

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129481/FH/2021

Date registered valid: 2 March 2021

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

Address: 121 Kingsbrook Road, Manchester, M16 8NY

Ward(s): Whalley Range Ward

Applicant: Imran & Naima Hussain & Latif, 121 Kingsbrook Road, Manchester, M16 8NY

Agent (if any):

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

Recommendation: Approve

Date of recommendation: 04 May 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: Due to Covid 19 Pandemic, site photographs have been provided by the applicant.

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 3 March 2021 Expired: 24 March 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

The application site relates to a two storey semi-detached dwellinghouse with protruding bay windows and a hipped tiled roof. The property has been extended at the rear in the past with a single storey extension.



Image 1 Application site outlined in red taken from Google Earth



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The surrounding area is residential in nature comprising of similar designed two storey semi-detached properties.

Description of development

The applicant is seeking planning permission to erect a single-storey rear extension to provide additional living accommodation

Consultations & Notification Responses

Local residents/public opinion – No objections, comments or representations in support of the application have been received.

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).

Planning History – One previous planning application at this address as detailed below:

Planning Application Reference: 127795/FH/2020

Description: Erection of a single-storey rear extension to provide additional living accommodation and associated elevational alterations

Decision: **REFUSED** 13.10.2020

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.

The previous planning application (reference: 127795/FH/2020) for a similar proposal was refused for the following reason:

- 1) The proposed development due to its poor design, scale and massing and relationship to the shared boundary with the adjoining semi-detached property, would form an unduly visually obtrusive feature to the detriment of visual amenity and character of the area, and would form an overly bulky, structure with an overbearing impact to the occupiers of no. 123 Kingsbrook Road and as such is contrary to saved policies DC1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document and the NPPF.*

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.

Siting, Scale and Massing – The rear of the property is south facing therefore the garden and rear of the dwelling house receives the majority of the daylight.

As with the previous application the applicant seeks to extend at the rear of the property with a single storey rear extension set 500mm away from the shared boundary with No. 123 Kingsbrook Road.

The proposal would have a flat roof to a height of 2.79 metres and a rearward projection of 3650mm and the drawing show that the proposal would be slightly set back with the projection of the existing single storey outrigger. Furthermore, in comparison to the previous application, the proposed extension rearward projection would be less than the previous projection of 3770mm.

Council policy for residential extensions states that they should not be excessively large or bulky additions to the property. Saved policy DC1.3 states that the Council does not normally approve extensions greater than 3.65 metres, the inclusion of the word normally does provide some scope for larger extensions to properties. In this case the proposal would meet this requirement of the saved policy as it has the same exact rearward projection.

At this point it is also worth highlighting that 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.

In this case the applicant could have built a single storey extension with a rearward projection of 3 metres under permitted development rights provided that the width of the extension.

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 – The extension has been designed to complement the existing dwelling house with materials shown to be predominantly painted render. There are no concerns with the design or appearance, it is recommended that materials are dealt with by means of a planning condition.

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 – The proposal does not alter the existing arrangements for car parking and refuse storage.

Conclusion - The extension is considered to be in accordance with SP1 and DM1 of the Core Strategy and saved policy DC1 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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, no negotiations were necessary but 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 policy DC1 of the Manchester Unitary Development Plan and to policies SP1 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:

A101 REV C stamped as received by the City Council as Local Planning Authority, on the 02 March 2021

A103 stamped as received by the City Council as Local Planning Authority, 22 February 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 be similar in appearance to those used during the construction of the original dwelling house 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.

Appendix 1 – List of consultees & neighbours notified

123 Kingsbrook Road, Manchester, M16 8NY
119 Kingsbrook Road, Manchester, M16 8NY
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
Area Team Boundary - Name: SOUTH