

**SALFORD CITY COUNCIL**  
**SUPPLEMENTARY PLANNING DOCUMENT**  
**HOUSE EXTENSIONS**  
**ADOPTED 19<sup>th</sup> JULY 2006**

**STATEMENT OF MAIN ISSUES RAISED IN REPRESENTATIONS**

TOWN AND COUNTRY PLANNING (LOCAL DEVELOPMENT) (ENGLAND)  
REGULATIONS 2004

**Regulation 18(4)(b)**

## **1 Introduction**

- 1.1 Under the Town and Country Planning (Local Development) (England) Regulations 2004, it is a requirement to prepare and publish a Consultation Statement for a range of planning policy documents including Supplementary Planning Documents (SPDs). This is a reflection of the Government's desire to 'strengthen community and stakeholder involvement in the development of local communities'.
- 1.2 This document is a statement of the main issues raised in representations about the draft Supplementary Planning Document: House Extensions, and how these issues have been addressed in the SPD. It is prepared under Regulation 18(4)(b) of the aforementioned Regulations. This statement also incorporates details from the previous consultation statement, published in January 2006, under regulation 17(1), which details the consultations that were carried out in the preparation of the draft SPD.
- 1.3 In due course, the Council will be adopting a Statement of Community Involvement (SCI) that will set out how the public will be consulted on new planning policy and significant planning applications. Once the SCI is adopted, which is due to be in May 2008, planning documents will be required to conform to its provisions.
- 1.4 This Consultation Statement has been prepared in advance of the SCI, but aims to reflect the intentions of Government planning guidance for reporting on community involvement in the Plan making process. It describes the involvement of stakeholders, the community, voluntary organisations and statutory consultees in the preparation of the House Extensions SPD.
- 1.5 The consultation process adopted meets both the minimum requirements set out in the Town and Country Planning (Local Development) (England) Regulations 2004 and the gold standards in community involvement devised by Partners IN Salford.
- 1.6 The city council adopted the House Extensions SPD in July 2006.

## **2 Gold Standards IN Community Involvement**

- 2.1 Partners IN Salford (Salford's Local Strategic Partnership) have devised 5 aspirational standards for community involvement and all partners of the Council are signed up to delivering community involvement in this way ([www.partnersinsalford.org/communityinvolvement](http://www.partnersinsalford.org/communityinvolvement)). The Gold Standard is a goal for partners to aim towards, particularly where there is activity or proposed change within the City that will have a significant impact upon local communities. They are:
- 1) Value the skills, knowledge and commitment of local people.
  - 2) Develop working relationships with communities and community organisations.
  - 3) Support staff and local people to work with and learn from each other (as a whole community)
  - 4) Plan for change with, and take collective action with, the community.
  - 5) Work with people in the community to develop and use frameworks for evaluation.

## **3 Background**

- 3.1 The city council has commissioned Urban Vision Partnership Ltd to produce an SPD for House Extensions. The purpose of the House Extensions SPD is to provide clear guidance to homeowners wishing to extend their property on various matters including design. It also provides specific details about what types of extension the city council are likely to consider acceptable.
- 3.2 Urban Vision has led the ongoing consultation exercise that underpins the process of formulating the policies contained within the draft SPD.

#### **4 Initial Process of Community Involvement**

- 4.1 A number of consultation exercises were undertaken prior to the preparation of the consultation draft SPD, in order to:
- Raise awareness of the role of the House Extensions SPD;
  - Engender discussion about the current guidance contained within the Supplementary Planning Guidance (SPG), how useful the SPG has been, whether the policies contained within the SPG are appropriate or require re-assessing, if the layout and format of the document should be revised from its current form in the SPG;
  - Seek the contribution of ideas and options from local residents, businesses and other interested parties.
- 4.2 The consultation exercise included:
- A preparatory and networking meeting with a focus group of architects and developers who regular submit household planning applications to the Council. The 2hr meeting was held on 6<sup>th</sup> September 2005, the format of which was based around several discussion points including; aspect distances, rear extensions, side extensions, dormers and roof alterations, design, and special considerations.
  - Following the focus group meeting a summary of the issues raised were sent out to those who attended and a further two weeks was given for the focus group members to respond to or add to the summary.
  - A 2hr focus group meeting with Development Control Officers was held on the 28<sup>th</sup> of September 2005. This meeting was used to draw out any issues with the application of policies and was structured in a similar way to the User Panel focus group meeting.
  - The distribution of a questionnaire relating to the previous SPG and the proposed SPD in relation to improvements/alterations. This questionnaire was also made available through the City's website.
  - A presentation was made to the Planning and Transportation Regulatory Panel on Thursday 12<sup>th</sup> January 2006 to explain the proposed content of the draft SPD. This presentation was followed by a discussion where the Panel Members could make further recommendations and ask any questions.
  - A review of Householder planning applications was undertaken. The review included producing a table of objections received to all Householder applications between July and August 2005.
  - A review of all appeal decisions between December 2002 and November 2005 relating to domestic extensions was undertaken to establish whether any policies in the existing SPG have performed poorly at appeal. In total 49 appeals on domestic extensions were considered by the Planning Inspectorate in this time period.
- 4.3 Key stakeholders involved in this preliminary stage of consultation are listed in Appendix A.
- 4.4 The main issues raised in the replies to the questionnaires, focus groups and review of householder applications were as follows:

| Comments Received | Council's Response |
|-------------------|--------------------|
|-------------------|--------------------|

|   |   |
|---|---|
| Aspect distances require revision in order to ameliorate a 'first come, first served basis' that is unfair.   | With regard to facing habitable room windows, a requirement for 10.5m to be maintained to the common boundary has been introduced to alleviate the first come first served problem.   |
| The definition of a habitable room needs to be made clearer (e.g. whether a kitchen/diner is habitable).  | Qualification as to what will be taken into consideration when determining whether a room is habitable has been added.  |
| Side extensions and rear extensions should be considered differently with regard to their impact on neighbours.   | The impact of rear and side extensions on neighbours is assessed differently under separate policies.   |
| With regard to the issue of terracing, the set back required to first floor side extensions should be reduced so as to allow for more usable room space internally.   | The terracing policy has been modified to include a 3 <sup>rd</sup> option which requires a 1m set back at ground and first floor level to allow greater flexibility and to reduce the need to make major changes to the internal layouts of buildings. |
| The dormer guidance should be altered to allow for well designed flat roof dormers at the front and hipped side of roofs.   | The policy relating to dormers places the onus on the applicant to demonstrate the use of good design principles. It therefore, does not presume that flat roof dormers are unacceptable.   |
| The 2.74m rear projection should be increased to a minimum of 3m to allow for modern building requirements.   | The maximum projection distance for rear extensions has been increased from 2.74m to 3m, and the '45 degree rule' has been simplified.  |
| Mixed views were raised with regard to large families being considered 'special circumstances' to justify the guidance being relaxed.   | The personal circumstances chapter allows for applicants to submit supporting information with their application. All information submitted will be assessed and judged on its merits.  |
| Design guidance should be developed further.  | A new section on sustainable design has been included.  |
| The height of single storey extensions should be defined for the avoidance of doubt.  | The SPD has included information about what height single storey extensions are judged to be, this is in line with the GPDO (1995)  |
| More illustrations should be used to make the document easier to understand.  | Additional illustrations have been added to the document to show the new proposed policies.   |
| Parking spaces should meet disabled standards where possible to improve accessibility.  | In order to promote accessibility for disabled people, the car parking policies promote hardstandings which are 3.6m in width where appropriate (as opposed to 2.4m).   |
| Guidance on what needs planning permission should be provided.  | Additional guidance on what types of development need planning permission has been included.  |
| Of the 49 appeals considered in the review of appeal decisions, only 14 were allowed by the Inspectorate. The appeals that were allowed related to various policies of the existing SPG and no one policy has repeatedly been the subject of allowed appeals. | The review of appeal decisions did not highlight the need for any specific changes.   |

- 4.5 In response to the consultations undertaken, a series of documents were provided by a consultant on behalf of some of the residents of Broughton Park. These documents outline the demographics of Salford and in particular the Broughton Park area.

| Comments Received   | Council's Response   |
|---|--|
| On average family size within the defined area of study (Broughton Park) was 6.2 persons.   | For information  |
| Separation distances between habitable room windows should be relaxed to allow developments within the 21m distance.  | It is considered necessary to maintain a minimum separation distance of 21m between facing habitable room windows to prevent any serious loss of privacy/overlooking for neighbouring residents. However, scope is provided within the SPD for reduced distances where, for example, properties are set at an angle or where a fence prevents a serious loss of privacy. |
| The guidance designed to protect the outlook of habitable room windows should be removed.   | Habitable rooms are usually rooms where occupants spend a lot of their time. It is important to protect the outlook from, and light to, these rooms in the interests of the occupants.   |
| The felling of TPO trees should be dependant upon species and a willingness to replant replacement trees.   | This issue is controlled under separate guidance and legislation.  |
| The guidance on single storey rear extensions should be removed entirely as with the 45 degree rule.  | The rear extension policy has modified to allow marginally larger extensions (increase in distance from 2.74m to 3m) and has been re-worded for clarity. A policy on rear extensions is considered necessary to protect the amenity of neighbouring residents.   |
| With regard to personal circumstances, guidance should be to allow for a variety of developments necessary to accommodate visitors and extra amenities.   | The personal circumstance section does advise that applicants can submit supporting statements with their planning applications, which will be considered on their merits.   |
| The best option for extensions is to extend along the common boundary at first floor level even if there is no single storey rear extension on the neighbouring property. This is because the adjoining neighbour is likely to extend at some point in the future along the boundary. | Two storey rear extensions along the common boundary, and in the absence of an extension on the neighbouring property, would usually have a significant detrimental impact on the amenity of neighbouring residents by reason of loss of light/overbearing. The assumption that the neighbour is likely to extend at some point in the future is not supported.          |
| The creation of a 'terracing effect' can be prevented through the use of different materials instead of a set back at first floor level. It is also argued that a gap of 1m should be acceptable between two side extensions on semi-detached or detached properties.                 | The 'terracing policy' has been amended to include a third option which will allow greater flexibility. It is important to ensure that detached and semi-detached properties do not appear as rows of terraced properties. It is considered that the use of different materials alone is insufficient to prevent 'terracing'.  |
| The SPG guidance on dormers should be removed completely.   | It is considered important to provide guidance to residents and agents about the design of dormers to prevent unacceptable development and to ensure fair and  |

- 4.6 The consultation networks established to date will continue to be used to guide other proposed SPDs.

## 5 Formal Public Consultation

- 5.1 The SPD documents were available for inspection at the following locations:
- On the council's website: <http://www.salford.gov.uk/housxtensionsspd>.
  - Civic Centre, Salford City Council  
Chorley Road,  
Swinton, Salford, M27 5BW
  - Emerson House, Albert Street, Eccles, M30 OTE. Opening times:  
Monday to Friday, 8.30am to 4.30pm.
- 5.2 The statutory consultees that were formally invited to comment by letter on the draft SPD are listed at Appendix B.

## 6 Representations Received

- 6.1 The following organisations/persons submitted representations within the formal public consultation period:
- Greater Manchester Police
  - Government Office North West
  - Environment Agency
  - Salford Jewish Forum
  - Andrew Oppenheimer
  - Broughton Park Residents Association
  - Upper Kersal Residents Association
  - Bernard Joseph Associates
  - NMG Architecture
- 6.2 Appendix C sets out a detailed schedule of all representations, the council's responses and proposed changes to the SPD.

## 7 Main Issues Raised

- 7.1 Development in flood risk areas: Both the Government Office North West and the Environment Agency raised concern relating to development in close proximity to flood risk areas.
- 7.2 The council consider that this issue is best dealt with through the planning application process. For any works or structures requiring planning permission that are located in, under or within 8m or of the top of the bank of a main river or within 6.7m of a regional sludge main or 6.7m of the Thirlmere Aqueduct, consultations are carried out with both United Utilities and the Environment Agency as well as the city's own engineers. Any advice received would then be taken into account in determining or amending a proposal.
- 7.3 Accommodating the needs of the Orthodox Jewish Community: A number of representatives from the Orthodox Jewish Community of the Broughton Park area of Salford raised concern that the SPD would be too restrictive and would not provide for the needs of growing and extended families. Suggested amendments included:

- Allow extensions where existing neighbours do not object.
- Relaxation of the '45 degree rule.
- A reduction in the aspect distances required.
- Kitchens should not be considered as habitable rooms.
- Relaxation on the guidelines for dormer extensions to allow larger extensions in the roofspace.

- 7.4 The council recognises that there is a well established Jewish Community within the Broughton Park area of Salford, and that there is often a need for large extensions to accommodate growing families. One of the key objectives of the House extensions SPD is to strike the correct balance between the needs of the person wishing to extend their property, and the protection of the amenities (e.g. light) of any neighbouring residents.
- 7.5 With regard to the granting of planning permission for extensions where existing neighbouring residents do not object, it is important that future residents are also taken into account given the permanence of development and the likelihood that different families will occupy dwellings over time. Furthermore, if the decision to grant planning permission rested with the views of existing neighbours, then this could put those neighbours in a difficult position with the person wishing to extend potentially leading to neighbour disputes.
- 7.6 In terms of the specific reference to 'the 45degree rule' and aspect distances, the council considers that a relaxation of these policies to allow larger extensions would lead to domestic extensions that could have an unacceptable impact on the amenity of neighbouring residents. However, the council supports the view that kitchens should not always be considered as habitable rooms, as this could place further restrictions on the development potential of adjacent neighbouring properties. Kitchen/dining areas, however, may be considered habitable depending on their function within the household and whether or not a separate dining area exists.
- 7.7 With regard to dormer extensions, overly large and poorly designed dormers can have a significant detrimental impact on the character of a dwelling and on the streetscene. Therefore, the council is of the opinion that it is very important to control these aspects of dormers which form part of the streetscene. The size of dormers that may be considered acceptable will be dependent on the character and size of the parent building, and on the character of the streetscene. The emphasis is on good design rather than specifically restricting the size of dormers.
- 7.8 A relaxation of the standards set out in the SPD is sometimes acceptable depending on the site characteristics and any special circumstances which exist. The personal circumstances of each applicant would need to be demonstrated and considered on a case-by-case basis and these would need to be balanced against all other material considerations in determining any planning application. A section has been included in the SPD on personal circumstances to help recognise the needs of applicants. In addition, a section advising on the submission of joint applications was added to the consultation draft. This highlights a further option for neighbours who both wish to extend their properties at the same time. It could, in some circumstances, allow for larger extensions that would otherwise be considered unacceptable.

## **8 Sustainability Appraisal**

- 8.1 In adopting the final draft, the council must consider how sustainability issues have been integrated into the document and how the Sustainability Appraisal has been taken into account.
- 8.2 Recommendations for changes to the consultation draft are included in the Sustainability Appraisal report that accompanies the SPD. None of the representations received questioned the content of the SA.

- 8.3 The appraisal has been amended to reflect the changes to policies made in response to other representations. It is considered that sustainability issues have been adequately addressed. The revised SA is published on the council's website ([www.salford.gov.uk/housxtensionsspd](http://www.salford.gov.uk/housxtensionsspd))

## **9 Equality Impact Assessment**

- 9.1 In accordance with the Race Relations (Amendment) Act 2000, a first stage Equality Impact Assessment has been carried out on the draft SPD. This concluded that a more detailed appraisal was not required, as the SPD has no significant differential impact on any group.
- 9.2 The assessment is available on the council's website ([www.salford.gov.uk/housxtensionsspd](http://www.salford.gov.uk/housxtensionsspd))

**APPENDIX A**

**LIST OF STAKEHOLDERS INVOLVED IN CONSULTATION PRIOR TO PREPARATION OF CONSULTATION DRAFT**

| LIST OF STAKEHOLDERS INVOLVED IN CONSULTATION TO DATE      | METHOD OF CONSULTATION |                          |
|--|------------------------|--------------------------|
|  | Focus Group Meeting    | Questionnaire and Letter |
| Architectural Liaison Officer Greater Manchester Police HQ |                        | X                        |
| Neighbourhood Manager – Claremont/Weaste & Seedley         |                        | X                        |
| Neighbourhood Manager – Ordsall & Langworthy               |                        | X                        |
| Neighbourhood Manager – East Salford                       |                        | X                        |
| Neighbourhood Manager – Swinton                            |                        | X                        |
| Neighbourhood Manager – Little Hulton & Walkden            |                        | X                        |
| Neighbourhood Manager – Irlam/Cadishead                    |                        | X                        |
| Neighbourhood Manager – Worsley & Boothstown               |                        | X                        |
| Claremont Community Association                            |                        | X                        |
| Worsley Village Community Association                      |                        | X                        |
| Broughton Heights Residents Association                    |                        | X                        |
| Boothstown Residents Association                           |                        | X                        |
| Cliff Residents Association                                |                        | X                        |
| Cliffside Homewatch and Residents Group                    |                        | X                        |
| Duchy Road Residents Association                           |                        | X                        |
| Ellesmere Park Residents Association                       |                        | X                        |
| Lower Broughton & Cliffside Residents Association          |                        | X                        |
| Moorside South Residents Association                       |                        | X                        |
| Whit Lane Residents Association                            |                        | X                        |
| Roe Green Civic Trust                                      |                        | X                        |
| Worsley Civic Trust and Amenity Society                    |                        | X                        |
| Britch and Associates                                      |                        | X                        |
| Malcolm Lowe   |                        | X                        |
| Stuart Leventhall  |                        | X                        |
| David Young Architects                                     | X                      | X                        |
| R A Fisk Associates  | X                      | X                        |
| Acremoss Design Limited                                    |                        | X                        |
| Bernard Joseph   | X                      | X                        |
| J C Goodchild  |                        | X                        |
| I Elton  |                        | X                        |
| Alan Wellins   |                        | X                        |
| Jewish Forum   |                        | X                        |
| M.Hodgson (Group Leader)                                   | X                      |                          |
| A.Kershaw (Group Leader)                                   | X                      |                          |
| S.key (Planning Officer)                                   | X                      |                          |
| A.Stephenson (Principal Planning                           | X                      |                          |

|                                |   |   |
|--------------------------------|---|---|
| Officer)                       |   |   |
| M. Franklin (Planning Officer) | X |   |
| All Ward Councillors;          |   | X |

## **APPENDIX B**

### **STATUTORY, GENERAL AND SPECIFIC CONSULTEES WHO WERE INVITED TO COMMENT ON THE DRAFT SPD (IN ADDITION TO THOSE LISTED IN APPENDIX A)**

Bolton MBC

Bury MBC

CABE

Central Salford Regeneration Company

Charlestown and Lower Kersal New Deal for Communities Partnership Board

Civic Trust (Northern Office)

English Heritage

English Nature

GM Archaeological Unit

Government Office North West

Greater Manchester Ecology Unit

Greater Manchester Geological Unit

Manchester City Council

North West Development Agency

North West Regional Assembly

Salford CAB

Salford Community Network

Salford Disability Forum

Sustainability North West

The Countryside Agency

The Environment Agency

Trafford MBC

Warrington BC

Wigan MBC

## APPENDIX C

### SCHEDULE OF RESPONSES TO CONSULTATION DRAFT

| ORGANISATION /<br>CONSULTEE     | SUBJECT                                      | CHAPTER  | PARA | POLICY<br>NO. | COUNCIL INTERPRETATION /<br>CONSULTATION RESPONSE   | COUNCIL'S RESPONSE  | PROPOSED CHANGES                 |
|---------------------------------|--|--|------|---------------|---|---|----------------------------------|
| Greater<br>Manchester Police    | Comments on<br>the document<br>as a whole    |  |      |               | The design of any house extension,<br>should not adversely affect or impact<br>upon the security and safety of the site<br>or adjacent properties. Where<br>necessary, improved or replacement<br>boundaries should be provided to<br>maintain a secure environment.  | This matter is best dealt with in<br>the Design and Crime SPD.  | No changes proposed.             |
| Government Office<br>North West | Sustainable<br>Drainage<br>Systems<br>(SUDS) | 05-<br>Sustainable<br>Design and<br>Construction |      |               | In the section on Sustainable Design<br>and Construction the reference above<br>paragraph 5.7 should be to<br>'Sustainable Drainage Systems<br>(SUDS)'. It should not include the word<br>'Urban'.  | The Council supports this<br>amendment.   | As per consultation<br>response. |
| Government Office<br>North West | Development<br>in flood risk<br>areas        |  |      |               | We would have concern with<br>development of this type where it is<br>located in a flood zone or within main<br>river Byelaw distance.<br><br>Under the terms of the water resource<br>act 1991 and the land drainage byelaw,<br>prior written consent of the agency is<br>required for any proposed works or<br>structures in, under or within 8m of the<br>top of the bank of a main river.<br><br>If the development is located within an<br>area of high flood risk, we would | For any works or structures<br>requiring planning permission<br>that are located in, under or<br>within 8m or of the top of the<br>bank of a main river or within<br>6.7m of a regional sludge main<br>or 6.7m of the Thirlmere<br>Aqueduct, consultations are<br>carried out with both United<br>Utilities and the Environment<br>Agency Authority as well as the<br>city's own engineers. Any<br>advice received would then be<br>taken into account in | No changes are<br>proposed.      |

