

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140198/FH/2024

Date registered valid: 24 June 2024

Proposal: Removal of existing dormer, addition of roof lights, replacement of existing roof light with larger type and addition of a soil pipe

Address: 2 Kingston Avenue, Manchester, M20 2SP

Ward(s): Didsbury East Ward

Applicant: Mr & Mrs Shacklock

Agent (if any): Mr Richard Lowe Candid Architecture Ltd

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 15 August 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 19 July 2024

Standard consultations:

Printed: 10 July 2024 Expired: 31 July 2024

Neighbour notifications

Printed: 10 July 2024 Expired: 31 July 2024

Site notice

Posted: 19 July 2024 Expired: 9 August 2024

Press advert

Published: 16 July 2024 Expired: 6 August 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Didsbury St James Conservation Area 1970

Tree Preservation Order: No

Description of area

The application site relates to 2 Kingston Avenue within the south Manchester ward of Didsbury East. The application site is a two storey Victorian semi-detached dwelling set within a large plot on the corner of Kingston Avenue and Kingston Road in the St. James Conservation Area. The property is orientated north-south with the rear elevation facing north. There are gardens to the front, side and rear, the rear covering 175sqm and a vehicular access into the rear garden / driveway from Kingston Road. The rear elevation is painted in a cream finish whilst the other elevations are of red / brown brick and the roof finished in slate. The rear of the property benefits from a contemporary single storey rear flat roof extension, comprising a continuous wall of full height bi-fold doors within gable frames to the northern elevation and full height windows to the east and west elevations. The extension is finished in dark grey powder coated aluminium and topped by a deep fascia in the same materials. It is block bonded to the existing wall in dark blue engineering or similar type brick.

The rear garden is bounded by a 1.8metre high brick wall, mature shrubs and trees to the common boundary with no.4 Kingston Ave to the west and by similar to the northern and eastern elevations. The type and extent of boundary treatment screens views into the site from Kingston Road.

The surrounding area is residential, with the Towers Business Park to the east of the applicant site which contains the Grade II* listed building known as Kingston House. To the north of the application property is numbers 38 and 40 Kingston Road which are grade II listed buildings with numbers 15-17 Millgate Lane beyond also being Grade II listed.

Description of development

The planning application seeks consent for the removal of existing dormer, addition of roof lights, replacement of existing roof light with larger type and addition of a soil pipe.

The existing dormer to be removed is located on the rear roof plane of the host property and measures 9.8 cubic metres and would be replaced with 2 no. rooflights.

Roof lights would be inserted in the property and would consist of 4 no. roof lights within the front roof plane of the property.

An existing roof light within the rear roof plane of the property would be replaced with a larger type.

In total there would be 7 no. roof lights across the two roof planes.

A soil pipe would be installed within the gable wall elevation of the property.

Materials to be used throughout the proposal would take the form of:

- black uPVC soil pipe to match the existing,
- roof lights would be standard Velux type with dark grey finish RAL 7043. Example images were provided to show the product used for other properties.

Negotiations during the course of the Application

As the property sits within the Didsbury St James Conservation Area, further information was requested in regard to the materials to be used. A materials pre-commencement condition was sent to the agent for review. Following this, additional materials information was provided by the agent for review.

Planning History

107639/FH/2014/S2-Erection of a single-storey rear extension to form additional living accommodation.

Approved 19 August 2015.

072254/FH/2004/S2-Erection of 1.8 metre high brick wall, with 2 metre high gate posts and creation of new vehicular access.

Approved 12 August 2004.

072477/CC/2004/S2-CONSERVATION AREA CONSENT for demolition of part of boundary wall.

Approved 12 August 2004.

051724/FH/SOUTH1/97-Erection of a 2.1 metre high boundary wall and gates.

Approved 17 June 1997.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Environmental Health

Environmental Health were consulted and responded confirming they had no comments to make on the application.

Issues

POLICY

The National Planning Policy Framework (NPPF) (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
- c) an environmental objective

The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8. Promoting healthy and communities

Chapter 12. Achieving well-designed and beautiful places

Chapter 16. Conserving and enhancing the historic environment

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);
Policy EN3 (Heritage).

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.

DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas.

- a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i) the relationship of new structures to neighbouring buildings and spaces;
 - ii) the effect of major changes to the appearance of existing buildings;
 - iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
 - iv) the effect of signs and advertisements;
 - v) any further guidance on specific areas which has been approved by the Council.
- b. The Council will not normally grant outline planning permission for development within Conservation Areas.

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 CABI 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.

Manchester Residential Quality Guidance 2016

Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and raise the quality of life across Manchester. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward

thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management. The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures.

Listed Building Act

Section 72 provides an exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

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:

JP- S1- Sustainable development

JP-P2- Heritage.

ISSUES

Principle of Development

The submitted development application is for the removal of existing dormer, addition of roof lights, replacement of existing roof light with larger type and addition of a soil pipe. It is acknowledged that only the installation of soil pipe, due to its location (fronting a highway and forms the side elevation of the dwellinghouse) requires planning consent given it does not comply with Part A Class G of the GPDO. All other elements of the proposal benefit from permitted development rights. However, as all elements have been included within the current planning application, all aspects will be assessed. The works proposed are considered acceptable in principle, as they would consist of small elevational alterations to the host property, as many people prefer to alter and 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 Didsbury St James Conservation Area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual /Residential Amenity

The proposal seeks planning consent for the removal of existing dormer, addition of roof lights, replacement of existing roof light with larger type and addition of a soil pipe. All the works, except the soil pipe would be restricted to the roof of the host property. As such, the insertion of roof lights to the front and rear roof plane are not considered to give rise to any adverse amenity implications in terms of overlooking to the detriment of the applicant property. Due to the angle of the lights any opportunities for overlooking into the neighbouring properties would be considered extremely minimal.

The soil pipe would be sited on the side elevation of the property facing Kingston Road and would be visible to passersby and from the neighbour to the east, no.41 Kingston Road. However, as the soil pipe would be thin in design to mirror its function, it would create a small addition to the side elevation of the property and would not be considered to give rise to any adverse implications in relation to visual/ residential amenity.

Due to the reasons stated above, there are no significant impacts associated in terms of residential or visual amenity. As such, the proposal is considered pursuant to Policy DC1 of the UDP and DM1 of the Core Strategy for Manchester.

Design and Appearance

The existing dormer to be removed is located on the rear roof plane of the host property and measures 9.8 cubic metres and would be replaced with 2 no. rooflights. As the dormer to be removed is below 115 cubic metres and roof lights are to be inserted, it is noted that this piece of work could be achieved through Permitted Development. Whilst the loss of the dormer, an original decorative feature is regrettable, the roof lights to be inserted with a special 4 panel design is considered acceptable in size and form and would not protrude excessively beyond the roof plane. During the course of the application, the agent confirmed the roof light product to be used would be a Velux type external finish dark grey RAL 7043 and considered an acceptable product to be used. The colouration would aim to match the existing grey roof tiles on the host property and so the design and appearance is considered acceptable, pursuant to Policy DC1 of the UDP.

Roof lights would be inserted in the property and would consist of 4 no. roof lights within the front roof plane of the property. Again, it is noted that this piece of work could be achieved through Permitted Development and the product chosen, as discussed above, is considered acceptable. As the roof lights are situated at height and due to the short road of Kingston Avenue, it would not be easy to see the proposed roof lights in situ within the primary elevation.

An existing roof light within the rear roof plane of the property would be replaced with a larger type. Again, it is noted that this piece of work could be achieved through Permitted Development and the product chosen, as discussed above, is considered acceptable. The change in size would not be easily noticeable and would still be considered an appropriately sized addition to the roof plane and so is acceptable in form, pursuant to Policy DC1 of the UDP.

A soil pipe would be installed within the gable wall elevation of the property. This is the only element of the application that requires planning consent in its own right, given its location (fronting a highway and forms the side elevation of the dwellinghouse), which does not comply with Part A Class G of the GPDO. The soil pipe would be sited on the side elevation of the property facing Kingston Road and would be visible to passersby and from the neighbour to the east, no.41 Kingston Road. The soil pipe would take the form of a black uPVC pipe and would extend 0.6 metres beyond the existing roof. Guttering is already present on this elevation of the

property and the proposed soil pipe would be of the same material. As the same material has been used, the soil pipe would be a small feature and would be of a colouration to match the existing guttering, this element of works gives rise to no concern in terms of design and appearance, pursuant to Policy DC1 of the UDP.

Didsbury St James Conservation Area

The applicant site sits within the Didsbury St James Conservation Area and sits to the south of listed buildings nos.38 and 40 Kingston Road (Grade 2 listed) and to the south east of listed buildings no.15 and no.17 Millgate Lane (Grade 2 listed). In comparison with other conservation areas in Manchester, Didsbury St. James covers a large area, and the style and form of its buildings varies, giving great scope for the generation of appropriate architecture for the future.

The application site is a two storey Victorian semi-detached dwelling set within a large plot on the corner of Kingston Avenue and Kingston Road. The property is orientated north-south with the rear elevation facing north. There are gardens to the front, side and rear, the rear covering 175sqm and a vehicular access into the rear garden / driveway from Kingston Road. The rear elevation is painted in a white finish whilst the other elevations are of red / brown brick and the roof finished in slate. The rear of the property benefits from a contemporary single storey rear flat roof extension, comprising a continuous wall of full height bi-fold doors within gable frames to the northern elevation and full height windows to the east and west elevations. The extension is finished in dark grey powder coated aluminium and topped by a deep fascia in the same materials. It is block bonded to the existing wall in dark blue engineering or similar type brick.

Policy EN3 of Manchester's Core Strategy requires that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas including conservation areas. Saved UDP Policy 18 considers the relationship of new structures to neighbouring buildings, in relation to conservation areas.

The proposal consists of elevational alterations to the roof and installation of soil pipe.

Whilst the loss of the small dormer is regrettable as it appears to be an original feature on the property and contributes to the distinctiveness of the conservation area, the removal could be achieved through permitted development. Given the structure is at height and due to the positioning of the property and the dense trees surrounding the applicant site, opportunities for views are considered minimal. As such, the removal of the dormer is not considered to detrimentally harm the character of the Conservation Area.

In total, 7 no. roof lights would be sited on the roof of the property as a result of the proposal. Again, there are no restrictions to the insertion of roof lights within the Conservation Area and as such, these elements could be obtained through permitted development. As the roof lights would be at height, limited views would be afforded to them from within the Conservation Area primarily from further along Kingston Avenue to the north and south. Aerial views of the surrounding area show several neighbouring properties have inserted roof lights within the Conservation Area and as such, the proposal would follow an appropriate precedence.

The agent provided more information on the rooflight product to be used as a result of the proposal. The product to be used would be a Velux type external finish dark grey RAL 7043 and considered a decent product to be used. The colouration would aim to match the existing grey roof tiles on the host property and so is considered appropriate to ensure new development is sympathetic to the existing architectural features and materials within designated areas. During the course of the application, the agent justified the decision to not use conservation style roof

lights- as the feature 4 panel within the rear elevation of the master bedroom cannot be achieved with the conservation type light and so the standard velux skylight was designed for all. Images of the skylights used on different properties were also supplied by the agent for review. Given the use of permitted development rights and given the contemporary roof and balcony works that have taken place at the adjoining property (no.4 Kingston Avenue), the use of the standard velux is considered acceptable in this instance and due to the siting, is not considered to adversely harm the conservation area. The materials presented would be conditioned within any approval granted, which is considered necessary to be sympathetic to the original character of the roof of the host property and the wider Conservation Area and ensures a sympathetic addition to Kingston Avenue.

The soil pipe would be sited on the side elevation of the property facing Kingston Road and would be visible to passersby and from the neighbour to the east, no.41 Kingston Road. The soil pipe would take the form of a black uPVC pipe and would match the materials and colouration for the existing guttering on this elevation of the property. Given the soil pipe would match the existing circumstances, the proposal is considered sympathetic to the existing circumstances and features within the Conservation Area. The structure is slim and would not detract from the architectural features of the host property visible from the highway and so is not considered to give rise to adverse harm to the Conservation Area. Again, the materials would be conditioned to ensure a sympathetic addition to Kingston Road.

The applicant property sits to the south of listed buildings no.40 Kingston Road (Grade 2 listed) and to the south east of listed buildings no.15 and no.17 Millgate Lane (Grade 2 listed). The location of the works is largely at height, sits against Kingston Road, and is surrounded by dense greenery. Due to the single storey scale of no.40 Kingston Road, any views of the applicant property would be limited. Due to the orientation of no.15 and no.17 Millgate Lane, no views could be obtained from the listed buildings internally. Whilst it may be possible to see the applicant property from the gardens, due to the small additions to the rear roof plane any impact would not be considered harmful. As such, the proposal is not considered to adversely impact the views or character of the listed buildings.

Therefore, it is not considered that the development would undermine the residential character of the Didsbury St James Conservation Area due to the changes to complement the conservation area. As such, the proposal is considered pursuant to Policy EN3 of the Core Strategy and Places for Everyone JP-P2 relating to heritage. On balance, it is considered that the proposed development would cause the lower end of less than substantial harm to the conservation area and therefore would be in accordance with, relevant policies and the tests within the NPPF with public benefits outweighing any harm.

In line with paragraph 202 of the NPPF, where less than substantial harm occurs, public benefits are required to mitigate against that harm. The character of this part of the conservation area contains recent and more modern additions and interventions. On reflection, the current proposal being assessed is considered small in nature and would not drastically alter the character of the Conservation Area. The materials to be used have been carefully considered to be sympathetic to the architectural features of the property and it is noted much of the development could be achieved through the route of Permitted Development.

Bin Storage

Bin storage would be unaffected by the proposal.

Car Parking

Off- street car parking would be unaffected by the proposal.

Conclusion

The proposed development does not create any significant impacts in terms of visual or residential amenity. The design, size, position, and appearance are in keeping with the character of the property and local area. The proposal complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1, EN3, Places for Everyone policies JP-S1 and JP-J2 and Saved Policy DC1 and DC18 of the Unitary Development Plan.

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 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

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 and additional information has been received during the course of the application. Appropriate conditions have been attached to the 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 5 June 2024.

-Drawing- Proposed- Plans and Elevations, numbered RG386/PL10, stamped as received by the City Council as Local Planning Authority on 5 June 2024.

-Correspondence- Information on Materials to be Used, stamped as received by the City Council as Local Planning Authority on 6 August 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) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the 'Drawing- Proposed- Plans and Elevations, numbered RG386/PL10' and 'Correspondence- Information on Materials to be Used' specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

4 Kingston Avenue, Manchester, M20 2SP
42 Kingston Road, Manchester, M20 2SB
43 Kingston Road, Manchester, M20 2SB
41 Kingston Road, Manchester, M20 2SB
40 Kingston Road, Manchester, M20 2RZ
3 Kingston Avenue, Manchester, M20 2SP

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: SOUTH AREA