

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130911/FH/2021

Date registered valid: 7 July 2021

Proposal: Erection of two-storey side extension, part-single, part two rear extension and installation of roof dormer to create additional living accommodation

Address: 119 Kingsbrook Road, Manchester, M16 8NY

Ward(s): Whalley Range Ward

Applicant: Mr Richard Kay 119 Kingsbrook Road, Manchester, M16 8NY

Agent (if any): Mr Saghir Hussain Create It Studio Architects Universal Square, Devonshire Street North, Manchester, M12 6JH

Case officer: Linda Marciniak
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Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 1 September 2021



Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: 26 July 2021
Standard consultations: No consultations have been printed and sent.
Neighbour notifications: Printed: 27 July 2021 Expired: 17 August 2021
Site notice No site notice has been produced
Press advert No press advert had been published
Departure from Development Plan: No
Environmental Statement: Not required
Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of site/building

The application site is a red brick inter-war semi-detached dwelling situated on the south side of Kingsbrook Road in the Whalley Range ward.

The property has an original single storey lean-to outrigger at the rear, front and rear gardens and off-road parking on a paved driveway at the front.

Description of area

The property lies within a residential area characterised by a mixed typology of houses. The site is within a short block of 8no. similar inter-war semi's. Facing the site to the north is a terrace of 4no. Victorian dwellings. Adjacent to these to the west is a detached bungalow, with further inter-war semi's in the hinterland to the south and east.

Description of development

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

The single storey rear extension is 5 metres in length and provides an extended open plan kitchen / dining room with WC and extended store at the side. Over this, a 4-metre long 4th bedroom with dressing area and en-suite is proposed, whilst the 2-storey side extension that is 1.8 metres wide, extends bedroom 3 and the existing bathroom.

The loft is also proposed to be converted including a dormer to provide a home office with en-suite and dressing area.

The scheme has been subject to 3 sets of amendments since first submission to increase the first floor set back, gap and window to the side and provide a bin store off the front neighbouring boundary.

Consultations & Notification Responses

Neighbour notifications – 2 comments received:

A neighbour at No.117 (the adjoining half of the semi) has raised the following concerns:

1. The plans show an extension into the roof space, including a dormer roof. This is not in keeping with the properties surrounding it and raises concerns about our being overlooked and more importantly loss of light to our roof on which we have solar panels to support sustainable energy. We would not want the efficiency of our panels to be affected in any way.

It is not clear how far the proposed ground and first floor extensions come out. Again, we have concerns over loss of privacy and light, and would not want the building line to extend further out than that of our house and our neighbours, which have already been extended.

In the front of the property there is a proposed bin store in the front garden. This is very close to our lounge bay window and would completely change our view from the front of our house. Surely this is better situated on the side of the front garden which borders the other neighbour's driveway.

We understand that the house has been purchased to be rented out, so we would not want the plans to merely be in place to optimise rent, rather than the requirements of a family home.

2. The adjacent neighbour at No.121 contacted the Council with the following comments:

I'm currently working with an architect for similar side extension and basically want to make sure this application will not hinder my future application.

Policy

The following planning policy documents which make up the Development Plan for Manchester are material considerations in this application.

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan. Several policies have been saved by way of a Secretary of State Saving Direction. For the purposes of this application, policy DC1 'Residential Extensions' is extant and therefore material to the assessment of the application.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. The following policies of relevance to this application re:

- o Policy DM1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN19 – Waste

The National Planning Policy Framework (NPPF) (June 2021)

For reasons to be outlined below, it is considered the proposal accords with the principles of the Development Plan.

Principle

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context.

Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the UDP relate specifically to residential extensions and set out criteria against which proposals for extensions will be assessed.

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable subject to satisfactory impacts on residential and visual amenity.

Development in this application proposes a scale of development that is acceptable in principle, subject to satisfactory compliance with policies that protect residential and visual amenity.

A concern was raised by the adjoining neighbour as set out above with regards to a perceived loss of light and privacy and the impacts of the proposed bin store location. The adjacent neighbour submitted a query regarding the likely acceptability of the proposal as a similar extension was being considered by him and wished to understand any concerns which may hinder development on his land.

Issues

Residential amenity

The proposal entails a reasonable amount of development that is broadly in line with the scale of development allowed either within the above development plan, or under current Permitted Development regulations.

In considering the rear extensions first, the single storey element is 5 metres in length with a flat and sloping roof to a height of 3.2 metres and bi-fold doors at the rear. This spans much of the width of the rear elevation leaving a nominal 343mm to the adjoining common boundary and going beyond the side elevation by 1.8 metres to key into the side extension. As current Permitted Development regulations allow a 6-metre single storey rear extension and no side windows are proposed, there are no concerns with the impacts of this element of the proposal.

The 2-storey rear extension has a depth of 4 metres and height to the hipped apex of 6 metres. It will be off-set from the adjoining property, No.117 by 1.9 metres with no facing windows; this is adequate to avoid being perceived as overbearing or give rise to overlooking. Additionally, this property has a single storey 4 metre rear extension which mitigates the impacts of both the ground and first floor elements of the proposal.

The originally proposed obscurely glazed stairwell window with a length of 4.3 metres and width of 1.2 metres has been replaced in this amendment by a much smaller stairwell window which will minimise any potential for overlooking. An obscurely glazed en-suite bathroom window will be sited further towards the rear of the extended side elevation which will also have an acceptable impact on residential amenity.

The rear dormer has raised concerns with regards to a loss of light to the adjoining neighbours' roof where solar panels are located. The dormer would be off-set from the party wall by 652mm and is of a volume and siting (274mm off the eaves) to be capable of being erected under Permitted Development. Given this potential that is open to the applicant and the south-facing rear elevation of both the site and neighbours' property, there are no grounds on which to warrant a refusal of consent.

Visual amenity

Concerns were raised by the Council on the 4th of August 2021 that a minimum set back of 1.5 metres would be required with development on the boundary and that the long hallway window on the side elevation was not supported for the reasons set out above. Concerns were also raised with the siting of the bin store.

In the latest revision, the agent has sought a compromise wherein the 2-storey side extension has been pulled in off the common boundary with No.121 by 800mm, and a 1-metre set back has been introduced at first floor. The roof ridge line has also been lowered further which, together with the above measures, helps to overcome the concerns about a lack of subservience in the original scheme.

Whilst the revisions do not follow the pattern of development established in the 2-storey side extension approved at No.115 (099177/FH/2012/S1), they do not undermine the character of

extended dwellings in this short row of semi's which share the same spatial relationships between neighbouring dwellings.



2-storey side extension at No.115 Kingsbrook Road

The 2-storey side extension is sited in the most logical position taking account of the constraints and circulation opportunities within the site and establishes a form of development that would be acceptable if the occupier at No.121 or other dwellings in the row sought a similar extension.

The horizontal elements of the proposal; eaves and window headers and cills line through with those on the original, and the materials are proposed to match the existing.

The design of the front elevation responds to the aesthetic of the original. Although it

would be improved by a hipped roof, the hip to gable extension can be completed under Permitted Development and is therefore acceptable in this application.

In assessing the other visual elements of the proposal, bedroom 4 at the first-floor rear leaves a gap to the adjoining semi (No.117) of 1.9 metres and would run parallel to the existing single storey rear outrigger at No.121 to the west.

The depth of the first-floor rear extension is only marginally over what is permitted by saved UDP policy DC1.3 and is not dissimilar to the approved 2-storey rear extension at No.115 that is 3.71 metres.

Bins

The amended scheme has improved the amenity concerns with the bin store. This was also a source of concern by the adjoining neighbour at No.117.

In its original position, and with a lesser gap to the side boundary, bin storage was pushed to the intervening fence boundary with the adjoining neighbour. This had the potential to be a source of residential disamenity due to nuisance; from odours particularly in summer when windows are open, and due to noise and overlooking as bins were sited forward of but close to the main living room window to this property. The bin store has now been relocated to the rear garden which will be to the benefit of both residential and visual amenity, in accordance with Core Strategy policies EN19 and DM1.

Parking

Parking for one car off road can still be maintained in the present arrangement.

On the basis of the above, the amended scheme conforms with the policy requirements within saved UDP policies DC1 and Core Strategy policies SP1, DM1 and EN19.

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 application received one objection on notification which has been taken into consideration in the assessment of the application and has been approved, following amendments, with appropriate conditions as set out below, in the interests of residential and visual amenity.

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 1st of July 2021 or as stated:

Application form

Location Plan A1353(01)001

Existing Floor Plan A1353(01)002

Existing Elevations 07 Jul 2021 A1353(01)003 A

Proposed Site Plan and Location Plan 31 August 2021 A1353(02)001 D

Proposed Plans 31 August 2021 A1353(02)002 E

Proposed Elevations 31 August 2021 A1353(02)003 E

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

3. The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture, as stated on the Householder Application Form.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies 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 ground floor front WC and first floor stair window and en-suite windows shown on revised drawings A1353(02)002 E and A1353(02)003 E received on the 31st of August 2021, 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

123 Kingsbrook Road, Manchester, M16 8NY
115 Kingsbrook Road, Manchester, M16 8NY
124 Kingsbrook Road, Manchester, M16 8NT
24 Blair Road, Manchester, M16 8NS
126B Kingsbrook Road, Manchester, M16 8NT
126A Kingsbrook Road, Manchester, M16 8NT
126 Kingsbrook Road, Manchester, M16 8NT
121 Kingsbrook Road, Manchester, M16 8NY
117 Kingsbrook Road, Manchester, M16 8NY
40 Holwood Drive, Manchester, M16 8WS
38 Holwood Drive, Manchester, M16 8WS
1 Holwood Drive, Manchester, M16 8WS
128 Kingsbrook Road, Manchester, M16 8NT

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH