

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136199/FH/2023
Date registered valid: 8 February 2023
Proposal: Erection of two storey rear extension to create additional living accommodation
Address: 11 Sarnesfield Close, Manchester, M12 4PZ
Ward(s): Longsight Ward

Applicant: Mrs Shafika Shaikh
Agent (if any): Kris Gadro Kris Builders & Construction Ltd
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 30 March 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 8 March 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 22 February 2023 Expired: 15 March 2023

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:

Tree Preservation Order:

Description of site / building / area

The application relates to a semi-detached dwellinghouse within a cul-de-sac with a mix of housing types, consisting of bungalows, 3 and 4-row terrace houses, semi-detached, and detached houses within a modern housing estate. Due to the staggered arrangement of the houses within the cul-de-sac, in this instance the application building is set back approximately 3.2 metres from the front building line of no.9 Sarnesfield Close, and thereby the application building has an existing rearward projection of approximately 3.5 metres from the rear building line of no.9. Therefore, as a result, there is a pre-existing issue of overshadowing along the side boundary. Along the rear boundary of the application site is Kingdom Hall (a place of worship), which is a single storey building. Planning records indicate that the Property has been previously extended along the side elevation with the back of pavement and shared access and driveways used by nos.13 - 19 Sarnesfield Close.

Site History

- 042313, Two storey extension at side of dwellinghouse to form a self contained granny flat - Refused April 1993.
- 037620, Retrospective Application for the erection of a two storey extension at side of dwellinghouse to form lounge with bedroom and bathroom over - Approved February 1991

Description of development

The submitted application proposes a two storey rear extension to create additional living accommodation.

The proposed two storey rear extension would be stepped-away approximately 150mm from the common shared boundary with no.9 Sarnesfield Close leaving a small gap and would be sited to the back of pavement and shared access and driveways used by nos.13 - 19 Sarnesfield Close. It would project from the rear building line of the existing house approximately 3000mm deep x 7939mm wide x 6138mm high. It would incorporate a shallow lean-to pitch roof, with 1no. window and Bi-fold doors along the ground floor rear elevation, including 3no. windows along the first floor rear elevation. It is intended to use matching materials.

The submitted plan also proposes elevational alterations to the existing house involving 1no. window along the ground floor side elevation and 2no. windows along the rear roof plane.

The agent was advised early on during the application process that there were concerns with submitted plans.

Consultations & Notification Responses

1. Local residents

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

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 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 8: Promoting healthy and safe communities.
- Chapter 12: Achieving well-designed places.

2. 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 policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

- i. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- ii. Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- iii. Community safety and crime prevention;
- iv. Design for health;
- v. Adequacy of internal accommodation and external amenity space;
- vi. Refuse storage and collection.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

3. Saved Unitary Development Plan Policies (UDP)

Large elements of the UDP have been superseded by the Core Strategy Development Plan. However, saved Policy DC1 for Residential Extensions is still of relevance. This states:

DC1.1

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 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 street scene
- e) the effect of the loss of any on site car parking

DC1.2

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 the original buildings)
- b) they do not create an 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 street scene by virtue of design, use of materials or constructional 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 car 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 (12ft) 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.

Policy DC1.6

For the avoidance of doubt, policies DC1.1 to DC1.4 apply to domestic houses, flats, houses in multiple occupation, nursing homes, rest homes and hotels.

Reasons: Many people prefer to extend their existing homes rather than move, and the planning system needs to accommodate this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The Council is not generally in favour of dealing with this issue by laying down firm rules about home extensions; the policy therefore allows each case to be looked at on its individual merits, having regard to a range of criteria.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following paragraphs are of particular relevance:

i. 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

Principle of development

The principle of extending one's home is acceptable and the planning system accommodates this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The key issues for this application are therefore the impacts on residential and visual amenity.

Residential and Visual Amenity

Having assessed the proposal, there are a number of concerns relating to the proposed development. Due to the staggered arrangement of the houses within the cul-de-sac, in this

instance the application building is set back approximately 3.2 metres from the front building line of no.9 Sarnesfield Close, and as a result, the application building has an existing rearward projection of approximately 3.5 metres from the rear building line of no.9 Sarnesfield Close. Therefore, it is considered that the cumulative impact which would result from the proposed 3 metre rearward projection, combined with the existing 3.5 metre rearward projection beyond the rear building line of no.9 Sarnesfield Close (resulting in built form of 6.5 metres along the side boundary with no.9 Sarnesfield Close) and its relationship with those properties along the side boundaries, would result in overshadowing to habitable room windows and lead to an overbearing visual intrusion due to massing, contrary to policies DM1 of the Core Strategy and saved UDP policy DC1. Moreover, there is an existing issue of overshadowing along the side boundary to no.9 Sarnesfield Close, and therefore if the extension were to be approved, this situation would be exacerbated.

Furthermore, due to the orientation of the application building, the extension would lie to the south of the adjoining dwellinghouse. This means that overshadowing impacts would be particularly detrimental at around mid-afternoon and due to the close proximity of the extension to the neighbouring boundary and nearby habitable room windows, these potential impacts are considered to be undue and contrary to policies DM1 of the Core Strategy and saved UDP policy DC1.

The proposed extension being sited across the width of the existing extended dwellinghouse would be located adjacent to a shared access serving nos.13 - 19 Sarnesfield Close, and would affect the outlook from neighbouring gardens and driveways.

Correspondence was sent to the agent on 14/03/23 and 15/03/23 expressing the concerns relating to the proposal and requesting confirmation regarding how they wished to proceed. No revisions have been received and the agent's client has advised they wish for the application to be determined on the basis of the information available, (email dated, 15/03/23). The proposal cannot be supported in its current form and therefore is recommended for refusal.

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 cumulative impact from the proposed 3 metre rearward projection, combined with the existing 3.5 metre rearward projection and its relationship with the adjacent dwellinghouses, and the resultant overshadowing to habitable room windows and the overbearing visual intrusion in terms of outlook from neighbouring gardens and driveways, presents significant adverse impact to residential amenity; and therefore, for these reasons, if the extension were to be approved, it will unduly impact on the homes and gardens of the adjoining properties; particularly, those at no.9 Sarnesfield Close, and nos.13 - 19 Sarnesfield Close. It is therefore considered that the proposed development does not respond positively to The National Planning Policy Framework (July 2021); policies SP1, DM1 and EN1 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

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 a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. The application has been determined in accordance with the guidance contained within saved policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan, Manchester's Local Development Framework: Core Strategy Development Plan Document, the National Planning Policy Framework and all other material considerations; however, in this instance, a solution that was satisfactory to both the Local Planning Authority and the agent could not be reached as the nature of the proposal was considered to be unacceptable.

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

- 1) The proposed rear extension by reason of its scale and massing , and relationship with the dwellings along the side boundaries(in particular no.9 Sarnesfield Close) is considered to have an overbearing and overshadowing impact, creating an intrusive feature in the form of an expanse of brickwork along the boundary to the detriment of the residential amenity to the occupiers of the neighbouring properties. The proposal is therefore contrary to policies SP1 and DM1 of the Manchester's Core Strategy Development Plan Document and saved Unitary Development Plan policies DC1 and the guidance within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

11A Sarnesfield Close, Manchester, M12 4PZ
34 Sarnesfield Close, Manchester, M12 4PZ
28 Sarnesfield Close, Manchester, M12 4PZ
40 Sarnesfield Close, Manchester, M12 4PZ
36 Sarnesfield Close, Manchester, M12 4PZ
33 Sarnesfield Close, Manchester, M12 4PZ
29 Sarnesfield Close, Manchester, M12 4PZ
30 Sarnesfield Close, Manchester, M12 4PZ
27 Sarnesfield Close, Manchester, M12 4PZ
26 Sarnesfield Close, Manchester, M12 4PZ
25 Sarnesfield Close, Manchester, M12 4PZ
13 Sarnesfield Close, Manchester, M12 4PZ
32 Sarnesfield Close, Manchester, M12 4PZ
21 Sarnesfield Close, Manchester, M12 4PZ
31 Sarnesfield Close, Manchester, M12 4PZ
17 Sarnesfield Close, Manchester, M12 4PZ
9 Sarnesfield Close, Manchester, M12 4PZ
7 Sarnesfield Close, Manchester, M12 4PZ
24 Sarnesfield Close, Manchester, M12 4PZ
23 Sarnesfield Close, Manchester, M12 4PZ
19 Sarnesfield Close, Manchester, M12 4PZ
15 Sarnesfield Close, Manchester, M12 4PZ
38 Sarnesfield Close, Manchester, M12 4PZ
35 Sarnesfield Close, Manchester, M12 4PZ

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA