

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139601/FH/2024

Date registered valid: 16 April 2024

Proposal: Erection of first floor side extension to form additional living accommodation.

Address: 53 Aldermoor Close, Manchester, M11 1GF

Ward(s): Clayton & Openshaw Ward

Applicant: Mrs Okwubuasi

Agent (if any): Mr Craig Ronson Ronson Building Design Ltd

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 4 June 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 15 May 2024

Standard consultations:

Printed: 23 April 2024 Expired: 15 May 2024

Neighbour notifications

Printed: 23 April 2024 Expired: 15 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 site / building / area

The application relates to a pitched roof, modern, 2-storey, end-terrace dwellinghouse set in a short row of 4 houses. The application site is within a residential housing estate configured around a series of cul-de-sacs and accessed from Louisa Street. A 20-mph speed restriction is operational across the surrounding residential streets.

The existing dwellinghouse benefits from amenity space to the front and rear only. The existing front amenity space serves as a combined driveway and bin storage with no defined front boundary treatment. There is an existing rear conservatory, including a single storey side extension, measuring (approximately 3.2 metres wide x 7.2 metres deep, whilst maintaining a set-back of approximately 244mm from the front building line of the original dwellinghouse, and whilst being stepped in approximately 201mm from the common boundary along the side elevation).

There is defined boundary treatment along the side and rear perimeter comprising of timber frame panel fencing, approximately 1.8 metres high. There is a shared access and driveways running along the side boundary of the application site which serves the occupiers nos. 55, 57, and 59 Aldermoor Close. Due to this pre-existing arrangement with these houses, the existing separation distance along the ground floor is approximately 10.8 metres, and approximately

13.9 metres along the first floor. In addition, the host building incorporates a gable elevation with a pitched roof with a ridge line running from north to south and therefore there is the potential for overshadowing during most day light hours.

Site Planning History

- 072489/FH/2004/N2 - Retrospective Application for the erection of a single storey conservatory at rear of house - APPROVED, August 2004.
- No pre-application advice was sought from the local planning authority in relation to this application.

Description of development

Consent is sought for the erection of a first floor side extension to form additional living accommodation.

The proposal would be sited above the existing single storey side extension and along the common shared boundary with the shared access and driveways serving the occupiers nos. 55, 57, and 59 Aldermoor Close, whilst being stepped in approximately 201mm to leave a small gap from this boundary. It would also be set-back of approximately 244mm from the front building line of the original dwellinghouse, whilst being flush with the rear building line. It would measure approximately (7213mm deep x 3202mm wide) with the proposed roof ridge flush with the existing roof ridge. It would incorporate windows along the first floor front and rear elevations. It is intended to use materials matching those of the existing house.

Consultations & Notification Responses

1. Local residents

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

2. Environmental Health

Environmental Health officers recommend the following informative:

Contaminated Land Watching Brief - In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and call Contact Manchester on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

POLICY

The following guidance, policy and legislation are considered to be relevant to the proposed development.

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

2. The National Planning Policy Framework (NPPF), (2021) -

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

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

- Chapter 12: Achieving well-designed places.

3. Places for Everyone (2024):

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

4. Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012.

It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

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

- Policy DM1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)

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

- Saved Policy DC1 for Residential Extensions.

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

- Chapter 2: Design

Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals.

ISSUES

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

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

Principle

The principle of extending one's home is generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property, or upon the visual and residential amenity of neighbouring occupiers. In this instance however, the principle of the proposal is considered unacceptable by virtue of the resultant overbearing and massing impacts. Furthermore the proposal is considered to give rise to a visually intrusive built form with resultant impacts to the outlook from the immediate neighbouring properties along the side boundary and to the streetscene. It is therefore believed that there are factors of sufficient weight that would warrant the refusal of this application.

Residential and Visual Amenity

Having assessed the proposal, and on balance, the proposal is deemed to conflict with saved policy DC1 of the UDP, and policies DM1 and SP1 of the Core Strategy as well as the general requirements set out under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

As previously stated, there is an existing side extension at the host site; beyond which is a shared access and driveways running along the side boundary of the application site which serve the occupiers nos. 55, 57, and 59 Aldermoor Close. Due to the existing arrangement with these houses, the existing separation distance along the ground floor is approximately 10.8 metres, and approximately 13.9 metres along the first floor. In addition, the host building incorporates a gable elevation with a pitched roof with a ridge line running from north to south, and therefore, there is the potential for overshadowing during day light hours.

Moreover, whilst the principle of a proposed first floor side extension is considered to be acceptable; in this instance, subservience has not been sufficiently demonstrated. The existing dwellinghouse is approximately 5072mm wide, the host dwelling has an existing single storey side extension, measuring approximately 3202mm wide; therefore it is considered that by introducing built form along the first floor, particularly in this location, and in light of the existing contextual relationship along the side boundary, the cumulative impact of the combined side extension, with a width of more than half the width of the original dwellinghouse, would create an overly large appearance along the street scene. This is further exacerbated by the design of the proposed roof ridge to appear as one seamless dwellinghouse, thereby giving rise to visual terms to a structure which would not be seen as subservient to the original dwellinghouse. For these reasons, the proposal is considered to be contrary to saved UDP policy DC1.1 d), DC1.2 a); policy DM1, SP1, and EN1 of the Core Strategy; and the guidance set out in the Guide to Development in Manchester Supplementary Planning Document.

Concerns have been expressed to the planning agent regarding the submitted plan for the proposed first floor extension and the relationship with the immediate neighbouring houses.

Officers have communicated their concerns about this proposal during the course of the planning application, but these concerns have not been overcome and several requests were made to the agent to ascertain how they wished to mitigate the above mentioned impacts; however, in this instance, a solution that was mutually satisfactory could not be reached and ultimately, following several requests, the agent instructed the planning officer to determine the application on the basis of the information available, (Correspondence from agent dated, 03/06/2024). Therefore, the application has been recommended for refusal in this instance.

Conclusion

In this instance, it is considered the proposal does not sufficiently accord with the principles of the policy documents outlined above. Although the proposed development would allow the adaptation of the existing house to meet changing residential needs, on balance, it is considered that the proposed resultant overall scale of built form in the location proposed and resultant relationship with the immediate neighbouring houses; specifically, the occupiers no. 57 Aldermoor Close, the resultant separation distance along the first floor side boundary, combined with the proposed overbearing massing impact and visually intrusive outlook along the street scene, it is therefore considered that the proposed development does not respond positively to The National Planning Policy Framework (2021) chapter 12; policies DM1, SP1, EN1 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) and cannot be approved due to its conflict with the principles set out under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The proposal, therefore, cannot be supported by the Local Planning Authority.

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

In assessing the merits of this planning application, officers have sought to work with the agent in a positive and proactive manner in seeking solutions to any problems arising during the course of the application, in the case of this particular application no pre-application advice was sought before the application was submitted. The proposal is clearly contrary to the provisions of the Development Plan, and a solution that was satisfactory to both the Local Planning Authority and the agent could not be reached.

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

1) The first floor side extension, by reason of its siting , massing and footprint, would be positioned in a prominent location in close proximity to back of footpath, which would result in an overbearing and visually oppressive features in terms of outlook from the neighbouring properties contrary to the provisions of policies SP1, DM1 and EN1 of The Manchester Core Strategy Development Plan Document (2012); and saved policy DC1 of the Unitary Development Plan (1995).

2) The proposed extension, by reason of its design and scale would create built form that would not be seen as subservient to the main house and would as a consequence cause harmful visual impacts to the character of the area. The proposal is therefore contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies EN1, SP1 and DM1 of the Core Strategy for Manchester and National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

61 Aldermoor Close, Manchester, M11 1GF
51 Aldermoor Close, Manchester, M11 1GF
41 Aldermoor Close, Manchester, M11 1GF
20 Brade Close, Manchester, M11 2ZN
59 Aldermoor Close, Manchester, M11 1GF
42 Nicholas Owen Close, Manchester, M11 2DR
55 Aldermoor Close, Manchester, M11 1GF
57 Aldermoor Close, Manchester, M11 1GF
49 Aldermoor Close, Manchester, M11 1GF

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA