

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134444/FO/2022
Date registered valid: 21 July 2022
Proposal: Erection of two storey rear & side extensions, and single storey rear extensions to provide additional living accommodation
Address: 569-571 Kingsway, Manchester, M19 1RA
Ward(s): Didsbury East Ward
Applicant: Mr Mohammad Yasin, 569-571 Kingsway, Manchester, M19 1RA
Agent (if any): Mr Ahmed Choudhry, Nada Architects, 169 Kingsway, Manchester, M19 2ND
Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 6 September 2022



Application details

Type of application: Full Application Consent
Development type: Minor Other
Date of site visit: 20 June 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 site relates to 2 adjacent residential dwellings that each make up one half of a pair of semi-detached dwellings on the eastern side of Kingsway. The properties have front and rear gardens and front driveways. At the time of the site visit, works were underway to demolish the original single storey rear outriggers to each property.

The dwellings are bay fronted over both storeys at the front and rear and are constructed of smooth red facing brick. The roof profiles are hipped and covered in red interlocking tiles.

Description of area

The surrounding area is residential with a similar housing typology fronting onto Kingsway. At the rear there are the rear elevations of a terrace of Victorian properties fronting onto Burnage Lane.

Description of development

Erection of two storey rear & side extensions, and single storey rear extensions to provide additional living accommodation.

The extensions to each property provide an extended living room / kitchen with internal re-configuration to include a ground floor bedroom. At first floor, each extension provides a 4th bedroom.

Externally, a bin store and one parking space (as at present) is provided in the front curtilage.

Planning History

131196/FO/2021 - Erection of single storey side and rear extensions to provide additional living accommodation approved 08.11.2022 (569-571 Kingsway)

Consultations & Notification Responses

A total of 16no. neighbours were notified of the application; 2 responses were received:

Objection 1

I have concerns from the proposed plans that the new extension will impose hugely on my privacy. The proposed two-storey rear extension will overlook further on to my property. It will also block sunlight as well as being unsightly should both properties join together. There is currently a view between the two properties which will be lost once they are joined. I cannot tell how far back the proposed single story will go back but I do have concerns again as how far back this will go and the impact it will have on my privacy.

I also have concerns over what further damage the works will have on my property. Whilst removing the trees from the rear of the properties, my rear wall has been damaged, my fence has been torn down and not replaced and plants in my yard have been destroyed. There has been no remorse shown here and currently, I have been left with zero privacy. If the fence is not replaced before building work starts again, I am concerned about the possible further disturbance to my property and personal well-being.

Objection 2

The seller of the property has informed me the next-door neighbour was planning on double and single extension at the rear of the property. He informed them this would block the windows and light at the back of the property.

Upon hearing the seller would be moving, they told the seller once I moved in, they would then proceed with a double rear extension.

I have also seen where they plan to extend, and this will definitely block both my windows and natural light into my house.

Policy

Policies DC1 of the Unitary Development Plan

Policies SP1 and DM1 of the Manchester Core Strategy

Issues

Principle

The application seeks the determination of the local planning authority for extensions to 2no. adjacent properties which would be joined by extensions at the side and rear. There are no objections to the principle of the development, subject to acceptable impacts on residential and visual amenity, parking, and bin storage. The proposals have been amended since originally submitted to incorporate a bigger set back from the front of the property of the first floor extension (to 4 metres).

Residential amenity

Saved UDP policy DC1 makes provision for residents to adapt their homes to meet changing household needs provided there are no negative impacts on residential amenity.



At the rear of the site, 5-metre single storey and 3-metre first floor extensions are proposed to both properties. The 5-metre extensions have a height to eaves of 2.5 metres and are 3.6 metres to a gable ridge.

In terms of impacts, alongside No.573 to the south, there will be limited impact given that there is a similar depth single storey extension in situ. Alongside No.567 to the north, there is currently no intervening fence in situ and the new occupier has objected on the basis that the extension will lead to a loss of light into a rear ground floor bay

window. The loss of light is a high test which entails a significant loss across most of the day. It is considered that the east-facing orientation of this window will admit light, and that the absence of any intervening fence at present gives a false perception of how much light could be admitted into the ground floor room. A comparison can be drawn between the extension at No.573 that is on the boundary with No.571 where the effects of shading can clearly be seen in the photo below.

It is worth considering that the objector, or the applicant, could erect a fence to a height of 2-metres on the boundary which would extend to approximately the level of the bottom rail of the small window panes in the photo below. In this instance, it is considered that the proposal is



acceptable given that the design of the proposed ground floor roof forms two dual-pitched gables with the ridges off-set from each neighbouring boundary by 4.4-metres. This significantly limits the effects of shading from the highest part of the roof. The objector at No.567 would therefore only experience the effect of the 2.5-metre-high gable wall which would stand 0.5-metre above the lawful height of any fence that could be erected on the boundary. The design of the roof therefore helps to mitigate the potential for light loss into the ground floor room at No.567.

Planning permission has previously been granted for single storey extensions to the properties under reference 131196/FO/2021 which

included 5m projection and roof profile and eaves heights of a similar to those currently proposed.

At first floor, the 3-metre-deep extension is off-set 3.3-metres from each neighbouring boundary. This is considered adequate to avoid any significant overshadowing or to be perceived as overbearing.

No windows are proposed on side elevations, so no new overlooking opportunities are being created.

An objection has also been raised by a resident living at the rear of the site, on Burnage Lane. The objector is most concerned about a loss of privacy and a loss of light. The resident has also referred to the loss of view between the properties and damage to their fence/rear wall. In considering the points of material relevance and as noted above, the first floor has a depth of 3-metres that is within saved UDP policy. Rear-facing windows from bedrooms already overlook windows on facing properties and, in this case, would be separated by a gap of approximately 16-metres which is considered adequate to avoid any intrusive overlooking.

This gap would also ensure that there was no loss of sunlight due to overshadowing, with all shading towards the end of the day falling on the rear garden at the site. The other issues raised are not material to the application and the issue of the gap between the two properties at present is discussed in the section below on visual amenity.

On balance, the proposal is considered to have acceptable impacts with no significant loss of existing levels of amenity, in accordance with saved UDP policy DC1 and Core Strategy policy DM1.

Visual amenity

The proposal has been amended to improve the visual amenity of the proposal in the street scene. Originally, the front elevation included extensions that joined on the party line a set back of 2-metres had been included, however following raised concerns that the joined nature of the proposals would give rise to an unacceptable visual appearance in the street, amended plans have been submitted to provide a set back of 4 metres which gives articulation and a sense of separation between the dwellings. This is further assisted by the visual break at roof level where the hipped roof profiles are retained. The set back at first floor and the extended roof which sits below the original ridge create a sense of subservience. Although there is no precedent for a similar joint extension, the potential exists in the street where approval has been given for 2-storey side extensions built on the boundary of adjacent semi's (eg: Nos.587, 605 and 609).

The extensions are designed to fit the aesthetic of the original dwellings with eaves, window headers and cills lined through, and windows at ground and first floor giving relief from the mass of brickwork. Materials are proposed to match as stated on the Householder application form and in Condition 3 at the end of this report.

An objector has referred to the loss of view of the gap between the semi's which is acknowledged. However, as noted above, a similar effect of closing the gap between semi-detached dwellings can be created by 2-storey side extensions being built on the boundary, for which there are existing examples in the street scene. The effect of terracing is generally accepted to refer to the front elevations of properties which has the potential to alter the character of the street scene, rather than the rear where there are limited views. Furthermore, there are no automatic rights to a view as there are to a loss of privacy or excess loss of light.

Based on the above, the proposal is considered to have acceptable impacts on visual amenity in accordance with saved UDP policy DC1 and Core Strategy policy DM1.

Parking / Bin Storage

A single parking space is retained at the front of each property and bin stores are included in the front curtilage to manage waste without any detriment to the street scene.

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

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 approved the application subject to appropriate conditions and for the reasons outlined in the delegated report. The application received objections on notification as discussed in the report and has been approved with appropriate conditions as set out below, in the interests of residential and visual amenity.

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 received on the 13th September 2022:

Application form

Location Plan

Existing and Proposed GA Site Plans Ref: (01) 001 PL3

Proposed GA Ground Floor Plans Ref: (06) 001 PL3

Proposed GA First Floor Plans Ref: (06) 002 PL3

Proposed GA Elevations Ref: (05) 001 PL3

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 of the extension hereby permitted shall match those of the existing building in type, size, colour and texture, as stated on the Householder Application Form.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

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 development hereby approved other than those stated on the approved drawings listed in condition 2 of this decision as received by the City Council as the Local Planning Authority on 13th September 2022.

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

Appendix 1 – List of consultees & neighbours notified

828 Burnage Lane, Manchester, M19 1RS
818 Burnage Lane, Manchester, M19 1RS
830 Burnage Lane, Manchester, M19 1RS
824 Burnage Lane, Manchester, M19 1RS
822 Burnage Lane, Manchester, M19 1RS
412 Kingsway, Manchester, M19 1SX
573 Kingsway, Manchester, M19 1RA
571 Kingsway, Manchester, M19 1RA
567 Kingsway, Manchester, M19 1RA
565 Kingsway, Manchester, M19 1RA
406 Kingsway, Manchester, M19 1PL
408 Kingsway, Manchester, M19 1PL
404 Kingsway, Manchester, M19 1PL
826 Burnage Lane, Manchester, M19 1RS
820 Burnage Lane, Manchester, M19 1RS
816 Burnage Lane, Manchester, M19 1RS

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