MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140212/FH/2024
Date registered valid:	24 June 2024
Proposal:	Proposed front porch, elevation changes and boundary fencing including creation of access
Address:	56 Kingsway, Manchester, M19 2DA
Ward(s):	Rusholme Ward
Applicant:	Mr Partha Roy
Agent (if any):	Mr Muhammad Dabeer Rana, MD Design Consultancy
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**21 August 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 16 July 2024

Standard consultations: Printed: 3 July 2024 Expired: 24 July 2024

Neighbour notifications: Printed: 3 July 2024 Expired: 24 July 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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a detached double-fronted C3 dwellinghouse of redbrick with a grey concrete tile dual pitch roof. The property features white uPVC windows, including a two-storey and ground-floor bay to the front, a front porch extension, a spacious wrap-around garden bordered by a low-level redbrick wall, and a detached outbuilding situated within the rear garden.








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PEACEVILL
ROAD



Description of area

This portion of Kingsway consists of a residential street situated within the Rusholme ward of Manchester, close to Fallowfield Retail Park, the railway line, and Fallowfield cycling loop. The area is predominantly residential in terms of its character, consisting of a mixture of detached, semi-detached and terraced dwellinghouses.

Description of development

The applicant is seeking permission for the erection of a front porch, elevation alterations and boundary fencing including the creation of a driveway access point.

Planning history

No previous history.

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

Highways made the following comments in response to the revised plans received:

- Amended plans have been submitted which illustrates the relocation of the access to the proposed driveway and amendments to the boundary treatment.
- The proposed new driveway access point is located in excess of 10m from the Peaceville Road/Kingsway Junction.
- Should the planning application be approved, the applicant will be required to enter into a Section 184 agreements for the alterations to the existing highways and the provision of dropped kerbs on Peaceville Road. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004). This will be funded at the applicant's expense.
- Upon review there appears to be an existing street light in the vicinity of the new driveway which may impact upon vehicular access/egress of the driveway. Therefore, it is recommended that the applicant liaises with MCCs Street Lighting Team regarding the potential requirement to relocate an existing street lighting column - streetlighting@manchester.gov.uk. Any relocation is funded at the applicant's expense.
- It should be noted that all individual driveway parking spaces should be a minimum of 3.0m x 6.0m to ensure that vehicles / pedestrians do not impact on the adopted highway.
- Can the applicant confirm the dimension of the driveway?
- Reviewing Drawing (DR) A201 'Proposed Elevation, the proposed new front-elevation boundary wall is 1200mm in height and continues along the proposed right-hand side elevation until the southern side of new driveway access. This new railing boundary wall appears to be visually permeable from a distance of 600mm upwards.
- The amended plans also illustrates from the northern side of the driveway that the proposed right-hand side elevation boundary wall is 1600mm in height and continues to the rear elevation of the property. This new boundary wall appears to be visually permeable from a distance of 1000mm upwards which may affect the pedestrian visibility of vehicles egressing/accessing the driveway.
- Highways requests that the pedestrian visibility splay is provided for the proposed driveway.

- Detail should be sought from the applicant in relation to any proposed construction or fitout arrangements, where there is an impact on the highway. The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email -highwaylicences@manchester.gov.uk - highwaynetworkmanagement@manchester.gov.uk

Policies

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

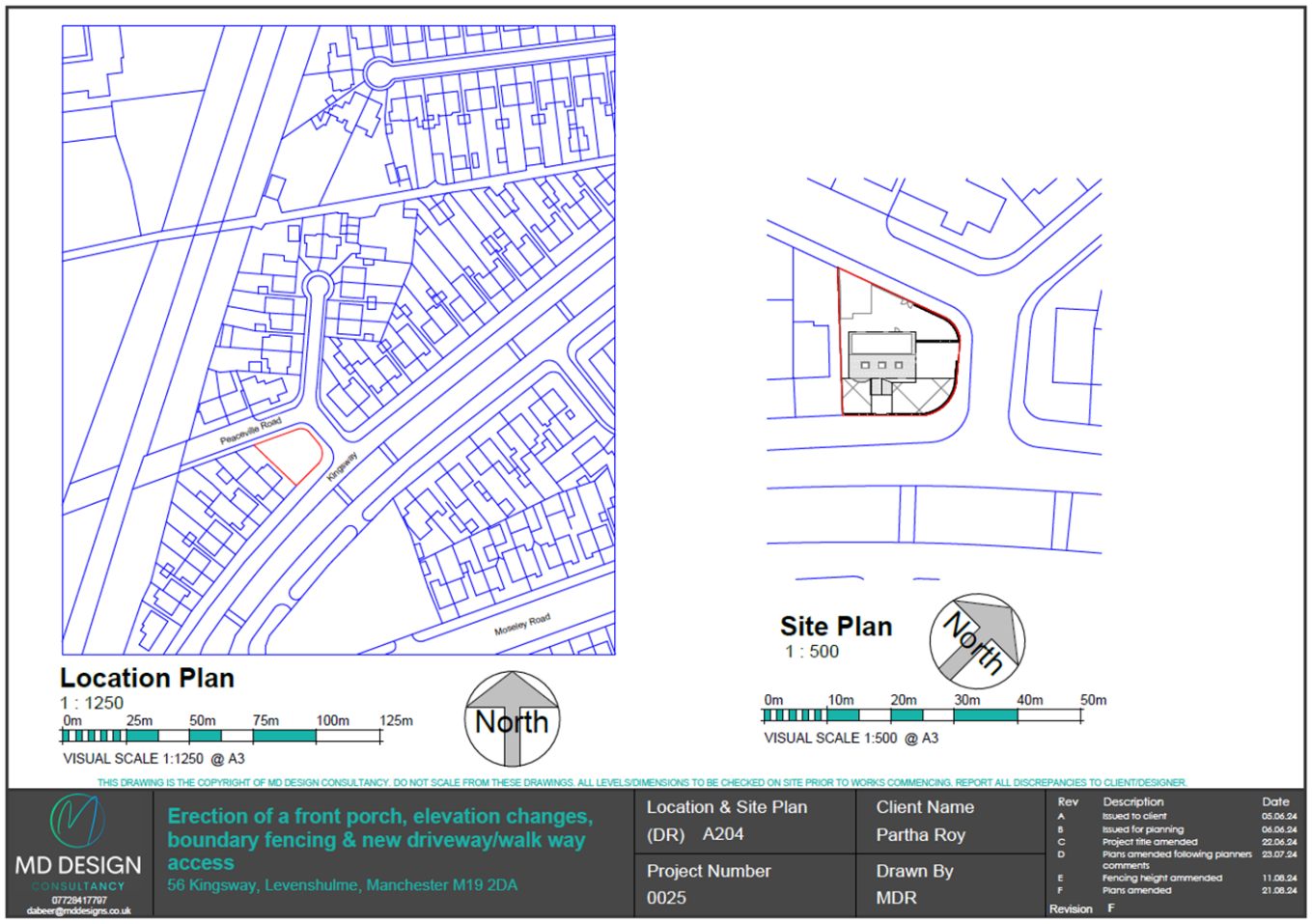
Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:
- Policy DC1 – Residential Extensions
- Policy DC22 – Footpath Protection

The Manchester Core Strategy – Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on the 11th of July 2012:
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles

The National Planning Policy Framework (NPPF, 2021)
- Chapter 12 – Achieving Well-Designed Places

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.

- Policy JP-P1: Sustainable Places



0m 1m 2m 3m 4m 5m

VISUAL SCALE 1:100 @ A3



PP Ground Floor

1 : 100

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MD DESIGN
CONSULTANCY
07728417797
dabeer@mddesigns.co.uk

Erection of a front porch, elevation changes, boundary fencing & new driveway/walk way access

56 Kingsway, Levenshulme, Manchester M19 2DA

Proposed Plans (DR) A200	Client Name Partha Roy
Project Number 0025	Drawn By MDR

Rev	Description	Date
A	Issued to client	05.06.24
B	Issued for planning	06.06.24
C	Project title amended	22.06.24
D	Plans amended following planners comments	23.07.24
E	Fencing height ammended	11.08.24
F	Plans amended	21.08.24

Revision F

0m 1m 2m 3m 4m 5m

VISUAL SCALE 1:100 @ A3



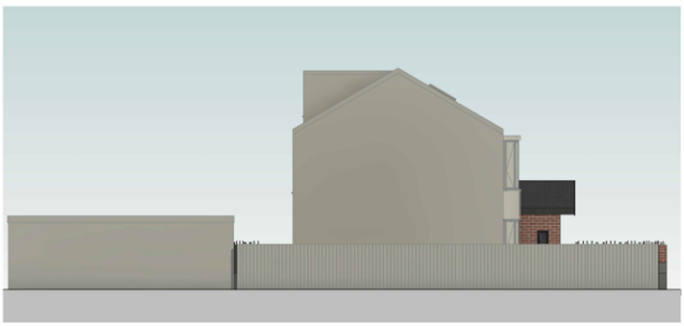
PP Front Elevation
1:100



PP RHS Elevation
1:100



PP Rear Elevation
1:100



PP LHS Elevation
1:100

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Erection of a front porch, elevation changes, boundary fencing & new driveway/walk way access

56 Kingsway, Levenshulme, Manchester M19 2DA

Proposed Elevations (DR) A201	Client Name Partha Roy
Project Number 0025	Drawn By MDR

Rev	Description	Date
A	Issued to client	05.06.24
B	Issued for planning	06.06.24
C	Project title amended	22.06.24
D	Plans amended following planners comments	23.07.24
E	Fencing height ammended	11.08.24
F	Plans amended	21.08.24

Revision F

Issues

Policies SP1 and DM1 of the Manchester 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. Policy DC1 of the Unitary Development Plan for the City of Manchester relates specifically to residential extensions and sets 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 which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle – the principle of erecting a single storey front porch extension and canopy, elevational alterations, and boundary treatment, including the creation of a new driveway access, is acceptable given that many individuals prefer to extend and alter their homes to meet changing household needs, rather than move. However, consideration must be given to the proposal's siting, scale, and massing, appearance, and impact upon visual amenity, residential amenity, waste storage, parking, and public safety.

Siting, scale, and massing – the porch extension and canopy would be sited at the front of the property, facing southeast. The porch would project 2.005m frontwards from the host dwellinghouse, with a width of 3.3m, dual pitch roof height of 3.852m and an eaves height 2.664m. A gap of 4.627m would be maintained to No.58 Kingsway, a gap of 3.779m would be maintained to Kingsway, and a gap of 10.209m would be maintained to Peaceville Road. The porch canopy would adjoin the porch extension and would measure to 4.655m in width, 0.531m in length/depth, 3.852m in height, with an eaves height of 2.664m.

The overall siting, scale, and massing of the porch extension and canopy is considered to be acceptable as they are understood as being subservient to the host dwellinghouse in terms of their dimensions, would avoid resulting in an 'excessively large or bulky' addition to the property, and would not cause undue harm to the residential amenity of neighbouring occupiers in terms of introducing an overbearing feature into the area. Sufficient private outdoor amenity space would also be retained to the rear.

The proposal therefore accords with policies DM1 and SP1 of the Core Strategy.

Appearance and visual amenity – the submitted application form indicates that the porch extension and canopy would be built of brickwork and roof tiles to match the existing dwellinghouse, with white uPVC windows (sprayed grey), and uPVC anthracite grey doors. The extension would feature a set of inward-opening doors framed by narrow vertical windows and a glazed overlight to the front, 1no. window to its northeast side elevation facing Peaceville Road, and 1no. window to its southwest side elevation facing No.58 Kingsway. Its roof would be blank and featureless.

The proposal is considered to be relatively standard in terms of its scale and design and would be in-keeping with the overall precedent of residential extensions in this area. Sited at the front of the property, the extension would be visible within the street scene and public realm, however its use of matching materials should provide a blended appearance with the existing dwellinghouse. Hence, the overall character of the dwellinghouse and its surrounding area should not be significantly harmed by these works.

The design and appearance of the proposal therefore accords with policies DM1 and SP1 of the Core Strategy as well as chapter 12 of the NPPF as its impact upon visual amenity is considered to be minor.

Residential amenity – given the minor nature of the porch extension and canopy and considerable gaps to the plot's shared boundaries, it is considered that these elements of the proposal should not cause issues associated with overshadowing, loss of light, loss of privacy, or loss of outlook, nor should they introduce an overbearing presence into the area.

The proposal is therefore acceptable in regard to its minimal impact upon residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy and policy DC1 of the UDP.

Waste storage – the current refuse storage arrangements would be unaffected by the proposal.

Parking – the proposal includes the creation of a new driveway and 3m-wide access point leading off Peaceville Road.

Highways have confirmed that the new access point would be located in excess of 10m from the Peaceville Road/Kingsway junction, making no objection to these arrangements. The driveway itself would measure to at least 2.4m by 4.8m and would be constructed of a permeable surfacing material, as indicated on the submitted plans, which would allow for rainwater and runoff water to soak through, avoiding significant impacts to the adjacent highway network and drainage system. It would also be located entirely within the confines of the application site and would therefore avoiding impeding the adjacent public footpath.

It is considered that this aspect of the proposal would improve the existing parking conditions of the site, affording off-street parking provisions for its occupants/users and reducing on-street parking pressures in this area.

The proposal therefore accords with policies DM1 and SP1 of the Core Strategy and policy DC22 of the UDP.

Dropped kerb – as Peaceville Road is an unclassified road, planning permission is not required for the installation of a dropped kerb at this location. It should be noted however that Highways' permission would need to be applied for separately. Further information relating to this requirement has been attached as an informative note.

Boundary treatment – the proposal also includes the installation of new boundary treatment to the front, side and rear of the application site, fronting both Kingsway and Peaceville Road. This would consist of a 1m-high redbrick wall, capped by black metal railings which would measure to a maximum of 0.6m in height. This would be interspersed at 0.8m intervals by redbrick piers measuring to 1.6m in height.

It is acknowledged that Highways raised concerns in relation to the visual permeability of the boundary treatment, in terms of its potential impact upon public safety, with additional information requested in the form of the pedestrian visibility splay for the proposed access point.

However, in these circumstances, the proposed boundary treatment is considered acceptable due to the permitted development fallback position. Under permitted development rights, the applicant could install the proposed 1m-high redbrick wall to the front, side and rear of the site without the need for planning permission. The only element of the boundary treatment that would require planning permission is therefore understood as being the 0.6m-high metal railings and 1.6m-high redbrick piers. Given that the redbrick piers would be interspersed with the wall/railings at moderate intervals of approximately 0.8m, with no piers featured either side of the driveway access point, and with the railings themselves being visually permeable, it is considered that the new boundary treatment would be acceptable in terms of its impact upon pedestrian and highways safety, particularly given the permitted development fallback position.

Other matters – no elevational alterations proposed.

It should also be noted that the submitted plans indicate that the property's rear dormer and garage works, shown on the existing plans and elevations, were installed/undertaken under permitted development rights. On this basis, they have not been assessed as part of the current planning application.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale and massing, appearance and impact upon visual amenity, residential amenity, waste storage, parking and public safety as it broadly complies with policies DC1 and DC22 of the UDP, policies DM1 and SP1 of the Core Strategy and chapter 12 of the NPPF.

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

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. Issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

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 permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following documents:

'Proposed Plans', numbered 'A200', revision F, stamped as received by the City Council as Local Planning Authority on the 21st August 2024.
'Proposed Elevations', numbered 'A201', revision F, stamped as received by the City Council as Local Planning Authority on the 21st August 2024.

Reason - To ensure 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 on the external surfaces of the developments hereby permitted shall match those specified on the submitted application form and approved plans, including brickwork and roof tiles to match the existing dwellinghouse on the front porch extension and canopy.

Reason - To ensure the appearance of the site to be developed is not adversely affected by the materials to be used in the construction of the developments, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

Informatives

1) The applicant will be required to enter into a Section 184 agreement for the alterations to the existing highways and the provision of dropped kerbs on Peaceville Road. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004). This will be funded at the applicant's expense.

2) There appears to be an existing street light in the vicinity of the new driveway which may impact upon vehicular access/egress of the driveway. Therefore, it is recommended that the applicant liaises with MCCs Street Lighting Team regarding the potential requirement to relocate an existing street lighting column - streetlighting@manchester.gov.uk. Any relocation is funded at the applicant's expense.

Appendix 1 – List of consultees & neighbours notified

Highway Services

2 Peaceville Road, Manchester, M19 2DQ
54 Kingsway, Manchester, M19 2DD
4 Peaceville Road, Manchester, M19 2DQ
58 Kingsway, Manchester, M19 2DA

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA