

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141650/FH/2024
Date registered valid: 3 December 2024
Proposal: Erection of single storey side extension
Address: 27 Silverlea Drive, Manchester, M9 8EN
Ward(s): Higher Blackley Ward

Applicant: Mr Niall Hanly
Agent (if any): Mr Barry Cullen
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 27 January 2025

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 7 January 2025

Standard consultations:

Printed: 17 December 2024

Expired: 10 January 2025

Neighbour notifications

Printed: 17 December 2024

Expired: 10 January 2025

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: No

Tree Preservation Order: No

Description of site / building / area

The application relates to a relatively new build (circa 1998), pitched roof semi-detached dwellinghouse within a residential area of the Higher Blackley ward in north Manchester.



(Officer's site visit, 07.01.2025)



The application site is along an elevated, prominent, corner plot position, at the junction of Silverlea Drive and Surrey Street highways. There are double yellow lines in place along the junctions of these highways. Blackley New Road runs along the rear boundary. There is existing amenity space along the front, side and rear, together boundary treatment. Off-street parking is along the gable elevation. In contrast to the rear garden, the existing amenity space along the gable elevation is relatively more spacious, measuring approximately 4.7 metres wide.

The area surrounding the application site is a diverse mix of residential and commercial units in the form of Crumpsall Vale Industrial Estate to the south. To the north of the application site is Pike Fold green open space.

Description of development

The submitted plan proposes a single storey side extension to serve as a bedroom, wardrobe area and office.

In this instance, officers have communicated their concerns about this proposal to the planning agent, although these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

The submitted plan would be sited along the gable elevation of the existing dwellinghouse. It would be flush with the front and rear building lines of the host dwelling, whilst maintaining a distance of approximately 1706mm from the side boundary with Surrey Street; and would measure approximately 3000mm wide x 8070mm deep x 3639mm maximum height. It would comprise of a lean-to pitch roof design and would include 1no.window along the front elevation; together with 1no. window and door along the rear elevation. It is intended to use external facing materials matching the existing house.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations have been received in response to this application from local residents.

2. Highways

Highways officers have expressed concerns on existing driveway parking displacement onto the highway, particularly along Silverlea Drive which looks to experience existing parking pressures, including pavement parking; together with the additional parking demand at this location given its proximity to the Surrey Street junction.

3. Environmental Health

No comments regarding the application on this occasion.

POLICY

The following guidance, policy and legislation are considered to be relevant to the proposed development.

1. Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

2. The National Planning Policy Framework (NPPF), (2021) -

This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- Chapter 12: Achieving well-designed places.

3. Places for Everyone (2022 - 2039)

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies in relation to jobs, new homes and sustainable growth for nine of the 10 boroughs which make up Greater Manchester. The Plan and its policies are a material planning

consideration in the determination of planning applications, and therefore be given significant weight in the planning balance. The following policies are considered to be relevant:

- JP-S1 - Sustainable development

4. Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.' The following Core Strategy policies are relevant to the proposed development:

- Policy DM1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)

5. Saved Unitary Development Plan (UDP), (1995)

- Saved Policy DC1 for Residential Extensions.

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

- Chapter 2: Design

Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals.

ISSUES

Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context.

Policies DC1.1, DC1.2 and DC1.3 and DC1.4 of the Unitary Development Plan for the City of Manchester relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle of development

The principle of extending one's home is generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property, or upon the visual and residential amenity of neighbouring occupiers. In this instance however, the principle of the proposal is considered unacceptable by virtue of proposed footprint of built form along an elevated, prominent, corner plot position, at the junction of highways; coupled with the double yellow lines along these junctions, combined with the loss of on-site car parking, which means the application cannot be approved. It is therefore believed that there are factors of sufficient weight that would warrant the refusal of this application.

Residential and Visual Amenity

Having assessed the submitted plan, and on balance, the proposed extension is deemed to conflict with saved policy DC1 of the UDP, and policy DM1 of the Core Strategy as well as the general requirements set out under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Consideration has been given to as to whether the scale, massing, design and appearance of the proposed extension is acceptable. In addition, consideration has been given to any impact the proposed extension may have on the residential and visual amenity of neighbouring occupiers.

As previously stated, in the case of this application, the site is along a corner plot position, at the junctions of Silverlea Drive and Surrey Street highways. The pre-existing context is therefore in-part a constraint to any proposed built form in terms of size, scale and footprint.

As the dwellinghouse sits on a corner plot where a side elevation fronts a highway, the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) PART 1, DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLINGHOUSE, Class A, sets an additional restriction on permitted development to the side of the house. Any extension therefore between the side of the house and the highway will not be permitted development; and therefore, the permitted development fall-back position would not apply in this instance. The nature of the application in this location, would require an application for planning permission.

In light of this context, the planning agent was advised early on during the application process that there are significant concerns regarding the submitted plan given the proposed footprint of built form along an elevated, prominent, corner plot position, at the junction of highways; coupled with the double yellow lines along these junctions, combined with the loss of on-site car parking; and therefore, the application could not be supported on the basis of the submitted set of plans. To overcome the issues with the application, it was advised that on site car parking in line with the Council's minimum standard (6 metres deep x 3 metres wide) is maintained; together with demonstrating the site storage location for wheeled bins. To date, the Local Planning Authority is not in receipt of revised plans; nor has formal correspondence been received confirming withdrawal of the application. The application will therefore be determined on the basis of the information available.

The proposed side extension, coupled with the proposed 8070mm projecting along the side boundary would be highly visible along Silverlea Drive and Surrey Street highways, and

therefore, in this instance, the proposed scale of built form in this location, would be unduly visually intrusive and harmful to the character of the area.

Highways

There are double yellow lines in place along the junctions of Silverlea Drive and Surrey Street highways. The submitted application proposes the loss of the existing on-site car parking space along the gable elevation to accommodate the proposed extension; thereby, resulting in driveway parking displacement onto the highway, particularly along Silverlea Drive which already appears to experience existing parking pressures, including pavement parking. The submitted plan is therefore highly likely to result in additional parking demand in this location given its proximity to the Surrey Street junction.

Housing schemes are approved subject to the provision of one car parking space, unless a case for the sustainable location of development justified a lower provision. No case has been made in this instance and Highways have raised concerns.

For the reasons outlined, the proposed development is considered to be contrary to saved UDP policy DC1.1 b), DC1.1 c), DC1.1 d), DC1.1 e), DC1.2 d); policy DM1 of the Core Strategy; and the guidance set out in the Guide to Development in Manchester Supplementary Planning Document.

Conclusion

In this instance, it is considered that the proposed extension does not sufficiently accord with the principles of the policy documents outlined above. Although the proposed development would allow the adaptation of the existing house to meet changing residential needs, on balance, it is considered that given the pre-existing contextual relationship along the Silverlea Drive and Surrey Street boundaries, combined with the proposed 8070mm projection along the side boundary, together with the proposed footprint of built form along an elevated, prominent, corner plot position, at the junction of highways; coupled with the double yellow lines along these junctions and the proposed loss of on-site car parking, the submitted plan is contrary to The National Planning Policy Framework (2021) chapter 12; policy DM1 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) and cannot be approved due to its confliction with the principles set out under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The proposal, therefore, cannot be supported by the Local Planning Authority.

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: Refuse

Article 35 Declaration

Officers have communicated their concerns about this proposal during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed extension by reason of the proposed size, scale and footprint would result in the loss of the existing driveway; thereby creating parking displacement onto the highway, particularly along Silverlea Drive and resulting additional parking demand at this location, and as such, is contrary to The National Planning Policy Framework (2021) chapter 12; policy DM1 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007).

2) The proposed extension by reason of the proposed 8070mm projection along the side boundary with Surrey Street would be unduly visually intrusive in the street scene and as such

causes harm to the character of the area, contrary to The National Planning Policy Framework (2021) chapter 12; policy DM1 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007).

Appendix 1 – List of consultees & neighbours notified

Environmental Health

54 Blackley New Road, Manchester, M9 8EG
52 Blackley New Road, Manchester, M9 8EG
7 Surrey Street, Manchester, M9 8EQ
26 Silverlea Drive, Manchester, M9 8EN
31 Blackley New Road, Manchester, M9 8ES
25 Silverlea Drive, Manchester, M9 8EN
3 Surrey Street, Manchester, M9 8EQ
1 Surrey Street, Manchester, M9 8EQ
24 Silverlea Drive, Manchester, M9 8EN
5 Surrey Street, Manchester, M9 8EQ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA