

Planning

Growth & Development

Delegated officer report for planning application

Application no.	144838/JO/2025
Date registered valid:	3 February 2026
Proposal:	Variation of Condition 2 (approved drawings) attached to planning permission 138772/JO/2023 to allow for the installation of 2 x air conditioning units.
Address:	24 Kingston Road, Manchester, M20 2RZ
Ward(s):	Didsbury East Ward
Applicant:	Ms Ross Tsang
Agent (if any):	Mr John Allen Andrew Wallace Architects
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	1 April 2026

Application details

Type of application: Variation or Removal of Condition

Development type: Householder

Date of site visit: 13 February 2026

Standard consultations:

Printed: 3 February 2026 Expired: 24 February 2026

Neighbour notifications

Printed: 3 February 2026 Expired: 24 February 2026

Site notice

Posted: 13 February 2026 Expired: 6 March 2026

Press advert

Published: 10 February 2026 Expired: 3 March 2026

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

24 Kingston Road is a three storey mid-terraced property situated within the Didsbury St. James Conservation Area. At the front of the property there is a small garden, while at the rear there is a large garden area which also fronts onto Millgate Lane.

Listed building: No

Conservation area: Didsbury St James Conservation Area 1970

Tree Preservation Order: No

Description of development

In May 2020 the applicant obtained planning permission for the following under reference 126617/FH/2020:

Erection of a single storey rear extension and partial first floor infill rear extension; erection of a rear dormer; erection of a garage at end of rear garden, with associated elevational alterations, including rooftop photovoltaic panels.

Following that, in September 2020 (under reference 127731/JO/2020 – approved), they obtained planning permission for the following:

Variation of condition no. 2, attached to planning permission 126617/FH/2020, to allow for elevational amendments to the rear elevation

They then applied in December 2023 (under reference 138772/JO/2023 - approved) for the following:

Variation of condition no. 2 (approved drawings) attached to planning permission 126617/FH/2020 (as amended by 127731/JO/2020) to allow for amendments to the design of the garage, the height of the boundary fencing and garden levels.

In July 2025 (under reference 143547/JO/2025) they applied to erect air conditioning units to rear elevation of garage, that application was refused in November 2025.

They are now applying to vary condition no. 2 attached to planning permission 138772/JO/2023 to allow for the installation of air conditioning units in the fence void in the inside wall on the rear boundary above the garage which faces onto Millgate Lane.

Consultations & Notification Responses

Local Residents – Two letters of objection have been received, the comments are summarised as follows:

- No. 24 should not be allowed to raise the height of the fence along the western or southern boundaries and should therefore reduce the parapet, which was already increased in height, to accommodate the a/c units whilst keeping the fence height compliant with planning.
- There is concern is that an increased fence height (if that is what is proposed) will be used to support the height of the temporary fence along our garden boundary.

Heritage & Urban Design – No objection to setting the AC units within the fence void.

Environmental Health – No comments received.

Policies

Draft National Planning Policy Framework (December 2025) - The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. A draft revised NPPF was published for consultation on 16 December 2025. The consultation period runs for 12 weeks and will close on 10 March 2026.

The draft NPPF proposes significant changes to the structure and content of national policy. These include a move to Local Plan-style policy sections, a clearer distinction between plan-making and decision-making policies, and the reintroduction of strategic planning through Spatial Development Strategies. Other notable changes include an expanded presumption in favour of sustainable development, policies promoting higher densities around transport hubs, and support for small and medium-scale housing schemes through a new "medium development" category. The draft also integrates National Development Management Policies, strengthens climate change and biodiversity policies, and introduces measures to encourage clean energy and critical minerals development.

Once adopted, the revised NPPF will replace the current framework and form a key part of national planning policy. At this stage, as the document is subject to consultation and has not yet been finalised, while still a material consideration, it can only be afforded limited weight in the determination of planning applications. In this instance, the relevant sections are outlined below:

Policy DM3 (*Determining development proposals*) – When considering development proposals, local planning authorities should:

- a) Work with the applicant in a positive and proactive manner, where necessary seeking solutions to problems arising from initial proposals, to enable a timely decision;
- b) Take a proportionate approach to the consideration of the planning matters raised by the proposals, in a way that reflects their scale, complexity and potential impact;
- c) Take account of planning matters raised during any pre-application engagement, including any positive responses to this engagement, as well as representations on the proposals;
- d) Consult statutory or internal consultees only where it is necessary to do so. Decisions on development proposals should not be delayed in order to secure advice from a statutory or internal consultee beyond their statutory deadlines unless there is insufficient information to make the decision or more detailed advice may enable an approval rather than a refusal;
- e) Consider whether otherwise unacceptable development proposals could be made acceptable through the use of planning conditions or planning obligations; and
- f) Not refuse applications for development which should clearly be approved, having regard to its accordance with the development plan, the policies in this Framework and any other material considerations.

The National Planning Policy Framework (December 2024) – The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

In addition to the above, Section 16 (*Conserving and enhancing the historic environment*) is of relevance:

Paragraph 210 in Section 16 states that in determining planning applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 212 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 214 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The Places for Everyone Plan – This plan was adopted on 21 March 2024, as such the Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance. The relevant policy is set out below:

Policy JP-Strat9 (Southern Areas) – This policy states that the economic competitiveness, distinctive local neighbourhood character and environmental attractiveness of the southern areas will be protected and enhanced. There will be a strong emphasis on making as much use as possible of suitable previously developed (brownfield) land and promoting the roles of the areas' town centres and its other key assets.

Policy JP-P2: Heritage (Heritage) – This policy states that the member authorities will proactively manage and work with partners to positively conserve, sustain and enhance their respective historic environments, heritage assets and their settings.

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below

Policy SP1, *Spatial Principles*, - Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, of which the following are of most relevance:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Community safety and crime prevention.
- Design for health.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Flood risk and drainage.

Policy EN3, Heritage – Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

Saved UDP Policies – Policy DC18, Conservation Areas – Policy DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas by taking into consideration the following:

- a) The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i. the relationship of new structures to neighbouring buildings and spaces;
 - ii. the effect of major changes to the appearance of existing buildings;
 - iii. the desirability of retaining existing features, such as boundary walls, gardens, trees, (including
 - iv. street trees);
 - v. the effect of signs and advertisements;
 - vi. any further guidance on specific areas which has been approved by the Council.
- b) The Council will not normally grant outline planning permission for development within Conservation Areas.
- c) Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area.
- d) Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.

Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

Policy DC26, “Development and Noise” – Policy DC26.1 states that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a) the effect of new development proposals which are likely to be generators of noise; and
- b) the implications of new development being exposed to existing noise sources which are effectively outside planning control.

Policy DC26.2 states that new noise-sensitive developments (including large-scale changes of use of existing land or buildings), such as housing, schools, hospitals or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the Council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.

Issues

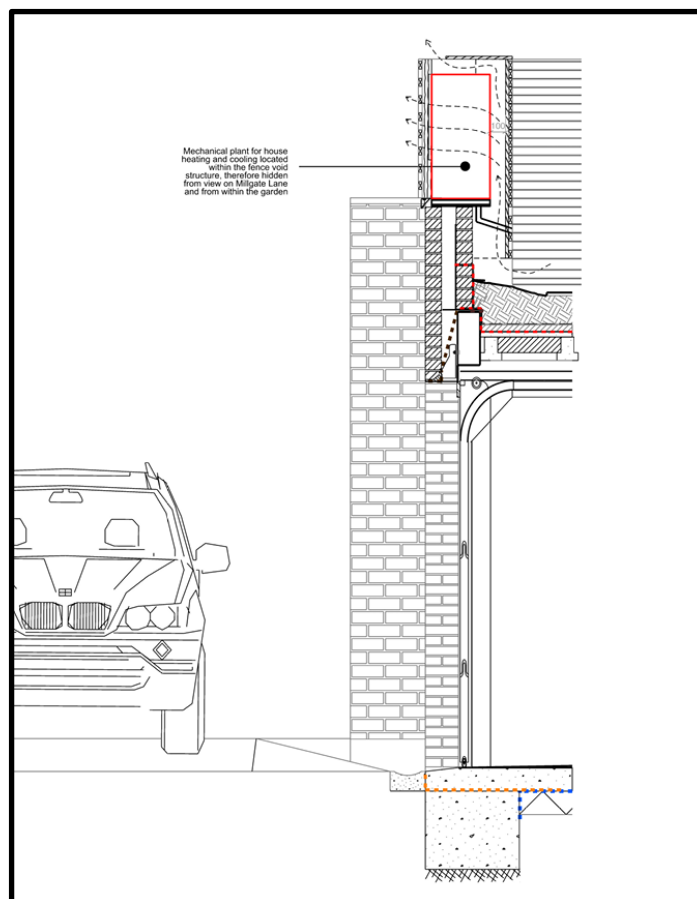
Principle of the Proposal – There is no objection in principle to a resident installing air-conditioning units within the curtilage of their property. However, as the dwelling is located within the Didsbury St James Conservation Area, it is necessary to assess any potential impact the proposal may have on the character and appearance of the conservation area. In addition, consideration must be given to any effects on the visual and residential amenity currently enjoyed by neighbouring occupants.

Visual Amenity – The first application to install air conditioning units proposed installing them on the rear elevation of the garage. As this was highly visible the application was refused on the following grounds:

The proposed development, due to its design and siting, would fail to preserve or enhance the character and appearance of the Didsbury St. James Conservation Area. This would result in harm to the significance of the designated heritage asset, contrary to Policy EN3 of the Manchester Core Strategy, saved Policy DC18 of the Unitary Development Plan, Policy JP-P2 of the Places for Everyone Plan, and the guidance set out in Section 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (December 2024).

The applicant is now proposing to install the units within the fence void located on the perimeter fencing above the garage, as shown below. This revised siting ensures the units would not be visible from outside the property, including from Millgate Lane, nor from within the rear garden. Given this discreet positioning, it is considered that the proposal would not result in any unacceptable harm to the visual amenity enjoyed in the surrounding area.

An additional condition is proposed which will require the fencing to be installed and retained prior to the installation of the air conditioning units, this will ensure visual amenity is protected.



Residential Amenity – To ensure that no disamenity arises from the installation of the units, particularly in relation to noise during their operation, it is recommended that they are installed and insulated in accordance with Section 5.1 of the noise assessment submitted with the application. Compliance with these measures is considered sufficient to ensure that the proposal would not result in an unduly detrimental impact on the level of residential amenity currently enjoyed by occupants of neighbouring properties.

Impact on Didsbury St. James Conservation Area – Policy EN3 of the Core Strategy, along with section 12 of the NPPF, states that consideration must be given to the impact of new developments on heritage assets. The requirement to preserve or enhance the Conservation Area is a key requirement within policy EN3 of the Core Strategy, saved UDP policy DC18, along with the objectives of the NPPF. As such, any new development must seek to retain the character of the area through careful detailing and, where appropriate, the use of compatible materials. In terms of informing the design and form of new development in the area, it is considered that careful consideration should be given to the existing character of the conservation area including the size, mass and appearance (including materials) of the older buildings.

The Didsbury St. James Conservation Area, which lies nine kilometres south of the city centre, was designated in November 1970. It is centred on the historical core of Didsbury, at the junction of Wilmslow Road and Stenner Lane, and covers an extensive area. Most of the conservation area is on level ground, but there is a slope down Millgate Lane, Kingston Road and Stenner Lane where the higher land gives way to the lower level of the Mersey flood plain.

The buildings within the conservation area can broadly be categorised by the collection of large scale 19th Century villas, smaller earlier cottages and churches. Although remaining primarily residential in character, there are a number of other uses within the area that influence its character. The scale of buildings varies across the conservation area and includes large and prominent residences contrasted with lodges and cottages and there is also variety in plot sizes, building orientation and position and architectural styles. A great variety of building materials are used in the conservation area. Most common is red brick for walls and blue slate for roofs. Stone dressings, in conjunction with brickwork, are used extensively, and several buildings are built entirely of stone, notably the two churches.

Given that the air-conditioning units would be positioned within the fence void and, as a result, would not be readily visible either from within the site or from public vantage points outside it, their installation is not considered to give rise to any adverse impact on the character or appearance of the Didsbury St. James Conservation Area. This discreet siting ensures that the appearance of the conservation area is preserved and the proposal is therefore regarded as acceptable in heritage terms.

Pedestrian and Highway Safety – The proposal will not have a detrimental impact upon the levels of pedestrian and highway safety enjoyed along Kingston Road and Millgate Lane.

Local Residents' Concerns – Concerns have been raised that the rear boundary fence will be increased in height to accommodate the air conditioning units. While these concerns are acknowledged, it should be noted that the increase in fence height has already been approved under the previous Section 73 application (ref. 138772/JO/2023). The principle of this height has been established and it is not considered that the current proposal would give rise to significant concerns that would warrant its refusal.

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 to resolve any matters 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 hereby approved shall be carried out in accordance with the following drawings and documents:

- a) Location plan, received on 30 March 2020
- b) Drawing no. P.03GA.P000 (Proposed Ground Floor Plan), received on 24 December 2025
- c) Drawing no. P03GA.P000 (Proposed Lower Ground Floor Plan), received on 30 March 2020
- d) Drawing no. P03GA.P001 (Proposed First Floor Plan), received on 30 March 2020
- e) Drawing no. P03GA.P002 (Proposed Second Floor Plan), received on 30 March 2020
- f) Drawing no. P.03GA.E001 (Proposed North, South and West Elevations), received on 15 February 2024
- g) Drawing no. P03GA.E001A (Proposed West Elevation from Millgate Lane), received on 24 December 2025
- h) Drawing no. P03GA.E002A (Proposed South Elevation), received on 24 December 2025
- i) Drawing no. P.03GA.E003a (Proposed North Elevation), received on 13 August 2020

- j) Drawing no. P03GA.E005 (Proposed West Elevation), received on 30 March 2020
- k) Drawing no. P.03GA.S001A (Section AA), received on 21 January 2026
- l) Drawing no. P.02LD.P001a (proposed site plan), received on 13 August 2020
- m) Drawing no. P.03GA.E001 (proposed section - middle of garden), received on 22 March 2024
- n) Drawing no. P.03GA.E001 (proposed section - garden patio), received on 22 March 2024
- o) Drawing no. P.03GA.D001 (proposed fence drawing), received on 2 February 2024

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

2) The materials to be used on external elevations shall match those on the external elevations of the existing building in colour, size and texture.

Reason - In the interests of visual amenity, pursuant to Policy DM1 of the Manchester Core Strategy.

3) The development shall include the installation of a proprietary gas protection membrane as approved under condition discharge reference CDN/20/0812, in order to alleviate any possibility of landfill gas ingress to the building.

Reason - The development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

4) The replacement tree planting scheme as approved under condition discharge reference CDN/20/0812 shall be implemented not later than 12 months from the date the development hereby approved is completed. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy.

5) The development hereby approved shall be acoustically insulated in accordance with the recommendations of the Planning Compliance Report (Report 30823.PCR.01 Rev A by KP Acoustics), received on 21 January 2026 in order to secure a reduction in the level of noise emanating from the equipment.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policies SP1 and DM1 of the Manchester Core Strategy and Saved UDP Policy DC26.

6) The boundary fencing along the western curtilage (Millgate Lane frontage) shall be installed in full prior to the installation of the air-conditioning units hereby approved and shall be retained and maintained thereafter.

Reason – To protect visual amenity and preserve the character and appearance of the Didsbury St James Conservation Area, in accordance with Policies DM1 and EN3 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Heritage & Urban Design

26 Kingston Road, Manchester, M20 2RZ

The Croft, Millgate Lane, Didsbury, Manchester, M20 2SW

22 Kingston Road, Manchester, M20 2RZ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Conservation Area - Didsbury St James Conservation Area 1970

Area Team Boundary - Name: SOUTH AREA