

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129372/FH/2021

Date registered valid: 15 April 2021

Proposal: Erection of a two storey rear extension, single storey side extension and installation of velux roof lights to provide additional living accommodation

Address: 59 Kingston Road, Manchester, M20 2SB

Ward(s): Didsbury East Ward

Applicant: Mrs Cecilia Boodhoo 59 Kingston Road, Manchester, M20 2SB

Agent (if any): Mr Andrew Wallace Andrew Wallace Architects The Old Bakery, Vicker Grove, Manchester, M20 1LJ

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 16 June 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 4 June 2021

Standard consultations:

Printed: 19 April 2021 Expired: 10 May 2021

Neighbour notifications

Printed: 19 April 2021 Expired: 10 May 2021

Site notice

Posted: 26.04.2021 Expired: 17 May 2021

Press advert

Published: 27 April 2021 Expired: 18 May 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to a two storey brick-built detached dwelling, with a hipped slate roof, that is situated on the east side of Kingston Road, with a rear garden that extends towards the Towers Business Park. This property is part of an established frontage at the southern end of Kingston Road and it forms part of a coherent group of seven detached houses on the east side of the road all with a similar design and appearance.

Listed building: Not applicable

Conservation area: Didsbury St James Conservation Area 1970

Tree Preservation Order: No

Description of development

The applicant is seeking planning permission to erect a two storey rear extension, single storey side extension and installation of velux roof lights to provide additional living accommodation.

Consultations & Notification Responses

Local Resident/Public Opinion – One representation was received objecting to the application. A summary of the comments raised are provided below:

- The houses are arranged in a crescent which is to allow light into the rear gardens of each of the houses. The representation is concerned that the proposal is to the south of their property and together with the overgrown trees at the rear of the houses will lead to a loss sunlight and block light from rear and side of the house.

- Accept that similar developments have already been approved to the northern most Shirley Institute House however the situation is different at that location as there are no neighbours to the north of the property.

Neighbourhood Team Leader (Arboriculture) - No objection recommended that a condition is attached to ensure that an Arborist supervises the work.

MCC Flood Risk Management – No objection recommended an informative regarding drainage and a possible culvert.

Issues

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

SP1 – Spatial Principles

DM1 – Development Management 1

The relevant **UDP** policies for this application are:

DC 1.1 – 1.6 – Residential Extensions

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

In particular NPPF states that in terms of design:

124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

And,

127. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

The 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 Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

There have been five previous applications at this address. Those of relevance to this application are a 2019 application (planning reference: 122364/FH/2019) which allowed changes to the front boundary wall and another approved application in 2007 (planning reference: 082809/FH/2007/S2) for the erection of a 2 storey rear extension and single storey side extension following demolition of single storey side extension and detached garage.

As with the previous application matters that will require consideration, in order to assess the acceptability of any proposal are siting, scale and massing, design and appearance.

Further consideration will be given as to whether the proposal has any impact on surrounding residential amenity in particular the effect upon the amenity of neighbouring occupiers and the Conservation Area.

Siting, Scale and Massing – The applicant seek to extend the property at the side and rear. At the side the applicant seeks to provide a single storey extension with a mono-pitched roof which would be 9.1 metres in length, 2.23 metres in widths and 3.4 metres at this highest point. At the rear the applicant seeks the erection of new two storey extension which would have a rearward projection extending 4 metres from the present rear elevation and 9.3m across the width of the rear elevation with a roof height of 8.3m which is lower than the existing ridge height by 100mm.

In terms of distances to boundaries the extension would be at least 3.78 metres to the shared boundary with 61 Kingston Road (south of application site) and 2.64 metres to 57 Kingston Road (north).



Photograph 1 View towards 59 Kingston Road

Following concerns raised by officers the proposal has been amended so that the extension would have a ridge height lower than the existing ridge height, the extension is also stepped in by 100 mm at the sides of the roof of the two storey element.

There are no concerns regarding the impact of the proposal to the south of the application site. However, concerns were raised regarding the impact on light on the property to the north of the application site, the site photograph as shown in photograph 1 shows the relationship with the application site. A single storey extension of 3 to 4 metres in depth with rearward facing windows are unlikely to result in overshadowing or loss of privacy on the neighbour. However, at two storeys the potential for loss of light especially to those who have not been extended might be greater. In this case a 4 metre extension which is two storeys in height is likely to cause some impact on the neighbours garden but the loss of light and overshadowing would not be sufficient to warrant the refusal of an application. The rear of the dwellinghouse is approximately 11 metres away from the location of the proposed extension and therefore would not have an impact on the habitable rooms at the rear of the property. Furthermore, had the proposal rearward projection been reduced by 1 metre to 3 metres it may be possible to build a similar two storey extension under permitted development rights. This would be considered the fall back position because under Class A of the

The fallback is a material consideration in the decision making process, of which the PD rights given by the Order comprise an element. Thus when making a decision on a planning application it may be argued with some effect that a development carried out to slightly reduced dimensions or at a marginally lesser level, or perhaps in a revised location nearby, could be implemented using permitted development rights. The weight to be given to such a material consideration varies according to whether what could be built using the GPDO would have a broadly similar or worse impact to what is proposed; and the reasonable likelihood or possibility that, if permission were refused, permitted development rights would in fact be resorted to.

Therefore taking the development as a whole an extension of the size proposed would be subservient to the original dwellinghouse and therefore would not result in a large and bulky addition to the dwellinghouse and as described the height, orientation and distance to neighbouring properties would not result in the loss of sunlight and therefore would not have an overbearing impact on the neighbouring properties.

Therefore the proposal in terms of siting, scale and massing accords with policies with SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP.

Design and Appearance/ Impact on the Conservation Area –The property is located within Didsbury St James conservation area as such consideration must be given to the NPPF, policy EN3 and extant policy DC18.1 seeks to preserve the historic environment and conservation areas.

Paragraph 189 of the National Planning Policy Framework (NPPF) requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting, proportionate to the assets' importance and sufficient to understand the potential impact of the proposal on their significance.

The application was accompanied by a heritage statement, in terms of the impact on a heritage asset this is likely to be the conservation area as the property is not within the curtilage of a listed building.

The heritage statement considered the impact on the Conservation Area to be as follows:

“7.4 This property is part of an established frontage to Kingston Road and given its position within the street scene its front and side elevations, with the projecting chimneystacks, are prominent features in the Conservation Area and as such make a positive contribution to its character and appearance, and are particularly important when seen in the context of the neighbouring houses within this group. As noted above there are no proposals to alter the front elevation and the proposed development will also retain the chimneystacks to the side of the property.

Consequently there will be no material changes to the principal elevations and features of this property that contribute to the character and appearance of the Conservation Area and the visual and architectural coherence of this group of properties will also be preserved.”

The proposal will result in some changes to the overall scale and appearance of the property particularly at the rear, however the views of this given they are at the rear would be limited from Kingston Road. The proposed drawings indicate that the materials will match that of the dwellinghouse to help the extension assimilate with the original dwellinghouse.

Therefore the proposal is in accordance with the NPPF, saved policy DC18.1 and policy EN3 of the Core Strategy.

Residential Amenity - If the proposed development is approved there would still be sufficient space for outdoor amenity. The siting, scale and massing of the proposal have been discussed previously in this report and are found not to cause any detrimental impact on residential amenity. The proposal is therefore considered to be in accordance with policies DM1 of the Core Strategy and DC1 of the UDP

Car Parking and Refuse Storage – There is no impact on car parking or refuse storage at the property

Trees – No trees are proposed to be lost as result of the works, a tree protection plan was provided with the application. The City Arborist has reviewed the information and has not objected to the proposal but has requested that a qualified arboricultural consultant to be embedded into the scheme to oversee the work within the root protection zones of T1 and T2.

Flood Risk – Flood Risk Management team have reviewed the Flood Risk Assessment submitted with the application and have not objected to the proposal. The team have requested that informative be attached to ensure that The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system.

They also highlighted that there is an unconfirmed culvert that may be located within close proximity to the site and have requested an informative that the onsite contractor remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and the Council should be contacted immediately.

Conclusion - The extension is considered to be in accordance with SP1, EN3 and DM1 of the Core Strategy and saved policies DC1 and DC18 of the UDP.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application and these concerns have been addressed in amended drawings. Appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policies DC1 and DC18 of the Manchester Unitary Development Plan and to policies SP1, EN3 and DM1 of the Core Strategy.

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:

P.02LD.P000, P.03GA.E001, P.03GA.E002 and P.03GA.E003 stamped as received by the City Council as Local Planning Authority, on the 14.06.2021.

P.03GA.P000, P.03GA.P001 and P.03GA.P002, stamped as received by the City Council as Local Planning Authority, on the 15.04.2021.

Tree Protection Plan including Arboricultural Method Statement and Tree Protection Specification prepared by Cheshire Woodlands stamped as received by the City Council as Local Planning Authority, on the 15.04.2021.

Tree Survey Schedule prepared by Cheshire Woodlands stamped as received by the City Council as Local Planning Authority, on the 15.04.2021.

Flood Risk Assessment 09.04.2021 prepared by STM Environmental reference: FRA - 2021 - 000022 stamped as received by the City Council as Local Planning Authority, on the 15.04.2021.

Heritage Statement prepared by Trigpoint Conservation & Planning Ltd stamped as received by the City Council as Local Planning Authority, on the 15.04.2021.

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 development hereby approved shall be carried out in accordance with the materials as set out in drawings:

P.02LD.P000, P.03GA.E001, P.03GA.E002 and P.03GA.E003 stamped as received by the City Council as Local Planning Authority, on the 14.06.2021.

P.03GA.P000, P.03GA.P001 and P.03GA.P002, stamped as received by the City Council as Local Planning Authority, on the 15.04.2021.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas pursuant to policy EN18 of the Manchester Core Strategy (2012).

5) No pruning works or vegetation clearance should take place during the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent by a suitably qualified person.

Reason - In order to protect wildlife from works that may impact on their habitats, pursuant to policy EN9 of the Core Strategy.

6) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

(d) During each phase of the works within the tree protection zone for trees T1 and T2 as identified on the Tree Protection Plan including Arboricultural Method Statement and Tree Protection Specification prepared by Cheshire Woodlands stamped as received by the City Council as Local Planning Authority, on the 15.04.2021. an arboriculuturalist shall supervise the works within the site.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

7) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

Informatives

1) The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system. We recommend considering green SuDS components to mitigate for any loss of permeable area.

MCC records highlight that an unconfirmed culvert may be located within close proximity to the site (approximately 10m to the south of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

Appendix 1 – List of consultees & neighbours notified

Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management

58 Kingston Road, Manchester, M20 2SB

486 Parrs Wood Road, Manchester, M20 5QQ

Pioneer House British Airways Plc, Towers Business Park, Wilmslow Road, Manchester, M20 2BA

61 Kingston Road, Manchester, M20 2SB

57 Kingston Road, Manchester, M20 2SB

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

Conservation Area - Didsbury St James Conservation Area 1970

Flood Zones Type 2 (low to medium risk) -

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH