MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138508/FH/2023
Date registered valid:	5 February 2024
Proposal:	Erection of a single storey rear extension together with the conversion of the existing garage to form additional living accommodation.
Address:	68A Kenworthy Lane, Manchester, M22 4EF
Ward(s):	Northenden Ward
Applicant:	Mr Naqvi Alphan Planning & Design
Agent (if any):	Mr Naqvi Alphan Planning & Design
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**25 March 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 23 February 2024

Standard consultations: Printed: 16 February 2024 Expired: 8 March 2024

Neighbour notifications: Printed: 15 February 2024 Expired: 7 March 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 single storey detached C3 dwellinghouse of redbrick with a red concrete tile dual pitch roof. The property features white uPVC windows, a front porch canopy, a single-storey front outrigger and integrated garage, a front driveway, and a spacious wraparound garden with mature trees and foliage.



Figure 1. Application site.



Figure 2. Front of property.



Figure 3. Application site.



Figure 4. Back of property.



Figure 5. Rear elevation.



Figure 6. Rear amenity space.



Figure 7. Side of property.

Description of area

Kenworthy Lane is a residential street situated within the Northenden ward of Manchester, close to Kenworthy Lane Woods, the River Mersey and Manchester Outer Ring Road (M60). The area is predominantly residential in terms of its character, consisting of terraced and semi-detached residential properties, and benefits from its proximity to public outdoor amenity and green spaces.

Description of development

The applicant is seeking permission for the erection of a single storey rear extension together with the conversion of the existing garage to form additional living accommodation.

Planning history

No previous planning history.

Consultations & Notification Responses

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

Flood Risk Management – advised that further details needed to be included within the submitted Flood Risk Assessment, including:

- The estimated flood level for the development (the estimated flood level is a river flood level with a 1 in 100 or greater annual probability, plus an allowance for climate change).
- A plan showing the finished floor levels (FFLs) and the estimated flood levels. FFLs should take into consideration predicted flood levels and should be set to an appropriate level, this may be either no lower than existing internal FFLs of the adjoining dwelling or 300 millimetres (mm) above the estimated flood level. All levels should be in mAOD.
- If you cannot raise FFLs 300 mm above the estimated flood level, demonstrate flood resilience and resistance measures in your design.
- Consideration of flood safety measures (such as signing up for EA flood warnings) and evacuation plans where required.
- Any supporting plans and drawings.

Neighbourhood Team Leader (Arboriculture) – confirmed their agreement with the findings of the submitted Arboricultural Impact Assessment, requesting conditions be attached to the decision notice requiring an arboricultural consultant to oversee any excavation works in addition to standard tree protection conditions.

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

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
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN19 - Waste

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

Places for Everyone

The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

You can view the Inspectors' Report on the GMCA's website at Places For Everyone - Greater Manchester Combined Authority (greatermanchester-ca.gov.uk). In addition, a hard copy is available in Manchester Central Library, St Peters Square, Manchester M2 5PD between 9am - 8pm Monday to Thursday and 9am - 5pm Friday and Saturday.

The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone, with the plan going to the Full Council meeting in Manchester on 20 March 2024. The first Council meetings to approve the plan will be Salford and Wigan (28 February).

There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.



Figure 8. Submitted proposed site plan.

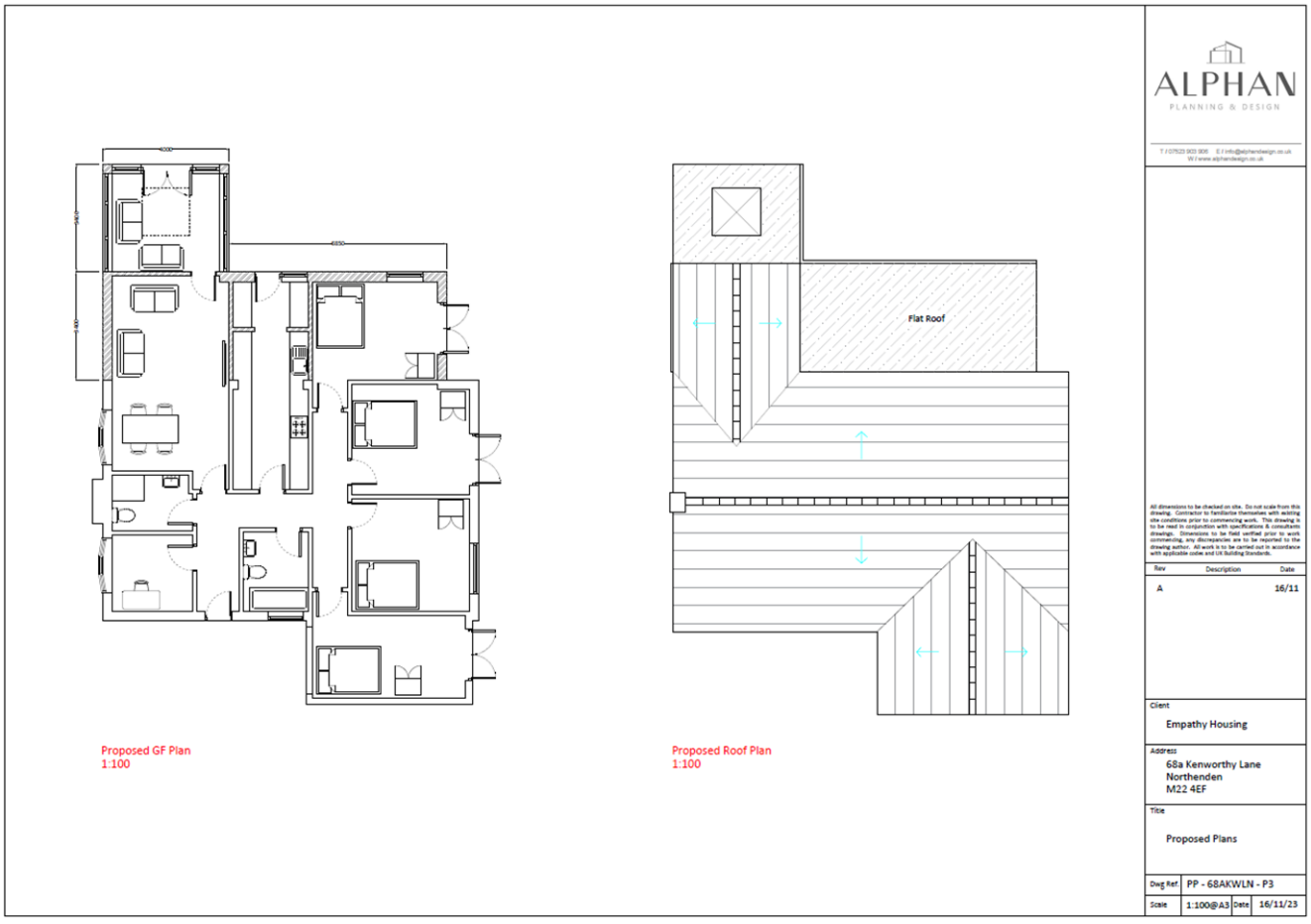


Figure 9. Submitted proposed plans.



Figure 10. Submitted proposed elevations.

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. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the Unitary Development Plan for the City of Manchester relate specifically to residential extensions and set 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 rear extension 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.

Siting, scale, and massing – the single storey extension would be sited at the back of the property, facing northwest.

The extension would project 6.8m rearwards at its southwestern end and 3.4m rearwards at its northeastern end, with a total width of 10.85m. At its southwestern end, the extension would feature a part-dual pitch roof measuring to 4.406m in height (set 1.892m below the existing ridge), with an eaves height of 2.518m (set 0.37m above the existing). The remainder of the extension would feature a flat roof form measuring to 2.759m in height. A minimum gap of 5.675m would be maintained to the boundary shared with No.68 Kenworthy Lane, with a

3.277m gap to No.70 Kenworthy Lane, a 3.459m gap to No.57 Orchard Road West, a 1.191m gap to No.55 Orchard Road West, and a 1.217m gap to No.53 Orchard Road West.

The 6.8m rearward projection exceeds the limit stipulated in policy DC1 of the UDP (of 3.65m), however is considered acceptable in these circumstances given the spacious nature of the application plot which would be able to adequately accommodate the extension without limiting the private amenity space of the property to an unacceptable degree in addition to the considerable gaps maintained to the plot's shared boundaries which should ensure that the residential amenity of neighbouring occupiers is not unduly harmed by the development.

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

Appearance and visual amenity – the single storey extension would be built of brickwork, roof tiles and white uPVC windows and doors to match the existing in addition to a GRP fibreglass roof. Its southwest side elevation would feature one window, whilst its northeast side elevation would feature one window and a set of outward-opening doors. Its rear elevation would feature a set of inward-opening doors, a single inward-opening door, and four windows. A roof lantern would be featured atop of the extension's flat roof (projecting upwards by 0.146m).

The proposal is relatively standard in terms of its scale and design and would be in-keeping with the existing precedent of residential extensions in this area. Sited at the back of the property, away from the public highway and footpath, the rear extension would not be visible within the street scene or public realm and, as such, should have a minimal impact upon the visual amenity of the area. Moreover, its use of matching materials should ensure that it does not form a prominent visual feature. The overall character of the property and its surrounding area would therefore not be significantly harmed by these works.

The design and appearance of the proposed development therefore accords with Core Strategy policies DM1 and EN1 as well as chapter 12 of the NPPF as its impact upon visual amenity is considered to be minor.

Residential amenity – given that the extension would be single storey, with a maximum roof height of 4.046m, and with considerable gaps maintained to the plot's shared boundaries, it is considered that the proposal should not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area. The considerable gaps to the plot's shared boundaries should also ensure that the privacy of neighbouring occupiers is not compromised as a result of the works.

The proposal therefore accords with policy DC1 of the UDP, and policies SP1 and DM1 of the Core Strategy.

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

Parking – the proposal would result in the loss of the property's integrated garage space; however sufficient space would be retained on the plot's existing driveway to accommodate at least one vehicle (i.e. 2.4m by 4.8m). This is considered acceptable.

Trees – Neighbourhood Team Leader (Arboriculture) made no objection to the proposal, confirming their agreement with the findings of the submitted Arboricultural Impact Assessment, as well as requesting conditions be attached to the decision notice which would require an arboricultural consultant to oversee any excavation works in addition to standard tree protection conditions.

Conditions relating to the protection of existing trees on site have therefore been attached.

Flood Risk Management – advised that further details needed to be included within the submitted Flood Risk Assessment in order for it to be deemed acceptable. These have been requested through a pre-commencement condition.

Other matters – the proposal also includes a number of elevational alterations. These are listed below:

- Front elevation: ground floor window blocked up, door repositioned slightly, and front porch canopy overhang removed.
- Southwestern side elevation: garage door blocked up with brick to match existing.
- Rear elevation: extension proposed.
- Northeastern side elevation: existing window replaced with a set of outward-opening doors, existing window replaced with a smaller counterpart, existing door and window replaced with a set of outward-opening doors.

These alterations are considered acceptable given their minimal impact upon the visual and residential amenity of the area.

Conclusion – given the above issues, it is considered that the proposed extension 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 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. 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) 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 labelled:

-'Householder Application for Planning Permission for works or extension to a dwelling', stamped as received by the City Council as Local Planning Authority on the 5th February 2024.
-'Proposed Elevations', numbered 'PP - 68AKWLN - P4', stamped as received by the City Council as Local Planning Authority on the 26th November 2023.

-‘Proposed Plans’, numbered ‘PP - 68AKWLN - P3’, stamped as received by the City Council as Local Planning Authority on the 26th November 2023.
-‘Proposed Site Plan’, numbered ‘PP - 68AKWLN - P5’, stamped as received by the City Council as Local Planning Authority on the 26th November 2023.
-‘BS 5837:2012 Method Statement’, stamped as received by the City Council as Local Planning Authority on the 5th February 2024.
-‘BS 5837:2012 Arboricultural Impact Assessment’, stamped as received by the City Council as Local Planning Authority on the 5th February 2024.

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

3) The materials to be used on the external surfaces of the extension hereby permitted shall match those specified on the submitted application form and approved plans, including brickwork and roof tiles to match the existing.

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 extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)
(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

5) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

6) Prior to the commencement of development, a revised Flood Risk Assessment (FRA) for the site shall be submitted to and approved in writing by the City Council as Local Planning Authority.

The revised FRA should include:
a) The estimated flood level for the development (the estimated flood level is a river flood level with a 1 in 100 or greater annual probability, plus an allowance for climate change).
b) A plan showing the finished floor levels (FFLs) and the estimated flood levels. FFLs should take into consideration predicted flood levels and should be set to an appropriate level, this may be either no lower than existing internal FFLs of the adjoining dwelling or 300 millimetres (mm) above the estimated flood level. All levels should be in mAOD.
c) If you cannot raise FFLs 300 mm above the estimated flood level, demonstrate flood resilience and resistance measures in your design.
d) Consideration of flood safety measures (such as signing up for EA flood warnings) and evacuation plans where required.

The development shall be constructed and completed in accordance with the approved details.

Reason - To prevent the increased risk of flooding pursuant to policies EN14 of the Core Strategy.

Informatives

1) In order to discharge condition 6 (Flood Risk Condition) attached to this permission the following provides relevant guidance:

In terms of part a) of the condition, the estimated flood level may be obtained freely from the Environment Agency (Product 4).

In terms of part c) flood resilience and resistance measures guidance can be obtained via the following website: https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#extra-flood-resistance-and-resilience-measures

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management
Neighbourhood Team Leader (Arboriculture)

57 Orchard Road West, Manchester, M22 4FD
51 Orchard Road West, Manchester, M22 4FD
68 Kenworthy Lane, Manchester, M22 4EF
59 Orchard Road West, Manchester, M22 4FD
55 Orchard Road West, Manchester, M22 4FD
53 Orchard Road West, Manchester, M22 4FD
49 Orchard Road West, Manchester, M22 4FD
68B Kenworthy Lane, Manchester, M22 4EF
70 Kenworthy Lane, Manchester, M22 4EF
66 Kenworthy Lane, Manchester, M22 4EF

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
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA