

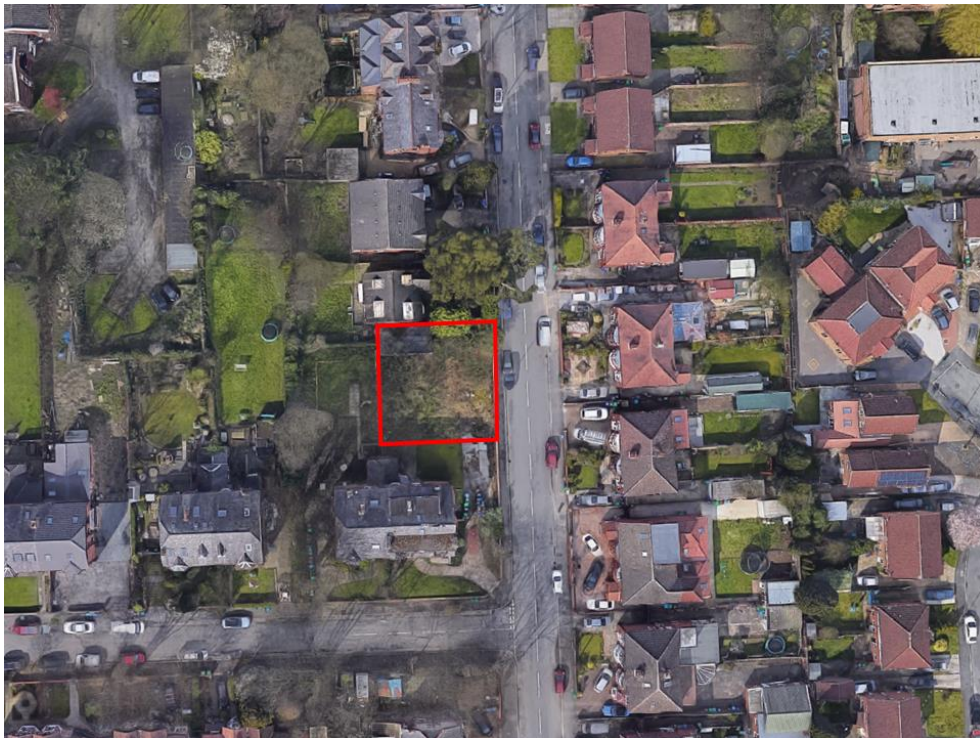


Tang & Associates Ltd

Design and Access Statement

Produced specifically for the proposal at

Land Adjacent to 10 Spring Bridge Road,
Manchester,
M16 8PL



November 2021

Contents

1.0	Introduction	1
1.1	Purpose of the Report	1
2.0	Context.....	1
2.1	Site Context.....	2
2.2	Planning History	2
3.0	The proposal	4
3.1	Footprint Size	4
3.2	Siting	5
3.3	Building Height	6
3.4	Impact on Neighbours	7
3.5	Openings	8
3.6	Appearance	9
3.7	Layout.....	9
3.8	Access.....	9
3.9	Flood Risk	9
3.10	Materials.....	9
3.11	Waste Management	10
4.0	Conclusion	11

1.0 Introduction

This Design and Access has been prepared by Tang & Associates Ltd on behalf of our client in support of a Full Planning Application for the erection of a 2-bedroom dwelling and related landscape works, hereafter referred to as “the site”.

1.1 Purpose of the Report

The purpose of this document is to set out the design principles, concepts, and strategies behind the proposal. The document should be read in conjunction with all other drawings and information submitted by Tang & Associates Ltd as part of the Full Planning Application.

2.0 Context



Figure 1. 9722/001 - The Site Location

2.1 Site Context

The site sits between 2 Manley Road to the south and 10 Spring Bridge Road to the north. The site was previously occupied by a single storey garage with associated hardstanding and vegetated areas however the garage has since been demolished and the vegetation cleared.

2.2 Planning History

The site has an extensive planning history. However, the most relevant applications were submitted in 2015 and 2020 for a new build contemporary style detached home (Ref: 109062/FO/2015/S1) and for a traditional suburban style detached home (Ref: 127931/FO/2020) respectively.

Both the 2015 and 2020 applications were refused by the local authority.

Referring to the 2015 refusal notice, the reasons listed were:

- 1. The proposed development by reason of its scale, massing and design will form an over dominant and incongruous feature in the street scene to the detriment of the visual amenity of the area.*
- 2. The proposed development by reason of its siting and excessive height will have an overbearing impact on the adjoining properties to the detriment of the amenity of those properties.*

Referring to the 2020 refusal notice, the reasons listed were:

- 1. The proposed development by reason of its scale, massing and siting will form an over dominant and incongruous feature in the street scene and will have a detrimental impact upon the levels of visual amenity enjoyed within the vicinity of the site*
- 2. The proposed development, by reason of its scale, massing and siting, will have an overbearing impact and lead to the overshadowing of the neighbouring property and will as a result have a detrimental impact upon the levels of residential amenity enjoyed by the occupants of no. 10 Spring Bridge Road and no. 4 Manley Road*

The common themes between both of these refusals are the proposals scale, siting and massing and the impacts of that including overdominance, overbearing and overshadowing.

Within the 2020 refusal notice the Article 35 Declaration states “that the provision of residential accommodation in this location would not be appropriate as it was out of character with the pattern of development” however this is arguable not the case as discussed in the 2016 Appeal Decision Notice (Appeal Ref: APP/B4215/W/16/3147189) which states:

“The reduced garden area to No 2 Manley Road, and the relatively small garden area proposed for the appeal dwelling, would not be out of character in this context.”

“The residual garden area to No 2 Manley would be significantly shorter than the adjacent garden to No 4. However, shorter gardens on corner plots are a relatively common feature in the area, and there are comparable examples located on the corners of Alexandra Road South and Manley Road, and Spring Bridge Road and Demesne Road.”

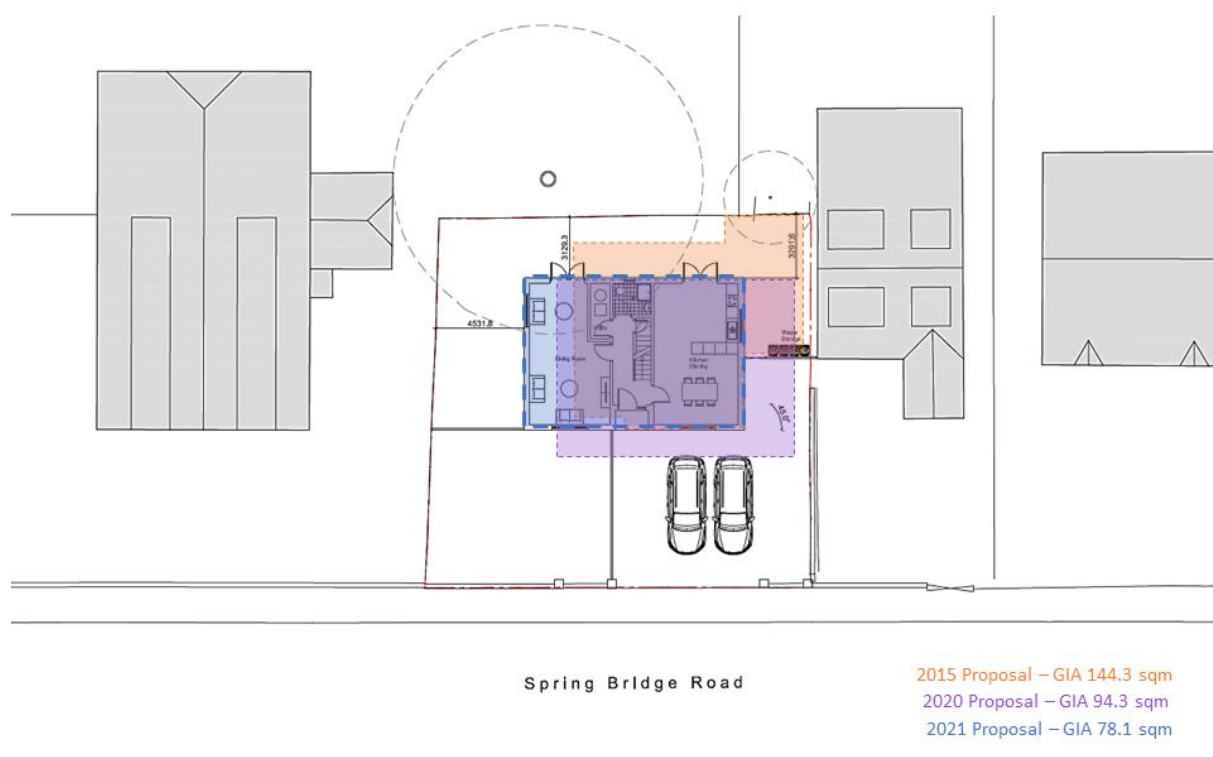
And that there would be “no unacceptable harm to the character and appearance of the area, and a positive benefit in terms of the provision of a new family dwelling”

Taking into account the comments in the two refusal notices and the Appeal Decision notice we have developed a scheme that we believe is suitable for the site and sensitive to its context.

3.0 The Proposal

The proposal is for the erection of 2-bedroom dormer bungalow, single family dwelling. The footprint of the building has been reduced compared to the 2015 and 2020 applications with the building being pushed back in line with the predominant building line along Spring Bridge Road.

3.1 Footprint Size



To shape the footprint of the proposal we looked at the two refused proposals which sat at 144.3sqm GIA and 94.3sqm GIA for 2015 and 2020 respectively. We reduced this to 78.1sqm GIA. This not only means the proposal is significantly smaller than the previous applications but means there is greater space between the proposal and the boundary / neighbouring properties.

3.2 Siting



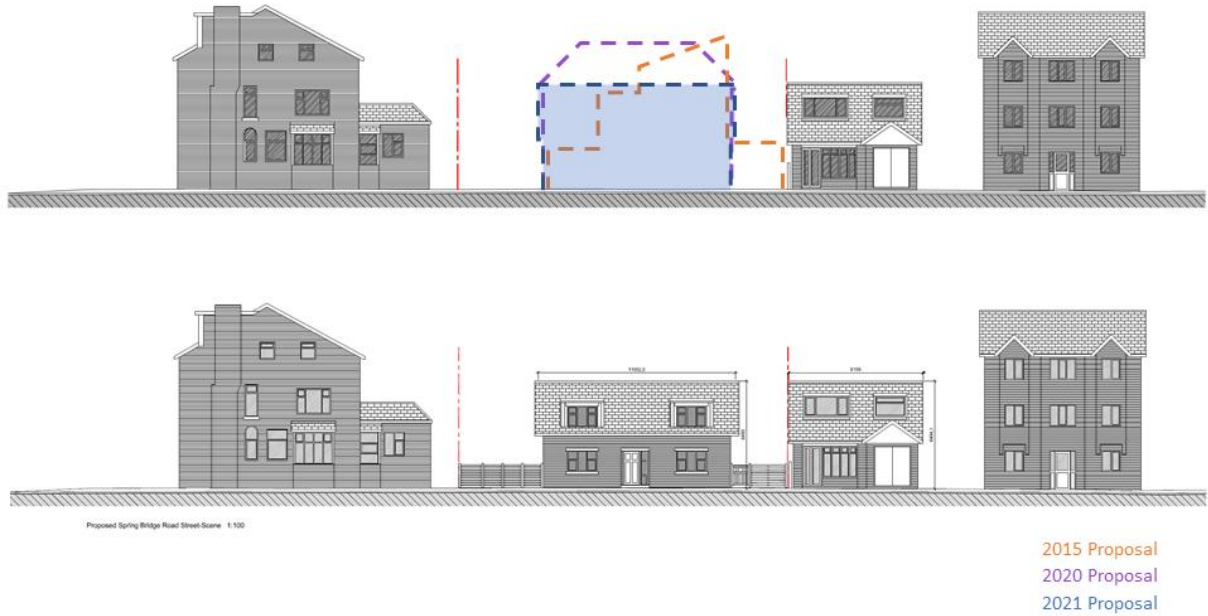
The positioning of the building in the site has also been shaped by the previous proposals. In the 2016 Appeal Decision Notice (Appendix B) regarding the 2015 application stated “[the 2015 proposal] would respect the existing building line and would be broadly consistent with the spacing of dwellings along the street.”.

We have used the predominant building line used in the 2015 proposal as the front limit to our proposal.



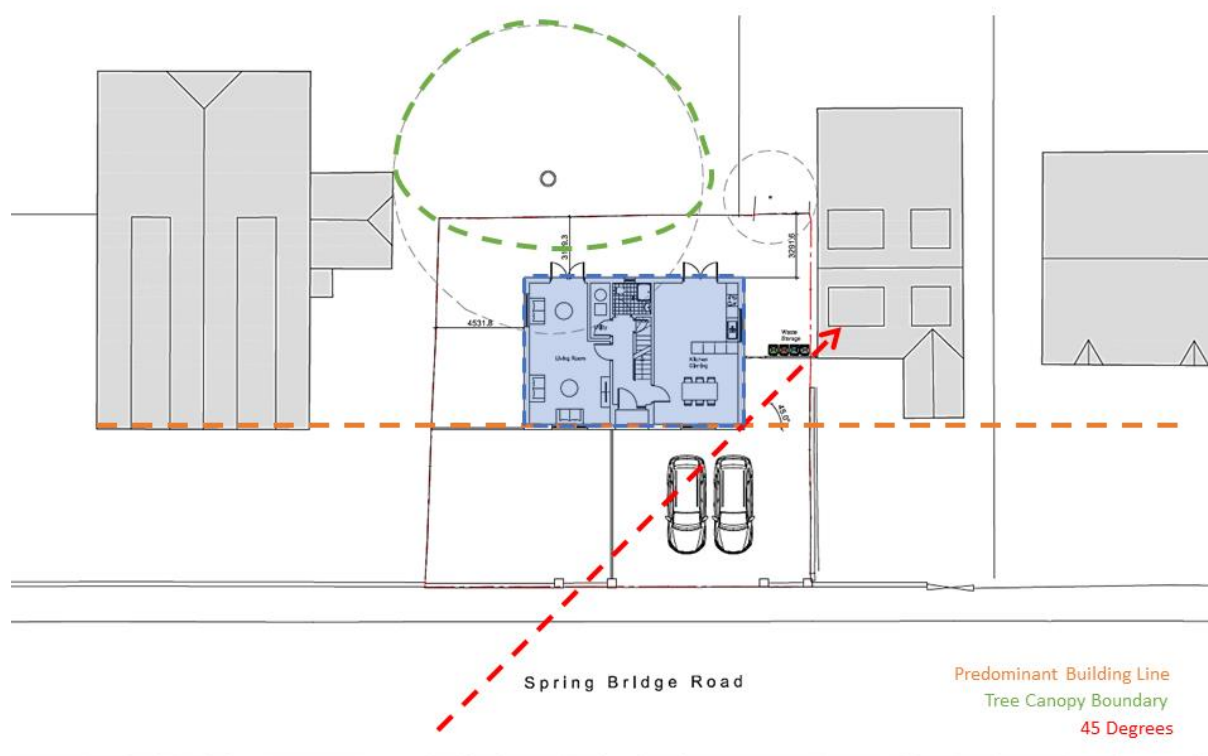
The diagram above shows this line is consistent along Spring Bridge Road with 10 & 12 Spring Bridge Road being an anomaly.

3.3 Building Height



In response to the comments in both the 2015 and 2020 refusal regarding the scale and massing of the proposal we have massively reduced the height of the buildings, bringing the ridge height in line with 10 Spring Bridge Road.

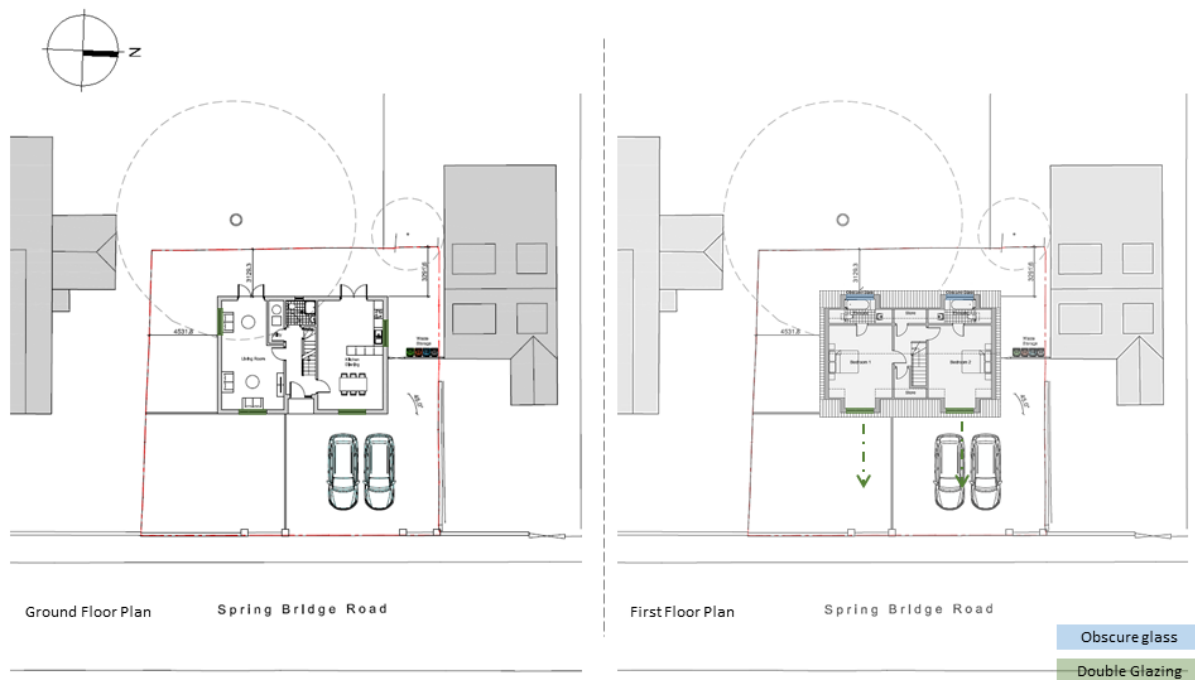
3.4 Impact on Neighbours



To minimise the impact on the neighbouring buildings including overshadowing we have reduced the building height in line with 10 Spring Bridge Road and we have taken a 45-degree line from the corner of 10 Spring Bridge Road to minimise any overshadowing on the façade and the front facing windows.

The rear façade is offset from the rear boundary to ensure the proposal does not interact with the tree canopy in the adjacent garden.

3.5 Openings



To prevent overlooking of the adjacent properties clear glazing is limited to the ground floor and the front elevation on the first floor, with no openings on the side elevations on the first floor.

The rear elevation has two openings on the first floor however these use obscured glass to prevent overlooking which is appropriate due to the windows for the bathrooms.

3.6 Appearance

The proposal aims to be in keeping with the surrounding context. To mirror the scale of 10 Spring Bridge Road the roof line has been reduced to make the proposal appear to be a single storey property with a loft conversion.

3.7 Layout

The layout of the proposal is simple with the staircase and bathroom dividing the plan into two. On the ground floor one side of the property is home to an open plan kitchen and dining space and the other is a living space.

On the upper floor the two halves consist of double bedrooms with en-suites.

The total floor area for the property is 147sqm which is significantly above the National Housing Standards minimum of 79sqm which illustrates the generous proportions of the proposed 2-bedroom dwelling.

3.8 Access

Vehicular access is proposed via the existing dropped kerb from Spring Bridge Road with provision for 2no. off-street parking spaces.

Pedestrian Access will be via a footpath from the pavement in Spring Bridge Road to the front door. Level access will be provided to the front entrance and through all external doors. The approach to the house and the parking spaces will meet Part M to ensure the property is sufficiently accessible.

3.9 Flood Risk

The site is located within Environment Agency Flood Zone 1, defined as having a 'low risk' of flooding.

3.10 Materials

A simple material palette is proposed with red brick, plain grey roof tiles and stone window sills.

3.11 Waste Management

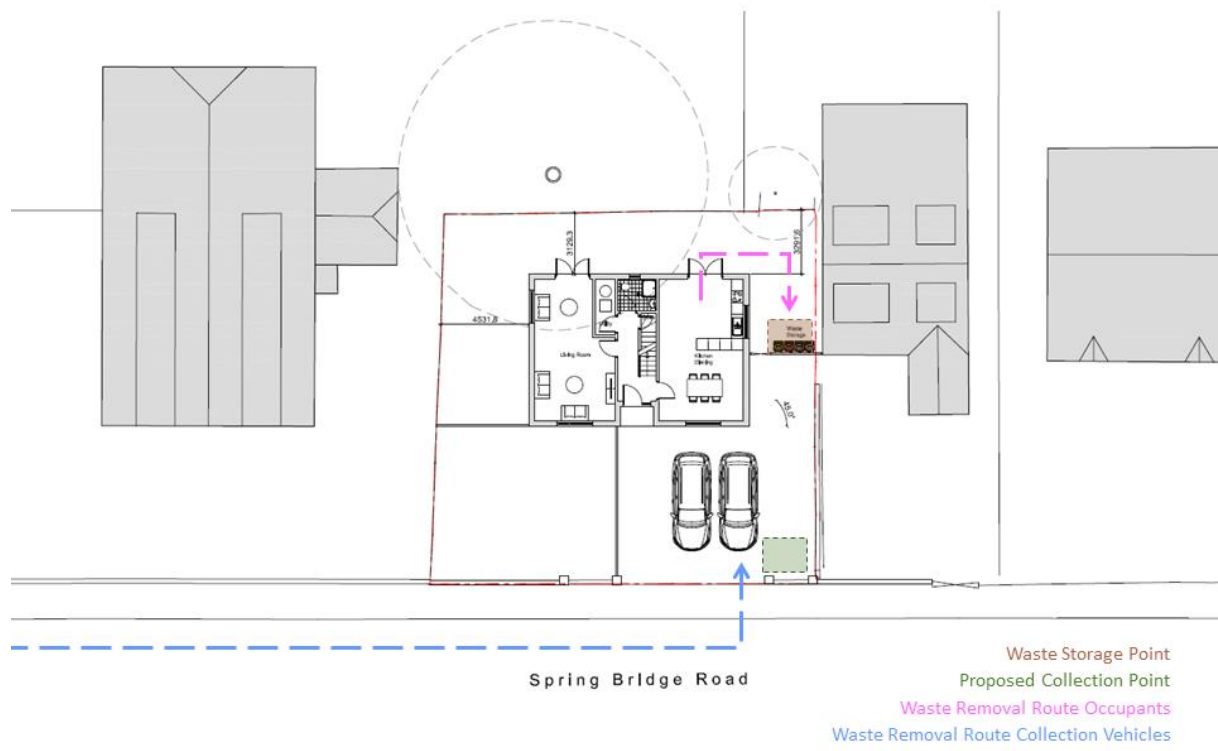
In line with GD04 Waste Storage and Collection Guidance for New Developments v6 and relevant Manchester City Council service standards the property would have 4 bins:

Proposed number of bins:

- 1 x 240L bin (General waste)
- 1 x 240L bin (Mixed Recycling)
- 1 x 240L bin (Paper/Card Recycling)
- 1 x 240L bin (Garden & Food Waste)

Due to the outdoor areas the property will require the combined garden and food waste receptacle as it will generate garden waste (as opposed to the food waste caddy or 'green bin (small)' used for food waste only).

Bins will be stored in a storage area to the right of the property near the parking spaces. The bins will need to be brought to the pavement for collection by the occupants and then returned to the storage area.



4.0 Conclusion

The design team have carefully designed a scheme which is sensitive to the character of the immediate context and the needs of the wider area. The proposed development on the Land Adjacent to Spring Bridge Road has responded to comments from the refusals of previous applications to ensure the scheme does not negatively impact the surrounding buildings but rather positively impacts the area through improving the condition of the vacant piece of land.

Appendix A

2015 Refusal of Planning Permission

**Application Number:
109062/FO/2015/S1**

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Applicant

Mr Martin Byrne
25 Gawsworth Close
Timperley
Altrincham

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Erection of a two-storey detached dwelling house (Class C3) following demolition of existing garage

Location: Land Adjacent To 10 Spring Bridge Road, Formerly Part Of Rear Garden Of 2 Manley Road, Whalley Range, Manchester, M16 8PL

Date of application: 4 June 2015

Application number: 109062/FO/2015/S1

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Refused** in accordance with the application and plans submitted for the reason(s) listed below.

Article 35 Declaration

The proposal would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

Reason(s) for decision

1) The proposed development by reason of its scale, massing and design will form an over dominant and incongruous feature in the street scene to the detriment of the visual amenity of the area. The proposed development is therefore contrary to the provisions of Core Strategy policies EN1, H2 and DM1.

2) The proposed development by reason of its siting and excessive height will have an overbearing impact on the adjoining properties to the detriment of the amenity of those properties. The proposed development is therefore contrary to the provisions of Core Strategy policies EN1, H2 and DM1

Appendix A

Date: 15 October 2015

Signed: 

Julie Roscoe
Head of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Appendix A

Notes

1. This decision relates only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the First Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

Appendix A

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Appendix B

2016 Appeal Decision Notice

Appeal Ref:
APP/B4215/W/16/3147189

Appeal Decision

Site visit made on 14 June 2016

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21st July 2016

Appeal Ref: APP/B4215/W/16/3147189

Land adjacent to 10 Spring Bridge Road and rear / garden of 2 Manley Road, Whalley Range, Manchester, M16 8PL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Martin Byrne against the decision of Manchester City Council.
 - The application Ref 109062/FO/2015/S1, dated 1 June 2015, was refused by notice dated 15 October 2015.
 - The development proposed is demolition of existing garage and erection of single dwellinghouse.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on:
 - (a) The living conditions of No 10 Spring Bridge Road with regards to overshadowing, and No 4 Manley Road with regards to an overbearing impact on the rear garden area, and;
 - (b) The character and appearance of the area.

Reasons

Living conditions

3. The appeal dwelling would sit within the former garden area of No 2 Manley Road. The three storey element of the dwelling would be in close proximity to the boundaries with neighbouring properties. It would be around 1.5 metres from the boundary with the garden of No 4 Manley Road. The north facing elevation would also be in close proximity to the boundary with No 10 Spring Bridge Road.
 4. The appeal dwelling would be positioned forward of the main front windows of No 10 Spring Bridge Road. The three storey element would be located close to this boundary, and would significantly overshadow the frontage of No 10 by virtue of its position and north facing orientation. Whilst there would be no unacceptable loss of privacy to No 10, this overshadowing would have a significant overbearing affect the main front windows of the property.
 5. The three storey element of the dwelling would also be very close to the rear garden of No 4 Manley Road. This would create a tall brick wall next to the
-

boundary that would partially enclose the rear of the garden. Whilst this would only affect the rear part of the garden, it would still have a significant overbearing affect that would harm the enjoyment of this space.

6. I conclude that the development would harm the living conditions of No 10 Spring Bridge Road with regards to overshadowing, and No 4 Manley Road with regards to an overbearing impact on the rear garden area. It would therefore be contrary to the relevant sections of Policies EN1 and DM1 of the Manchester Core Strategy (2012). These policies seek to ensure, amongst other things, that new development does not unacceptably harm the living conditions of neighbouring occupiers.

Character and appearance

7. The surrounding area has a varied character and contains properties constructed in several different periods. The block enclosed by Manley Road, Spring Bridge Road, Alexandra Road South, and Demesne Road is predominantly Victorian in character, albeit with some later additions. Springbridge Road mostly comprises interwar properties, although there is a row of post-war dwellings to the north east of the appeal site. The dwellings on the west side of Spring Bridge Road are mostly two-to-three storeys in height. Whilst there is a general consistency of garden lengths in the area, there is some variation on the corner plots.
8. The appeal site is a disused former garden once associated with No 2 Manley Road, which is sub-divided into flats. The residual garden area to No 2 Manley would be significantly shorter than the adjacent garden to No 4. However, shorter gardens on corner plots are a relatively common feature in the area, and there are comparable examples located on the corners of Alexandra Road South and Manley Road, and Spring Bridge Road and Demesne Road. The reduced garden area to No 2 Manley Road, and the relatively small garden area proposed for the appeal dwelling, would not be out of character in this context. The remaining garden area to No 2 would also be sufficient to meet the private amenity needs of the flats. I also note that Alexandra Park is also only a short distance away.
9. The design of the dwelling is contemporary, incorporating a mono-pitched roof and a 'light weight' style. It would respect the existing building line and would be broadly consistent with the spacing of dwellings along the street. The materials would complement the surrounding area, which despite is varied character mostly comprises brick built dwellings. Whilst the development would be distinct, its modern style and mono-pitched roof would not be excessively prominent or otherwise harmful to the street scene.
10. I conclude that the development would not cause unacceptable harm to the character and appearance of the area. It would therefore not be contrary to the relevant sections of Policies EN1, H2 and DM1 of the Manchester Core Strategy (2012).
11. In coming to that view, I have had regard to paragraph 53 of the National Planning Policy Framework ('NPPF'). This allows local planning authorities to consider the case for setting policies to resist inappropriate developments in residential gardens. However, the Council does not have a policy of this nature in its 2012 Core Strategy.

Other Matter

12. The appellant refers to a 2013 appeal decision which found that the Council did not have a five year supply of housing land, as required by the Framework. However, this appeal decision is now three years old, and there is no evidence before me regarding the current position. In these circumstances, I am unable to conclude on whether the Council can demonstrate a 5 year supply. Moreover and in any event the contribution that an additional house would make to any shortfall, if there were any, would be minimal.

Conclusion

13. For the reasons set out above I conclude that the development would cause harmful overshadowing to No 10 Spring Bridge Road, and would create a sense of enclosure to the rear garden of No 4 Manley Road. Whilst there would be no unacceptable harm to the character and appearance of the area, and a positive benefit in terms of the provision of a new family dwelling, this does not alter my view that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR

Appendix C

2020 Refusal of Planning Permission

**Application Number:
127931/FO/2020**

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Applicant

SJJS Development Limited
C/o Agent

Agent (if used)

Mr Ed Harvey
Avison Young
Norfolk House
7 Norfolk Street
Manchester
M2 1DW

Part 1 – Particulars of the application/development

Proposal: Erection of a 2 storey detached two bed dwellinghouse with associated car parking and landscaping

Location: Land To Rear Of 2 Manley Road, Off Spring Bridge Road, Manchester

Date of application: 30 September 2020

Application number: 127931/FO/2020

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Refused** in accordance with the application and plans submitted for the reason(s) listed below.

Article 35 Declaration

The proposal was assessed against the policies within the Manchester Core Strategy Development Plan Document, the guidance contained within the National Planning Policy Framework and National Design Guide. The applicant was advised that the provision of residential accommodation in this location would not be appropriate as it was out of character with the pattern of development and have an unduly detrimental impact upon neighbouring residents. As the nature of the proposal was considered to be unacceptable and the applicant has requested that the proposal be determined in its current format, a solution that was acceptable to both the Local Planning Authority and the applicant could not be reached.

Reason(s) for decision

1) The proposed development by reason of its scale, massing and siting will form an over dominant and incongruous feature in the street scene and will have a detrimental impact upon the levels of visual amenity enjoyed within the vicinity of the site, contrary

Appendix C

to Policy DM1 in the Manchester Core Strategy and the guidance contained within the NPPF.

2) The proposed development, by reason of its scale, massing and siting, will have an overbearing impact and lead to the overshadowing of the neighbouring property and will as a result have a detrimental impact upon the levels of residential amenity enjoyed by the occupants of no. 10 Spring Bridge Road and no. 4 Manley Road, contrary to Policy DM1 in the Manchester Core Strategy and the guidance contained within the NPPF.

Date: 20 April 2021

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Appendix C

Notes

1. This decision relates only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/planning-inspectorate. The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.