

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133685/FH/2022

Date registered valid: 5 May 2022

Proposal: Erection of single storey side and rear extension to form additional living accommodation

Address: 41 Kendall Road, Manchester, M8 4ND

Ward(s): Higher Blackley Ward

Applicant: Mr Chris Diwan, 41 Kendall Road, Manchester, M8 4ND

Agent (if any): Mr Mark Arrowsmith, MDA Architectural Services, 84 Longworth Road, Bolton, BL6 7BE

Case officer: Katie Raw
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Recommendation: Approve

Date of recommendation: 29 June 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 30 May 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 16 May 2022 Expired: 6 June 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

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site relates to 41 Kendall Road within the Higher Blackley ward of north Manchester. It is a 2 storey, semi-detached, red brick property with render detailing to the first floor of the front elevation. Amenity space to the front of the property consists of a small, pebbled area with hardstanding leading to the entrance of the property and a driveway which extends from the front to the side of the property and into the rear amenity space. The rear amenity space comprises of different levels consisting of further hardstanding and a grassed garden area.

Description of development

The submitted application seeks planning permission for the erection of single storey side and rear extension to form additional living accommodation. The single storey side would have approximate dimensions of Height: 2.8 (to the eaves) / 4.48 (to the highest point) x Length: 6.25 x Width: 3.2 metres and the single storey rear element would have approximate dimensions of Height: 4.68 (to the highest point) x Length: 3.5 x Width: 6.6 metres. The side extension would 'wrap' into the rear extension, and the rear extension would be sited 4 metres from the shared boundary with no. 39 Kendall Road. The proposal would create a utility room with adjoining W/C, kitchen and living room. The extension would involve the insertion of a window within the

front elevation, a window within the side elevation, 6 panel bi-folding doors to the rear elevation and 4 skylights within the rear roof plane. Materials to be used would match the existing.

Planning history

No planning history exists for this site.

Consultations & Notification Responses

Local residents

Local residents were consulted but no responses were received.

Issues

POLICY

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The 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. The effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1 (Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity.

Policy EN1 (Design Principles and Strategic Character Areas); 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.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of the neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.

d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

Principle of Development

The submitted development application is for the erection of single storey side and rear extension to form additional living accommodation. This is considered acceptable in principle as many people prefer to alter and extend homes rather than move, to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse, it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

Side extension:

The proposal would be sited approximately 0.5 metres from the shared boundary with no.43 Kendall Road. Due to the splayed nature of the neighbouring property (no.43), where the property is located against the shared boundary with no.18 Northbrook Avenue, the proposal is sited considerable distance from the property associated with no.43. Furthermore, the neighbour has a garage sited against the common boundary with the applicant, minimising the impact of the side extension.

One window would be inserted in the side elevation facing no.43 Kendall Road and to protect the privacy of the applicant and of the immediate neighbour, the W/C window within the side elevation should 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, a condition to this effect would be placed on any approval granted. As this is the only window to be inserted on the side elevation and since the proposal is only single storey, it should not give rise to any overlooking or privacy implications. In addition, a condition shall be attached to any approval granted restricting the further insertion of windows or doors beyond those approved by this consent. Due to the orientation of the property, there would be no loss of light or overshadowing implications.

In terms of the impacts to the streetscene, the proposal would align with the primary building line. Since the side extension visible from the streetscene is appropriate in its size, it would not add an oppressing feature to the streetscene, nor create any overlooking or privacy implications.

Rear extension:

The rear extension would be sited 4 metres from the shared boundary with no.39 Kendall Road. As the proposal is not sited against the boundary and is sympathetic to the neighbour, this component of the proposal would not create an overbearing impact. It is noted the neighbour has a rear extension of a similar length. No windows are to be inserted within the side elevation facing no.39 and as the proposal is single storey, it should not give rise to any overlooking or privacy implications. In addition, it should not give rise to any overshadowing or loss of light implications to this neighbour.

The rear extension would be the component of the proposal most impactful to no.43 Kendall Road, as it would be most visible when stood in the neighbour's garden. However, as the extension is sited 0.5 metres from the shared boundary and is only single storey impacts should be minimal. Currently, the rear of no.43 Kendall Road has no real view apart from looking into the applicant's rear garden, however they could still be able to gain the same view. In addition, the design of the proposal has a roof pitch which slopes down at a 17 degree angle and as such, the roof to the rear decreases to the eaves with a height of 2.24 metres. This would reduce the impact to the neighbouring property. There would be no issues in relation to loss of light and overshadowing nor overlooking or privacy implications.

Overall, it is not considered that the proposed rear extension would have an adverse impact upon residential or visual amenity.

Design and Appearance

The proposed extension has been designed sympathetically to relate to the existing property, with materials to match. Therefore, the proposal has been designed to be in keeping with the

character of the existing house, as such it would not adversely affect the appearance of the existing dwelling.

It is noted that although the wraparound aspect of the proposal could not have been achieved under Permitted Development, a similar single side and rear extension could have been achieved through this route. It is noted that the design chosen replicates the form of extensions evident for no.39 and no.37 Kendall Road; the erection of a side extension that extends into a rear extension, with the rear extension sited a substantial distance from the adjoining semi. As such, the form of the extension is considered appropriate and replicates the style of development within the immediate area. The extension is not considered excessively large or bulky and is sited away from shared boundaries. The rear extension element of the proposal complies with Policy DC1.3 since the rearward projection is under the 3.65 metres prescribed. Therefore, no issues arise in terms of design and appearance.

Car parking

One off street car parking space would be retained as a result of the application, as well as further off street parking. As such, no issues would arise.

Bin storage

Adequate provision would be retained to the side and rear of the proposal.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area.

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 proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner.

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:

-Householder Application for Planning Permission for works or extension to a dwelling, stamped as received by the City Council as Local Planning Authority on 5 May 2022.

-Drawing- Proposed- Level 0 Plan, numbered 105, stamped as received by the City Council as Local Planning Authority on 5 May 2022.

-Drawing- Proposed- Elevations, numbered 106, stamped as received by the City Council as Local Planning Authority on 5 May 2022.

-Drawing- Location Plan, stamped as received by the City Council as Local Planning Authority on 5 May 2022.

-Drawing- Site Plan- Proposed, numbered 104, stamped as received by the City Council as Local Planning Authority on 5 May 2022.

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

3) Before first occupation, the W/C window within the side elevation of the side extension as shown on the approved 'Proposed- Level 0 Plan, numbered 105', stamped as received by the City Council as Local Planning Authority on 5 May 2022, 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 properties from overlooking or perceived overlooking and in accordance with 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

5) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

3 Redford Road, Manchester, M8 4WE
18 Northbrook Avenue, Manchester, M8 4WB
60 Kendall Road, Manchester, M8 4NF
1 Redford Road, Manchester, M8 4WE
16 Northbrook Avenue, Manchester, M8 4WB
14 Northbrook Avenue, Manchester, M8 4WB
64 Kendall Road, Manchester, M8 4NF
62 Kendall Road, Manchester, M8 4NF
58 Kendall Road, Manchester, M8 4NF
43 Kendall Road, Manchester, M8 4ND
39 Kendall Road, Manchester, M8 4ND

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Flood Zones Type 2 (low to medium risk) -
Area Team Boundary - Name: NORTH