Broadgrove
PLANNING & DEVELOPMENT LTD

# PLANNING STATEMENT

50 Burton Road, Withington, Manchester, M20 3EL

Tauqeer Sabir

154/01
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# 1. Introduction

1.1. Broadgrove Planning and Development Limited have been instructed by Tauqeer Sabir ('the Applicant') to prepare an application seeking full planning permission for the erection of a residential dwelling at land adjacent to 50 Burton Road, Withington, Manchester, M20 3EL ('the site').

1.2. The description of development sought by this application is as follows:

*'Erection of 1 no. detached dwelling with parking and associated works to facilitate the development'.*

1.3. This Planning Statement details the proposed development and addresses relevant issues and material planning considerations as identified in national and local planning policy.

1.4. This statement provides: details about the site and its surroundings in Section 2; the planning history in Section 3; the development proposals in Section 4; the relevant planning policy context and material considerations in Section 5; an assessment of planning issues in Section 6; and conclusions in Section 7.

1.5. This Planning Statement should be read in conjunction with the following plans and reports which accompany the application:

- Planning Forms and Certificate;
- Existing and proposed plans prepared by Jonathan Davidson Architects –
    - Site Location Plan (362 PD 4201 (-) Location Plan);
    - Proposed Site Plan (362 PD 4202 (-) Proposed Site Plan);
    - Proposed Ground Floor Plan (362 PD 4204 (-) Proposed Ground Floor);
    - Proposed First Floor Plan (362 PD 4205 (-) Proposed 1st Floor);
    - Proposed Elevations (362 PD 4206 (-) Proposed Elevations);
    - Proposed Street Elevations (362 PD 4203 (-) Site Elevation_Section);
    - Design and Access Statement (362 PD 0001 (-) Design and Access Statement);
    - Reference Images (362 PD 4207 (-) Reference Images);
    - Site Survey (S21265-T Extg Site Survey);

- Tree Report Prepared by Murray Tree Consultancy.

1.6. All the information necessary to determine the application should be found within these supporting documents.

## 2. Site and Surrounding Area

2.1. The application site consists of a vacant plot to the land East of 50 Burton Road, Withington (384481, 392860). The plot is an irregular shape measuring 299.80sqm.

2.2. West of the site, numbers 50-56 and 58-62 Burton Road feature 2-storey properties with ground-floor commercial uses and residential dwellings above.

2.3. There are no heritage assets on site, nor is the site located within a conservation area.

2.4. The site is located in Flood Zone 1 indicating a low probability of flooding and a low risk of surface water flooding.

2.5. There are no Tree Preservation Orders on site and limited vegetation. There is a mature tree just off the southern site boundary, but generally the site consists of hardstanding.

2.6. The surrounding area consists of residential, commercial and community uses. There is a diverse mix of residential uses, with 3-storey semi-detached dwellings located (south of Burton Road), semi-detached dwellings (to the east).

2.7. The site represents an extremely sustainable location. There are amenities located both on Wilmslow Road (400m) and Burton Road (550m) accessible by walking. The location opens up employment opportunities through the site's access to public transport. The closest bus stop is less than 30 metres away and offers services into the City Centre every 15 minutes. Moreover, Burton Road Metrolink is located 450m away and links East Didsbury, Trafford, Manchester City Centre, and Rochdale via the Pink Line.

2.8. There is an abundance of services and amenities in the area with convenience stores, shops, restaurants, banks, pharmacies, and dentists all located within walking distance of the site. Withington Baths and Leisure Centre and Withington Adult Learning Centre are located approximately 150m to the northeast and there is a children's community centre located opposite the site.

# 3. Planning History

**Planning History**

3.1. The site has a limited planning history. The relevant planning history for the site is outlined below.

3.2. **068296/TEL/2003/S1** – PRIOR APPROVAL – Erection of 12m high telecommunications pole with associated equipment cabin. Decision: Approved. Decided: 27/06/2003.

3.3. **108722/FO/2015/S1** – Erection single-storey detached garage and 1.8-metre-high fence and gates to entrance. Decision: Approved. Decided: 29/09/2015.

3.4. **131117/FO/2021** – Erection of two semi-detached dwellings with associated parking. Decision: Refused. Decided: 30/11/2022.

3.5. The application under reference 131117/FO/2021 was considered by the case officer and the decision notice issued on the 30th of November cited the following reasons for refusal:

1) *"The proposed development, by reason of its siting, would be out of character with the historic pattern of development in the area and result in an incongruous feature in the streetscene, to the detriment of the existing levels of visual amenity enjoyed in the area. The proposed development is therefore contrary to Policies SP1 and DM1 of the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework and National Design Guide.*

2) *The first-floor windows in the proposed rear elevations, due to their close proximity to the boundaries with nos. 14 to 20 Thursby Avenue, would lead to the direct overlooking of the rear gardens, resulting in a sense of intrusion and loss of privacy that would have a detrimental impact upon the levels of residential amenity enjoyed by the residents of those properties, this would be contrary to Policy DM1 in the Manchester Core Strategy."*

3.6. With regard to the reasons for refusal of the previous application for a pair of semi-detached dwellings under reference 131117/FO/2021, the design, layout, and character of the proposal were considered to depart from the historic pattern of development in the locality.

3.7. The second reason for refusal for the previous application (131117/FO/2021) referred to the first-floor windows in the proposed rear elevations. Due to their close proximity to the boundaries with nos. 14 to 20 Thursby Avenue, it was considered this would lead to direct

overlooking of the rear gardens, resulting in a loss of privacy that would have a detrimental impact upon the levels of residential amenity enjoyed by the residents of those properties.

3.8. The officer's report notes that no objection is raised to the principle of the site being used for housing, so long as the proposal does not impact on existing levels of residential amenity.

3.9. Ward Councillor Gavin White also presented no objection in principle to the use of the land for housing in the officer report. It was considered that housing is the right use of this site, but two dwellings would constitute overdevelopment. This presents the reason for the scheme's potential impact on the residential amenity for neighbouring residents.

3.10. An appeal was submitted against the refusal under reference APP/B4215/W/23/3316193.

3.11. Within the appeal decision, the proposals for two residential dwellings in a staggered formation would appear cramped. This is particularly with the narrow site frontage as a result of the electricity substation. The quantum of development proposed would mean the necessary setback would not reflect the established building line of nearby properties. Therefore, the proposal was considered to result in harm to the character and appearance of the area which could not be outweighed by other considerations.

3.12. The two units were considered to introduce a layout departing from the historic pattern of development in the locality. Furthermore, the siting of the dwellings close to the rear boundary were considered to result in a detrimental impact to the amenity of neighbouring residents in Thursby Avenue by way of overlooking and loss of privacy.

3.13. It is agreed in the appeal decision that the site is a sustainable location and is suitable for residential development. It was also accepted by the Inspector that the proposal would allow the reuse of a currently underused area of land which would be of benefit to the area.

3.14. It is clear from the original reasons for refusal and the Inspector's appeal decision that the principle of developing the site for residential use should be accepted by the LPA. The site represents a vacant plot in a highly sustainable location within an area characterised by residential uses. Should a proposal for a reduced quantum of development be proposed this should more positively reflect the local character and protect amenity of residents in neighbouring properties.

3.15. A revised proposal has come forward taking into consideration the reasons for refusal of the application and the reasons for the appeal dismissal.

## 4. Proposed Development

4.1. This chapter of the Statement sets out details of the proposed development sought by the planning application.

4.2. The proposed description of development for this planning application is as follows:

*'Erection of 1 no. detached dwelling with parking and associated works to facilitate the development'.*

4.3. Permission is sought for the redevelopment of the vacant site to introduce a new residential dwelling (Class C3 as identified in of the Town and Country Planning (Use Classes) Order 1987 as amended (2021)).

4.4. The proposed development includes a 4-bedroom detached house on the parcel of land, with associated garden areas, landscaping, and parking.

4.5. The Scale of development has been informed by the character of the surrounding area. Adjacent buildings are generally limited to two storeys or two storeys with a converted loft space. The application proposes a similar massing to positively respond to the local contexts. An elevation showing the proposed development's contribution to the streetscene is included in the accompanying plans.

4.6. The accompanying floor plans show the internal arrangement of the proposed development. A high level of design and residential amenity has been considered at the early stages of the plan formulation.

4.7. At ground floor, there will be an entrance hall leading through to a large kitchen diner and dayroom with a utility and living room on the ground floor. Externally, there will be two separate private outdoor amenity areas on the northeast and northwest extents of the site.

4.8. At first floor level there are 4 no. double bedrooms proposed. Two bedrooms are equipped with en-suites and there is a shared bathroom for the other bedrooms off the central corridor.

4.9. Upper floor windows have been positioned to ensure there is no impact or loss of privacy to neighbouring residential dwellings, in response to feedback received by the LPA.

4.10. The rear elevation of the dwelling directly adjacent to No.50 has been set to align with the extent of the two-storey offshoot, which both respects the rear building line and provides sufficient depth for garden and amenity space to the rear.

4.11. The building will have a facing brick finish up to the ground floor. At first floor level, there will be red clay hanging tile and a red lay tile finish to the hipped roof. PPC aluminium doors and windows will be installed throughout the new development.

4.12. In terms of design, the proposal therefore responds positively to the surrounding contexts, including the mixed character of the area.

4.13. The existing location of the main access point to the site will be utilised for the new residential dwelling. There will be off-street parking provided for 2 no. vehicles on site.

4.14. Further details are represented in the accompanying drawing pack.

## 5. Planning Policy Framework & Material Considerations

5.1. Paragraph 11 of the National Planning Policy Framework requires (in accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004) and Section 70(2) of the Town and Country Planning Act 1990), that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

**Development Plan**

5.2. The Development Plan for Manchester City Council is currently formed of the following documents:

- The Core Strategy Development Plan Document 2012-2027 (adopted July 2012);
- Unitary Development Plan (Saved Policies as of 11th July 2012).

5.3. The Core Strategy DPD sets the out the long-term strategic policies for Manchester's future development. Alongside the Core Strategy, the extant UDP policies and any relevant neighbourhood plans form the vision and strategy for development and will be used as the statutory development plan in determining applications.

5.4. Based on the LPA's Policies Map, the site is not identified as having any specific policy designations. The application site is located within the South Manchester district of the Core Strategy. The following policies in the Development Plan are deemed relevant to the planning proposed development:

<u>Core Strategy (2021)</u>

- Policy SP1: Spatial Principles;
- Policy H1: Overall Housing Provision;
- Policy H6: South Manchester;
- Policy EN1: Design Principles and Strategic Character Areas;
- Policy DM1: Development Management.

**Material Considerations**

5.5. The following represent material considerations to be balanced in the judgment of the proposed development.

**National Planning Policy Framework (December 2023)**

5.6. At a national level, planning policy and guidance is contained in the National Planning Policy Framework (NPPF). The updated NPPF (December 2023), sets out the Government's vision for future growth. The NPPF must be considered in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

5.7. The NPPF acknowledges that planning policies and decisions should play an active role in guiding development towards sustainable development solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

5.8. Paragraph 8 states that there are three dimensions to sustainable development: economic, social and environmental and, as set out in paragraph 9, these provide broad objectives to be delivered through planning decisions.

5.9. At the heart of the NPPF is a presumption in favour of sustainable development as set out in paragraph 11. This means that local planning authorities should "approve development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out-of-date, grant permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits".

