MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140493/FH/2024
Date registered valid:	11 July 2024
Proposal:	Erection of two roof dormers to front of the dwellinghouse
Address:	16 Kingsway, Manchester, M19 2DD
Ward(s):	Rusholme Ward
Applicant:	Mr Abdullah Hayat
Agent (if any):	Mr Umar Shafaat, Home Extension Advisory Service
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	4 September 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 14 August 2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 26 July 2024 Expired: 16 August 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

Description of site / building / area

The application relates a pitched roof, bay fronted, semi-detached dwellinghouse within a predominantly residential area of the Rusholme ward of Manchester. The application fronts a dual carriage highway - Kingsway, (the A5079). The site benefits from amenity space to the front side and rear, together with boundary treatment.

There is an existing attached garage along the side garden, partly hard surfaced front driveway, and bins are stored within curtilage behind boundary treatment. The surrounding area is characterised by a mix of residential, retail uses, GP and Dental practices, together with parkland along the north-eastern side of the application site. A footpath runs along the side and rear boundaries of the site.

Site History

- 140490/LP/2024 - Installation of rear dormer, application pending consideration.

Description of development

Consent is sought for 2no. roof dormers to the front of the dwellinghouse.

The submitted plan would also include a proposed elevational alteration involving 1no. window along the front roof elevation, which would be positioned between the proposed 2no. front roof dormers.

The proposed 2no. dormer windows would be centrally place along the front roof elevation and would each measure approximately (1825mm wide x 2971mm deep x 1804mm maximum height). They would retain a minimum distance of approximately 798mm from the common shared boundary with no. 18 Kingsway, 823mm from the gable elevation, and they would maintain a separation distance of approximately 988mm from each other. A flat roof design is proposed for both, of which, the proposed ridge would be set below the roof ridge of the host dwelling, and they would be set above eaves and would include 1no. window each facing Kingsway. They would be clad in vertically hung matching tiles.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1.The National Planning Policy Framework (NPPF), (July 2021):

- Chapter 12: Achieving well-designed places.

2. Places for Everyone (2024) -

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. The plan was adopted by the Council on 20 March 2024 and will come into effect from 21 March 2024. The plan sets out the kind of development that takes place across the city-region. It maximises the use of brownfield land and urban spaces; protects green belt land from the risk of unplanned development; releases some sites for housing and employment in key locations; ensures we integrate all new developments into Greater Manchester's transport network. Otherwise, new roads and transport will support them. The Plan and its policies are now a material planning consideration in the determination of planning applications, and therefore be given significant weight in the planning balance.

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

- Policy DM1 (Development Management)

- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)

4. Unitary Development Plan (UDP), (1995) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 for Residential Extensions is still considered of relevance.

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

- Chapter 2: Design

ISSUES

Principle

The principle of extending one's home is generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property, or upon the visual and residential amenity of neighbouring occupiers. Therefore, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

Impact of works (2no. roof dormers to front of dwellinghouse) - In light of the existing contextual relationship along the boundaries, it is considered that the existing separation distance is significant; coupled with the footpath along the side and rear boundaries of the application site, together with the Kingsway highway being a dual carriage, and the fact that the proposal would be in keeping with and has been informed by similar developments along the street scene, and the resultant separation distance that would still be maintained from those properties along the odd numbers side of Kingsway, (specifically, nos. 5 - 13 Kingsway) and any potential for visual intrusion would be mitigated by the maintained separation from those dwellinghouses and the Kingsway highway. It is therefore considered that that proposal would not unduly impact on the residential or visual amenity as there are no overbearing, overshadowing or loss of privacy impacts; pursuant with policy DM1, SP1 of the Core Strategy, and saved UDP policy DC1.

Impact of works (Elevational alteration involving 1no. window along the front roof elevation) - In terms of the proposed elevational alteration; given the fact that such works would generally fall within householder general permitted development for the nature of the property as a dwellinghouse, and an application for planning permission would not usually be required for the nature of the proposal, given this fall back position, it is considered that this element of the submitted plan would be acceptable as it is unlikely to present any significant adverse impacts to residential or visual amenity; pursuant to policy DM1 of the Core Strategy, and saved UDP policy DC1.

Impact of works (Design and appearance) - The changes to the front roof elevation are considered to be acceptable in design terms. With regards to the proposed elevational alteration, Velux style windows along the front roof elevation are common along the Kingsway highway. In addition, such works would generally fall within householder general permitted development and would not require planning.

In terms of the proposed 2no. dormer windows along the front roof elevation, the proposal would mirror similar developments which have been approved along the Kingsway highway; specifically, nos. 45 / 45A Kingsway and no.1 Kingsway - (ref nos. 117274/FO/2017, 058040/FO/NORTH2/99), and they are considered to be subservient within the roof space and therefore acceptable in design terms. It is also intended to clad then in vertically hung matching tiles which is considered acceptable. However, a materials condition has been attached to ensure that the materials are adhered to; pursuant with The Manchester Core Strategy Development Plan Document policies SP1 and DM1 and saved policy DC1 of the Unitary Development Plan.

Conclusions - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (2021) chapter 12; policies SP1, DM1, EN1 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) and no comments or objections have been received in response to this application from local residents.

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, the local planning authority had no issues to raise with the agent but has attached appropriate conditions to the approval.

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:

- Householder Application for Planning Permission for works or extension to a dwelling form, stamped as received by the City Council as Local Planning Authority on 11 July 2024.
- Location Plan with application site edged in red, drawing number 0069 03 01, stamped as received by the City Council as Local Planning Authority on 11 July 2024.
- Proposed Site Plan with application site edged in red, drawing number 0069 03 40, stamped as received by the City Council as Local Planning Authority on 11 July 2024.
- Existing Elevations, drawing number 0069 03 03, stamped as received by the City Council as Local Planning Authority on 11 July 2024.

- Existing Ground Floor Plan, Existing Elevations, and Existing Section, drawing number 0069 03 02, stamped as received by the City Council as Local Planning Authority on 11 July 2024.

- Proposed External Views, drawing number 0069 03 43, stamped as received by the City Council as Local Planning Authority on 11 July 2024.

- Proposed Elevations and Existing Section, drawing number 0069 03 42, stamped as received by the City Council as Local Planning Authority on 11 July 2024.

- Proposed Floor Plans, drawing number 0069 03 41, stamped as received by the City Council as Local Planning Authority on 11 July 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans; pursuant with policy DM1, SP1 of The Manchester Core Strategy Development Plan Document (2012) and saved policy DC1 of the Unitary Development Plan (1995).

3) The 2no. dormers along the front roof elevation hereby approved shall be clad in tiles matching those on the existing roof of the original dwellinghouse and as shown on the approved drawings and stated on the submitted information.

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 (1995), and policy DM1 of the Manchester Core Strategy (2012).

4) 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 windows or doors shall be inserted into the elevations of the development hereby approved other than those shown on: Proposed External Views, drawing number 0069 03 43; Proposed Elevations and Existing Section, drawing number 0069 03 42; Proposed Floor Plans, drawing number 0069 03 41, all stamped as received by the City Council as Local Planning Authority on 11 July 2024.

Reason - In the interest of residential amenity, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

18 Kingsway, Manchester, M19 2DD
9 Kingsway, Manchester, M19 2BZ
7 Kingsway, Manchester, M19 2BZ
5 Kingsway, Manchester, M19 2BZ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: SOUTH AREA