

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135959/FH/2023
Date registered valid: 23 January 2023
Proposal: Installation of rear roof dormers to form additional living accommodation
Address: 2 Slade Grove, Manchester, M13 0QF
Ward(s): Longsight Ward

Applicant: Mr Monzurul Kadar
Agent (if any): Ms Dawn Cooper, DaC Design Ltd
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 20 March 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 8 February 2023

Standard consultations:

Printed: 2 February 2023 Expired: 23 February 2023

Neighbour notifications

Printed: 2 February 2023 Expired: 23 February 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: Not applicable

Tree Preservation Order: Not applicable

Description of site / building / area

The application dwellinghouse is a two-storey end-of-terrace located within a mixed-use area of Longsight ward. It would appear that the terrace properties along Slade Grove are characterised by two-storey rear outriggers, built as part of the original houses. Alleyways run along the side and rear elevations of the application site. There is a record of a rear roof dormer extension at No.4A Slade Grove - (planning approval reference no. 133903/LP/2022). The existing minimum separation distance from those properties immediately behind the rear boundary of the application site is approximately 12.3 metres (first floor window to window).

Site History:

125778/FH/2019, Erection of single storey rear extension to form additional living accommodation, Approved March 2021.

Description of development

The submitted plan relates to the installation of rear roof dormers to form additional living accommodation.

The submitted plan also proposes elevational alterations involving 2no. windows along the front roof plane, facing Slade Grove.

Whilst the annotation on the submitted proposed floor plans is inconsistent with the loft space, (DRAWING: PLANS as PROPOSED, P03), in terms of the proposed "L" shape rear roof dormer extensions, they would be positioned along the rear roof plane of the original dwellinghouse and combined 2 storey rear outrigger, and stepped in from the gable elevation boundary, and set above eaves level, with the proposed roof ridge set below the ridge of the existing roof ridge. The combined dormers would project along the gable elevation approximately 3731mm, then forward of the 2 storey rear outrigger approximately 2142mm wide, and then projects approximately 4156mm along the 2 storey rear outrigger roof plane, then come forward of the common shared boundary with no.4 Slade Grove approximately 2733mm wide. The combined dormers would incorporate a flat roof design, with 2no. windows along the rear elevation, 1no. window along the side elevation, and they would be clad in materials matching those on the existing roof.

Concerns were raised with the agent in relation to the submitted plan in terms of the proposed size, scale and massing along the rear roof plane, and the resultant adverse impact to residential and visual amenity, and therefore the agent was advised that the application could not be supported on the basis of the information available. It was therefore requested that the agent confirms how they wished to proceed with the application, within specified timescales, (dated: 08/03/23, 13/03/23, 19/03/2023). As no further communication has been made by the agent to date, the application will be recommended for refusal in this instance.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. Two objections were received from one local resident, and is outlined below as follows:

Comment:

I am unhappy because I was not informed before the work started. There has been a suspected gas leak coming from the application building with toxic smells coming into my property and causing me stress and sickness resulting in me being hospitalised. Cracks are also appearing on the wall foundations of my house, and I want confirmation that 2 Slade Grove will correct the damage done to my property.

2. HS2

As the site falls within sub surface safeguarding, it is unlikely that the proposal will have an impact upon HS2. Therefore, HS2 Ltd have no objection to the proposal.

POLICY

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:

o Chapter 12: Achieving well-designed places.

It is considered that the proposed scale and massing along the rear roof plane is not suitably related to the existing building and its surrounding context, which would contradict the appearance and character of neighbouring built form, particularly adjacent houses along Slade Grove. Therefore, in this instance, the core principles and policy guidance contained within the NPPF have not been directly related to the assessment of the potential impact of the development.

Taking these factors into consideration and for the reasons set out, it is considered that the development does not accord with the NPPF.

2. The Manchester Core Strategy Development Plan Document 2012-2027 ('the Core Strategy') was adopted by the City Council on 11th July 2012

Regard should be given to:

Policy SP1 (Spatial Principles) which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income, and; protecting and enhancing the built and natural environment. It is considered that the development would not relate appropriately to the character of housing in the area and therefore the harm to existing levels of residential amenity if the proposal were to be allowed outweighs any proposed improvement to the quality of the existing accommodation. It is therefore considered that the proposal does not respond positively to policy SP1.

Policy DM1 (Development Management); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The impact; on the surrounding areas; in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area. The effects on amenity, including privacy, light, noise, road safety and traffic generation. It is considered that the size and scale of the development would not be appropriately related to its context in terms of the defined character of built form along the street scene.

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. It is considered that the proposed size and scale were to be allowed, it would significantly alter the strategic character of the area.

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

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

In addition, the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance 2007 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. The guidance advises that high quality design is a vital attribute of successful neighbourhoods.

Paragraph 2.14 states that: it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained.

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 visual and residential amenity.

Residential and Visual Amenity

Whilst the annotation on the submitted proposed floor plan is inconsistent with the loft space, (DRAWING: PLANS as PROPOSED, P03), in terms of the proposed "L" shape rear roof dormer extensions, while it may appear to attempt to mirror the existing dormer at no.4A Slade Grove, in terms of appearance, it is considered that the proposed scale would conflict with principles of Core Strategy Policy DM1. Whilst the principle of extending is accepted, the proposal is overly large and bulky and as a result would introduce an obtrusive feature along the street scene, and which would have a detrimental impact upon the amenity levels currently enjoyed by the neighbouring occupiers.

Saved UDP Policy DC1.1(a) and (d) states in determining planning applications for extensions to residential properties, the council will have regard to the general character of the property and the overall appearance of the proposal in the street scene. In this instance it is considered that the harm from the proposed development would far outweigh the benefit as the general character of the property and the overall appearance of the proposal in the street scene would be undermined.

Saved UDP Policy DC1.2(a) and (c) also states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the plan and provided following criteria can be met: "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" and "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. It is considered that the proposal would introduce a feature which would be of character along the street scene and thereby would disproportionately adversely impact on the visual amenity of the neighbouring occupiers in terms of outlook and given the proposed bulk. Thereby the proposal fails to satisfy this policy requirement.

There is no precedent approved within the local plan period within the local context.

Conclusion

On balance, the proposal is considered to be unacceptable and therefore does not respond positively to The National Planning Policy Framework (NPPF), (July 2021); The Manchester Core Strategy Development Plan Document (July 2012) policies DM1, SP1, and EN1; Saved policy DC1 of the Unitary Development Plan for Manchester (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007).

Objectors' comments

In terms of the planning comments raised by the objector, these have been duly considered in the issues and conclusions section above. The other comments raised would fall under separate legislations and therefore cannot be considered as part of this planning application.

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 a solution that

was acceptable to both the Local Planning Authority and the applicant 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 combined rear roof dormer extensions by reason of their footprint would result in an overly large and bulky feature along the street scene. It is considered that this would as a consequence cause a harmful loss of residential amenity to occupiers of surrounding properties and 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 (1995); policies EN1, SP1 and DM1 of Manchester's Core Strategy Development Plan Document (2012); and the National Planning Policy Framework (July 2021).

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited

5 Portland Road, Manchester, M13 0SA
3 Portland Road, Manchester, M13 0SA
1 Portland Road, Manchester, M13 0SA
3 Slade Grove, Manchester, M13 0QF
1 Slade Grove, Manchester, M13 0QF
6A Slade Grove, Manchester, M13 0QF
8 Slade Lane, Manchester, M13 0QE
4 Slade Grove, Manchester, M13 0QF

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
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Area Team Boundary - Name: NORTH AREA