MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138862/FH/2023
Date registered valid:	19 December 2023
Proposal:	Erection of part single, part two storey side extension and two storey rear extension to form additional living accommodation.
Address:	59 Bank House Road, Manchester, M9 8LY
Ward(s):	Higher Blackley Ward
Applicant:	Mrs Sahar Al Obaidi
Agent (if any):	Mr Syed Helal Uddin SHUAS
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**13 February 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 9 January 2024

Standard consultations:
Printed: 23 January 2024 Expired: 30 January 2024

Neighbour notifications
Printed: 23 January 2024 Expired: 30 January 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/area

The application site relates to 59 Bank House Road within the Higher Blackley ward of north Manchester. The application site is one of three properties within a row of properties, which includes both dwellinghouses and cottage flats, however the application site is a dwellinghouse consisting of two storeys built in red brick. Amenity space to the front of the property consists of an area of soft landscaping and off street driveway to the side of the property. Amenity space to the rear of the property consists of a paved and grassed area. Due to the relationship with the cottage flats, the rear of the property to south, no.15 Castlemere Road, faces directly into the applicant's garden.

The property is opposite the Byrons Housing Care Home and close to the newly re-developed Prospect House Specialist Support Primary School. However, other than this, the surrounding area is primarily residential in nature.

Listed building: No
Conservation area: No
Tree Preservation Order: No

Description of development

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

The part single storey side extension would align with the primary elevation of the host property and have approximate dimensions of Height: 3.3 x Length: 6.5 x Width: 5 metres. The part two storey side extension would have approximate dimensions of Height: 7.5 x Length: 5.8 x Width: 5 metres and have a set back at first floor level of 0.7 metres.

The two storey rear extension would wrap into the proposed side extension with a hipped roof and have approximate dimensions at the highest point of Height: 7.5 x Length: 3.85 x Width: 5 metres.

The proposal would create a dining, study and bathroom on the ground floor and two bedrooms and two en-suites on the first floor. The proposal would involve the insertion of two windows within the front elevation and three windows within the rear elevation.

Materials to be used throughout the proposal would match those within the host property.

Amended Plans

Plans have been amended from those originally received. Alterations included the removal of windows within the side elevation of the side extension and removal of a second door at the property, as well as the change in roof form to the rear extension. The alterations were considered adequate to overcome concerns raised and the revised plans are assessed within this report. Neighbours and consultees were re-notified accordingly.

Planning History

No planning history exists for this site.

Consultations & Notification Responses

Local Residents

Local residents were consulted and two responses were received in relation to the original scheme supported. Concern was raised in relation to the insertion of windows within the side elevation of the proposal leading to adverse privacy implications.

No further neighbour comments were received after the re-notification based on revised plans.

Environmental Health

Environmental Health were consulted on the application and wish to make no comments on the application.

Policies

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

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 a part single/part two storey side extension and two storey rear extension to form additional living accommodation. 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. 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.

Design and Siting

The design of the proposed extensions is traditional in nature and would complement the existing property. It would consist of matching brickwork and would be topped with a pitched roof of matching grey roof tiles. The use of these materials would be enforced by the imposition of condition no. 5 which can be seen on page 8 of this report.

The side extension would be set back from the front elevation by 700mm to ensure a clear delineation between the existing dwelling and this proposal and this is considered acceptable.

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.

Visual Amenity

Given the design and siting of the proposed extensions, it is not considered that the proposal would have a detrimental impact upon the levels of visual amenity currently enjoyed within the vicinity of the site.

Residential Amenity

The windows in the side elevation of the proposed extension have been removed to prevent any overlooking of neighbouring gardens and dwellings. Given this and the orientation of the proposed extensions, it is not considered that the development would lead to overlooking and a resultant loss of privacy. To prevent any windows being inserted into the side elevation, a condition (no. 3), which would remove permitted development in respect of window and door insertion, is suggested in this instance.

Due to the siting of the proposal and the separation distances with the adjoining dwellings, it is not considered that the proposal would result in any excessive overshadowing of those adjoining dwellings.

In light of the above, it is not considered that the proposal would have an unduly detrimental impact upon the existing levels of residential amenity enjoyed by the occupants of those dwellings nearest to this site.

Car Parking

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

Bin Storage

No change to bin store arrangements would occur as a result of the proposal.

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.

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. 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 19 December 2023.
-Drawing- Proposed- Layout, numbered 2003, stamped as received by the City Council as Local Planning Authority on 19 January 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 ground floor bathroom window as shown within the approved 'Drawing- Proposed- Layout, numbered 2003, stamped as received by the City Council as Local

Planning Authority on 19 January 2024', shall be obscurely 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 window 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 Manchester Core Strategy.

5) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Environmental Health
Environmental Health

Flat 31, 58 Bank House Road, Manchester, M9 8LT
Flat 30, 58 Bank House Road, Manchester, M9 8LT
Flat 29, 58 Bank House Road, Manchester, M9 8LT
Flat 28, 58 Bank House Road, Manchester, M9 8LT
Flat 27, 58 Bank House Road, Manchester, M9 8LT
Flat 26, 58 Bank House Road, Manchester, M9 8LT
Flat 25, 58 Bank House Road, Manchester, M9 8LT
Flat 24, 58 Bank House Road, Manchester, M9 8LT
Flat 23, 58 Bank House Road, Manchester, M9 8LT
Flat 22, 58 Bank House Road, Manchester, M9 8LT
Flat 21, 58 Bank House Road, Manchester, M9 8LT
Flat 41, 58 Bank House Road, Manchester, M9 8LT
Flat 40, 58 Bank House Road, Manchester, M9 8LT
Flat 39, 58 Bank House Road, Manchester, M9 8LT
Flat 38, 58 Bank House Road, Manchester, M9 8LT
Flat 37, 58 Bank House Road, Manchester, M9 8LT
Flat 36, 58 Bank House Road, Manchester, M9 8LT
Flat 35, 58 Bank House Road, Manchester, M9 8LT
Flat 34, 58 Bank House Road, Manchester, M9 8LT
Flat 33, 58 Bank House Road, Manchester, M9 8LT
Flat 32, 58 Bank House Road, Manchester, M9 8LT
Flat 20, 58 Bank House Road, Manchester, M9 8LT
Flat 19, 58 Bank House Road, Manchester, M9 8LT
Flat 18, 58 Bank House Road, Manchester, M9 8LT
Flat 17, 58 Bank House Road, Manchester, M9 8LT
Flat 16, 58 Bank House Road, Manchester, M9 8LT
Flat 15, 58 Bank House Road, Manchester, M9 8LT
Flat 14, 58 Bank House Road, Manchester, M9 8LT
Flat 12, 58 Bank House Road, Manchester, M9 8LT
Flat 11, 58 Bank House Road, Manchester, M9 8LT
Flat 10, 58 Bank House Road, Manchester, M9 8LT
Flat 9, 58 Bank House Road, Manchester, M9 8LT

Flat 8, 58 Bank House Road, Manchester, M9 8LT
Flat 7, 58 Bank House Road, Manchester, M9 8LT
Flat 6, 58 Bank House Road, Manchester, M9 8LT
Flat 5, 58 Bank House Road, Manchester, M9 8LT
Flat 4, 58 Bank House Road, Manchester, M9 8LT
Flat 3, 58 Bank House Road, Manchester, M9 8LT
Flat 2, 58 Bank House Road, Manchester, M9 8LT
Flat 1, 58 Bank House Road, Manchester, M9 8LT
58 Bank House Road, Manchester, M9 8LT
15 Castlemere Road, Manchester, M9 8LE
61 Bank House Road, Manchester, M9 8LY
57 Bank House Road, Manchester, M9 8LY
55 Bank House Road, Manchester, M9 8LY
62 Bank House Road, Manchester, M9 8LT
60 Bank House Road, Manchester, M9 8LT
16 Castlemere Road, Manchester, M9 8LE
13 Castlemere Road, Manchester, M9 8LE
16 Wroxham Road, Manchester, M9 8WA

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
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA