

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139159/FH/2024
Date registered valid: 8 February 2024
Proposal: Erection of part single, part two storey side and rear extension, front and rear roof dormers and hip to gable roof alterations
Address: 10 Dobroyd Street, Manchester, M8 5AD
Ward(s): Crumpsall Ward

Applicant: Mr Ahmed
Agent (if any): Mr Subhan Saleem
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 3 April 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 27 February 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 8 February 2024 Expired: 29 February 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 10 Dobroyd Street within the north Manchester ward of Crumpsall. The application site relates to a semi-detached, red brick, two storey dwellinghouse sited on the western side of Dobroyd Street. Whilst the western side of Dobroyd Street is characterised by pairs of semi-detached properties, properties to the east of the street are characterised by terraced properties, older in age. Amenity space to the front of the property is characterised by a paved area and amenity space to the rear is characterised by a grassed garden with some areas of hardstanding.

The surrounding area is residential in nature.

Description of development

The submitted application seeks planning permission for the erection of part single, part two storey side and rear extension, front and rear roof dormers and hip to gable roof alterations.

The part single storey side extension would align with the primary elevation of the host property with approximate dimensions of Height: 3.5 x Length: 7.7 x Width: 2.1 metres. The part two

storey side extension would have a significant set back of 2.7 metres with approximate dimensions of Height: 7.7 x Length: 5 x Width: 2.1 metres.

The part single storey rear extension would extend the width of the side extension and host property with approximate dimensions of Height: 3 x Length: 4.5 x Width: 8.3 metres. The part two storey rear extension would have a staggered rear building line, with a projection of 1.8 metres against no.8 Dobroyd Street and 2.1 metres closest to no.12 Dobroyd Street.

The front roof dormer would have a gable roof formation with approximate dimensions of Height: 1.7 x Length: 2.3 x Width: 3.8 metres. The rear roof dormer would sit within the roof of the host property with approximate dimensions of Height: 2 x Length: 6.3 x Width: 3.8 metres.

The roof of the host property would be altered from a hip to gable formation.

The proposal would involve the insertion of three windows within the front elevation, 6 windows and set of sliding doors within the rear elevation and a roof lantern within the single storey flat roof element of the proposal.

Materials to be used throughout the proposal would include:

- To match existing- brick, roof tiles, PVC windows
- Different to existing- dormer cladding, roof lantern/skylight, glazed bi-fold door.

Negotiations during the course of the application

During the course of the application, concern was raised to the agent that the scheme was not acceptable. This is due to the rear extension being sited against the boundaries with the two immediate neighbouring property giving rise to adverse loss of light and tunnelling implications, as well as an overbearing feature.

In addition, the agent was asked to provide the following further details:

- A correct site setting out plan. The location plan submitted is not reflective of the existing or proposed circumstances.
- Proposed bin store arrangements.
- The cladding material to be used for the dormer windows.

The agent confirmed receipt of the email outlining concerns on 6 March 2024, however no revised scheme or further correspondence was received from the agent during the course of the application. A local Councillor contacted the Section Manager regarding an update for the application. No response was received from the agent following involvement from the Councillor.

Planning History

The current application adds additional built form from the application already approved at the site. This includes changing the form of the rear extension and adding an additional part single, part two storey side extension:

136888/FH/2023- Erection of part single, part two storey rear extension, front and rear roof dormers and hip to gable roof alterations.

Approved 13 June 2023.

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 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

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. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, 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 significant weight in the planning balance.

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

ISSUES

Principle of Development

The submitted application seeks planning permission for the erection of part single, part two storey side and rear extension, front and rear roof dormers and hip to gable roof alterations. The principle of development is not acceptable, as the benefits to the applicant do not outweigh the potential harm in relation to visual/residential amenity and design and appearance. Despite the agent confirming receipt of the email containing the Local Planning Authority's concerns with the application, no revised plans or further correspondence took place with the agent. The agent was advised that if an acceptable revised scheme was not submitted before 22 March 2024, a refusal would be granted on the scheme.

Visual/Residential Amenity

The proposed two storey side extension is not considered to create any harm in terms of visual/residential amenity given the ridge height of this element of the proposal would be lower than the host property, the first floor would have a significant setback of 2.7 metres and no windows would be inserted within the side elevation facing onto the neighbouring property no.12 Dobroyd Street.

Further, the front and rear dormers, in connection with the hip to gable roof conversion would be very similar to the built form approved under the previous planning reference: 136888/FH/2023 and is not considered to give rise to any adverse amenity implications.

However, the proposed ground and first floor rear extension differs from the previous scheme and gives rise to adverse visual/residential amenity impacts. The agent was asked to re-design this element of the scheme; however, a revised scheme was not received.

The rear extension at ground floor level would have a length of 4.5 metres. Whilst the same projection was approved under the previous planning application 136888/FH/2023, the current application extends the width of both the host property and side extension, so resulting in built form closer to no.12 Dobroyd Street than was previously approved.

The part two storey rear extension would have a staggered rear building line, with a projection of 1.8 metres against the shared boundary with no.8 Dobroyd Street and 2.1 metres closest to the shared boundary with no.12 Dobroyd Street. As approved under 136888/FH/2023 the part two storey rear extension had a projection of 2 metres and set 3 metres from no.8 and 2.5 metres from no.12. As such, the current proposal would result in more built form closer to the immediate neighbours than was previously approved.

No.12 Dobroyd Street would feel an additional 4.5 metres rear projection at ground floor level and 2.1 metres at first floor level. The applicant property sits at an elevated topography than no.12 Dobroyd Street and the relationship between the properties along Dobroyd Street and those properties along Limestead Avenue is considered tight, given as existing only a 17 metre distance exists between the rear building line of the host property and properties along Limestead Avenue. Whilst it is acknowledged no.12 would not be impacted by any loss of light/overshadowing due to the orientation of the properties within the streetscene, nor any adverse privacy implications since no windows would be placed within the side elevation of the proposal, the proposal is considered overbearing. It is acknowledged that the neighbour benefits from a small 2.5 metre approx. outrigger. However, at ground floor, the neighbour would feel an additional 2 metres. This in addition to the 2.1 metres at first floor level is considered excessively large sited against the boundary, giving rise to an overbearing feature. This is exacerbated by the change in levels at the site and the gable roof formation which would create an overpowering feature and detrimentally impact the neighbour's enjoyment to their rear amenity space. Further, the additional built form is considered to create an adverse tunnelling impact to the neighbour's rear window closest to the shared boundary.

No.8 Dobroyd Street would feel the entirety of built form at ground floor level at the site. However, this level of built form against the boundary has been approved previously under the previous planning application 136888/FH/2023. However, the current application seeks a first floor rear projection of 1.8 metres against the boundary. Due to the orientation of properties, this element would give rise to adverse loss of light implications and give rise to a tunnelling impact against the neighbour's rear window closest to the shared boundary. Given the constrained nature of the site, this amount of built form is also considered overbearing.

Design and Appearance

The proposed two storey side extension is considered pursuant with Policy DC1.4 of the UDP and is considered a subservient feature within the streetscene due to the decent set back at first floor level of 2.7 metres.

The front and rear dormers, in connection with the hip to gable roof conversion would be very similar to the built form approved under the previous planning reference: 136888/FH/2023 and are mainly considered acceptable in design and appearance. However, further information was required in relation to the cladding to be used on the front and rear dormers. This was requested by the agent but no information was received. Under planning reference: 136888/FH/2023 materials to match were approved. As the colouration or materials of the

dormer cladding was not provided it is difficult to fully assess the impact of the dormers in terms of design and appearance. This is especially important given the front dormer which would be visible and prominent within the streetscene.

In addition, the design and appearance of the rear extension is not considered acceptable. The part first floor rear extension against the shared boundary with no.8 Dobroyd Street would have a flat roof and is therefore considered contrary to Policy DC1.3 of the UDP which states two storey flat roof rear extensions are unacceptable. In addition, the gable roof element of the first floor element closest to no.12 Dobroyd Street would be considered to increase negative impacts to the neighbour in terms of overbearing and therefore be considered bulky in form and design, contrary to Policy DC1.2 of the UDP. The materials to be used for the rear extension are listed within the report previously and are considered acceptable.

Bin storage details were also requested from the agent during the course of the application; however, no details were received. However, it is acknowledged this is not a reason for refusal and if an approval was granted on the scheme a condition requesting further bin store details would be attached to any approval granted.

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. In this instance officers have

worked with the applicant in a positive and proactive manner, but a revised scheme which overcame concerns raised was not received.

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

- 1) The proposed part single, part two storey rear extension, by reason of its projection, scale, height and massing, in close proximity to the common boundary with the adjoining properties, no.8 and no.12 Dobroyd Street, would give rise to an overbearing, overly dominant and tunnelling impact to the two properties. Further, the rear extension at first floor level would give rise to undue overshadowing and loss of light to no.8 Dobroyd Street, to the detriment of the amenity that the adjoining occupants could reasonably expect to enjoy. As such the proposal is contrary to the City Council's Planning Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD, policy JP- S1 of Places for Everyone and the National Planning Policy Framework.
- 2) The proposed part single, part two storey rear extension, by reason of its scale, design and relationship to the neighbouring property, no.8 and no.12 Dobroyd Street, and surrounding properties form an overly bulky and visually obtrusive feature, which is out of character with, and fails to contribute positively to, the local area. The proposal would therefore have an unduly harmful impact in relation to design and appearance, which is contrary to the City Council's Planning Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD, policy JP- S1 of Places for Everyone and the National Planning Policy Framework.
- 3) The applicant has failed to provide sufficient details to fully assess the proposal, in relation to the dormer cladding to be used for both the front and rear dormers. Samples and specifications of the dormer cladding to be used on all external elevations of the proposed dormer should be provided for consideration.

The applicant has failed to provide details relating to the design of the proposed dormers. This is to ensure the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

8 Dobroyd Street, Manchester, M8 5AD
21 Dobroyd Street, Manchester, M8 5AD
10 Limestead Avenue, Manchester, M8 5AA
25 Dobroyd Street, Manchester, M8 5AD
23 Dobroyd Street, Manchester, M8 5AD
14 Dobroyd Street, Manchester, M8 5AD
8 Limestead Avenue, Manchester, M8 5AA
6 Limestead Avenue, Manchester, M8 5AA
27 Dobroyd Street, Manchester, M8 5AD
12 Dobroyd Street, Manchester, M8 5AD

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