

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140109/FH/2024

Date registered valid: 24 May 2024

Proposal: Erection of a single storey rear extension, installation of rear roof dormer together with elevational alterations to the existing garage to form additional living accommodation.

Address: 11 Kingsway Avenue, Manchester, M19 2DH

Ward(s): Rusholme Ward

Applicant: Mr Irshad Ali

Agent (if any): Mr Muhammad Dabeer Rana, MD Design Consultancy

Case officer: Jake Walther
Tel: 0161 234 1632
Email: jake.walther@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 17/07/2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 26/06/2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 25 June 2024 Expired: 9 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

The application site relates to a semidetached two storey class C3 dwellinghouse located on Kingsway Avenue in Levenshulme. The property is constructed of red brick, dark red roof tiles with wood and render detailing on the front gable. The property features hardstanding for off street vehicle parking at the front and a garden to the rear with a detached garage/ outbuilding at the rear of the garden.



Figure 1. Rear view of property.



Figure 2. Rear outbuilding.



Figure 3. Front view of the property.

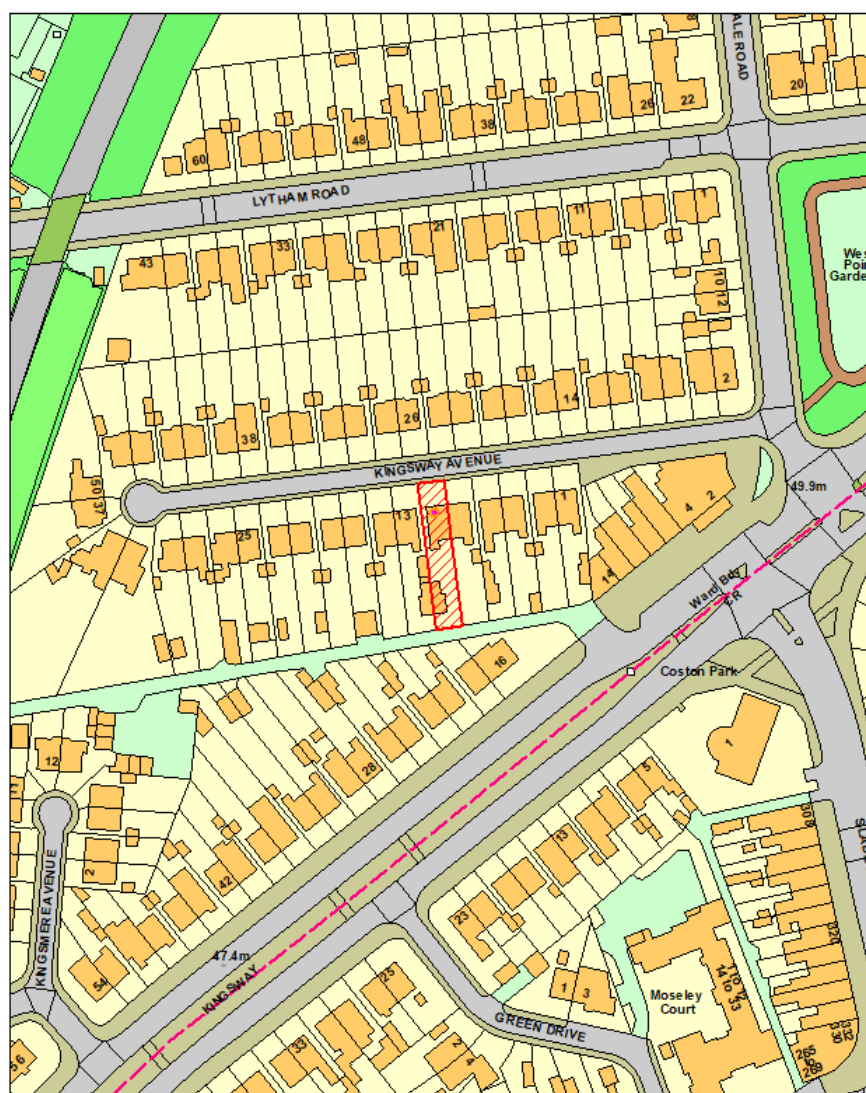
Listed building: Not applicable

Conservation area: Not applicable

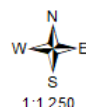
Tree Preservation Order: Not applicable

Description of area

Kingsway Avenue is a residential cul-de-sac off Kingsway, in Levenshulme. The area is predominantly residential in terms of its character, consisting of mostly of semidetached two storey dwellinghouses. The property benefits from its proximity to public green space at West Point Gardens, Shops and services on Kingsway and Fallowfield retail park, and Birchfields school and MEA Central are located on the nearby Lytham Road.



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Description of development

The applicant is seeking permission for the erection of a single storey rear extension, a rear roof dormer and elevation alterations to both the main dwellinghouse and existing outbuildings to convert it from a garage to living accommodation. The proposed rear extension would project back by 3800mm and span 5850mm across the existing rear wall. The rear dormer would extend out by 4190mm and would span 4900mm.

Consultations & Notification Responses

As per appendix 1, neighbours of the surrounding properties were consulted.

- Two objections were received from one neighbour, on both the original and the revised plans, the concerns can be summarised as concerns regarding overshadowing and loss of sunlight caused by the rear extension element of the proposal.

Negotiations

Following objections from neighbours at the original proposal, the applicant amended the application to reduce the projection of the rear extension from 4000mm to 3800mm.

Policy

The Manchester Core Strategy Development Plan Document 2012-2027 - The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and forms the framework that planning applications are assessed against. We consider the following Core Strategy Policies relevant to this proposal.

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN19 – Waste

Extant Unitary Development Plan (UDP) - The Core Strategy replaced much of the UDP, but some UDP Development Control policies are extant (remain). The following extant policy is still considered relevant to this proposal.

- DC1 - Residential Extensions

Places for Everyone

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 following policies are relevant:

- S1- Sustainable development

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):

- an economic objective
- a social objective and
- an environmental objective.

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

- Chapter 8. Promoting healthy and safe communities.
- Chapter 12. Achieving well-designed and beautiful places.

Principle

The principle of erecting a single storey rear extension, converting a garage and adding a roof dormer in order to provide additional living accommodation for a family dwellinghouse 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 and parking.

In this instance the principle of the proposal is considered acceptable, and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application. The proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Sitting, Scale and Mass

The single storey extension element of the proposal would project off the existing rear wall by 3800mm and would span almost the entire width of the property at 5850mm, leaving a gap of 225mm to the adjoining property. It would have a flat roof with a maximum height of 3188mm at the top of the eaves. The scale of the proposed extension is only slightly larger than the 3000mm limitations of permitted development. In addition, the property already has a single storey outrigger that projects out by 1700mm, so the proposed rear extension only projects out 2100mm more than this.

The rear dormer element of the proposal would extend out by 4190mm with a height of 2460mm at its maximum, it would span 5320mm across the roof, leaving a gap of 680mm to the adjoining property and 130mm edge of the property and set in 330mm from the eaves.

The elevation alterations to both the outbuilding and main dwellinghouse do not involve adding and mass to the existing structures.

Overall, neither the rear extension and dormer would not result in 'excessively large or bulky' additions to the property. The proposal therefore is considered to accord with the principles for residential extensions set out in the carried forward policies DC1 and DM1 of the UDP and EN1 of the Core Strategy.

Residential Amenity

The proposed rear extension would project from the rear of the property by 3800mm with a flat roof and a maximum height of 3188mm and would feature no windows or doors on either side elevations, it is not anticipated that this element of the proposal will cause any privacy concerns. The garden is south facing, and the proposal includes a gap of 225mm to the adjoining property and 1300mm to the boundary with the neighbouring property. As with any additions to a building, this will cause some degree of overshadowing to the adjoining properties garden, however given the scale of the extension, the extent of any overshadowing is not anticipated to cause significant harm to the residential amenity of surrounding neighbours.

The proposed rear dormer would be set in from the roof by 130mm to the side, 680mm to the boundary with the adjoining property and 330mm from the eaves, it is considered that the dormer would not cause an undue loss of light for any neighbouring residents, create privacy issues nor introduce an overbearing presence into the area.

The elevation alterations to the garage conversion only consist of adding one additional window, which would be obscure glazed, as a result, it would not create any privacy issues for any neighbouring properties.

None of the proposal would not be visible from the public highway and therefore would not feature within the street scene, as such the characteristics of the area would be retained and the impact upon visual amenity is considered negligible. The proposal therefore complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 Unitary Development Plan.

Design and Visual Amenity

The proposed rear extension would be built using brickwork to match the existing dwellinghouse, with a flat roof and blank side elevations. It would feature 1no. glazed door and 1no. window on the rear elevation, both in white uPVC to match the existing doors and windows. The materials used and the overall design of the extension is what is generally expected of such a structure in this area, and it would not adversely impact upon the character of the area.

The rear extension would change the existing ground floor plan and as a result of the floorplan alterations, there would also be elevation alterations to the side of the property which would consist of the infilling of one window and the downsizing of another, given these alterations would only affect the side of the property, they would not be visible from the street scene and as such would cause less than substantial harm to the visual amenity of the area.

The rear dormer would have a flat roof and a red tile finish to match the existing roof, the side elevations would remain blank, while the rear elevation would feature two windows. The internal floorplan changes in conjunction with the proposed rear dormer include elevation alterations to the side wall, with one additional window being proposed to the western elevation, in line with the existing windows on the ground floor and first floor. The materials used and the overall design of the dormer is in keeping with the dormers in this area, and it would not adversely impact upon the character of the area.

In terms of the garage conversion, the proposed elevation alterations to this structure include the change from a garage door to a single door at the rear of the garage and infilling one of the side doors and replacing with and obscure glazed window, the existing windows would be replaced with double glazed uPVC windows.

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 arrangements would occur as a result of the proposal.

Waste Storage

The current waste storage arrangements would be unaffected by this proposal.

Conclusion

Given the above issues, it is considered that the proposed single storey rear extension, rear dormer and garage conversion is acceptable in terms of its principle, siting, scale and massing, appearance, and impact upon existing levels of visual and residential amenity as well as waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1, SP1, EN1 and EN19 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 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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1. 3-year time limit:

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. Specified plans:

The development hereby approved shall be carried out in accordance with the following drawings and documents:

- a) Drawing number: X7 - Location Plan, Site Plan, Proposed floor plan, Proposed Elevations – Received 25 June 2024

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM1, SP1 and EN1 of the Core Strategy.

3. Specified materials:

The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form 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 structure. Pursuant to policies DM1, SP1 and EN1 of the Core Strategy.

4. Additional glazing restriction:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no additional glazing, windows, or doors, other than those shown on the approved plans, shall be inserted at the property unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring residences, pursuant to policy DM 1 of the Core Strategy for the City of Manchester and saved policy DC1 of the Unitary Development Plan.

5. Obscure Glazing:

Before first occupation the windows in the western elevation 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.

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

Appendix 1 – List of consultees & neighbours notified

24 Kingsway Avenue, Manchester, M19 2DH
20 Kingsway, Manchester, M19 2DD
16 Kingsway, Manchester, M19 2DD
18 Kingsway, Manchester, M19 2DD
9 Kingsway Avenue, Manchester, M19 2DH
26 Kingsway Avenue, Manchester, M19 2DH
15 Kingsway Avenue, Manchester, M19 2DH
13 Kingsway Avenue, Manchester, M19 2DH
28 Kingsway Avenue, Manchester, M19 2DH

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: SOUTH AREA