

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139249/FH/2024
Date registered valid: 13 February 2024
Proposal: Erection of part single, part two storey side and rear extension and rear roof dormer
Address: 28 Belhaven Road, Manchester, M8 4NR
Ward(s): Crumpsall Ward

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

Recommendation: Approve
Date of recommendation: 9 April 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 6 March 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 4 March 2024 Expired: 25 March 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 28 Belhaven Road within the ward of Crumpsall in north Manchester. The property relates to a red brick, semi-detached, two storey dwellinghouse with gable roof formation. Amenity space to the front of the property relates to a paved driveway. Amenity space to the rear is accessed along the side of the property and space to the rear consists of a grassed garden and paved patio. The property benefits from a single storey rear extension spanning the width of the property, however no planning history can be found for this element of works.

The surrounding context 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 and rear roof dormer.

The part single storey side extension would sit flush with the primary elevation of the host property and have approximate dimensions of Height: 3.6 x Length: 8.3 x Width: 1.9 metres.

The part two storey side extension would have a setback of 1.5 metres, with approximate dimensions of Height: 7.2 x Length: 6.7 x Width: 1.9 metres.

The part single storey rear extension would wrap into the proposed side extension, would be set away from the shared boundary with no.30 Belhaven Road by 3 metres, with approximate dimensions at the largest point of Height: 2.7 x Length: 6 x Width: 5 metres. The part two storey rear extension would sit centrally above the proposed ground floor element, sitting away from both of the neighbouring boundaries, with approximate dimensions of Height: 6.8 x Length: 3.8 x Width: 3.6 metres.

The rear roof dormer would sit within the roof of the host property only, with approximate dimensions of Height: 2 x Length: 5.7 x Depth: 4 metres and a volume of 22.8 cubic metres.

The proposal would involve the insertion of two windows within the front elevation, two skylights within the front roof plane, and four windows and two sets of doors within the rear elevation.

Materials to be used throughout the proposal would involve:

- facing brickwork (to match existing)
- roof tiles (to match existing)
- PVC windows (to match existing)
- Hardie fibre cement cladding (anthracite grey) for proposed dormer (different to roof of host property)
- Bi-fold doors
- Flat roof system for part single storey rear extension.

Additional information received during the course of the application

During the course of the application, the following information was requested from the agent and received. This information will be reviewed as part of the submission:

- Further material information on the dormer cladding to be used for the proposed rear dormer.
- Bin store information as access to the side or rear of the property would no longer be possible as a result of the built form to the side of the property.

Planning History

The current application is the 4th application at the site in recent years. The current application is sought to overcome the reasons for refusal which were tested at appeal, with the appeal subsequently dismissed, under planning reference: 136535/FH/2023- Erection of part single, part two storey side and rear extension and rear roof dormer to form additional living accommodation.

Refused 15 May 2023.

Dismissed at appeal 1 November 2023.

Other planning applications at the site relate to:

136037/FH/2023- Erection of part single, part two storey side and rear extension and rear roof dormer.

Withdrawn- 13 March 2023.

134073/FH/2022- Erection of part single, part two storey side and rear extension and rear roof dormer.

Withdrawn 31 August 2022.

Consultations & Notification Responses

Local Residents

Local residents were consulted and one objection was received during the course of the application. The following concerns were raised:

- The scale of the proposal is out of scale of the applicant semi-detached property.
- The massing to the rear and rear roof dormer would lead to loss of light/ overshadowing to the adjoining semi.
- The side extension would create a terracing effect to the property and negatively impact the streetscene.

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 development application is for the erection of part single, part two storey side and rear extension and rear roof dormer. This is considered acceptable in principle as many people prefer to alter and extend homes, rather than move, to meet the changing residential needs of families. The current application is sought to overcome the reasons for refusal which were tested at appeal, with the appeal subsequently dismissed, under planning reference: 136535/FH/2023. 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 dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

Part single, part two storey side extension:

The proposed side extension would infill the existing space between the host property's side elevation up to the shared boundary with no.26 Belhaven Road. As such, no.26 Belhaven Road

would experience built form to the side of the property closer than is currently the case. The neighbour benefits from a single storey outbuilding which would not be impacted by any adverse loss of light implications. The neighbour benefits from a window within the first floor of the side elevation. Although the additional built form at two storey level may reduce the level of light to the window, due to the current alignment of the properties, this impact would not be considered overbearing. Further, given the 1.5 metre set back at first floor level, this would help open up the built form to the benefit of no.26 Belhaven Road. No windows would be inserted in the side elevation of the side extension, thus not giving rise to any unacceptable privacy implications as a result of the proposal. A further condition would be placed on any approval granted restricting the further insertion of windows and doors beyond those approved by this consent.

A bathroom would be created within the side extension, with the window looking into the rear garden of the applicant property. This would be conditioned within any approval granted as being obscure glazed, to protect the privacy of the applicant.

Part single, part two storey rear extension:

The additional built form from the side extension would extend beyond the property's existing rear building line, and, as such, continue alongside the shared boundary with no.26 Belhaven Road. The neighbour would therefore experience 6 metres of built form along the boundary at ground floor level. No adverse privacy implications would occur as a result of the proposal as no windows would be inserted in the side elevation. Due to the expansive rear gardens of these properties along Belhaven Road and given the fallback route of Permitted Development, the 6 metre single projection is not considered overbearing. Further, a similar effect could be achieved from an outbuilding. As this neighbour is due south of the applicant property, no adverse implications would occur in terms of loss of light/overshadowing. This neighbour would also feel the impact of the first floor rear extension. However, as bedroom 3 would be sited 1.3 metres off the side boundary, would have a hipped roof formation and given the first floor would only have a projection of 3.8 metres, it is not considered to create an overbearing feature. Again, due to the orientation, this element would not give rise to any loss of light implications to no.26.

The previous application 136535/FH/2023 was refused on the basis of the impact to the residential amenity implications to no.30 Belhaven Road from the single storey rear extension, with the same outcome decided at the appeal stage. The current submission is considered to overcome the issues raised. The current design shows the rear extension set away from the shared boundary with no.30 Belhaven Road by 3 metres and having an additional projection of 3 metres beyond the existing circumstances. This set in is required due to the built form of the neighbouring property whereby their rear extension does not extend the width of the property. Due to the neighbour's L shape rear extension, the set in of the ground floor extension as shown is considered to not give rise to adverse loss of light implications or tunnelling implications to the neighbouring property, as would be the case if the extension was sited against the common boundary with no.30 Belhaven Road. Bedroom 3 is also set in from the shared boundary with no.30 Belhaven Road and is therefore not considered to give rise to adverse loss of light implications nor a tunnelling impact to the neighbour's first floor rear windows.

Rear roof dormer:

The dormer would sit on the roof of the host property and would encompass much of the existing roof. The dormer due to its nature would not give rise to any overbearing or loss of light implications.

A bathroom window would be inserted in the rear elevation of the dormer and would be conditioned as being obscure glazed.

The bedroom 4 window would look into the applicant garden. This is not considered to give rise to adverse privacy implications into the neighbour's garden, given a similar view could be obtained as existing from the applicant's first floor rear window. No properties to the rear would be negatively impacted by the proposal due to the 23 metre distance to the rear boundary line.

The ridge height of the dormer is no higher than the existing and the dormer does not project further than the roof plane. It is considered to be an acceptable addition to the roof of the property, given the Permitted Development rights that exist for roof extensions. As such, the dormer is not considered to be a detrimental and overpowering feature and would not be visible from the streetscene.

Due to the reasons stated above, there are no significant impacts associated in terms of residential or visual amenity.

Design and Appearance

Part single, part two storey 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. The proposal shows a setback of 1.5 metres from the primary elevation and taking into account the canopy from the ground floor, a 2 metre set back is shown. Whilst a 2 metre real set back is preferable, the 1.5 metre set back with canopy to show an increased set back is not considered significant enough to warrant a refusal on the scheme. This is considered acceptable with the lowering of the roof to create a subservient feature at the site and so would not cause a terracing impact. As such, the form of this element is considered acceptable, pursuant to Policy DC1.4 of the UDP.

Part single, part two storey rear extension:

The rear extension is considered acceptable in design and form, given the built form to the rear responds well to the circumstances with the neighbouring property given the set in at ground floor level from the boundary with no.30 and the central set in and reduced projection at first floor level. As such, this element of the proposal is considered pursuant with Policy DC1 of the UDP.

Rear roof dormer:

Permitted Development rights allow rear dormers to be obtained through the route of Permitted Development, and as the dormer has a volume of 22.8 cubic metres, the size would be considered Permitted Development, except the use of contrasting materials.

The dormer is set above eaves level and set below the ridge height of the host property. As such, the form of the dormer is acceptable, pursuant to Policy DC1 of the UDP.

Materials:

Materials to be used throughout the proposal would involve:

- facing brickwork (to match existing)
- roof tiles (to match existing)
- PVC windows (to match existing)
- Hardie fibre cement cladding (anthracite grey) for proposed dormer (different to roof of host property)
- Bi-fold doors
- Flat roof system for part single storey rear extension.

The materials to be used are considered acceptable and would mostly match the host property. Additional information was supplied during the course of the application regarding the Hardie fibre cement cladding (anthracite grey) and a photo provided. Given the private nature of the rear amenity space and the properties to the rear being sited adequate distance away and the dormer not being easily seen from the streetscene, the use of the cladding is considered acceptable in this instance. A materials 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.

Neighbour Objections

Local residents were consulted and one objection was received during the course of the application. The following concerns were raised:

- The scale of the proposal is out of scale of the applicant semi-detached property.
- The massing to the rear and rear roof dormer would lead to loss of light/ overshadowing to the adjoining semi.
- The side extension would create a terracing effect to the property and negatively impact the streetscene.

Whilst it is acknowledged the applicant would benefit from a substantial extension to the side, rear and roof of the applicant site, each of the proposals in turn are considered acceptable to Policy DC1 of the UDP and DM1 and SP1 of the Core Strategy for Manchester, whilst remembering the fall-back position of Permitted Development.

The massing to the rear of the property is considered to mitigate harm to the adjoining semi with the set in at ground floor level and the central first floor element to the rear of the property. The dormer by its nature would not give rise to any loss of light/ overshadowing implications.

Given the set back of 1.5 metres at first floor level of the side extension, the proposal is not considered to create a terracing impact and is considered to retain a sense of openness at the site, pursuant to Policy DC1.4 of the UDP.

As such, the neighbour objections raised are considered to be mitigated by the form of the extension to the side and rear.

Car Parking

No change to car parking arrangements would occur as a result of the proposal.

Bin Storage

As a result of the proposal, it would not be possible for bins to be stored to the side of the property as is currently the case. Details of a timber enclosed bin store to be erected within the front amenity space have been provided during the course of the application and are considered acceptable and would be conditioned accordingly.

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. This design is considered to overcome issues raised under the previous planning applications of 136535/FH/2023, 136037/FH/2023 and 134073/FH/2022.

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. 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:

-Application Form, stamped as received by the City Council as Local Planning Authority on 13 February 2024.

-Drawing- Proposed- Floor Plans, numbered Sheet 4, stamped as received by the City Council as Local Planning Authority on 13 February 2024.

-Drawing- Proposed- Bin Store, stamped as received by the City Council as Local Planning Authority on 19 March 2024.

-Drawing- Site Plan- Existing and Proposed, numbered Sheet 2, stamped as received by the City Council as Local Planning Authority on 19 March 2024.

-Drawing- Proposed- Elevations, numbered Sheet 6 Rev B, stamped as received by the City Council as Local Planning Authority on 27 March 2024.

-Supporting Information- Dormer Cladding Material, stamped as received by the City Council as Local Planning Authority on 27 March 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 first floor bathroom window and 2nd floor bathroom window as shown within the approved 'Drawing- Proposed- Floor Plans, numbered Sheet 4', stamped as received by the City Council as Local Planning Authority on 13 February 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.

5) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out within the 'Drawing- Proposed- Elevations, numbered Sheet 6 Rev B' and 'Supporting Information- Dormer Cladding Material', 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.

6) The development hereby approved shall be carried out in accordance with 'Drawing- Proposed- Bin Store, stamped as received by the City Council as Local Planning Authority on 19 March 2024 and 'Drawing- Site Plan- Existing and Proposed, numbered Sheet 2', stamped as received by the City Council as Local Planning Authority on 19 March 2024, in relation to a secure and ventilated bin storage area.

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

37 Boardman Road, Manchester, M8 4WS
23 Belhaven Road, Manchester, M8 4WG
19 Belhaven Road, Manchester, M8 4WG
30 Belhaven Road, Manchester, M8 4NR
26 Belhaven Road, Manchester, M8 4NR
25 Belhaven Road, Manchester, M8 4WG
21 Belhaven Road, Manchester, M8 4WG
24 Belhaven Road, Manchester, M8 4NR
35 Boardman Road, Manchester, M8 4WS
33 Boardman Road, Manchester, M8 4WS
31 Boardman Road, Manchester, M8 4WS
30 Belhaven Road, Manchester, M8 4NR

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