

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138868/FH/2023

Date registered valid: 20 December 2023

Proposal: Erection of a ground floor rear extension and first floor partial infill rear extension to form additional living accommodation.

Address: 4 Kingston Road, Manchester, M20 2RZ

Ward(s): Didsbury East Ward

Applicant: Mrs Tholouli

Agent (if any): Mr John Allen Andrew Wallace Architects

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 13 February 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 2nd February

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 21 December 2023

Expired: 14 January 2024

Site notice

Posted: 4 January 2024

Expired: 25 January 2024

Press advert

Published: 2 January 2024

Expired: 23 January 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The property that is the subject of this householder application is identified as number 4 Kingston Road. It is a three storey semi-detached property of some architectural merit situated within the Didsbury St. James Conservation Area. At the front of the property there is a small garden, while at the rear there is a large garden area enclosed by a walled boundary and very established planting in the form of shrubs and trees. The rear garden backs onto Millgate Lane. The other half of the property number 6 Kingston Road has an original two storey outrigger which projects beyond the rear building line of number 4 Kingston Road. This is the pattern along the rear elevations along this part of Kingston Road.

The property is constructed in brick with a slate roof. Number 4 has accommodation within the roof space which leads out onto a flat roof terrace enclosed by ornamental railings. To the immediate north of the site lies Kingston Court which is a residential apartment building. There is a block of garages that immediately abut the proposal site with the parking area that serves the apartments beyond that.

Listed building: Not applicable

Conservation area: Didsbury St James Conservation Area 1970

Tree Preservation Order: No

Description of area

The area is predominantly residential along Kingston Road, with Fletcher Moss Park to the rear (west) of the proposal site. Wilmslow Road lies to the north, the stretch that is in proximity to the proposal site is predominantly residential with an eclectic mix of styles and ages. Further north it turns into the Didsbury Village shopping centre with a mix of commercial and retail/ food premises together with public houses, 2 churches and petrol station.

Description of development

The proposal comprises of two modest extensions one that is a ground floor extension that would extend the existing kitchen towards the common boundary with Kingston Court, and be of a flat roof with a large rooflight, the other a small first floor infill extension again with a flat roof that would provide an en-suite to an existing bedroom. Neither extension would project any further rearward than the existing rear building line. The materials to be used would match those of the existing property.

Consultations & Notification Responses

Local Residents were informed-no representations have been received.

Policy

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy

Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions. Of particular relevance to this proposal would be - Conserving and enhancing the historic environment Paragraphs 195 to 214

Core Strategy Development Plan Document - The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below:

Policy SP1 Spatial Principles - Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy EN 1 Design Principles and Strategic Character Areas - This policy states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Policy EN 3 Heritage- Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

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 and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains. Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Policy DM1 Development Management - This policy states that all development should have regard to a number of specific issues, the most relevant of which in this instance are:

Appropriate siting, layout, scale, form, massing, materials and detail.
Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
Community safety and crime prevention.
Adequacy of internal accommodation and external amenity space. Refuse storage and collection.
Vehicular access and car parking.
Effects relating to biodiversity and landscape.
Green Infrastructure including open space, both public and private. Flood risk and drainage.
Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-

Saved UDP Policies - Policy DC18 is considered of relevance in this instance:

Policy DC18, Conservation Areas - Policy DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas by taking into consideration the following:

- 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
 - iv. street trees);
 - v. the effect of signs and advertisements;
 - vi. 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.
- c) Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area.
- d) Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.
- e) Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

Places for Everyone Plan

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.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, 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 significant weight in the planning balance.

Issues

Principle of the Proposal-The principle of extending a residential property in an existing established residential area to enable the residents to adapt their home to meet changing household needs is considered acceptable. The development is considered acceptable, Notwithstanding this, consideration must be given to the potential impact upon existing levels of residential and visual amenity and upon the character of the Didsbury St. James Conservation Area.

Residential Amenity - It is not considered that the proposal will have a detrimental impact upon the existing levels of residential amenity enjoyed by the occupants of the adjoining dwellings, both of the proposed extensions are individually and cumulatively modest in size and appearance. They project no further than the existing rear building line and would create no additional comings and goings above those that would currently be experienced from this single family dwellinghouse.

As such it is not considered that the proposed extensions would have a detrimental impact upon the levels of amenity currently enjoyed by the neighbouring properties.

Visual Amenity - Given their siting at the rear of the property and elevated position in relation to Millgate Lane, the proposal is not readily visible from the public realm. The ground floor extension is in line with the existing kitchen and is at the furthest point away from the common boundary with number 6 Kingston Road. The first floor infill extension again is at the furthest point away from the boundary with number 6 Kingston Road, and as an infill is shielded mainly from view by the existing outrigger. There are established boundary treatments, garage block and a car park between the first floor extension and the apartments at Kingston Court. The first floor extension would not take the existing property any closer to the boundary with Kingston Court than currently exists. As a result it is not considered that the proposed extensions would have a detrimental impact upon the levels of visual amenity enjoyed within the vicinity of the site.

Impact on Didsbury St. James Conservation Area- Policy EN3 of the Core Strategy, along with section 16 of the NPPF, states that consideration must be given to the impact of new developments on heritage assets. The requirement to preserve or enhance the Conservation Area is a key requirement within policy EN3 of the Core Strategy, saved UDP policy DC18, along with the objectives of the NPPF. As such, any new development must seek to retain the character of the area through careful detailing and, where appropriate, the use of compatible materials. In terms of informing the design and form of new development in the area, it is considered that careful consideration should be given to the existing character of the

conservation area including the size, mass and appearance (including materials) of the older buildings.

The Didsbury St. James Conservation Area, which lies nine kilometres south of the city centre, was designated in November 1970. It is centred on the historical core of Didsbury, at the junction of Wilmslow Road and Stenner Lane, and covers an extensive area. Most of the conservation area is on level ground, but there is a slope down Millgate Lane, Kingston Road and Stenner Lane where the higher land gives way to the lower level of the Mersey flood plain. The buildings within the conservation area can broadly be categorised by the collection of large scale 19th Century villas, smaller earlier cottages and churches. Although remaining primarily residential in character, there are a number of other uses within the area that influence its character. The scale of buildings varies across the conservation area and includes large and prominent residences contrasted with lodges and cottages and there is also variety in plot sizes, building orientation and position and architectural styles. A great variety of building materials are used in the conservation area. Most common is red brick for walls and blue slate for roofs. Stone dressings, in conjunction with brickwork, are used extensively, and several buildings are built entirely of stone, notably the two churches.

Within the Didsbury St. James Conservation Area there are many examples of new development having taken place within the grounds of traditional dwellings and other historic buildings, many of which are statutorily listed, e.g. Philip Godlee Lodge, Limehurst, Broome House and the former MMU site. This has created a mix of traditional and contemporary buildings within the conservation area. Given the design and siting of the extensions, it is not considered that the proposals would have a detrimental impact upon the character and appearance of the Didsbury St. James Conservation Area and as a result the development would cause less than substantial harm to the designated heritage asset.

Design - The design of the proposed extensions is considered, and they assimilate well into the existing property. The materials will match those of the existing property a condition to that effect will be attached to any consent granted. The amount of additional development is modest and retains subservience when viewed against the backdrop of the existing property, the design has a contemporary twist with the flat roof however the materials have remained faithful to the existing property, and the design is therefore considered acceptable.

Trees - are not impacted by the proposal.

Waste Management- is not impacted by the proposal.

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 to resolve any matters arising in relation to dealing with the planning application. In this case there were no revisions required. The proposal has been assessed against both national and local policies and the application has been approved in a timely manner with the attachment of appropriate conditions.

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:

P002- Proposed Site Plan

P03GA P000- Proposed Ground Floor Plan

P03GA P001- Proposed First Floor

P03GA E001- Proposed North Elevation

P03GA E002- Proposed Western Elevation

P03GA E003- Proposed Southern Elevation

All received 19th December 2023

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 external elevations shall match those on the external elevations of the existing building in colour, size and texture, including the mortar and patching in.

Reason - In the interests of visual amenity, pursuant to Policy DM1 of the Manchester Core Strategy.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Flat 3, Kingston Court, Kingston Road, Manchester, M20 2RZ
Flat 2, Kingston Court, Kingston Road, Manchester, M20 2RZ
Flat 1, Kingston Court, Kingston Road, Manchester, M20 2RZ
Flat 8, Kingston Court, Kingston Road, Manchester, M20 2RZ
Flat 7, Kingston Court, Kingston Road, Manchester, M20 2RZ
Flat 6, Kingston Court, Kingston Road, Manchester, M20 2RZ
Flat 5, Kingston Court, Kingston Road, Manchester, M20 2RZ
Flat 4, Kingston Court, Kingston Road, Manchester, M20 2RZ
6 Kingston Road, Manchester, M20 2RZ
Kingston Court, Kingston Road, Manchester, M20 2RZ
13 Millgate Lane, Didsbury, Manchester, M20 2SW
11 Millgate Lane, Didsbury, Manchester, M20 2SW
9 Millgate Lane, Didsbury, Manchester, M20 2SW
7 Millgate Lane, Didsbury, Manchester, M20 2SW

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