

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134315/FH/2022

Date registered valid: 26 July 2022

Proposal: Erection of a part single/part two storey side extension, first floor front and single storey extensions to front and rear following demolition of existing garage together with widening of existing vehicular access

Address: 50 Kingsfield Drive, Manchester, M20 6HX

Ward(s): Didsbury East Ward

Applicant: Mr Shane Liu 50 Kingsfield Drive, Manchester, M20 6HX

Agent (if any): Mr Paul Cox 110 Old Lansdowne Road, Manchester, M20 2NY

Case officer: Linda Marciniak
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Recommendation: Refuse

Date of recommendation: 27 September 2022



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 22 August 2022

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 2 August 2022 Expired: 23 August 2022

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of site/building

The application site is an inter-war semi-detached dwelling situated on the eastern side of Kingsfield Drive in the Didsbury East ward. The property is on a corner giving a triangular-shaped plot that tapers to a point in the rear garden, with a detached concrete garage at the side.

The dwelling has a complex roof structure with hips, valleys and catslide to the front elevation. The materials palette comprises of red brick and render with a red clay interlocking tile roof.

Description of area

The site lies within a residential area on the south side of School Lane, close to St. Catherine's church to the north, the Metrolink line to the south and Barlow High School to the east.

Description of development

Erection of a part single/part two storey side extension, first floor front and single storey extensions to front and rear following demolition of existing garage together with widening of existing vehicular access.

08.09.2022 – The Council asked agent to reduce the width of the side extension by 1m and to set back the first floor of the front extension by 0.5m to reduce the bulk and mass of the development and to be consistent with other approvals in Kingsfield Drive. No response was received.

Consultations & Notification Responses

Neighbour notifications – 11no. neighbouring occupiers were notified of the application by letter; one comment was received:

Currently we have a 185cm high gate between the end of no. 50's garage and our property at no. 48. We use the space enclosed behind the gate for bike storage at the side of our property.

To maintain security and prevent access a fence of a similar height should be installed along the boundary line between the proposed gate at no. 50 and the existing gate at no. 48.

Policy

The following planning policy documents which make up the Development Plan for Manchester are material considerations in this application.

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan. Several policies have been saved by way of a Secretary of State Saving Direction. For the purposes of this application, policy DC1 'Residential Extensions' is extant and

therefore material to the assessment of the application.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. The following policies of relevance to this application:

- o Policy DM1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN19 – Waste
- o The National Planning Policy Framework (NPPF) (June 2021)

For reasons to be outlined below, it is considered the proposal accords with the principles of the Development Plan.

Principle

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (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 UDP relate specifically to residential extensions and set out criteria against which proposals for extensions will be assessed.

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable subject to satisfactory impacts on residential and visual amenity.

The principle of the development is acceptable, however, there are concerns with the visual impact due to the width and scale of development which would appear incongruous within the street scene.

Residential amenity

The proposal is for extensions that respond to the physical constraints of the site, making use of the largest space at the side of the dwelling facing the boundary with No.48. As the site is on a corner, there is a wide splay between the two properties, and different building line with No.50 sited behind the building line of No.48.

A small amount of development is proposed at the rear to enlarge the kitchen. This is single storey having a triangular footprint and slim full-height window angled into the rear garden. Development wraps around the side to provide a utility room and office/TV room. Windows are proposed at ground floor that overlook the driveway to the side and the front garden. There are no concerns that any existing levels of amenity would be lost as a result of any approval.

At first floor, an L-shaped extension provides an en-suite bathroom that comes off the side elevation, with a bedroom/dressing room extending to the side and flush with the front elevation. A narrow window is proposed between the bedroom and en-suite which would overlook the side of No.48 which has a blank facing gable. As there are no windows on the adjacent neighbours' gable end, and development would largely face this gable, there are no opportunities for overlooking, overshadowing or of the extensions being perceived as overbearing.

On this basis, the proposal complies with saved DUP policy DC1 and with Core Strategy policies DM1 and SP1.

Visual amenity

The original dwelling is 7.0 metres wide and development at the front increases its width by 4.7 metres. This would result in an extension that is excessively disproportionate to the scale of the original dwelling adding bulk and mass that would be heightened by the absence of any articulation at first floor or break in the extended ridge. This would result in a mass of built form that does not appear subservient to, distinguished from or congruent with the original dwelling, contrary to saved UDP policy DC1.2a.

The visual impact would be of an extension that is out of character with the pattern and form of extended dwellings in Kingsfield Drive, contrary to saved UDP policy DC1.2c. The agent was advised of the Council's concerns and asked to pull in the extension by 1 metre and to set back the first floor by 0.5 metre to give articulation and reduce the impact of the development in the street scene. This would enable the proposal to comply with saved UDP policy DC1 which requires extensions to be in character with the property (DC1.1a) and have an acceptable impact in the street scene (DC1.1d). There was no response to this request and the application is therefore recommended for refusal.

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: Refuse

Article 35 Declaration

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has refused the application for the reasons outlined in the delegated report. The Council invited the agent to amend the application; however, no response was received, and it has therefore been determined as a refusal for the reason stated below.

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

The extension at the side of the dwelling, by reason of its excessive width and lack of any first floor set back, would result in a bulky and disproportionately wide development that is out of character and proportion with the original dwelling and the form and pattern of extended dwellings within the Kingsfield Drive street-scene. The development would therefore appear incongruous, having a detrimental impact upon the character of Kingsfield Drive, contrary to

saved UDP policies DC1.1a, DC1.1d, DC1.2a and DC1.2c, together with Core Strategy policies DM1 and SP1 and the general guidance within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

77 Kingsfield Drive, Manchester, M20 6HX
75 Kingsfield Drive, Manchester, M20 6HX
67 Kingsfield Drive, Manchester, M20 6HX
48 Kingsfield Drive, Manchester, M20 6HX
69 Kingsfield Drive, Manchester, M20 6HX
4 Fairlea Avenue, Manchester, M20 6GN
73 Kingsfield Drive, Manchester, M20 6HX
71 Kingsfield Drive, Manchester, M20 6HX
54 Kingsfield Drive, Manchester, M20 6HX
52 Kingsfield Drive, Manchester, M20 6HX

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