

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135344/FH/2022

Date registered valid: 2 November 2022

Proposal: Erection of a part single/part two storey side and rear extension together with the installation of a first floor Residential Air Source Heat Pump unit

Address: 7 Kildare Road, Manchester, M21 0YG

Ward(s): Chorlton Park Ward

Applicant: Patrick Shingler & Amy Tang

Agent (if any): Mrs Magdalena Haener Pride Road Manchester South

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 13 March 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 28 November 2022

Standard consultations:

Printed: 16 February 2023 Expired: 2 March 2023

Neighbour notifications

Printed: 16 February 2023 Expired: 3 March 2023

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: No

Tree Preservation Order: NO

The application site relates to 7 Kildare Road within the Chorlton Park ward of south Manchester. It is a two storey, semi-detached, red brick property. The amenity space at the front of the property consists of a small garden area and a driveway extending from the front boundary wall down the length of the side of the property.

Description of development

The submitted application seeks planning permission for the erection of a part single/part two storey side and rear extension together with the installation of a first floor Residential Air Source Heat Pump unit.

There is no planning history at the address.

Negotiations

The original submission included a first-floor extension that abutted the boundary of the none adjoining property and over projected the rear elevation of the dwelling house. The scheme was modified by reducing the side projection of the first floor by pulling it away from the boundary to reduce the impact of the extension for the occupiers of the neighbouring property. Furthermore, the heat pump has been removed from the front elevation side return to a ground floor rear.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and no representations were received.

Environmental Health were consulted and requested the air Source Heat Pump unit to be effectively noise attenuated to control noise output. A condition has been attached to the consent.

Issues

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 EN19 Waste
- o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal does not accord with the principles of this policy document.

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.

Residential amenity

The applicant proposes to erection a part single/part two storey side and rear extension together with the installation of a first floor Residential Air Source Heat Pump unit

Ground Floor

The ground floor element of the proposal is flush with the front elevation of the property and extending along the side and over project beyond the rear elevation of the rear elevation of the dwelling house and abuts the common boundary. There are no doors or windows inserted on the side elevation. The neighbouring property also has a single storey rear extension. Due to the position and relationship with the neighbouring property number 5 Kildare Road the proposal would not give rise to overlooking or loss of privacy on the adjacent neighbouring property.

First Floor

The first-floor element of the proposal would be setback from the front wall of the property considerably extending along the side. The roof would be set down significantly from the existing ridge height and hipped to reflect the existing roof design of the property. No window and doors would be inserted on the side elevation of the extension. The two-storey extension brings build form closer to the properties to the rear and side of the application site however, due to the distance between the extension and the reduces massing of the first-floor bedroom being pulled away from the common boundary with the non-adjoining property, as a result there is no overlooking or loss of privacy on the adjacent neighbouring properties.

Given the gap on either side of the first floor rear extension, 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. Furthermore, given the relationship to the adjacent property and the setback provided by the extension, it is considered that the proposal would not provide terracing or any loss of amenity within the street scene.

In terms of residential amenity, it is not considered that there will be any significant impact and the proposed development therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

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 brick and tiles as specified in the application form. The first-floor front extension mimics the first-floor extension on the adjoining property as do a variety of different first floor elevations arrangements that forms part of the vernacular. Therefore, the overall, 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.

Parking

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

Air Source Heat Pump

The heat pump requires permission due to its size being marginally over the volume exceeding 0.6 cubic metres. However, due to its size, position and appearance it is considered to be acceptable as it does not detract from the architecture of the host building and is not visible from the street scheme. Environmental health requested a condition to be attached to the consent to ensure effective noise attenuation of the equipment in relation to the nearest noise sensitive location.

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 issues arising from 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:

10 Rev D and 11 Rev C, received electronically on the 8 March 2023 and drawing number 16, stamped as received on the 2 November 2022.

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 development hereby approved shall be constructed using materials that match those used in the original property in terms of size, colour and texture.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the 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 drawings.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

5) Prior to the first occupation of the development, the first floor front bathroom window shown on drawing numbers 10 Rev D and 11 Rev C, received electronically on the 8 March 2023, shall be obscurely 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 properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

6) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to occupation of the development hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the

use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Environmental Health
Environmental Health

6 Dalmorton Road, Manchester, M21 0YQ
9 Kildare Road, Manchester, M21 0YG
8 Kildare Road, Manchester, M21 0YR
12 Kildare Road, Manchester, M21 0YR
10 Kildare Road, Manchester, M21 0YR
4 Dalmorton Road, Manchester, M21 0YQ
2 Dalmorton Road, Manchester, M21 0YQ
5 Kildare Road, Manchester, M21 0YG

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) -
Area Team Boundary - Name: SOUTH AREA