

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134195/FH/2022

Date registered valid: 29 June 2022

Proposal: Erection of two storey front and single storey side extension, to form additional living accommodation with associated new boundary treatment

Address: 4 Lockhart Close, Manchester, M12 4JY

Ward(s): Longsight Ward

Applicant: Mr Farhan Ahmed 4 Lockhart Close, Manchester, M12 4JY

Agent (if any): Mr V Alyas Architek 916 Stockport Road, Manchester, M19 3AB

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 23 August 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 25 July 2022

Standard consultations:

Printed: 1 July 2022 Expired: 22 July 2022

Neighbour notifications

Printed: 1 July 2022 Expired: 22 July 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

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site relates to 4 Lockhart Close within the ward of Longsight in east Manchester. It is a two storey, semi-detached, red brick property. The property sits against the boundary to the north east corner of the site. Amenity space to the property is located to the front and side, and the whole amenity space consists of hardstanding.

Description of development

The submitted application seeks planning permission for the erection of two storey front and single storey side extension, to form additional living accommodation with associated new boundary treatment.

The proposal would create a new sitting room, kitchen and dining room on the ground floor and a new 1st bedroom on the first floor.

The two storey front extension would have approximate dimensions at ground floor level of Length: 3 x Width: 6.2 metres, and at first floor level have approximate dimensions of Height: 6 (to the highest point) x Length: 3 x Width: 3.5 metres. It would be sited against the shared

boundary with no.2 Lockhart Close . The front extension would involve the insertion of a door and window within the front elevation.

The single storey side extension would have approximate dimensions of Height: 2.6 (to the eaves)/ 3.3 (to the highest point) x Length: 2.5 x Width: 5.7 metres. It would be sited against the shared boundary with no.1 Foxley Walk. The proposal would involve the insertion of 2 windows and a set of patio doors within the side elevation and two skylights within the roof plane.

The proposal would also include the installation of associated new boundary treatment. This would include a 2 metre fence along the shared boundary with no.1 Foxley Walk which would run along the side boundary and would continue along the front boundary where the hard landscaped area would be positioned. An additional 1.35 metre high fence would be erected along the shared boundary with no.2 Lockhart Close.

Materials to be used throughout the proposal include matching brick, tiles, uPVC windows, uPVC doors and timber fences with matching existing/ similar timber panels with concrete posts. Regarding the vehicle access and hardstanding, the proposal would include concrete with pattern/ channel drains, offroad parking with stone effect tiles and front entrance grass in front of the side extension.

Planning history

018744- plots 1-16 & 381-392, Belle Vue Estate, off Hyde Road, Longsight- Residential development comprising 31 houses and 1 bungalow.
Approved 25 January 1983.

Consultations & Notification Responses

Local residents

Local residents were consulted, and three responses were received. The following issues were raised:

- Part of the land for development is not in the applicant's ownership.
- The two metre fence to the front of the property goes against the open plan feel of the estate.
- Potential safety issues with the implementation of the dropped kerb (not applied for within this application).
- The use of the front amenity space for the purpose of selling vehicles.
- Inadequate drainage within front and side amenity space, as a man hole would be lost as a result of the application.
- Loss of on road parking would cause long term parking issues.

Highway Services

Highways were consulted and provided the following comments.

PARKING AND ACCESS:

The application form suggests that off-street car parking will be provided.

Our records indicate that the suggested driveway area towards the front of the site, on the Lockhart Close frontage, does not fall under the applicant's ownership, therefore verification is required. The applicant should confirm that they have a formal written

agreement to guarantee rights of access over any land which falls outside of the site's red line. A driveway space should provide a minimum of 3.0m x 6.0m in line with MCCs standard minimum dimensions.

DROPPED KERB

If the planning application is approved the adopted highway at the front of the property would require a dropped kerb for access to the driveway. The applicant would be required to enter into a section 184 agreement at their own cost for a vehicular or dropped crossing. This would need discussion and agreement with the council's Highways Applications and Network Resilience team at Manchester City Council via https://secure.manchester.gov.uk/forms/form/749/en/dropped_kerb or the Contact Centre on 0161 234 5004.

BOUNDARY TREATMENTS:

All boundary treatments with frontage to the adopted highway will require visual permeability from a height of 600mm upwards in order to maintain appropriate sight lines. Gated accesses, both vehicle and pedestrian, will need to provide inward opening gates to ensure they do not impact on the adopted footway.

REFUSE AND SERVICING:

It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

CONSTRUCTION

Detail should be sought from the applicant in relation to any proposed construction or fit_out arrangements, where there is an impact on the highway.

The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email -highwaylicences@manchester.gov.uk

Issues

POLICY

The National Planning Policy Framework (July 2021)

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 – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

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); 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, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

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.

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.

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).

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.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say 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. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

Principle of Development

The submitted application seeks planning permission for the erection of two storey front and single storey side extension, to form additional living accommodation with associated new boundary treatment. The principle of development is not acceptable, as the benefits to the

applicant do not outweigh the potential harm in relation to visual/residential amenity and design and appearance.

Several concerns were raised with the planning agent in regard to Highway Services' comments, neighbour comments and concerns arising from the site visit. The agent did not respond to any of the concerns, despite multiple follow up emails. The applicant was on site at the time of the site visit and advised he would look into the concerns which had been raised. This did not happen.

Visual/Residential Amenity

Front extension:

The proposed two storey front extension would have a projection of 3 metres and would extend along the shared boundary with no.2 Lockhart Close. The extension is considered to create an overbearing impact to the neighbouring property, due to the scale and massing on the shared boundary, which would give rise to adverse impacts to residential and visual amenity.

Side extension:

The side extension element of the proposed development due to the proposed length of 2.5 metres, and the high fence between the applicant and no. 1 Foxley Walk, would not create an overbearing impact to the neighbour. No windows are to be inserted in the elevation facing no.1 Foxley Walk and as such would not create any overlooking or privacy implications. No overshadowing or loss of light implications would occur. However, concerns have been raised that part of the existing amenity space to be developed not owned by the applicant, contrary to the information provided on the submitted application forms. Whilst the extent of land potentially not in the control of the applicant has not been defined in detail; the agent or applicant has not been able to provide evidence of the ownership of land.

Boundary treatment:

The proposed boundary treatment along the front and side boundaries are considered inappropriate. The 2 metre fence to the front boundary and in between the concrete and tiled sections of the proposed hard landscaping to the front of the dwelling is considered to be obtrusive in visual terms in this location, and would affect the intervisibility between pedestrians on the public footway and vehicles reversing in and out of the driveway. The proposed fencing to be erected at the site would create a strong sense of enclosure in the streetscene and would be out of character with the type of boundary treatments within the immediate vicinity. The height of the proposed fencing to the front boundary of the property is considered to be excessive. The proposed 1.35 metre fence along the shared boundary of no.2 Lockhart Close would further affect the open feel and character of the local area that is evident at the property at the time of the site visit and would add to the an overbearing impact of the proposed two storey extension.

Furthermore, the proposed fencing to the front of the dwellinghouse it has the potential to be affected by the land ownership matters referred to above.

Design and Appearance

Front extension:

The front extension would be out of character with the neighbouring property. Although it is acknowledged that the immediate neighbourhood is characterised by a variety of property types and form, this property and the neighbouring property no.2 Lockhart Close are attached, and has been designed accordingly. As existing, the applicant property's primary elevation sits slightly behind the neighbour's front elevation. As a result of the proposal, this would alter as the

front extension would extend forwards by 3 metres. As such, this is not considered to create a sympathetic addition to the property and would significantly change the appearance of the frontage of the property, leading to an strident feature in the streetscene , it would adversely impact the sense of space that the neighbour currently experiences . The form and massing is not considered to be acceptable. The front extension would create an incongruous feature and lead to a detrimental impact within the streetscene, contrary to Policy DC1.2 of the UDP.

Side extension:

Whilst the design of the side extension is considered acceptable, given the form, appearance and massing, it has the potential to be affected by the land ownership matters referred to above.

Whilst the materials used would be acceptable as they would match the host property and other properties within the streetscene, this does not outweigh the issues in relation to the design, scale and appearance of the proposal , which is not considered to be appropriate in this location, and does not accord with Core Strategy Policies DM1 and EN1

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.

Officers have worked with the applicant in a proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance there are objections to the proposal and impacts on residential amenity which cannot be overcome, no amendments were submitted to overcome the concerns expressed to the applicants agent, despite multiple requests.

There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

The application has been determined in a positive and proactive manner.

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

- 1) The cumulative impact of the front extension and associated boundary treatment would be detrimental to the visual amenity and character of the area. In particular it would create a visually intrusive feature in the street scene by reason of its location, design and massing, which is out of character with, and fails to contribute positively to, the local area. 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

Highway Services

13 Ellen Wilkinson Crescent, Manchester, M12 4JU
8 Lockhart Close, Manchester, M12 4JY
6 Lockhart Close, Manchester, M12 4JY
1 Foxley Walk, Manchester, M12 4JZ
42 Ellen Wilkinson Crescent, Manchester, M12 4JU
38 Ellen Wilkinson Crescent, Manchester, M12 4JU
17 Ellen Wilkinson Crescent, Manchester, M12 4JU
44 Ellen Wilkinson Crescent, Manchester, M12 4JU
40 Ellen Wilkinson Crescent, Manchester, M12 4JU
19 Ellen Wilkinson Crescent, Manchester, M12 4JU
56 Ellen Wilkinson Crescent, Manchester, M12 4JU
15 Ellen Wilkinson Crescent, Manchester, M12 4JU
3 Foxley Walk, Manchester, M12 4JZ
2 Lockhart Close, Manchester, M12 4JY
52 Ellen Wilkinson Crescent, Manchester, M12 4JU
50 Ellen Wilkinson Crescent, Manchester, M12 4JU
48 Ellen Wilkinson Crescent, Manchester, M12 4JU
46 Ellen Wilkinson Crescent, Manchester, M12 4JU

Appendix 2 – Planning constraints

-