

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 133482/FH/2022

**Date registered valid:** 11 April 2022

**Proposal:** Erection of part single, part two storey side and two storey rear and part first floor rear extensions to provide additional living accommodation

**Address:** 3 Kent Road West, Manchester, M14 5RF

**Ward(s):** Rusholme Ward

**Applicant:** Mr Khizer Ali 3 Kent Road West, Manchester, M14 5RF

**Agent (if any):** Mr Raja Riaz Raja Riaz 15 Laurel Mount, Heckmondwike, WF16 9EF

**Case officer:** Dave Morris  
Tel: 0161 600 7924  
Email: dave.morris@manchester.gov.uk

**Recommendation:** Approve

**Date of recommendation:** 22.06.2022

## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 20 May 2022

### **Standard consultations:**

No consultations have been printed and sent.

### **Neighbour notifications**

Printed: 22 April 2022      Expired: 13 May 2022

### **Site notice**

Posted: 20 May 2022      Expired: 10 June 2022

### **Press advert**

Published: 26 April 2022      Expired: 17 May 2022

**Departure from Development Plan:** No

**Environmental Statement:** Not required

## **Description of site/building**

This application relates to an interwar style two storey semi detached house. The property has an existing single storey rear extension across the full width of the property. There are gardens to the front and rear and a drive at the side of the property.



**Listed building:** Not applicable

**Conservation area:** Victoria Park Conservation Area 1972

**Tree Preservation Order:** Not applicable

### **Description of area**

This is a predominantly residential area forming part of the Victoria Park Conservation Area. The adjoining property has a two storey side and single storey rear extension. The rear extension projecting beyond the rear of the application sites rear extension.



The adjacent property to the east has a single storey lean to structure along the full depth of the building, including the re built lean to/kitchen extension. The structure occupies the full width of the drive.



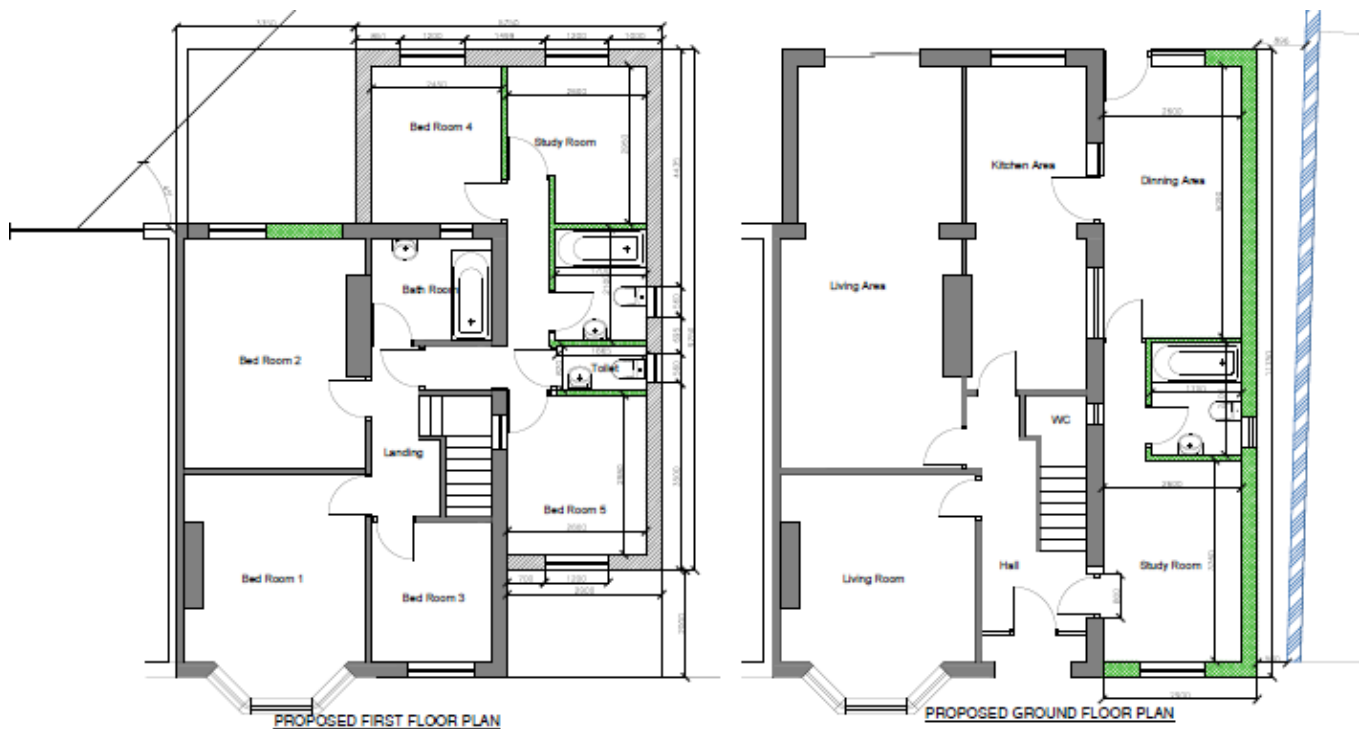
To the rear of the site is the rear garden of an extensively extended property on Park Crescent.

Facing the site across Kent Road West are more houses of a similar style and the car park to a more modern flat development.

### **Description of development**

This is a re submission of a previously approved scheme that was time expired, reference 122594/FH/2019.

The proposed side extension projects 2.9 metres and extends to the rear face of the rear extension which projects approximately 3 metres. The first floor is set back 2 metres from the front face of the property and extend to the same extent as the ground floor extension and wraps around the rear of the original property by approximately 2.8 metres above the existing ground floor extension.



The proposed side extension would leave a gap of approximately 0.6 metres to the side boundary.

The proposed ground floor extension would have a mono pitch roof whilst the two storey element would have a hipped roof.

There would be a single window on each floor of the front elevation. The side elevation would contain three bathroom/wc windows, one on the ground floor and two at first floor level. In the rear elevation there would be a door and window at ground floor level and two windows at first floor level.





## **Issues**

### Principle

The principle of the proposed development was established with the granting of the 2019 consent reference 122594/FH/2019. Since then there have been no changes to the development plan that would materially impact on the decision.

### Scale

The proposed extension occupies a substantial proportion of the gap at the side of the property. However, it does leave a narrow space to the boundary. The front elevation is set back sufficiently far to bring down the ridge height whilst the rear first floor extension is pulled away from the shared boundary. On balance it is considered that the proposed extension is subservient to the host property and that the scale is acceptable.

### Design

The design of the proposed extension reflects the host property and is generally considered to be acceptable.

### Refuse

The submitted drawings show refuse stored in an enclosure at the side of the drive. This is considered acceptable and an appropriate condition is proposed.

### Parking

The submitted drawings show two parking spaces in the front garden. This is in excess of the Council's current requirement of one space per dwelling.

### Residential Amenity

Concern has been expressed about the impact of the proposed extension of the amenity of the adjoining occupiers in terms of overbearing impact, loss of light and privacy.

Overbearing impact.-The proposed extension would be set in slightly from the common boundary along which the neighbouring property has a single storey extension. For these reasons it is therefore considered that it is unlikely that the extension would have an overbearing impact. In respect of the attached property the proposed first floor extension is set well away from the boundary and there is an existing single storey extension up to the boundary. The proposed extension would not therefore have an overbearing impact.

Lighting.- The rear elevations roughly face north and therefore the properties themselves throw a shadow onto their own rear gardens dependant upon the time of day. It is considered that the proposed extension would only cause a loss of light during limited periods of the day and that because of the extension side extension next door this would not be significant. The adjoining property is sufficiently far from the first floor rear extension for it not to impact on lighting.

Privacy-The principle windows are situated in the front and rear elevations. Those at the front face across Kent Road West and given that their relationship to the properties across the road is no different to the existing windows any impact is not considered to be significant. The

windows in the rear elevation face down the garden towards the rear garden of a house on Park Crescent. Again this relationship is quite normal and it is considered that with a rear garden that is approximately 8 metres long any loss of privacy would not be significant.

There are bathroom windows in the side elevation. These are small, obscurely glazed and face the gable wall of the adjacent property. It is not considered that these windows would therefore result in a loss of privacy. A condition is proposed to ensure that the windows remain obscure glazed.

On balance it is considered that there would be no significant impact on residential amenity.

#### Impact on the character of the conservation area

The Victoria Park Conservation Area comprises a wide range of building ages and style, which have evolved over the years as the owners have extended them to meet their changing needs. It is considered that the proposed extension follows this practice and whilst it is considered that it will have some impact it is less than substantial and the benefits to the occupiers would outweigh any impact.

#### HMO.

The property is rented but not it appears as a HMO as confirmed within the submitted design and access statement confirming its use as a C3 dwellinghouse. As a consequence of the Article 4 Direction to change the property from a C3 dwellinghouse to a small HMO Class C4 would require planning permission.

#### Conclusion

The proposed scheme does not differ from that previously approved. As there have been no material changes to the development the proposal remains acceptable.

#### **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 problems arising in relation to dealing with the planning 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:

Sheet 1 revision P3 received 11 April 2022

Sheet 2 revision P3 received 11 April 2022

Sheet 3 revision P3 received 11 April 2022

Sheet 4 Revision P3 received 11 April 2022

Design and Access Statement including Heritage Matters by Inspire Planning Solutions received 11 April 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 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.

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 and policy DM1 of the Manchester Core Strategy, and the requirements of the National Planning Policy Framework.

4) Before first occupation the windows in the side elevation of the extension 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 residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

4) The refuse storage enclosure shown on the approved drawings shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To ensure that there are satisfactory arrangements for the storage of refuse pursuant to Core Strategy policy DM1.

## **Appendix 1 – List of consultees & neighbours notified**

4 Kent Road West, Manchester, M14 5RF  
Park Crescent, 8 Park Crescent, Manchester, M14 5RE  
Flat 28, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 26, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 11, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 9, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 6, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 4, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 1, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 29, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 27, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 25, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 24, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 23, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 22, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 21, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 20, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 19, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 18, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 17, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 16, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 15, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 14, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 12, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 10, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 8, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 7, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 5, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 3, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
Flat 2, Kent Court, 2A Kent Road West, Manchester, M14 5RF  
5 Kent Road West, Manchester, M14 5RF  
2 Kent Road West, Manchester, M14 5RF  
1 Kent Road West, Manchester, M14 5RF

## **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  
Coal Authority - Development Low Risk - Name: DEVELOPMENT\_LOW\_RISK\_AREA  
Conservation Area - Victoria Park Conservation Area 1972  
Susceptible to Surf Water Flood (Less) -  
Area Team Boundary - Name: SOUTH