

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
116173/FH/2017	28th May 2017	27 <sup>th</sup> July 2017	Rusholme Ward

**Proposal** Erection a single storey rear extension to form additional living accommodation and installation of window to side elevation.

**Location** 16 Kent Road West, Manchester, M14 5RF

**Applicant** Mr A Ali, 16 Kent Road West, Manchester, M14 5RF

**Agent** Mr Najib Gedal, Najib Gedal Architects, 4 Rutters Lane, Stockport SK7 5AY

### Description

The property is a semi-detached red brick two storey house in an established residential area which is characterised by family dwelling houses, many with original boundary treatments, such as the red-brick boundary wall.

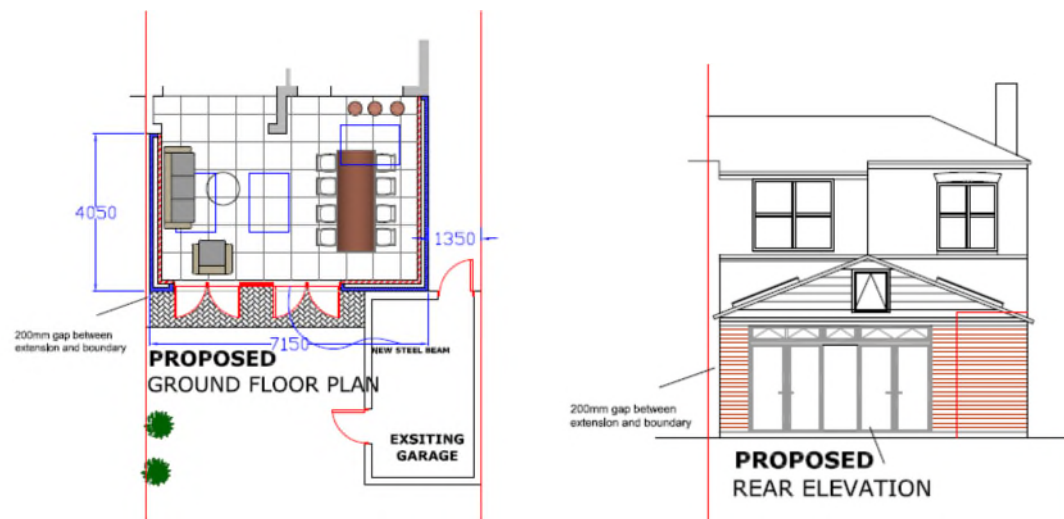
The orientation of the property faces in a south-easterly direction to the rear and north-westerly direction to the front. The boundary of Victoria Park Conservation Area lies to the immediate north of the dwelling on the opposite side of Kent Road West.



*Rear elevation of property*

Planning permission is sought for the erection of a single storey rear extension to provide additional living accommodation, together with the insertion of an additional window on the side elevation of the property.

The applicant has amended the plans since originally submitted to incorporate a hipped roof arrangement to the single storey extension to reflect similar extensions on neighbouring properties.



*Floor plan of proposed extension and rear elevation of proposed extension*

The application is being brought to Planning and Highways as the applicant is a local ward councillor.

## Consultations

Local residents - Occupiers of properties surrounding the application site were notified of the proposal. Two responses were received from neighbouring residents there comments can be summarised as follows:

- The extension would obliterate all sight from my conservatory.
- There would be no access to maintain the windows on the boundary.
- Concern about the impacts on the cherry tree within the garden
- Queries the distance of the extension from the rear garden boundary

## Policy

The Development Plan in Manchester comprises of:

Manchester Core Strategy Development Plan Document (2012) – The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1996) – The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with policies contained within the Core Strategy. However, there are a number of policies that are extant:

The relevant Core Strategy policies for this application are as follows:

SP1 – Spatial Principles.

DM1 – Development Management 1.

Policy SP1 sets out the key spatial principles which guide the strategic development of Manchester to 2027, together with Core Development Principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. All development should have regard to the character, issues and strategy for each regeneration area as described in the Strategic Regeneration Framework and the Manchester Strategic Plan. The policy states that all development in the City should:

- Make a positive contribution to neighbourhoods of choice including:
  - a. Creating well designed places that enhance or create character
  - b. Making a positive contribution to the health, safety and wellbeing of residents.
  - c. Considering the need of all members of the community regardless of age gender, disability, sexuality, religion, culture, ethnicity or income.
  - d. Protect and enhance the built and natural environment
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM1 states that all development should have regard to following specific issues, the relevant ones in this instance are:

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Impact on the surrounding areas in terms of 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.

For the reasons given in this report, it is considered that the proposal is consistent with the policies contained with the Core Strategy.

The following extant Unitary Development Plan policies are considered relevant in the consideration of this application.

Policy DC1 – This 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 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 street-scene.

Policy DC1.2 – 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 the original buildings);
- b. They do not create undue loss of daylight or privacy.
- c. They are not out of character with the style of the development in the area or the surrounding street 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.

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

- a. Rearward extensions greater than 3.65m (12ft) 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).

For reasons to be outlined below, it is considered the proposal accords with the extant UDP policies.

The following National Planning Policy Framework is considered relevant in the consideration of this application.

The National Planning Policy Framework (NPPF) - The NPPF was published on the 27 March 2012 and replaces and revokes all Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) previously produced by Central Government. The NPPF states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

It is considered the application accords with the general principles contained within the NPPF.

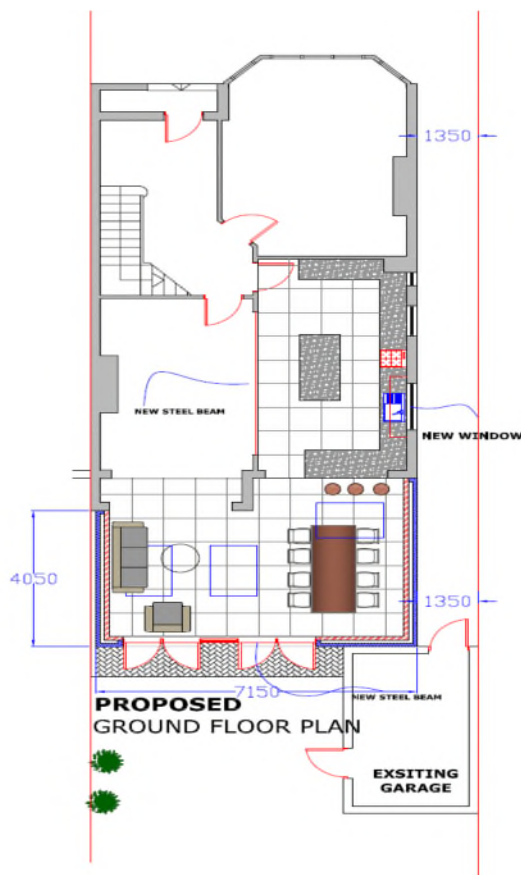
## Issues

**Principle** - The proposal is for the erection of a single storey rear extension, together with the insertion of an additional window on the side elevation of the property. The principle of the proposals are considered acceptable as they would provide additional living accommodation for the occupants of the property in an established residential area. Notwithstanding this, consideration must be given to the siting, design,

appearance, scale and massing, and to the proposal's impact upon existing levels of residential amenity.

**Siting** - The applicant is proposing to extend the property by projecting rearwards from the rear wall by approximately 4 metres on the boundary with the adjoining property and 4.8 metres from the side of the property. A gap of 1.3 metres would be retained between the extension and the boundary with number 18 Kent Road West.

The orientation at the rear of the property is in a south easterly direction, and the garden is currently approximately 21.00 metres in length. It is considered that the extension is logically located at the property and would not result in an overly large addition to the property and would retain a large amount of private amenity space.



*Ground floor layout including proposed extension*

**Scale and Massing** – There is a 'dog leg' in the wall on the rear elevation which has a depth of approximately 80 cm, as shown in View A above, therefore, the proposed extension would have a depth of 4 metres on the adjoining boundary and 4.8 metres, respectively, together with a width of 7.15 metres, being set in off the adjoining boundary by 20cm.

The proposal would have a hipped roof, which would have an eaves height of 2.50 metres and have a ridge height of 4.00 metres. The roof would be fitted with three roof lights. The extension would be fitted along the rear elevation with one large central window and double doors installed either side, for access into the rear garden. There are no windows proposed to the side elevation of the new extension.

Due to the large rear garden of the property and the extensions to properties at numbers 14 and 18 Kent Road West the rearwards projection of the extension is considered to be acceptable in this instance.

**Design and Appearance** - The design is what would be expected of such an extension and the application form states that the materials would match the existing building. It is therefore considered that the extension would be in keeping with the character of the original dwelling house and the wider area

**Residential Amenity** – A neighbour is concerned about the loss of a view from high level side windows on the conservatory within their rear garden and the maintenance of these windows as they are located alongside the party wall.

The arrangements for maintenance of the extensions would be a civil matter between the neighbouring occupiers, it is acknowledged that the maintenance of these would require the agreement of the applicants land and this position would remain.

The applicant has amended the roof profile of the extension to a hipped arrangement. This would have the effect of reducing the visual appearance of the roof from within the neighbouring conservatory.

It is considered that the extension has been designed and sited to reduce impacts on the residential amenity of neighbouring properties, a gap of 1.3 metres would be retained to the boundary with number 16 Kent Road West and the hipped roof proposed reflects the extension at that property.

The proposed extension, by reason of its south easterly orientation within the site, would not give rise to undue overshadowing, overlooking or loss of privacy to the detriment of the amenity that the adjoining occupants could reasonably expect to enjoy and is considered acceptable in this location in terms of design, scale and massing.

Elevational alterations to the side elevation – It is proposed to install a new window on the side elevation of the existing kitchen in order to provide additional light. The fencing on the boundary with number 14 Kent Road West is approximately 2.00 metres high and therefore, it is not considered that the insertion of this window would give rise to unacceptably impacts on residential amenity currently enjoyed by the occupiers of the neighbouring property and that there would be no further overlooking than the current fenestration configuration.

**Refuse bin storage** - The storage of refuse bins are not affected by the proposal

**Trees** - The ornamental cherry tree is on the rear boundary of the garden, and therefore, unaffected by the proposed extension. The property is not in the Victoria Park Conservation Area and there are no specific Tree Preservation Order on the tree.

**Conclusion** - The proposal is considered acceptable in this location, in terms of design, scale and massing and it is not considered that the proposal would create any loss of amenity to neighbouring occupiers, nor that of the present and future

occupiers of the application site. The proposal therefore is considered acceptable in terms of the Manchester's Core Strategy including policies SP1 and DM1 and extant policy DC1 of the Unitary Development Plan and to the general guidance contained within the National Planning Policy Framework.

**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 the right to a fair hearing and to this end the Committee 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 Head 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 of the application 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. The application has been determined in a timely manner and in accordance with the guidance contained within saved policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan and to Policy DM1 of the Core Strategy and the National Planning Policy Framework.

### **Condition(s) to be attached to decision for approval**

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:-
  - a. Amended drawing numbered AA 02, dated 23 April 2017, Revision B and dated 12 July 2017, showing the full ground floor layout, together with both side elevations and roof plan, received by the City Council as Local Planning Authority on 12 July 2017.

- b. Amended drawing numbered AA 03, dated 23 April 2017, Revision C and dated 16 July 2017, showing the proposed ground floor plan of the extension, together with front and rear elevations, received by the City Council as Local Planning Authority 16 July 2017.

Reason - To ensure 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 completed Householder Application Form.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

### **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 116173/FH/2017 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

### **The following residents, businesses and other third parties in the area were consulted/notified on the application:**

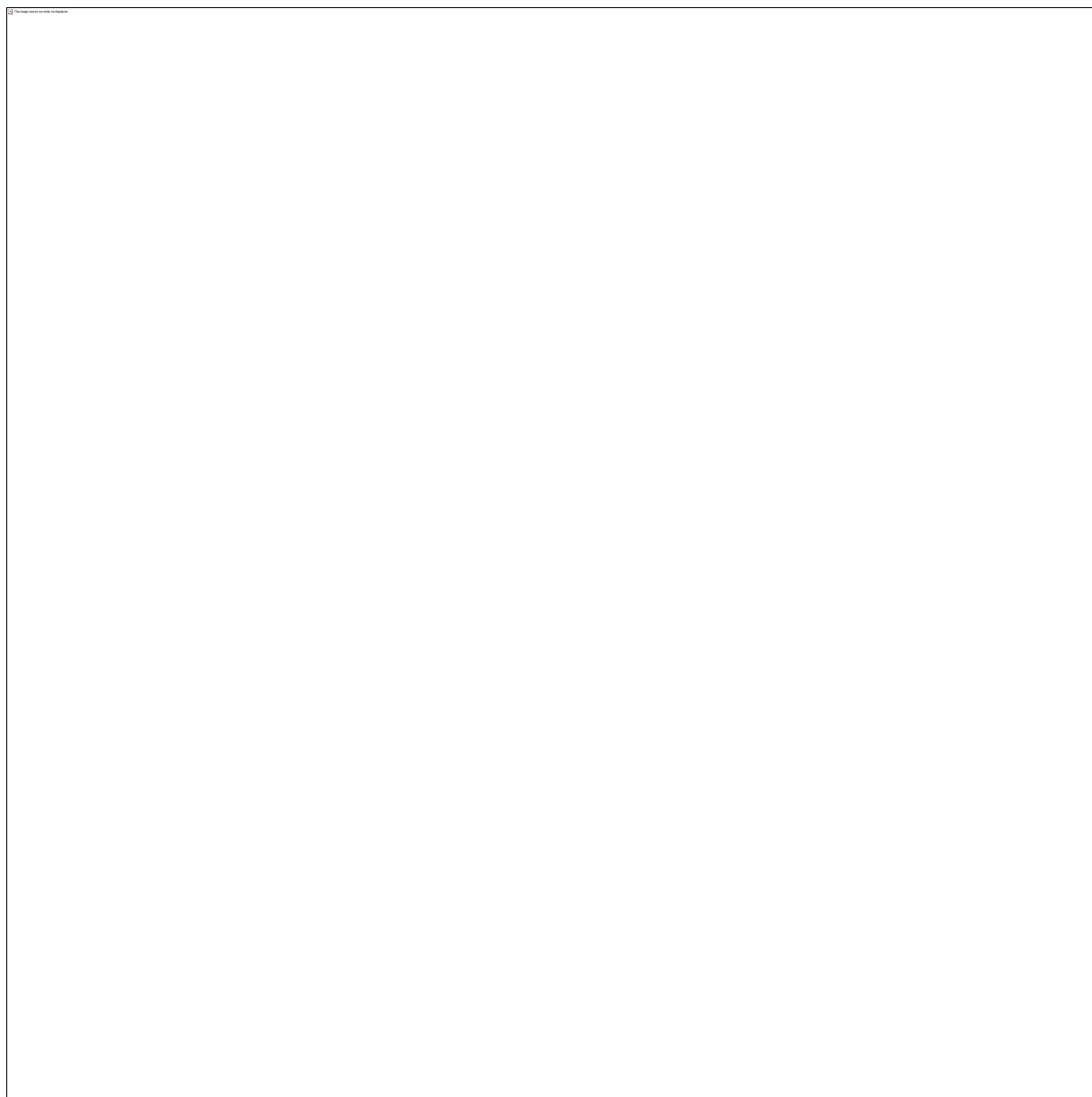
A map showing the neighbours notified of the application is attached at the end of the report.

### **Representations were received from the following third parties:**

18 Rusholme Grove, Manchester, M14 5AR  
14 Kent Road West, Manchester, M14 5RF

**Relevant Contact Officer :** Sue Iskandar  
**Telephone number :** 0161 234 1610  
**Email :** s.iskandar@manchester.gov.uk





 Application site boundary  Neighbour notification  
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