

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139387/FH/2024
Date registered valid: 28 February 2024
Proposal: Erection of a part single, part two storey side and single storey rear extension to provide additional living accommodation
Address: 220 Kingsway, Manchester, M19 1DD
Ward(s): Burnage Ward
Applicant: Mr Adam Davis
Agent (if any): Mr Brian Murray SLW Designs
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 22nd April 2024



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 2 April 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 7 March 2024 Expired: 28 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

The site/building relates to a two storey end semi detached property located along Kingsway at the junction of Briarfield Road in the Burnage ward area of Manchester. The site features a front, side and rear hardstanding area with outbuilding to the rear and covered patio area to the side and rear. Car parking is available within the curtilage of the property at the front and side.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

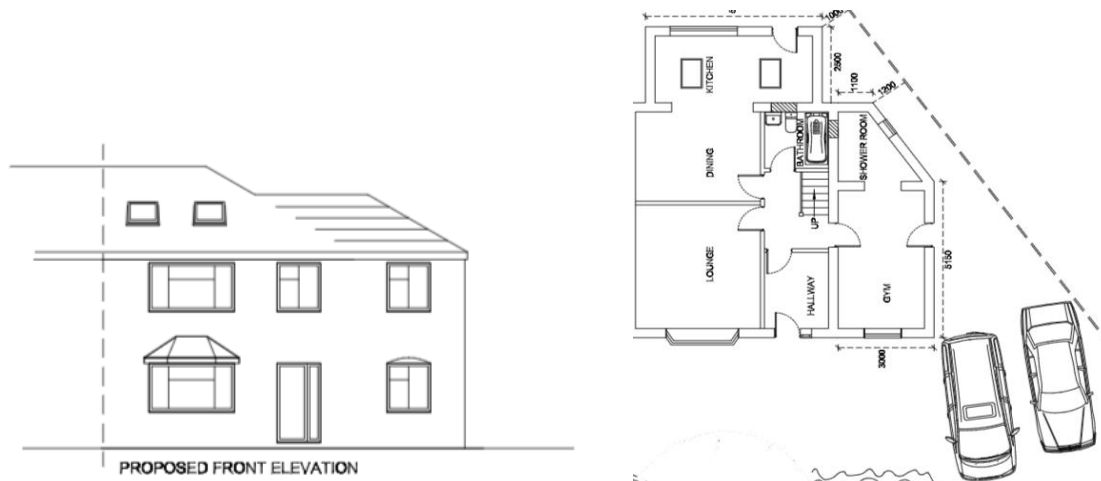
Description of area

This is predominantly a residential area in nature.

Description of development

The applicant is seeking planning permission for the erection of a part single, part two storey side and single storey rear extension to provide additional living accommodation.





Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. One letter of objection has been received as a result of this proposal. Comments as follows:

- The proposed house extension may significantly affect the natural light
- Troubled by the close proximity of the proposed house extension. This proximity raises concerns about the potential impact on both our privacy and that of neighbouring houses
- The proposed house extension primarily pertain to anything above one floor. This distinction is important as it directly influences the potential impact on both our privacy and that of neighbouring houses.
- The close proximity of the property will likely require access to our property for non permanent fixtures (like scaffolding). Access of any kind is unfair and will cause undue stress to us and raise privacy concerns. In addition, any access to our property for any erection will effect our right to enjoy our accommodation. The property is surrounded by cameras that already overlook onto our property and these will also likely be replaced or moved onto the extension further encroaching on to our property.

Policy and Issues

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

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN 19 - Waste Management
- o The National Planning Policy Framework (NPPF)

Places for Everyone

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. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

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'.

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.

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

The City Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

Principle

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

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.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

History

Previous planning applications relating to this site as follows:

138654/FH/2023 - for erection of a two storey side and rear extension, with installation of dormer to rear to provide additional living accommodation and application of render to whole property - This application was withdrawn on 22.01.2024

Residential amenity

The applicant is seeking planning permission for the erection of a part single, part two storey side and single storey rear extension to provide additional living accommodation. This is a

resubmission of a previously withdrawn application, outlined above. Concerns have been raised by a local resident with regards to the loss of natural light, proximity of the proposal and access for the erection of scaffolding. Following negotiations, the agent amended the scheme and addressed previous issues raised along with issues raised as part of the current proposal.

Side

Following demolition of the existing canopy situated on the side and rear of the property and outbuilding at the rear, the two storey element of the proposal would be in line with the front wall of the property to a width of 3.0m extending rearwards by 5.150m at first floor and further at ground floor in line with the rear wall of the house. This single storey part of the extension would reduce in width towards the rear measuring 1.1m and retaining a gap to the site boundary measuring 1.2m. The roof of the first floor would be hipped to reflect the current style of the original roof of the property and the ground floor side element would have a hipped roof.

Windows are situated on the front, with a door and window on the side elevation. Although the window serves a downstairs bathroom, to avoid overlooking or loss of privacy to the property adjacent, a condition for obscure glazing has been attached.

Rear

The rear element of the single storey extension would be in line with the side wall of the property with a projection off the rear wall measuring 2.5m with a gap to the site boundary of 1.0m. The width across the rear would measure 5.5m retaining a small gap to the shared boundary of the adjoining property no. 222 Kingsway.

The roof would be mono pitch with the inclusion of two roof lights on the rear and would have a window and a door on the rear elevation.

It is not considered that the proposal would provide any undue harm caused by overshadowing or loss of light to the existing residential amenities for the occupiers of surrounding properties particularly to the adjacent property no. 1 Briarfield Road given that the two storey side element reduces to single storey and retains a gap to the shared boundary. The potential to create terracing has been abated by the position of the application site to the neighbouring property no. 1 Briarfield and therefore is not an issue in this case. The impression of subservience has also been provided by the reduction in ridge height of the extension to the original ridge height.

Overall, the footprint is not considered to create a bulky or disproportionate scale addition to the property. The extension would be visible from the public highway and therefore would feature within the street scene, however, the character of the area would be retained although some of the houses in the immediate vicinity are themselves altered and extended. Therefore, the appearance is acceptable and its impact upon visual amenity is considered negligible.

On balance, the extension is considered comparable in terms of size and its position to others found in the immediate area, therefore it is felt that the proposal can be acceptably accommodated at the application property.

Siting, scale and massing

The size and footprint of the proposed extension is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. The appearance is acceptable and its impact upon visual amenity is considered negligible.

It is therefore considered that the scale and mass of the proposed extensions are satisfactory and are considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

The design of the proposal would be in keeping with the existing and surrounding properties in the area. In terms of the proposed materials, it is intended to use matching brick and tiles as specified in the application form. The design of the extension has been tailored to fit the shape of the existing property/plot and respect the relationship with the neighbouring property at the side and rear and is considered acceptable and detailed as what is normally expected of such a structure.

On balance 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.

Refuse Bins

The applicant has provided a bin storage area situated at the rear of the property which retains access along the side for collection days. Therefore, the storage of refuse bins accords with policy EN19 of the Core Strategy.

Parking

Off street car parking would be retained to the site and therefore it is considered that the current car parking arrangements are not affected by this proposal.

Conclusion

Although the proposal would be visible from the public highway and therefore would be a feature within the street scene, the character of the area is still retained. The proposal has been sited and designed to ensure that it is subservient to the original dwelling house and the proposal is considered acceptable in this location, in terms of design, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, or the character and appearance of the surrounding street scene, and there are no material considerations of sufficient weight to indicate otherwise.

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

Positive and proactive working - 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.

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:

Revised drawings received 10th April 2024 numbered 02 PA2 Proposed Elevations and Block Plan

Revised drawings received 10th April 2024 numbered 03 PA2 Proposed Floor Plans

Revised drawings received 10th April 2024 numbered 04 PA2 Existing and Proposed Site Plan

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

3) 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 policy DM1 of the Manchester Core Strategy.

4) Before first occupation the windows in the side elevation facing no. 1 Briarfield Road 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

5 Briarfield Road, Manchester, M19 1BJ
7 Briarfield Road, Manchester, M19 1BJ
3 Briarfield Road, Manchester, M19 1BJ
222 Kingsway, Manchester, M19 1DD
1 Briarfield Road, Manchester, M19 1BJ
323 Kingsway, Manchester, M19 1BW
321 Kingsway, Manchester, M19 1BW

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