



CAROLINE TAMWORTH PLANNING

Planning and Design

TOWN AND COUNTRY PLANNING ACT 1990

**APPEAL AGAINST MANCHESTER CITY COUNCIL'S REFUSAL OF PLANNING
APPLICATION 129865/FO/2021 FOR THE ERECTION OF THREE STOREY
DWELLINGHOUSE (CLASS C3) TO SIDE GARDEN TOGETHER WITH ASSOCIATED
LANDSCAPING AND BOUNDARY TREATMENT**

55 SLACK ROAD, MANCHESTER, M9 8NJ

APPELLANT'S STATEMENT OF CASE

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On Behalf Of

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CT:1085

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1.0 The Site

1.1 The application site comprises a rectangular shaped area of garden to the south of No. 55 Slack Road. The land is bounded to the south by an area of vacant land, previously used as a scarp yard, and to the west by open space containing mature trees. To the east beyond Slack Road is an area of open space/playing fields.

1.2 Access to the site is currently from Slack Road via a driveway.

1.3 The surrounding area is predominantly residential in character with a mix of dwelling types. There are also several commercial units further along Slack Road to the south east.



1.4 A site location plan is provided within Document No. 1.

2.0 The Proposal

2.1 The application seeks consent for 1 No. three storey detached dwelling on the site. The dwelling will be faced in red and grey brick, have a tiled roof and grey PVCu or aluminium windows and doors.

2.3 There will be an area of permeable hardstanding to provide a driveway following the creation of a new access point from Slack Road along with hard and soft landscaping to the front, side and rear of the dwelling.

2.4 The site will be enclosed by part brick and part railing boundary treatment.

2.5 A copy of the planning application form, plans and supporting information is provided at Document No. 1.

3.0 Background

3.1 There are no previous planning applications relating to the site listed on the Manchester City Council website.

4.0 Reasons for Refusal

4.1 Following consideration of the planning application the planning officer refused the revised scheme for a three storey dwelling on 22nd July 2021 for the following reasons:-

1) The proposed development, by reason of its design and siting, would be out of character with the historic pattern of development in the area and result in an incongruous feature in the streetscene. It would therefore be detrimental to existing levels of visual amenity enjoyed on Slack Road and contrary to Policies SP1 and DM1 129865/FO/2021 in the Manchester Core Strategy, the National Planning Policy Framework and National Design Guide.

2) The proposal seeks to locate an additional residential property in the garden space of no. 55 Slack Road. Due to the size of the plot, the layout of the site and the scale and massing of the proposed building, it is considered that this would result in unacceptable intensification and cramped overdevelopment of the site, out of character with the pattern of development in the area and with a negative impact on visual and residential amenity, contrary to Policies SP1, EN1 and DM1 of the Core Strategy and advice given in the Guide to Development in Manchester.

3) The first and second floor windows in the rear elevation of the proposed dwellinghouses would have a detrimental impact upon the levels of residential amenity enjoyed by the residents of the adjoining properties, namely nos. 55 Slack Road and Bankwood Court, due to the perception of overlooking and a sense of intrusion, contrary to Policy DM1 in the Core Strategy Development Plan Document for Manchester.

4.2 A copy of the decision notice is provided at Document No. 2.

5.0 Planning Policy Context

5.1 The site is located within North Manchester and is unallocated for any primary purpose on the Manchester Proposals Map. The site falls within a river valley.

5.2 The following policies of the Manchester Core Strategy are relevant:-

- Policy S03 - Housing
- Policy SP1 - Spatial Principles
- Policy H1 - Overall Housing Provision
- Policy H2 - Strategic Housing Location
- Policy H3 - Central Manchester
- Policy T2 - Accessible areas of opportunity and need
- Policy EN1 - Design Principles & Strategic Character Areas
- Policy EN14 - Flood Risk
- Policy MB2 - River Valleys
- Policy DM1 - Development Management

5.3 Extant UDP Policies DC26.1 - Development and Noise is also relevant.

5.4 Advice contained within the DCLG's Technical Housing Standards - nationally described space standard, the NPPF and the Council's SPDs Guide to Development in Manchester - Supplementary Planning Document and Planning Guidance (2007) and Providing for Housing Choice Supplementary Planning Document and Planning Guidance (2008) is also relevant.

5.5 It is assumed that the Council will provide a copy of the relevant Plan policies as part of its appeal questionnaire.

6.0 Justification

6.1 The first reason for refusal states that the proposed development would be out of keeping with the historic character and pattern of development within the local area and appear as an incongruous feature within the street scene and thereby be detrimental to the visual amenity of Slack Road.

6.2 With regard to impact on the streetscape, the proposed dwelling will fit neatly within the space available and appear as a logical extension of the built development along this section of Slack Road. The new dwelling will appear as an infill development within the general street pattern of the area which is not considered to be unduly harmful to the character and appearance of the area overall.

6.3 The Council refers to the development as not being in keeping with the historic pattern of development within the location. No. 55 Slack Road was built as part of a wider housing development that was granted planning permission in 2002. The housing estate of which the application site forms a part is comprised of mainly detached and semi-detached dwellings with some small scale apartment blocks.



Google Maps

6.4 The application site sits to the periphery of the housing estate, separated from the dwellings to the west by an area of treed open space, and appears somewhat different in overall character due to its oversized side garden area and the presence of the vacant land immediately to the south. The Google image above shows the pattern of wider development with many dwellings in short linear formations, separated by relatively small gaps to the side boundaries. The distance between the northern side elevation of the proposed dwelling and the side elevation of No. 55 will be 0.8 metres and the distance between the southern elevation of the proposed dwelling and the boundary with the vacant land will be between 1.1m and 1.7m. This is considered reasonable to provide access between the front and rear garden areas and to allow maintenance to both the existing and

new dwellings. These distances are not dissimilar to those around other dwellings within the housing estate to the north and west.

6.5 Policy H1 states that new housing development should:-

“Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;

Reflect the spatial distribution set out above which supports growth on previously developed sites in sustainable locations and which takes account of the availability of developable sites in these areas;

Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. Schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;

Prioritise sites which are in close proximity to centres of high frequency public transport routes;

Be designed to give privacy to both its residents and neighbours.”

6.6 The provision of a family sized dwelling on the site will make a valuable contribution to the housing stock, in line with the provisions of this policy. The site is ideally located close to public transport links, local shops and services, areas of open space, schools and places of employment.

6.7 The proposed development is of an attractive design that complements the fabric of the existing built development within the area. The use of brick with a tiled roof reflects that of the surrounding buildings.

6.8 Good quality hard and soft landscaping has been included within the scheme to create an attractive appearance which will make a positive contribution to the visual amenity of the area. Full details of landscaping will be provided in response to an appropriate condition

6.9 The benefits that the proposed development will bring will far outweigh any perceived negative impact on the development pattern of the area.

6.10 In view of the above, the proposal is compliant with the provisions of Core Strategy policies SP1, H1 and DM1, saved UDP policy DC6 and guidance contained within the Guide to Development in Manchester and NPPF.

6.11 The second reason for refusal relates to a perceived over-intensification and over-development of the site that would lead to a negative impact on the visual and residential amenity of Slack Road.

6.12 Whilst local and national planning policy prioritises new housing development on previously developed sites, this does not preclude highly sustainable sites such as the appeal site from consideration.

6.13 The garden of No. 55 is oversized when compared with other residential house plots within the area. The pattern of the development within the area has been addressed above.

6.14 The proposed dwelling will appear as a logical extension to the built line of development along this section of Slack Road. The front elevations will follow the same building line whilst the rear elevation of the proposed dwelling will project further than that of the existing dwelling. This is not considered to be harmful. Indeed, the rear elevation of No. 55 itself sits well beyond the rear building line of the neighbouring dwelling to the north without detriment to the amenity of the occupants of that dwelling.

6.15 The Council has deemed the rear garden area of the proposed dwelling to be '*oppressive and uninviting*' due to the height of the southern boundary wall and length of garden. It is argued rather that the garden area will be secluded and private offering a quality amenity space for the occupants. High quality landscaping will ensure that the garden space is attractive and useable.

6.16 The Council has raised concerns regarding the contemporary design of the proposed dwelling and in particular its three storey height. Whilst many of the dwellings within the surrounding area are two storey in height, the location of the site to the end of a row of built development presents more scope for a dwelling of a different design and height. The Council refers to the residential nature of the surrounding area comprising properties of differing ages and types. Furthermore, there are three storey residential buildings very close by to either side of the junction of Marshbrook Drive with Slack Road. Whilst the fenestration details of the proposed dwelling may differ in design to the surrounding dwellings, the overall palette of materials will reflect the local context.

6.17 In terms of the intensification of the use of the site, the number of vehicle movements to be expected during the day and evening at the site is very unlikely to be of a level sufficient to lead to unacceptable levels of noise and disturbance for the occupants of the existing dwelling or others close by. This view is shared by the Council's highway engineer and environmental health officers.

6.18 It is therefore maintained that the site is capable of accommodating the proposed dwelling comfortably without appearing cramped or having an adverse impact on visual or residential amenity.

6.19 The third reason for refusal refers to a perceived adverse impact on the amenity of the occupants of the existing dwellings of No. 55 Slack Road and Bankwood Court due to *“the perception of overlooking and a sense of intrusion”*.

6.20 With regard to No. 55 Slack Road the proposed dwelling will be adequately separated from the side elevation of the existing dwelling so as not to appear overbearing or have an adverse impact on the amenity of the occupants of either property. There are only small secondary windows within the southern side elevation of No. 55 and therefore the siting of the new dwelling will not have any adverse impact on the amount of daylight serving the main habitable room windows of the existing dwelling. The windows within the rear elevation of the new dwelling will not directly overlook the rear garden area of No. 55 from the first floor level any more than any other property situated alongside another. Boundary fencing will provide privacy at ground floor level.

6.21 The nearest dwellings to the west on Bankwood Court are set at an angle to the application site and there are no windows within the elevation towards which the proposed dwelling will face thereby ensuring that there are no unacceptable levels of intervisibility or adverse impact on privacy.

6.22 The proposed dwelling is sited a sufficient enough distance away from the surrounding dwellings to ensure that it does not appear overly dominant or visually intrusive. The main outlook from the properties on Bankwood Court is from the main habitable room windows which face towards the apartments to the north east with their rear garden areas facing towards the open land. The presence of the proposed dwelling will not therefore affect the outlook from these dwellings, and certainly not appear as intrusive.

6.23 The Juliet balconies to the bedrooms at first floor level do not present the opportunity for people to sit or stand on a raised platform and overlook the adjacent garden areas. Their purpose is only to allow a larger opening to the outside. However, if this element is of concern to the Inspector then the Juliet balconies can be deleted from the scheme.

6.24 Adequate outdoor amenity space will be retained for use by the occupants of No. 55 Slack Road following the development. The garden area of No. 55 is unusually large and is not required by the applicants. Both properties will have access to a level of amenity space that is comparable with other similar sized dwellings within the area.

6.25 As stated above, from Slack Road the dwelling will appear as a logical extension of the existing built development along this section of the highway and will not appear at odds with the street scene.

6.26 In view of the above it is maintained that the proposed dwelling will safeguard the amenity of existing and future residents and not appear as intrusive and therefore the proposal is compliant with the provisions of Core Strategy policies SP1 and DM1 and guidance contained within the NPPF.

7.0 Conclusion

7.1 The site provides an excellent opportunity for the provision of a good quality, individually designed home within an accessible location that will fit in well with, and provide accommodation within, an existing built-up area where services are readily available. The economic, social and environmental benefits of the development should be considered as a material consideration when assessing the proposal.

7.2 The proposed dwelling is of a high standard of design that will make a positive contribution to the street scene and safeguard the amenity of the occupants of neighbouring dwellings.

7.3 The proposed development will not generate unacceptable levels of vehicle movements at the site and will not lead to an adverse impact on amenity by virtue of noise and disturbance to the occupants of surrounding dwellings.

7.4 For the reasons stated above, the proposed development is compliant with local and national planning policy and it is respectfully requested that the Inspector allows the appeal.

November 2021

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LIST OF DOCUMENTS

Document No. 1	Copy of planning application form, plans (superseded and current) and waste management strategy
Document No. 2	Copy of decision notice

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LIST OF PLANS

SUPERSEDED

N1246(P) Rev D Sheet 0.01	Cover sheet and block plan
N1246(P) Rev D Sheet 1.01	Existing and proposed site plans
N1246(P) Rev D Sheet 2.01	Proposed floor plans
N1246(P) Rev D Sheet 2.02	Proposed floor plans
N1246(P) Rev D Sheet 2.03	Proposed schematic floor plans
N1246(P) Rev D Sheet 2.04	Proposed schematic floor plans
N1246(P) Rev D Sheet 2.05	Proposed elevations

CURRENT

N1246(P) Rev E Sheet 0.01	Cover sheet and block plan
N1246(P) Rev E Sheet 1.01	Existing and proposed site plans
N1246(P) Rev E Sheet 2.01	Proposed floor plans
N1246(P) Rev E Sheet 2.02	Proposed floor plans
N1246(P) Rev E Sheet 2.03	Proposed schematic floor plans
N1246(P) Rev E Sheet 2.04	Proposed schematic floor plans
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