

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132946/FH/2022

Date registered valid: 17 March 2022

Proposal: Erection of single storey rear extension to form additional living accommodation

Address: 30 Kingsway, Manchester, M19 2DD

Ward(s): Rusholme Ward

Applicant: Mr Reuben Ramelize 24 Aldermary Road, Manchester, M21 7QN

Agent (if any): Mr Denothan Ketheswaran Arch Designs Wilsons Park, C/o Mas, Monsal Road, Manchester, M40 8WN

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 12 May 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 23 March 2022 Expired: 13 April 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

The application relates to a semi-detached house fronting Kingsway in close proximity to the junction with Slade Lane .The property has a front garden ,and is off set from the boundary with no.32 Kingsway by a narrow path which provides access to the rear garden. The rear garden is 29m in length when measured from the rear elevation of the conservatory which has been built previous at the dwellinghouse .There is a wide solid metal gated access to in the rear boundary to the garden from an alleyway to the rear which is widen enough to enable vehicular access .

There is an existing outbuilding in the rear garden along the boundary with no. 32 Kingsway , and to the rear of the existing conservatory is a pergola with partially removed decking at ground level, and a large shed beyond this structure . As such there are structures which include built form along the side boundary adjacent to no. 28 Kingsway which project into the rear garden by 10.8m.

There is a large detached outbuilding in each of the rear gardens of nos. 32 and 28 Kingsway.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The dwellinghouse is located within a predominantly residential section of Kingsway, but with a small parade of shops to the north east on Kingsway at the junction with Kingsway Avenue.

Description of development

Consent is sought for the erection of single storey rear extension to form additional living accommodation. The scheme would involve the demolition of the existing conservatory and pergola, and demolition of an outbuilding . The proposed extension would project 6.9m from the rear elevation of the house (4.5m from the rear facade of the existing outrigger). The proposed extension would have a hipped roof , which would have a maximum height of 2.36m to eaves level, and an overall height to the ridge of the roof of 3.66m. The extension would not project beyond the side gable adjacent to the boundary with no. 32 Kingsway, would be located adjacent to the side boundary with no.28 Kingsway. The proposed extension, would include the provision of a window to the side elevation and windows and a door to the rear elevation .

Consultations & Notification Responses

Local residents – No comments received.

Issues

Policy

NPPF

The National Planning Policy Framework (NPPF) was published in 2012 and revised in February 2019, and subsequently in July 2021

The aim of the NPPF is to ensure there is a presumption in favour of sustainable development and that positive planning solutions are found to ensure development is brought forward. The NPPF is a material consideration in planning decisions as outlined in Paragraph 2 of the NPPF and Section 38(6) of the Planning and Compulsory Purchase Act 2004.

Sustainable development is broadly defined in Paragraph 8 of the NPPF as having three overarching 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 a well-designed and safe built environment, 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 contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Notwithstanding the requirements within the National Planning Policy Framework, an assessment of the impact of the proposal needs to be considered within the context of other documents as outlined below:

Manchester Core Strategy

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

Regard should be given to:

Policy SP1 (Spatial Principles) which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income, and; protecting and enhancing the built and natural environment.

Policy DM1 (Development Management) says that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. Of relevance in this instance are: appropriate siting, layout, scale, form, massing, materials and detail. Impact on the surrounding areas should be considered in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area. Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise. In terms of accessibility, buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes. There should be regard for community safety and crime prevention. Adequacy of internal accommodation and external amenity space, including refuse storage and collection and vehicular access and car parking must be assessed. The effects relating to biodiversity, landscape, archaeological or built heritage, including green infrastructure, open space, both public and private must be given due consideration. In addition, flood risk and drainage, including existing or proposed hazardous installations will be assessed.

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. Saved policies DC1.1, DC1.2, DC1.3, DC1.4 and DC1.5 which relate to determining planning applications for extensions to residential properties are of relevance in the consideration of this application.

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

In addition, the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance 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: 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 is for the proposed erection of a single storey extension to the elevation of the dwellinghouse. The principle of the proposal is considered to be acceptable in that it would allow the adaptation of the existing house to meet changing residential needs, and is intended to benefit the needs of the occupiers residing at the dwellinghouse. On balance it is considered whilst the overall rear projection is longer than would normally be supported, the proposed extension is set in the context of a 30m long rear garden and with the location of large outbuildings in the neighbouring gardens. It is therefore considered that the development responds positively to The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policy DC1 of the Unitary Development Plan.

Residential Amenity

Approval is sought for the erection of a single storey rear extension in the rear garden which would project 6.9 m from the original rear elevation house (4.5m from the rear facade of the existing outtrigger). The rearward projection, and the long rear garden, would mean that at the closest point to the rear boundary, 25.5m of rear garden would be retained between the proposed rear extension and the rear garden boundary. The rear garden is also enclosed by close boarded fencing of varying heights, and this would effectively provide a degree of partial screening of the proposed extension from the surrounding dwellinghouses.

However, the rear extension would be visible to the occupiers of the adjoining dwellinghouses.

The proposed extension would have a hipped roof, which would have a maximum height of 2.36m to eaves level, and an overall height to the ridge of the roof of 3.66m. The extension would not project beyond the side gable adjacent to the boundary with no. 32 Kingsway, but would be located adjacent to the side boundary with no. 28 Kingsway. The proposed extension, would include the provision of a window to the side elevation and a door and windows to the rear elevation.

The glazed window to the side elevation would be offset from the boundary with no. 32 Kingsway by 1.36 m. It is therefore proposed to attach a condition to ensure that lower non opening glazed area of this window is obscured to ensure the privacy of the occupier and the neighbouring property, as shown on plan ref: A1/02 rev.A received on 12th May 2022.

It is considered that the siting, height and design of the proposed extension would not give rise to significant adverse impacts to the amenity of the adjoining occupiers, in terms of residential and visual amenity, subject to the attachment of an obscure glazing condition in regard to the glazed window in the side elevation.

On this basis, it is considered that development responds positively to Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

Height, scale and massing

It is considered that the scale of the development and its massing in relation to the surrounding context would be acceptable. The incorporation of a hipped roof would reduce the potential impacts from massing.

Siting

The proposed extension would be contained within the existing curtilage of the property, and would not project beyond the existing side gable of the dwellinghouse. Due to the single storey nature of the proposed extension, it would be viewed as a subservient feature to the main dwellinghouse. It is considered that the proposed siting of the rear extension and the design of the roof would not give rise to significant adverse impacts to the neighbouring houses. It is considered that the development meets the requirements of Core Strategy policy DM1.

Design and appearance

The single storey extension would be partly visible to the properties to the rear, and side of the dwellinghouse, but as the rear garden area is partially screened by fencing to all three boundaries, any views would be limited. It is considered that the design and appearance of the proposed extension are acceptable.

It is considered that the proposal would not detract from the character and appearance of the existing house, due to the context, and siting.

Overall the proposal has been designed to be in keeping with the design and character of the existing house, and would incorporate matching materials. It would therefore not adversely affect the appearance of the existing dwelling or visual amenity within the area, and is considered to be acceptable.

Disabled access.

The planning agent has confirmed in an email dated 19th April 2022, that level access would be incorporated to the rear entrance into the proposed extension.

Waste Management

The existing waste management arrangement would be unaffected by the proposed development which would retain access along the side gable of the dwellinghouse to the rear garden.

Car Parking

The existing arrangements would be unaffected by the proposed development.

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: Approve

Article 35 Declaration

The local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. This includes the identification of issues and 'problems' associated with the proposals that have required positive consideration, dialogue and negotiation to secure positive outcomes. Officers have worked with the applicant in a positive and proactive manner in order to achieve solutions to problems arising from the consideration of this planning application. In this instance, matters relating to impacts associated with the overall rearward projection of the extension were raised with the agent. The scheme has been subsequently revised and the appropriate conditions have been attached.

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

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the following drawings and documents:

Location plan ref: A3/03 received 15th February 2022;

Contents of email from planning agent dated 19th April 2022 confirming there would be level access into the rear extension.

Proposed roof and site plan ref: A3/04 received 10th May 2022.

Proposed plans and elevations ref: A1/02 rev. A received 12th May 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

3. The external facing materials to be used on the extension hereby permitted shall match those of the existing building in terms of type, colour, texture and scale.

Reason - To ensure that the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy (2012).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the extension hereby

approved other than those shown on plan ref: Proposed roof and site plan ref: A3/04 received 10th May 2022; and Proposed plans and elevations ref: A1/02 rev. A received 12th May 2022

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

5. Before first occupation the lower non opening element of the window in the south eastern side elevation of the single storey side extension, as shown on plan ref: Proposed plans and elevations ref: A1/02 rev. A received 12th May 2022, hereby approved shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

27 Kingsway Avenue, Manchester, M19 2DH
32 Kingsway, Manchester, M19 2DD
28 Kingsway, Manchester, M19 2DD
25 Kingsway, Manchester, M19 2BZ
27 Kingsway, Manchester, M19 2BZ
23 Kingsway, Manchester, M19 2BZ
21 Kingsway, Manchester, M19 2BZ
29 Kingsway Avenue, Manchester, M19 2DH
25 Kingsway Avenue, Manchester, M19 2DH

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH2