of Height: 3.4 x Length: 4 x Width: 11 metres. The part two storey rear extension would be set away from the shared boundary by 4.6 metres and have approximate dimensions of Height: 6.7 x Length: 4 x Width: 6.4 metres.

The proposal would involve the insertion of a door and two windows within the front elevation, two windows in the side elevation, three windows and two sets of doors in the rear elevation and the insertion of two roof lights within the part single storey rear extension.

Materials to be used throughout the proposal would involve:
-brickwork to match
-roof tiles to match
-PVC windows
-glazed bi-fold doors
-roof lights.

Negotiations during the Course of the Application

The initial plans submitted shows a front extension which wrapped into the proposed side extension. This was considered unacceptable due to the adverse impact on the property's building line and being incongruous with the style of development in the immediate area. This element of development was subsequently removed from the plans, considered to overcome harm raised.

Further information was provided in respect of boundary treatment, bin storage and off-street parking provision.

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

Planning History

100162/FH/2012/N1-Retrospective Planning Application for the retention of boundary fencing and a gate.
Approved 29 October 2012.

Consultations & Notification Responses

Local Residents

Local residents were consulted, and no responses were received.

Issues

POLICY

The National Planning Policy Framework (December 2023)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
a) an economic objective
b) a social objective and
c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:
i. Chapter 8. Promoting healthy and safe communities.
ii. Chapter 12. Achieving well-designed and beautiful places.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Of relevance are Policy DM1 (Development Management), Policy SP1 (Spatial Principles) and Policy EN1 (Design Principles and Strategic Character Areas).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:
a. The general character of the property;
b. The effect upon the amenity of the neighbouring occupiers;
c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
d. The overall appearance of the proposal in the a street scene;
e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:
a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
b. They do not create undue loss of sunlight, daylight or privacy;
c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.

d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:
a. rearward extensions greater than 3.65m (12 ft) in length;
b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
c. 2-storey extensions to terraced properties which occupy the full width of the house;
d. flat roofed extensions to bungalows;
e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:
a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.
As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

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

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABE as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The following policies are relevant:
i.JP- S1- Sustainable development

ISSUES

Principle of Development

The submitted development application is for the erection of front porch, part single, part two storey side and part single/part two storey rear extensions. This is considered acceptable in principle as many people prefer to alter and adapt homes rather than move, to meet the changing residential needs of families. The revised scheme is considered to overcome concerns raised during the course of the application; however, 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 dwelling house, it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

Front porch:
The front porch would create a new entrance to the applicant property and would create a small addition to the front amenity space. Due to the dense hedging within the front amenity space of the adjoining semi (no.4 Heathbank Road) the proposal is not considered to create an overbearing feature for the adjoining semi. No windows would be inserted in the front porch in the direction of the neighbour and so no adverse privacy implications would occur. A condition would be placed on any approval granted restricting the further insertion of windows and doors beyond those approved within this consent.

Part single, part two storey side and part single/part two storey rear extensions:
The applicant property sits on a corner plot close to the junction of Heathbank Road and Cecil Road. As such, there is no immediate neighbour to the east to be impacted by the built form to the side of the property. Two windows would be inserted in the side elevation of the side extension facing into the direction of properties to the east side of Cecil Road. However, as the windows relate to bathrooms a condition would be placed on any approval granted ensuring the windows are obscure glazed. This is considered acceptable to overcome any adverse privacy implication to the neighbours and for the applicant. Due to the distance between the side extension and the front amenity space of properties to the east of Cecil Road, the built form is not considered to create an overbearing feature to the detriment of visual amenity.

The adjoining semi, no.4 Heathbank Road, would experience built form at ground and first floor level. At ground floor level, the proposal would have a projection of 4 metres against the shared boundary. Given both the applicant and neighbouring property benefit from a decent sized rear garden, the proposal at 4 metres is not considered to create an overbearing feature. At ground floor level, any loss of light would be considered minimal. At first floor level, the extension to the side and rear would have a projection of 4 metres but would be set approximately 4.6 metres from the shared boundary with no.4 Heathbank Road. This distance is considered adequate to ensure the immediate neighbour is not negatively impacted by a tunnelling effect to the first floor rear windows and mitigate against creating an overbearing feature for the neighbour. This set in is also considered to reduce any potential harm to loss of light to the adjoining semi due to the orientation of the properties within the streetscene. At the time of the site visit, the adjoining semi benefitted from very dense trees and hedging to the rear garden, this is likely to restrict the levels of light coming into the neighbour’s rear amenity space. No adverse privacy implications

would occur for the neighbour, given no windows would be inserted in the elevation facing no.4 Heathbank Road.

Adequate space- an approximate 22 metre distance- would be retained between the rear building line of the proposal and the rear of properties to the rear along Victoria Avenue. As such, the windows to be inserted to the rear of the proposal would not give rise to any adverse implications including adverse privacy implications to the surrounding residents.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity, pursuant to policy DC1 of the UDP, policies DM1 and SP1 within the Core Strategy, policy JP-S1 of Places for Everyone and chapter 8 and 12 within the NPPF.

Design and Appearance

Front porch:
The front porch would create a small addition to the front of the property with a projection of 1.5 metres. Permitted Development rights exist for the installation of a front porch without requiring consent, however the proposed would exceed the area restriction by 0.75 metres. The addition 0.75 metres beyond permitted development is considered acceptable given the spacious nature of the front amenity space and the proposal is considered appropriate in size in relation to its context. As such, this element is considered pursuant to Policy DC1 of the UDP.

Part single, part two storey side extension:
In regard to the side extension, DC1.4 of the UDP requires the creation of domestic extensions which are subservient to the main house, do not cause a terracing effect and must provide a 1.53 metre gap to the shared boundary. In order to avoid the terracing effect and to ensure that subservience to the original dwellinghouse is achieved. In this instance, the first floor of the side extension has a setback of 1 metre and is set in from the eastern elevation of the site by 1.9 metres at the closest point. It is noted that as the property sits close to a junction, it is not possible for terracing to occur and as such the 1 metre set back is considered adequate to ensure a sense of subserviency at the site. As such, the proposal is considered pursuant to Policy DC1.4 of the UDP.

It is noted that the applicant site sits on the junction of Heathbank Road/ Cecil Road. Given the ranging lines of built form within the immediate area, the proposal is not considered to disrupt the rhythm of built form and patterns of development in the immediate area.

Part single/part two storey rear extension:
The rear extension at the largest point would have a projection of 4 metres. It is acknowledged that the projection would exceed Policy DC1.3 of the UDP. However, it is noted Permitted Development rights, including the Larger Homes Extension Route allow extensions up to 6 metres in size for semi-detached and attached properties. As such, the projection of 4 metres for this property is considered acceptable given the PD fallback and the spacious plot of the applicant site. The form of development has been designed to mitigate harm to the neighbouring property at first floor level by being set in substantially from the adjoining semi. As such, the form and scale of the side extension is considered acceptable, pursuant to Policy DC1 of the UDP.

Materials:
Materials to be used throughout the proposal would involve:
-brickwork to match
-roof tiles to match
-PVC window

-glazed bi-fold doors
-roof lights.
The materials in most cases would match those used within the host property and therefore be considered sympathetic, pursuant to Policy DC1 in terms of materiality. The materials are considered acceptable and all materials would be conditioned accordingly within 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.

Car Parking

Parking spaces would still be available for the residents to park off street to the front of the property and within the proposed site plan additional parking is indicated within the rear amenity space. As such, no changes to car parking would occur as a result of the proposal and is therefore welcomed.

Bin Storage

The proposed site plan indicates bins would be stored within the side amenity space as a result of the proposal, and is therefore considered acceptable.

Conclusion

The proposal is not considered to give rise to any adverse implications in terms of amenity or design/appearance terms. The revised scheme overcomes concern in relation to the front extension adversely impacting building lines. As such, the proposal is acceptable and is considered pursuant to Policy DC1 of the UDP and Core Strategies SP1 and DM1.

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: 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, a revised plan overcoming concerns has been received and appropriate conditions have been attached to any 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:
-Application Form, stamped as received by the City Council as Local Planning Authority on 13 May 2024.
-Drawing- Proposed- Floor Plans, numbered Sheet 5 Rev B, stamped as received by the City Council as Local Planning Authority on 17 June 2024.
-Drawing- Proposed- Elevations, numbered Sheet 6 Rev B, stamped as received by the City Council as Local Planning Authority on 17 June 2024.
-Drawing- Site Plan- Existing and Proposed, numbered Sheet 7, stamped as received by the City Council as Local Planning Authority on 25 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) 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.

4) Before first occupation, the two bathroom windows within the eastern elevation of the proposal as shown on the approved ‘Drawing- Proposed- Elevations, numbered Sheet 6 Rev B’, stamped as received by the City Council as Local Planning Authority on 17 June 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.

In addition, the windows within this elevation shall be top opening only 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.

5) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the ‘Drawing- Proposed- Elevations, numbered Sheet 6 Rev B,’ specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with 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.

Appendix 1 – List of consultees & neighbours notified

129 Victoria Avenue, Blackley, Manchester, M9 0RB
123 Victoria Avenue, Blackley, Manchester, M9 0RB
4 Heathbank Road, Manchester, M9 0NA
127 Victoria Avenue, Blackley, Manchester, M9 0RB
125 Victoria Avenue, Blackley, Manchester, M9 0RB
121 Victoria Avenue, Blackley, Manchester, M9 0RD
70 Cecil Road, Manchester, M9 6RQ
72 Cecil Road, Manchester, M9 6RQ
1 Heathbank Road, Manchester, M9 0WA
63 Cecil Road, Manchester, M9 6RP
68 Cecil Road, Manchester, M9 6RQ
66 Cecil Road, Manchester, M9 6RQ
62 Cecil Road, Manchester, M9 6RQ
64 Cecil Road, Manchester, M9 6RQ

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