

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129826/JO/2021

Date registered valid: 24 March 2021

Proposal: Variation of Condition 2 (Specified Plans) attached to planning permission 128928/FH/2020 to allow the additional of two windows

Address: 24 Kenmore Road, Manchester, M22 4AF

Ward(s): Northenden Ward

Applicant: Mr & Mrs Joseph & Deborah Oluleke, 24 Kenmore Road, Manchester, M22 4AF

Agent (if any): Mr Christopher Marsden, Plans 2 Extend Ltd, The Print Centre, Johnson Street, Atherton, M46 0RB

Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18.05.2021

Application details

Type of application: Variation or Removal of Condition

Development type: Householder

Date of site visit: Site Visit not conducted during COVID-19, site photos provided with parent application and google imaging utilised

Standard consultations:

Printed: 26 March 2021 Expired: 16 April 2021

Neighbour notifications

Printed: 26 March 2021 Expired: 16 April 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

Description of site/building/area

The site relates to a large two storey detached dwelling house in the Northenden ward area of Manchester. The property is located on Kenmore Road close to the corner of Netherwood Road. The front has bay windows on the ground floor with projecting gable front and hipped roof on the main house. Gardens lie to the front, sides and rear with boundary treatment comprising high hedging and landscaped gardens. The area is predominantly residential in nature.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Variation of Condition 2 (Specified Plans) attached to planning permission 128928/FH/2020 to allow the additional of two windows

Consultations & Notification Responses

Local residents, as per Appendix 1 – No comments have been received in respect of this application.

HS2 – No objections

Policy

The following policies are considered relevant in the consideration of this application.

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
 - o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
 - o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
 - o Policy DM 1 - Development Management
 - o Policy SP1 - Spatial Principles
 - o Policy EN1 - Design Principles
 - o Policy EN19 Waste
 - o The National Planning Policy Framework (NPPF)
- For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Issues

The principles of the development proposed have been established by application 128928/FH/2020 for the erection of single and two storey extensions, installation of new roof together with 2 no. rear dormers to form additional living accommodation following demolition of existing single storey side extensions.

The only alteration proposed is the installation of two high level windows at second floor level to the left side elevation to provide light to the stairs to the loft conversion. It is not considered that the proposed second floor window would provide any more overlooking to the detriment of residential amenity over and above the first floor landing window previously approved. The variation is therefore considered to be acceptable having regards to saved policy DC1 and policy DM1 of the Core Strategy for the City of Manchester

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. The

application has been determined in a timely manner and in accordance with the guidance contained within saved policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan and to policy DM1 of the Core Strategy and the National Planning Policy Framework.

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 12th March 2024.

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:

P2E240620 Received 24th March 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 materials to be used on the external surfaces of the extension hereby permitted shall match those as specified in the application form submitted with application 128928/FH/2020 in type, size, colour and texture.

Reason - To ensure 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 DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) Before first occupation the first floor window to the rear elevation of the two storey extension (marked as ensuite) and second floor dormer window to the rear elevation (marked as wet room in dormer) facing no. 19 Netherwood Road shall be obscure 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 residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited

17 Kenmore Road, Manchester, M22 4AE
23 Netherwood Road, Manchester, M22 4BW
19 Netherwood Road, Manchester, M22 4BP
14 Netherwood Road, Manchester, M22 4BQ
17 Netherwood Road, Manchester, M22 4BP
23 Kenmore Road, Manchester, M22 4AE
21 Kenmore Road, Manchester, M22 4AE
19 Kenmore Road, Manchester, M22 4AE

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 45M
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Area Team Boundary - Name: SOUTH