MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140834/FH/2024
Date registered valid:	21 August 2024
Proposal:	Erection of first floor side and rear extension to form additional living accommodation, with associated elevational alterations to host property.
Address:	7 Kenmere Grove, Manchester, M40 9GG
Ward(s):	Charlestown Ward
Applicant:	Mr Darren Smith
Agent (if any):	Mr Richard Shuttleworth, Equilibrium Architects Ltd
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**15 October 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 18 September 2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 3 September 2024 Expired: 24 September 2024

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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The application site relates to 7 Kenmere Grove within the north Manchester ward of Charlestown. The application site relates to a semi-detached, two storey, red brick dwellinghouse with bay windows and hipped roof. The property benefits from a single storey rear and side extension with an adequate set back from the primary elevation of the host property (see planning reference: 121554/FH/2018). Amenity space for the property takes the form of an off street driveway and area of soft landscaping and amenity space to the rear takes the form of a grassed and paved garden.

Description of area

The surrounding area is residential in context.

Description of development

The submitted application seeks planning permission for the erection of first floor side and rear extension to form additional living accommodation, with associated elevational alterations to host property.

The proposal would build above the existing single storey side and rear extension (see planning reference: 121554/FH/2018) and would have approximate dimensions, at the largest point, of Height: 6.4 x Length: 5.7 x Width: 5 metres.

The proposal would involve the insertion of one window at first floor level within the primary elevation and two windows at first floor level within the rear elevation.

Associated elevational alterations would take the form of the insertion of a window within the side elevation of the host property.

Materials to be used throughout the proposal would match that of the host property.

Negotiations during the course of the Application

Concern was raised with the initial plans submitted as the roof form proposed for the extension would create an incongruous feature in the streetscene and would be out of character with the existing form of development in the immediate area. During the course of the application, a revised scheme was provided which offered a better relationship to the host property.

A window would be inserted within the side elevation of the host property, as a result of the proposal. The agent requested this element of works be added to the description of development which has been changed on the system.

The revised scheme is considered to overcome issues raised and is assessed within this report.

Planning History

121554/FH/2018- Erection of a single storey side and rear extension to form additional living accommodation.
Approved 14 November 2018.

118829/FH/2018- Erection of a single storey side and rear extension to form additional living accommodation.
Approved 6 March 2018.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Issues

POLICY

The National Planning Policy Framework (December 2023)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually

supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
a) an economic objective
b) a social objective and
c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:
i. Chapter 8. Promoting healthy and safe communities.
ii. Chapter 12. Achieving well-designed and beautiful places.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Of relevance are Policy DM1 (Development Management), Policy SP1 (Spatial Principles) and Policy EN1 (Design Principles and Strategic Character Areas).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:
a. The general character of the property;
b. The effect upon the amenity of the neighbouring occupiers;
c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
d. The overall appearance of the proposal in the a street scene;
e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:
a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
b. They do not create undue loss of sunlight, daylight or privacy;
c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:
a. rearward extensions greater than 3.65m (12 ft) in length;
b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
c. 2-storey extensions to terraced properties which occupy the full width of the house;
d. flat roofed extensions to bungalows;

e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:
a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.
As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABE as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The following policies are relevant:
i.JP- S1- Sustainable development

ISSUES

Principle of Development

The submitted development application is for erection of first floor side and rear extension to form additional living accommodation, with associated elevational alterations to host property.

The revised scheme is considered to overcome the issues raised during the course of the application. The scheme is considered acceptable as many people prefer to alter or extend homes, rather than move, to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwelling house, it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

Potential impact to no.5 Kenmere Grove:
No.5 Kenmere Grove adjoins the applicant property and would feel the additional built form at first floor level. However, given the extension would be sited above the existing ground floor extension, a 3.4 metre gap would be retained between the first floor extension and the shared boundary. At this point, the proposal would have a projection of 2.5 metres. The roof would also be hipped. Given the form and projection of the extension, being sited off the shared boundary to not create a tunnelling impact, the proposal is not considered to give rise to an overbearing feature to no.5. Given this and the orientation of the properties within the streetscene, the proposal is not considered to give rise to significant loss of light/ overshadowing implications. This neighbour would not be impacted by any adverse privacy implications given no windows would be inserted in the side elevation facing the adjoining semi.

Potential impact to no.9 Kenmere Grove:
No.9 Kenmere Grove is the non-adjoining neighbour and would be most impacted by the proposal. As existing, the neighbour experiences built form from the existing side and rear extension at the applicant site. As a result of the proposal, an additional storey would be added to the extension. A 0.7 metre gap would be retained between the side elevation of the proposal and the shared boundary with no.9. The neighbour benefits from a single storey outrigger and conservatory. Given the extension would not extend further beyond the rear building line of the existing extension and given this would be against the side elevation of the neighbour’s outrigger, the proposal is not considered to create an overbearing feature to the detriment of the neighbour utilising their space, as the neighbour’s rear amenity space would not be impacted. Although the extension would be sited close to the neighbour’s side windows at first floor level, on the site the windows appeared to be obscure and so the proposal is not considered to have a detrimental impact in terms of loss of light to the neighbour’s windows. Due to the orientation of the properties in the streetscene, the proposal is not considered to create significant loss of light implications.

One window would be inserted in the side elevation of the host property as a result of the proposal. As existing, the applicant property benefits from two windows within the side elevation facing the neighbour, no.9. The two windows would be removed as a result of the proposal. As such, the insertion of the window in the side elevation is considered acceptable to replace the lost windows. A condition would be placed on any approval granted restricting the window to be top opening and obscure glazed, to not give rise to any adverse privacy implications as a result of the proposal. A further condition would be attached to any approval granted restricting the further insertion of windows and doors beyond those approved within this consent.

Potential impact to streetscene:
The proposal would follow the form of the existing single storey side extension and so be adequately set back by approximately 4.7 metres from the primary elevation of the host property. As such, the extension is considered to present as a subservient feature, not giving rise to any harm in terms of visual amenity whilst being pursuant to Policy DC1.4 of the UDP.

A bathroom window is proposed at first floor level within the primary elevation of the proposal and this would be conditioned to be obscure glazed to protect the privacy of the neighbour and surrounding properties.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity. The revised scheme ensures the proposal is considered compliant to policy DC1 of the UDP and Core Strategy policies SP1 and DM1.

Design and Appearance

The extension would utilise the form of the existing side and rear extension (see planning reference: 121554/FH/2018) and so be considered to be sympathetic to the existing development at the site. The proposal would be considered pursuant to Policy DC1.4 of the UDP relating to side extensions given the significant set back of the extension from the primary elevation of the host property and the 0.7 metre set in from the shared boundary, and so creates a subservient feature.

The proposal at the rear would have a projection of 2.5 metres, reflecting the existing single storey rear projection. This would be pursuant to Policy DC1.3 which specifies the maximum rearward projection for householder extensions. The use of the hipped roof mitigates harm to the neighbouring property.

Concern was raised with the initial plans submitted as the roof form proposed for the extension would create an incongruous feature in the streetscene and would be out of character with the existing form of development in the immediate area. During the course of the application, a revised scheme was provided which offered a better relationship to the host property in terms of the proposed roof form. The extension shows a clear extension to the host property and is considered acceptable to policy DC1 of the UDP.

The elevational alteration of the insertion of the window within the side elevation of the host property is considered acceptable in size and form and it is noted that this element could be achieved through Permitted Development.

The extension proposed is one seen elsewhere in the streetscene including at no.13 Kenmere Grove (see planning reference: 127834/FH/2020), and therefore the proposal is considered to create a sympathetic addition to the streetscene.

Materials to be used would match the existing circumstances and a material condition would be written to ensure the first floor extension matches the existing extension on the site, so that the ground and first floor extension offers a seamlessly integrated appearance.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Car Parking

No change to parking provision would occur as a result of the proposal.

Bin Storage

No change to bin storage would occur as a result of the proposal.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area. The revised scheme presented is considered to overcome the issues raised.

Other Legislative Requirements
Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 polices 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 proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner, a revised plan has been received which is considered to overcome concerns raised and appropriate conditions have been attached to any approval granted.

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:
-Application Form, stamped as received by the City Council as Local Planning Authority on 21 August 2024.
-Drawing- Proposed- Plans and Elevations, numbered R-0891-02A, stamped as received by the City Council as Local Planning Authority on 25 September 2024.

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

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 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 bathroom window and window within the side elevation of the host property as shown on the approved ‘Drawing- Proposed- Plans and Elevations, numbered R-0891-02A’, stamped as received by the City Council as Local Planning Authority on 25 September 2024, 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.

The windows shall be top opening only and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) The materials used to construct the external elevations of the extensions hereby approved shall match the existing extension (planning ref: 121554/FH/2018), in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

8 Brookside Road, Lightbowne, Manchester, M40 9GJ
10 Brookside Road, Lightbowne, Manchester, M40 9GJ
14 Brookside Road, Lightbowne, Manchester, M40 9GJ
14 Gainford Gardens, Manchester, M40 5GJ
5 Kenmere Grove, Manchester, M40 9GG
12 Brookside Road, Lightbowne, Manchester, M40 9GJ
15 Gainford Gardens, Manchester, M40 5GJ
9 Kenmere Grove, Manchester, M40 9GG
12 Gainford Gardens, Manchester, M40 5GJ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA