

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134590/FH/2022

Date registered valid: 18 August 2022

Proposal: Erection of single storey side and rear extensions to form additional living accommodation and storage area, following demolition of existing outbuilding and single storey rear extension

Address: 9 Bowker Bank Avenue, Manchester, M8 4LL

Ward(s): Crumpsall Ward

Applicant: Mr Nadeem Saleem, 9 Bowker Bank Avenue, Manchester, M8 4LL

Agent (if any): Mr M. Amjad, Hybrid Power Ltd, 77 Fields New Road, Oldham, OL9 8BT

Case officer: Adam Mitchell
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Recommendation: REFUSAL

Date of recommendation: 11.10.2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 22 September and 10 October 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 23 August 2022 Expired: 13 September 2022

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site/Area

The application site relates to a semi-detached brick built property within the residential area of Crumpsall, North Manchester. The property benefits from a corner two storey bay fronted window along the front elevation alongside an existing front porch. Hardstanding occupies the front and side of the property with an existing detached garage towards the rear. The rear garden incorporates a paved area with an existing single storey rear extension that has no planning permission record and is finished in low quality materials. Boundary treatment in the form of timber fencing occupy the shared boundaries.

The remainder of the area is residential in nature with houses of similar style and design.

Description of development

The application is seeking planning permission for the erection of a single storey side and rear extension to form additional living accommodation and storage area following demolition of existing outbuilding and single storey rear extension. The proposed side extension accommodates an extended kitchen area to the front of the extension with an additional bedroom and bathroom for a disabled occupant and a storage area along the rear becoming flush with the rear boundary. The extension would have approx. dimensions of Height 3.7m/(at the eaves) 2.7m x Width 2.8m x Depth 11.6m x Rear Projection 8.8m. The extension would run alongside the shared boundary with no.7 Bowker Bank Avenue leaving a distance of 0.15metres.

The single storey rear extension accommodates a childrens play room and bathroom. The extension would have approx. dimensions of Height 3.7m(at the eaves) 2.7m x Width 4m x Rear Projection 3.5m. The extension would be sited alongside the boundary treatment with 11 Bowker Bank Avenue.

The proposal fails to constitute permitted development in accordance with Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015:

(f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and

(i)extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse.

Consultations & Notification Responses

Local residents were notified and one response was submitted. The objector's comments are summarised below:

- Concerns over the reduction of light into the rear garden as a consequence of the additional built form along the boundary.
- Concerns regarding the extension's position and scale within their application's boundary area without causing harm to surrounding property.

The comments that have been submitted will be assessed in the sections below.

Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

Relevant to this application is Section 12 'Achieving Well Designed Places'

Paragraph 130 states:

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 134 goes on to state that:

'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

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

- 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,
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

Policy DM 1 Development Management- All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.

Unitary Development Plan Saved Policies- A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

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.

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

Issues

Principle

It is believed that due to the scale, massing, appearance and siting of the proposed single storey side and rear extension will have a harmful impact upon visual and residential amenity and the appearance of the streetscene. Accordingly, the proposal is contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies DM1 and SP1 of the Manchester Core Strategy, and Section 12 of the National Planning Policy Framework (NPPF).

Scale, Massing and Design

Single Storey Side Extension

The proposed single storey side extension would be sited adjacent to no. 7 Bowker Bank Avenue and would have approx. dimensions of Height 3.7m/(at the eaves) 2.7m x Width 2.8m x Depth 11.6m x Rear Projection 8.8m. Whilst the principle of erecting a single storey side extension is considered acceptable, the proposed side extension would have a significant detrimental impact upon the amenity levels currently enjoyed by surrounding occupiers, due to the level of development proposed and the scale and massing along the shared boundary with no. 7 Bowker Bank Avenue.

Additionally, due to the siting and orientation of the extension it would be visible from the side elevation and within the streetscene. The proposal would provide a prominent feature within the streetscene and one that is visually obtrusive and incongruous with the character of the area in general. Whilst the materials would be acceptable as they would match the host property and other properties within the streetscene, the scale and siting of the proposed extension is not satisfactory and is considered not to accord with the principles for residential extensions set out in Saved UDP Policy DC1, DM1 and SP1 of the Core Strategy.

Single Storey Rear Extension

This element of the proposal is not considered to unduly harm the character of the building or the general area. The extension's footprint is not considered to create a bulky or disproportionate scale addition to the property.

Residential and Visual Amenity

Single Storey Side Extension

The proposed single storey side extension is situated along the western boundary with a maximum height of 3.7metres and total depth of 11.6 metres. It is considered that the proposed extension would give rise to significant overshadowing and loss of light implications on the neighbouring non-adjointing property especially during the morning and afternoon sunlight. Additionally, given the scale, rear projection of the extension in close proximity to the boundary would create an overbearing presence, thus having a detriment impact in terms of visual and residential amenity upon the occupiers and would therefore be contrary to saved policy DC1 of the UDP which has regard to the effect upon the amenity of neighbouring occupiers.

The proposed side extension is not in keeping with the original character of the property and creates a detrimental impact upon visual and residential amenity, within the character of the existing property and general area.

Single Storey Rear Extension

With regards to the neighbouring property no. 11 Bowker Bank Avenue, they would experience an additional 3.5metres along the shared boundary of additional built form although given this dimension complies with saved UDP Policy DC1.3 and the single storey nature of the rear

extension it is not considered that this element of the proposal would cause significant residential amenity implications to neighbouring properties. Additionally, due to the positioning of windows within the rear extension, this neighbour would not experience any overlooking or privacy implications in regards to this element of the proposal.

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: REFUSAL

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/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 erection of a single storey side extension by virtue of its siting, scale, bulk and appearance, create an over dominant and incongruous feature which is out of character and fail to contribute positively to, the local area. The proposal would result in an overbearing feature along the shared boundary with no.7 Bowker Bank Avenue with associated significant overshadowing implications. The proposal would therefore have an unduly harmful impact on visual and residential amenity, which is contrary to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

28 Bowker Bank Avenue, Manchester, M8 4LF
11 Bowker Bank Avenue, Manchester, M8 4LL
5 Bowker Bank Avenue, Manchester, M8 4LL
32 Bowker Bank Avenue, Manchester, M8 4LF
7 Bowker Bank Avenue, Manchester, M8 4LL
30 Bowker Bank Avenue, Manchester, M8 4LF
38 Bowker Bank Avenue, Manchester, M8 4LF
34 Bowker Bank Avenue, Manchester, M8 4LF

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