| ORGANISATION /<br>CONSULTEE                    | SUBJECT                         | CHAPTER | PARA | POLICY<br>NO. | COUNCIL INTERPRETATION /<br>CONSULTATION RESPONSE  | COUNCIL'S RESPONSE   | PROPOSED CHANGES   |
|--|---------------------------------|---------|------|---------------|--|--|--|
|  |                                 |         |      |               | normally request that floor levels are set no lower than existing.   | determining or amending a proposal.  |  |
| Environment Agency                             | Development in flood risk areas |         |      |               | <p>The document supplies in detail guidance on the design of extensions in relation to boundaries. We (EA) would have concern with development of this type where it is located in a flood zone or within main river Byelaw distance.</p> <p>Under the terms of the Water Resource Act 1991 and the Land drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8m of the top of the bank of a main river.</p> <p>If the development is located within an area of high flood risk, we would normally request that floor levels are set no lower than existing.</p> | <p>For any works or structures requiring planning permission that are located in, under or within 8m or of the top of the bank of a main river or within 6.7m of a regional sludge main or 6.7m of the Thirlmere Aqueduct, consultations are carried out with both United Utilities and the Environment Agency Authority as well as the city's own engineers. Any advice received would then be taken into account in determining or amending a proposal.</p> <p>However, the advice provided by the EA and GONW has been added to the 'Other Information and Advice including submitting a valid Planning Application' chapter for information.</p> | <p>Inclusion of the following text:<br/> <b>"Development in Flood Risk Areas</b><br/> Under the terms of the Water Resource Act 1991 and the Land drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8m of the top of the bank of a main river.</p> <p>If the development is located within an area of high flood risk, the Environment Agency would normally request that floor levels are set no lower than existing."</p> |
| Salford Jewish Forum<br><br>Andrew Oppenheimer | Various                         |         |      |               | One of the Government's key aims now is to create sustainable communities. The purpose of this aim is that, where there are existing communities with stable social conditions, they should wherever possible be encouraged and  | The council recognises that there is a well established Jewish Community within the Broughton Park area of Salford, and that there is often a need for large extensions to   | Removal of the reference to kitchens in para 2.12 (Habitable Rooms)  |

| ORGANISATION /<br>CONSULTEE                           | SUBJECT | CHAPTER | PARA | POLICY<br>NO. | COUNCIL INTERPRETATION /<br>CONSULTATION RESPONSE   | COUNCIL'S RESPONSE  | PROPOSED CHANGES |
|---|---------|---------|------|---------------|---|---|------------------|
| Broughton Park<br>and Upper Kersal<br>Residents Assoc |         |         |      |               | <p>allowed to flourish. A recent study of Tower Hamlets concluded that the demolition of large family houses there and their replacement by smaller apartment units was one of the key reasons for the social disintegration of that community.</p> <p>The Broughton Park area of Salford is home to around two thousand orthodox Jewish families and is a community which was established in the 1920s, has been growing steadily ever since and now constitutes around 90% of the inhabitants of the area. This is a classic example of a sustainable community contributing to the economic and social stability of the whole of North Salford and, as such, it is critical that planning policies do not undermine its growth.</p> <p>The majority of the houses in the area are three- and four bedroom detached and semi-detached units. Jewish values place tremendous emphasis on family life and children, and family sizes in the area typically range from three to fourteen children. As the families outgrow their accommodation, applications for loft, rear and side extensions are very common and simply reflect the essential need for additional living space.</p> | <p>accommodate growing families. One of the key objectives of the House extensions SPD is to strike the correct balance between the needs of the person wishing to extend their property, and the protection of the amenities (e.g. light) of any neighbouring residents.</p> <p>It is unclear what is being referred to when it is stated that planning guidelines seem to have been tightened in the last few years as the local policy context for domestic extensions has remained largely unaltered since the adoption of the House Extensions SPG in December 2002.</p> <p>With regard to the granting of planning permission for extensions where existing neighbouring residents do not object, it is important that future residents are also taken into account given the permanence of development and the likelihood that different families will occupy dwellings over time. Furthermore, if the decision to grant planning permission</p> |                  |

| ORGANISATION /<br>CONSULTEE | SUBJECT | CHAPTER | PARA | POLICY<br>NO. | COUNCIL INTERPRETATION /<br>CONSULTATION RESPONSE   | COUNCIL'S RESPONSE   | PROPOSED CHANGES |
|-----------------------------|---------|---------|------|---------------|---|--|------------------|
|                             |         |         |      |               | <p>If such applications are refused, the families are effectively being told to move elsewhere, which is not an option since for financial and other reasons there is usually no suitable alternative. A narrow and restrictive approach to such planning applications is therefore unjustifiable, especially since the planning guidelines seem to have been tightened in the last few years without any change in the circumstances. There are also many extended families looking after elderly relations, which is clearly preferable to residential care and is very often the reason for the additional accommodation required.</p> <p>The reluctance of the planners to allow large extensions in such circumstances, where neighbours do not object, is unacceptable. The argument that the next owner of the house may not be happy with the loss of amenity caused by a former development surely ought to be set aside where there is a longstanding stable community and no expectation it will leave the area. In such cases the additional extended accommodation will be regarded by any potential buyer as a positive factor.</p> | <p>rested with the views of existing neighbours, then this could put those neighbours in a difficult position with the person wishing to extend potentially leading to neighbour disputes. In addition, although there is a concentration of Jewish families in the Broughton Park area, it is not appropriate to assume that all families are Jewish and, indeed, that all Jewish families have the same needs. The personal circumstances of each applicant would need to be demonstrated and considered on a case-by-case basis and these would need to be balanced against all other material considerations in determining any planning application. A section has been included in the SPD on personal circumstances to help recognise the needs of applicants. In addition, a new section advising on the submission of joint applications has been added. This highlights a further option for neighbours who both wish to extend their properties at the same time. It could, in some circumstances, allow for larger</p> |                  |

