

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133050/FH/2022
Date registered valid: 2 March 2022
Proposal: Erection of part single, part two storey side and rear extension and installtion of rear dormer to provide additional living accommodation
Address: 42 Kingswood Road, Manchester, M14 6SA
Ward(s): Withington Ward

Applicant: Mr M Khan 42 Kingswood Road, Manchester, M14 6SA
Agent (if any): David Ormesher Holborow & Ormesher Via Email
Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 25 April 2022



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 14 April 2022

Standard consultations:

Printed: 3 March 2022 Expired: 24 March 2022

Neighbour notifications

Printed: 3 March 2022 Expired: 24 March 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 site is a red brick and render Edwardian semi-detached dwelling on the south side of Kingswood Road, Withington. The property has access along the eastern side to the rear where there is a single storey flat roof extension. The access is partially shared with the adjacent property No.44 to the east, forward of the front elevation. The front garden has been block paved for parking of 1no. car and there is a small enclosed porch at the front entrance.

All of the site lies within the Order lands of the HS2 safeguarding zone.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The site is within a residential area that is accessed off Kingsway 300 metres to the east. Housing is of a mixed typology comprising Edwardian semi's to the south and east, inter-war semi's and terraces to the north and Victorian pavement terraces to the west.

Materials are red brick, render, slate and red clay tile roofs.

Description of development

Erection of part single, part two storey side and rear extension and installation of rear dormer to provide additional living accommodation.

The rear extensions except the dormer have an expired permission from 2015 (Ref: 109682/FH/2015/S1) which has been under-implemented, with only the ground floor element built out.

The extensions provide an extended living room, kitchen and new WC at ground floor, enlarged bedroom and bathroom at first floor and bedroom in the dormer.

Consultations & Notification Responses

A total of 7no. neighbours were notified of the application; no comments were received.

HS2 Ltd

HS2 has confirmed that this application is in close proximity to sub surface safeguarding for Phase 2b of HS2.

They have reviewed the plans associated with the submission and confirmed that the proposal will not impact HS2 works in that location, therefore HS2 Ltd has no objection to the proposed development.

Policy

The application is assessed for its impacts on residential and visual amenity under the following policies within the Development Plan:

Saved UDP policy DC1

Core Strategy policies SP1 and DM1

Issues

The application is assessed against the above policy framework for impacts on residential and visual amenity, car parking and bin storage. The proposal is acceptable in principle having regard to saved UDP policy DC1 and to the expired 2015 application.

Residential Amenity

As with the 2015 assessment, the proposal is considered to have acceptable impacts on residential amenity. The proposal extends the ground floor at the side by 931mm to create a WC and extend the width of the existing extended living room. A window is only proposed at the front for the WC which is to be obscurely glazed. There would be no impact on the side elevation of No.44 which has no windows on the facing gable.

The first-floor extensions propose to extend the rear bedroom by 3.5 metres and the rear bathroom by 1.3 metres. The extended bedroom would be off-set from the boundary with No.44 by 583mm which given the depth of projection and south-facing orientation, would only give rise to limited shading towards the end of the afternoon/evening.

The bathroom extension would sit on the boundary with the adjoining semi, No.40 Kingswood Road as per the 2015 approval. This property to the west has a bathroom window close to the boundary as per the layout of the application site. The extended bathroom would sit alongside with the first-floor extension sited 2 metres away alongside. It is considered that this relationship, depth of projection and orientation would result in a minimal loss of amenity in terms of overshadowing or being perceived as overbearing. It is noted that No.40 has a 2-storey rear extension; the small depth of bathroom extension in this case would not lead to a tunnelling effect.

The rear dormer provides a bedroom with a window to the rear. It is considered to have acceptable impacts on residential amenity. It would face the side / rear of No.9 Hawes Avenue to the south at an oblique angle and with a gap between eaves of 21.54 metres. This is considered adequate to avoid any intrusive overlooking.

Visual Amenity

The extensions are sited to make the best use of internal constraints whilst retaining adequate garden amenity space.

They are of a scale that is proportionate to the scale and mass of the original and responds to the pattern of rear extensions particularly going west along Kingswood Road.

Visually, the side extension will have little impact within the street scene being set back by 4.1 metres off the front elevation and with the roof ridge set down. The roof profile is a gable to match the existing and materials are proposed to match which will help it to assimilate with the original.

The rear dormer is a typical shed type design that sits within the parameters of the rear roof slope including 200mm set in off the eaves. The total volume is 47.90 metres³ based on a height of 2.8m x 2.9m depth x 5.9m width. This is within the permitted cubic volume for a semi-detached house allowed under Class B, Schedule 2, Part 1 of the Town and Country Planning Act 1990: Section 192, as amended by section 10 of the Planning and Compensation act 1991 and the Town and Country Planning (Development Management Procedure) (England) Order 2015.

The materials are proposed to match the existing.

Parking / Bin storage

Parking and bin storage are unaffected by the proposal. Bin storage is proposed to be incorporated behind a gated section that comes to the level of the bay window. As parking is currently accommodated in front of the window, the bin store does not encroach onto this space.

Other Matters

The site falls entirely within the HS2 sub-surface safeguarding zone. The proposal has been assessed by HS2 Ltd who have no concerns that the proposed extensions will impact on delivery of the HS2 works.

On the basis of the above, the proposal accords with saved UDP policy DC1 and Core Strategy policy DM1.

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 in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the delegated report. The proposal was notified to 7no. neighbours; no comments were received.

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 received on the 23rd February 2022 or as stated:

Application Form

Location Plan

Existing Plans and Elevations 21 01

Proposed Plans and Elevations 21 02

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.

3) The materials to be used on the external surfaces of the extension hereby permitted shall be implemented in accordance with the approved details as set out in the drawings and documents specified in Condition 2 of this approval.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policy DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

4) The first-floor rear bathroom window in the rear dormer shown on drawing No. 02, shall be obscure glazed to a specification no less than Level 5 on 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 residential properties from overlooking or perceived overlooking in accordance with policy DM1 of the adopted Core Strategy Development Plan Document for the City of Manchester and saved UDP policy DC1.

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited

40 Kingswood Road, Manchester, M14 6SA
53 Kingswood Road, Manchester, M14 6RZ
9 Hawes Avenue, Manchester, M14 6RT
11 Hawes Avenue, Manchester, M14 6RT
44 Kingswood Road, Manchester, M14 6SA
55 Kingswood Road, Manchester, M14 6RZ
7 Hawes Avenue, Manchester, M14 6RT

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
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH