

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141244/FH/2024
Date registered valid: 15 October 2024
Proposal: Erection of first floor side extension to form additional living accommodation
Address: 71 Guildford Road, Manchester, M19 3ER
Ward(s): Levenshulme Ward

Applicant: Ms Parveen Anwar
Agent (if any):
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 9 December 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 4 November 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 24 October 2024 Expired: 14 November 2024

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 2-storey, hip roof, semi-detached dwellinghouse along a corner plot position, at the junction of Guildford Road and Norley Drive in the Levenshulme ward of Manchester. The site is within a residential setting with Greenbank Park to the southern elevation, and Nutsford Vale to the north-east.



(Officer's site visit 04.11.2024)

There is existing amenity space along the front, side and rear, including boundary treatment along the perimeter whilst incorporating gated access along both Guildford Road and Norley Drive elevations. There are also existing extensions comprising of a front porch, single storey side extension, together with a rear conservatory and an outbuilding along the rear garden.



(Officer's site visit 04.11.2024)

Due to the pre-existing housing layout arrangement between the application dwellinghouse and those properties along Norley Drive; in particular, nos. 1 - 3 Norley Drive, there is a distinctive building line along the Norley Drive cul-de-sac. In addition, there is an existing separation distance of approximately 8.0 metres between the rear building line of the host building and no. 1 Norley Drive. The rear garden of the host site is also north facing, and therefore, the potential for undue overshadowing during most day light hours is highly likely. Moreover, the resultant separation distance of the proposed development would give rise to privacy issues given the front doors and driveways along the rear boundary of the application site.

Site Planning History

- 133902/FH/2022 - Erection of first floor side extension to form additional living accommodation, WITHDRAWN 27.06.2022.
- 114764/FH/2016 - Erection of two storey rear extension together with porch to front to form additional living accommodation, APPROVED 13.02.2017.
- 113374/FH/2016 - Erection of a single storey side extension and single storey front porch extension to form additional living accommodation, APPROVED 14.09.2016.
- 112141/FH/2016/N2 - Erection of a two storey side extension and porch to front to form additional living accommodation, WITHDRAWN 06.07.2016.
- No pre-application advice was sought from the local planning authority in relation to this application.

Description of development

The submitted application proposes a first floor side extension to form additional living accommodation.

Concerns have been expressed to the applicant regarding the pre-existing issue of the application site so close to the junction of highways, and with the proposal coming forward of the Norley Drive building line at first floor, coupled with the proposed massing along the first floor prominent corner plot location of the Norley Drive and Guilford Road junction, together with the resultant visual intrusion into the street scene. These factors (combined with other material considerations such as: privacy impact matters and the wrong street name on the submitted site plan) are therefore highly significant to warrant the refusal of planning permission. It was therefore requested that the applicant confirms how they wished to proceed with the application, within specified timescales.

Officers have communicated their concerns about this proposal during the course of the planning application, and but these concerns have not been overcome. The proposal cannot be supported in its current form and therefore will be duly determined in a timely manner and recommended for refusal.

The proposed first floor side extension would be sited above the existing single storey side extension. It would be set-back approximately 600mm from the front building line of the original dwellinghouse, whilst being flush with the rear building line and would measure approximately (4000mm wide x 7762mm deep). It would comprise of a hip roof design, with the proposed roof ridge set below the existing roof ridge and it would include 1no. window each along the first floor front and rear elevations, together with 1no. window along the first floor side elevation. In terms of the proposed external facing materials, it is intended to use red brick, blue slate, and brown UPVC for the fenestration.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections, or representations were received.

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, 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

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 the application site so close to the junction of highways, and with the proposal coming forward of the Norley Drive building line at first floor, coupled with the proposed massing along the first floor prominent corner plot location of the Norley Drive and Guilford Road junction, and the resultant visual intrusion into the street scene. These factors (together with other material considerations such as: privacy impact matters and the wrong street name on the submitted site plan) are therefore highly significant, 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 proposal is deemed to conflict with saved policy DC1 of the UDP, and policies DM1 and SP1 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).

As previously stated, there is a distinctive building line along the Norley Drive cul-de-sac due to the pre-existing housing layout arrangement between the application dwellinghouse and those properties along Norley Drive; in particular, nos. 1 - 3 Norley Drive. In addition, there is an existing separation distance of approximately 8.0 metres between the rear elevation of host building and the side elevation of no. 1 Norley Drive. It is therefore considered that the proposed first floor side extension in this location, coming forward of the Norley Drive building line, coupled with the proposed massing along the first floor prominent corner plot location of the Norley Drive and Guilford Road junction, together with the resultant visual intrusion into the street scene is considered contrary to saved UDP policies DC1.1 b), DC1.1 d), DC1.2 a), DC1.2 b), DC1.3 e); policy DM1 of the Core Strategy; and the guidance set out in the Guide to Development in Manchester Supplementary Planning Document.

Moreover, the rear garden of the host site is also north facing, and therefore, there is the potential for undue overshadowing during most day light hours should a first floor built form be

introduced in this location. Therefore, the submitted plan conflicts with saved UDP policies DC1.2 a), DC1.2 b); policy DM1 of the Core Strategy; and the guidance set out in the Guide to Development in Manchester Supplementary Planning Document.

The resultant separation distance between the rear elevation of the proposed first floor extension and no. 1 Norley Drive (at approximately 8.0 metres); combined with the proposed habitable room window along the first floor rear elevation presents a significant adverse impact to the privacy of the current and future occupiers of the neighbouring property; and as such, the proposal conflicts with UDP policy DC1.2 b); and policy DM1 of the Core Strategy.

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 with the application site so close to the highway, and with the proposal coming forward of the Norley Drive building line at first floor, coupled with the proposed massing along the first floor prominent corner plot location of the Norley Drive and Guilford Road junction, together with the resultant visual intrusion into the street scene, the submitted plan is considered to be contrary to The National Planning Policy Framework (2021) chapter 12; policies DM1, SP1, EN1 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 first floor side extension would, by reason of its position along the side garden close to the Norley Drive and Guilford Road highways would create a visually incongruent development that projects forward of the established building line of Norley Drive restricting views along the street scene into and out of Norley Drive to the detriment of the layout of the street and the character of the area; contrary to The National Planning Policy Framework (2021) chapter 12; policy DM1, SP1, EN1 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 first floor side extension would, by reason of its size and scale, and with the proposal coming forward of the Norley Drive and Guilford Road highways would create a visually intrusive feature along the street scene and in terms of outlook from the neighbouring properties, driveways and gardens; and as such, is contrary to the provisions of policies SP1, DM1 and EN1 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); The National Planning Policy Framework (2021) chapter 12 and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007).

3) The resultant separation distance between the rear elevation of the proposed first floor extension and no. 1 Norley Drive (at approximately 8.0 metres); combined with the proposed habitable room window presents a significant adverse impact to the privacy of the current and future occupiers of the neighbouring property; and as such is contrary to 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).

4) The proposed 4000mm wide first floor side extension would, by reason of its position along the side garden close to the Norley Drive and Guilford Road highways and projecting forward of the established building line of Norley Drive, coupled with the resultant overall mass of built form along the first floor, would unduly overshadow and result in a significant loss of light for those occupiers and future occupiers of neighbouring properties; specifically those occupiers of nos.1 - 5 Norley Drive, which is contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 of Manchester's Core Strategy Development Plan Document (2012).

Appendix 1 – List of consultees & neighbours notified

7 Norley Drive, Manchester, M19 3FX
5 Norley Drive, Manchester, M19 3FX
4 Norley Drive, Manchester, M19 3FX
2 Norley Drive, Manchester, M19 3FX
1 Norley Drive, Manchester, M19 3FX
8 Norley Drive, Manchester, M19 3FX
6 Norley Drive, Manchester, M19 3FX
3 Norley Drive, Manchester, M19 3FX
73 Guildford Road, Manchester, M19 3ER
69 Guildford Road, Manchester, M19 3ER

Appendix 2 – Planning constraints

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