| ORGANISATION /<br>CONSULTEE | SUBJECT | CHAPTER | PARA | POLICY<br>NO. | COUNCIL INTERPRETATION /<br>CONSULTATION RESPONSE  | COUNCIL'S RESPONSE  | PROPOSED CHANGES |
|-----------------------------|---------|---------|------|---------------|--|---|------------------|
|                             |         |         |      |               | <p>Ultimately it is submitted that these matters raise human rights issues relating to the right of homeowners to develop their housing so as to provide satisfactory accommodation and reduce overcrowding. They should be accepted as prima facie constituting special circumstances and should not have to be established on a case-by-case basis.</p> <p>Examples of rules which ought to be relaxed especially where there is no objection from neighbours, except in exceptional circumstances, are:</p> <p>the forty-five degree line rule;<br/>the twenty-one metre minimum distance rule; and<br/>the treatment of the kitchen as a living room.</p> <p>The rules on dormer windows also need to be more generous to enable proper attic living spaces to be created. Similar considerations should also apply to new developments.</p> | <p>extensions that would otherwise conflict with the provisions of the SPD.</p> <p>With regard to human rights, the relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of the SPD, particularly the implications arising from the following rights:<br/>Article 8 The right to respect for private and family life, home and correspondence;<br/>Article 1 of Protocol 1 The right of peaceful enjoyment of possessions and protection of property.</p> <p>In terms of the specific reference to 'the 45degree line rule' and the '21m rule', the council considers that a relaxation of these policies to allow larger extensions would lead to domestic extensions that could have an unacceptable impact on the amenity of neighbouring residents. However, the council supports the view that kitchens should</p> |                  |

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|                             |         |         |      |               |   | <p>not always be considered a habitable rooms, as this could place further restrictions on the development potential of adjacent neighbouring properties. Kitchen/dining areas, however, may be considered habitable depending on their function within the household and whether or not a separate dining area exists.</p> <p>With regard to dormer extensions, overly large and poorly design dormers can have a significant detrimental impact on the character of a dwelling and on the streetscene. Therefore, the council is of the opinion that it is very important to control these aspects of dormers which form part of the streetscene. The size of dormers that may be considered acceptable will be dependent on the character and size of the parent building, and on the character of the streetscene. The emphasis is on good design rather than specifically restricting the size of dormers.</p> |                      |
| Bernard Joseph              | Various |         |      |               | The proposed standards as laid out do             | The standards set out in the  | No changes proposed. |

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| Associates Ltd              |         |         |      |               | <p>not differentiate between existing and new housing. I appreciate any planning department's difficulty in trying to establish acceptable guidelines which, whilst not unduly restrictive, nevertheless do not impinge on the amenities of neighbouring dwellings. Whilst acknowledging that there must be minimum standards, I would however wish to suggest that, where planning applications relate to housing stock say pre-war, where already the distances between dwellings do not conform to your latest guidelines, then a more relaxed policy should be adopted.</p> <p>I would draw your attention to the Government's latest PPG3 dealing with housing, where it is clear from the ODPM, that the aim of the Govt is to create 'sustainable communities'.</p> <p>Whilst this is quite a loose term and has implications in many ways for the built environment, nevertheless its key purpose is to ensure that, where there are existing communities with stable social conditions, these, where possible should be encouraged and allowed to flourish.</p> <p>There are within your City areas of</p> | <p>SPD are required to strike a balance between the needs of the person wishing to extend their dwelling, and the impact of the extension on the amenity of neighbouring residents. Some of the principle considerations relate to the prevention of a loss of privacy, loss of light, and/or overbearing development. Therefore, irrespective of the age of the housing stock, the standards introduced in the SPD are considered by the council to achieve this aim. However, it is acknowledged in the SPD (e.g. HE5) that extensions to older terraced properties which do not accord with the provisions of the SPD may be permitted where it can be demonstrated that the extension is the only practical way of introducing basic amenities (e.g. kitchen).</p> <p>One of the fundamental aspects of sustainable communities is ensuring that residential environments are created where sufficient amenities are provided and where people would choose to live. One</p> |                  |

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|                             |         |         |      |               | <p>older housing which, whilst not necessarily possessing buildings or even streetscapes of any great architectural significance, nevertheless exhibit a strong sense of community. Such areas should be allowed to grow and develop. I am thinking particularly both in terms of seeing to the needs of the elderly as well as the larger family unit.</p> <p>It is surely your Council's wish that, where there is a wish to take care of the needs of elderly relations within the family framework, it is preferable to encourage this rather than housing them in residential care homes. This will obviously have implications in terms of existing housing. It very often means, in addition, that younger members of the family need to be accommodated in either attic accommodation or extended dwellings.</p> <p>I would suggest that the accommodation needs of the larger family have to be addressed as well. It is not necessarily always possible, for financial or other reasons, similarly for families to move from house to house as and when the number of children in the family increase. It surely must be in the interest of the community at large</p> | <p>aspect of this is the need to protect the existing amenities of residents whilst allowing people to extend their homes to meet their needs. As already mentioned, it is an issue of balance, and the council is of the opinion that SPD achieves this balance. Although the council supports the strengthening of local communities, it does not support the view that financial constraints, as a material planning consideration, is justification to allow development that would have a detrimental impact on the amenity of neighbouring residents, especially given the permanence of development.</p> <p>With regard to the granting of planning permission for extensions where existing neighbouring residents do not object, it is important that future residents are also taken into account given the permanence of development and the likelihood that a different families will occupy dwellings over time. Furthermore, if the</p> |                  |

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|                             |         |         |      |               | <p>that, where there is stable and well established community, remaining within the local community should, wherever possible be encouraged.</p> <p>It is appreciated that it is always difficult for the planning department to make a fine judgement in terms of relative merits of people's needs and the overall visual impact of an area. However, in line with the govt's publicly stated views that sustainable communities should be encouraged, then surely this gives comfort to the planning department where it is perceived that the needs of the family are seen as paramount.</p> <p>The reluctance of your department to allow large extensions even were neighbours have no objection to such proposals is noted. You take the view that the next owner of the house may not be happy with the loss of amenity caused by the former development. However, where there is a stable community with families having a wish to stay in the area, then surely this particular consideration should be set aside.</p> <p>With regard to new developments, it is understood that the standards set out</p> | <p>decision to grant planning permission rested with the views of existing neighbours, then this could put those neighbours in a difficult position with the person wishing to extend potentially leading to neighbour disputes. In addition, although there is a concentration of Jewish families in the Broughton Park area, it is not appropriate to assume that all families are Jewish and, indeed, that all Jewish families have the same needs. The personal circumstances of each applicant would need to be demonstrated and considered on a case-by-case basis and these would need to be balanced against all other material considerations in determining any planning application. A section has been included in the SPD on personal circumstances to help recognise the needs of applicants. In addition, a new section advising on the submission of joint applications has been added. This highlights a further option for neighbours who both wish to extend their properties at the</p> |                  |

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|                             |         |         |      |               | <p>in your guidance document are well established. I would respectfully request that in the 21st Century maybe there is time to reconsider their particular relevance today. The govt is keen to raise design standards and provide environments which are both visually attractive and sustainable. There are numerous examples both in Britain and continental Europe, where very successful environments have been created where the distances, as outlined in your proposals, between habitable rooms and the like have not been met. This relates to both older developments and new. There is, in my view, a great risk that as a result of a blanket approach to this, there is a danger of mediocrity of design and townscape being achieved.</p> <p>Housing associations and private developers are interested in ensuring that their developments, large or small, in the end will be occupied by satisfied tenants and purchasers. It is not in their interest to create housing environments where the amenities enjoyed by the residents are so poor that they would not wish to occupy these dwellings.</p> <p>The govt is keen to utilise existing sites, especially those in inner city areas, and</p> | <p>same time. It could, in some circumstances, allow for a relaxation of the standards set out in the SPD.</p> <p>The council supports the government's objectives to achieve attractive and sustainable residential neighbourhoods. In order to achieve this aim, it is considered necessary to provide guidelines which seek to protect local amenities whilst allowing people to extend their properties to meet their housing needs. It is considered that the SPD achieves this aim and that relaxation of the standards could lead to development that has a detrimental impact on residential amenities. However, in some circumstances where evidence can be provided to demonstrate that no harm would result from a development or where special circumstances exist, it may be acceptable for the standards to be relaxed. This would need to be determined on a case-by-case basis.</p> |                  |

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|                             |         |         |      |               | <p>to increase housing densities wherever it is practically possible. It is also keen to achieve a high standard of design in all housing developments whether they be public or privately funded. I would suggest that the prescriptive distances as shown in your guide should be relaxed. This will not in my view be to the detriment of the amenities enjoyed by residents.</p> <p>It is appreciated that making subjective view regarding planning applications and the coming to a considered view is far from being an easy task. Nevertheless, I do feel that a more flexible approach in line with the govts thinking should be adopted within your proposals to achieve an environment, which provides both excellent housing standards for its residents and a high quality visual environment for our City.</p> |   |  |
| NMG Architecture            | Various |         |      |               | <p>It is considered that the SPD does not reflect the needs of the 3,000 plus families who reside in the Broughton Park district. Reference is made to a report which was sponsored by Salford City Council in 2003 written by Naomi Holman and it is felt that there is no evidence to suggest that the planning process supports the needs of the community. Reference is also made to a report which was submitted to the</p>   | <p>The content of, and response to the issues of the consultant's report are considered earlier in this Consultation Statement.</p> <p>The council recognises that there is a well established Jewish Community within the Broughton Park area of Salford, and that there is often a need for large extensions to</p> | <p>Removal of the reference to kitchen's in para 2.12 (Habitable Rooms).</p> |

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|                             |         |         |      |               | <p>council in 2005 relating to Broughton Park and the draft SPD (this report is summarised earlier in this Consultation Statement). It is considered that the recommendations of the report have not been taken into account in the SPD. A number of recommendations are made relating to the SPD:</p> <p>a. Habitable rooms should not include kitchens. A dictionary search on 'habitable' suggests 'a room suitable to live in which is free from defects that can endanger the health and safety of the occupants'.</p> <p>Kitchens do not fall into this category, especially in such large families where you can expect to find large numbers of young children.</p> <p>There is also another issue relating to the construction of Succahs. You have acknowledged the need for Succahs to be built, but the 45o rule may well limit the length of the Succah, just as the 2.74 metre policy HH9 does now.</p> <p>b. We should like to see Policy HE1 amended so that the minimum distance between facing habitable rooms is reduced to 15 metres and the distance to the common boundary is 7.5 metres.</p> | <p>accommodate growing families. One of the key objectives of the House extensions SPD is to strike the correct balance between the needs of the person wishing to extend their property, and the protection of the amenities (e.g. light) of any neighbouring residents.</p> <p>The council supports the view that kitchen's should not always be considered as habitable rooms, as this could place further restrictions on the development potential of adjacent neighbouring properties. Kitchen/dining areas, however, may be considered habitable depending on their function within the household and whether or not a separate dining area exists.</p> <p>With regard to the '45 degree rule' (Policy HE5) limiting the length of single storey rear extensions including Succahs, the council is of the opinion that a standard needs to be retained to inform new proposals and to prevent development that would have a detrimental impact on</p> |                  |

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|                             |         |         |      |               | <p>I have given reasoned justification in my report. You could offer a compromise to this based against boundary treatments, but the SPD makes no mention of this possibility.</p> <p>c .We disagree with Policy HE2. Perhaps communal recreation space could offer a solution or neighbour consultations, but 13 metres is far too great a distance to consider. We don't even accept your justification for this policy.</p> <p>d. Policy HE3 is related to two storey and first floor extensions. Policies apart, look at the level of inconsistency in the planning process when this policy is determined. Our view is that this policy counteracts the specific requirements of the Community and is truly impossible to achieve.</p> <p>e. Our view is the same as that above. 9 metres is just too far between single storey extensions. Again, the solution here may rest with neighbour to neighbour consultations and agreements. Perhaps material finishes are a consideration rather than the dependency on distance. Whatever the answer, it should be included in the SPD and future adopted documents. In</p> | <p>the amenity of neighbouring residents. Any relaxation of this policy to allow extensions which would project a minimum of 5m would, in the council's view, lead to a significant detrimental impact on the amenity of neighbouring residents.</p> <p>Aspect distances: It is considered necessary to maintain the aspect distances as set out in the SPD to prevent any serious loss of privacy or loss of light for neighbouring residents and future occupants. However, scope is provided within the SPD for reduced distances where, for example, properties are set at an angle or where a fence prevents a serious loss of privacy.</p> <p>With regard to the granting of planning permission for extensions where existing neighbouring residents do not object, it is important that future residents are also taken into account given the permanence of development and the likelihood that a different</p> |                  |

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|                             |         |         |      |               | <p>short, where aspect distances are considered your suggestion of shadow studies and sectional drawings could be extended to include written agreements between parties, public meetings, and what about precedence?</p> <p>f. We are not in favour of the 45 degree rule and would like to see the common boundary distance increased to 5 metres rather than 3 metres.</p> <p>G. Our view is that adjoining property owners should be allowed to construct an extension, whatever its final use may be, the length of which should be unlimited provided that both parties agree in written testimonials or adjoining extensions are the same length, of similar design and material finish. Further, it may be relevant to review boundary treatments and recreation space allocations in these cases. We do not accept that adjoining properties have to be constructed concurrently, especially where the planning authority has accepted two submission fees. Such legislation will impact on the economic viabilities of religious beliefs and I'm not sure that it is realistic. If two neighbours, who are in agreement with each other, both build the same extension, the same</p> | <p>families will occupy dwellings over time. Furthermore, if the decision to grant planning permission rested with the views of existing neighbours, then this could put those neighbours in a difficult position with the person wishing to extend potentially leading to neighbour disputes. The creation of a precedent is a material planning consideration but it must be balanced against all other material planning considerations including the SPD. It must also be recognised that no two sites are the same and that each new case should be considered on its merits.</p> <p>A new section was included in the draft SPD advising on the submission of joint applications. This highlights a further option for neighbours who both wish to extend their properties at the same time. It could, in some circumstances, allow for larger extensions that would otherwise not receive favourable consideration. The requirement for extensions to be built concurrently prevents only one</p> |                  |

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|                             |         |         |      |               | <p>length and do not impact on opposite neighbours (7.5 metres) then planning should be approved. Both extensions should be for a practical use to the benefit of the house owner and his family. There is only then the question of proportion. For example a terraced house owner could not build an extension that is quite clearly out of proportion to his house unless he can categorically prove demand for such improvements. This is where the consultation process benefits the development and provides the strongest evidential solution.</p> <p>h. Policies HE6 and HE7 are undoubtedly the most difficult and pose some very important questions to answer. Quite simply demand and specific needs should drive this policy. It cannot be that a 'one rule suits all' scenario is adopted.</p> <p>If you look at the statistics, census information and review the report written by Naomi Holman in 2003 you would have to accept that the Jewish Community is both large and continues to grow. Without going into detail, there is undoubtedly growing concern that you, as a planning authority, are not dealing with the</p> | <p>neighbour extending at the expense of the amenities of the neighbouring property (for existing and future residents) as there would be no guarantee that both extensions would ever be built if concurrent building was not conditioned. The removal of this would obviously provide a loophole to allow unrestricted extensions on the basis that an intention has been shown for both properties to be extended at some point in the future. In such cases, it is reasonable to conclude that some extensions may never be built and it would be unenforceable to require both extensions to be built with the use of a condition.</p> <p>Policies HE6 and HE7: The council does not support the view that need and demand should be drivers in determining applications for two storey and first floor extensions to the rear. For example, quality of design and the impact of such extensions on the amenity of neighbouring residents are central to ensuring the creation of sustainable communities.</p> |                  |

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|                             |         |         |      |               | issues raised by the Community when it comes to housing and house extensions. |                    |                  |