5.10. Paragraph 38 advises that LPAs should approach decisions on proposed development in a positive and creative way and seek to approve applications for sustainable development where possible.

5.11. Chapter 4 outlines how Local Planning Authorities should approach decisions on proposed developments. It sets out that the approach should be positive and creative and that decision-makers at every level should seek to approve applications for sustainable development where possible.

5.12. Paragraph 47 states:

> *"Planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing."*

5.13. Chapter 5 sets the Government's objective of "significantly boosting the supply of homes". To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning

guidance. The size, type and tenure of housing needed (including affordable) for different groups in the community should be assessed and reflected in planning policies and decisions should promote the effective use of land in meeting the needs for homes, particularly through achieving appropriate densities.

5.14. Paragraph 70 of the NPPF states *"Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should: support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes".*

5.15. Chapter 8 considers the cultivation of healthy and safe communities. Decisions should aim to achieve safe and inclusive places, so crime does not undermine the quality of life. Paragraph 94 encourages local planning authorities should consider social, economic, and environmental benefits of regeneration and use their powers to help deliver regeneration to a high standard.

5.16. Chapter 9 "Promoting sustainable transport" states in paragraph 105 that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes

5.17. Chapter 11 advocates the effective use of land in meeting the need for homes and other uses. Paragraph 120 (d) states that planning decisions should "promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively". Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the Framework.

5.18. Paragraph 131 states that *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.*"

5.19. Paragraph 135 seeks developments that function well and add to the overall quality of the area, are visually attractive as a result of good architecture and are sympathetic to local character, history and the surrounding built environment.

5.20. Paragraph 139 states development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. Significant weight should be given to development which reflects local design policies, design codes and government guidance on design.

5.21. Paragraphs 152 – 173 require development to mitigate against the effects of climate change. Development should not result in increasing the likelihood of flooding elsewhere.

**Other Material Considerations**

5.22. Supplementary Planning Documents (SPD) provide detailed guidance on specific sites and topic areas to supplement the formal policies of the statutory development plan. The following Supplementary Planning Documents are considered relevant to the proposed development:

- National Planning Practice Guidance (NPPG);
- Guide to Development in Manchester SPD (adopted April 2007);
- Providing for Housing Choice SPD (adopted September 2008).

## 6. Planning Assessment

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2. The key planning issues are considered in turn below.

**Principle of Development**

6.3. Policy H6 (South Manchester) of Manchester's Core Strategy sees the South of Manchester expecting to accommodate 5% of new residential development up to 2027. In accordance with Policy H1, new residential development should take account of the need to support growth on previously developed sites in sustainable locations and be designed to give privacy to both its residents and neighbours.

6.4. Chapter 5 of the NPPF supports the Government's objective of "significantly boosting the supply of homes". Paragraph 70 also recognises the important contribution that small and medium sites can make to meeting the housing requirement of an area. In accordance with paragraph 70 part d, the Framework supports the development of windfall sites and great weight should be given to the benefits of using suitable sites within existing settlements for homes.

6.5. The previous application at the site under reference 131117/FO/2021 proposed the erection of two semi-detached dwellings on site. This was refused since the proposed development by reason of its siting would be out of character with the historic pattern of development in the area and result in an incongruous feature in the streetscene, to the detriment of the existing levels of visual amenity enjoyed in the area.

6.6. The officer report for the refusal states *"There is no objection in principle to the site being used for housing, specifically one dwelling sited in such a manner so as not to impact upon existing levels of residential amenity".* The principle of development at the site for residential use is therefore accepted by the LPA.

6.7. Following a review of the planning history, appeal decision, and MCC Core Strategy, the principle of one residential dwelling is accepted by the LPA. So long as the proposed development by way of its design and layout is in-keeping with MCC's Development Plan policies and supplementary planning guidance, the proposals should be looked upon favourably by the LPA.

**Character and Design**

6.8. With regard to the reasons for refusal of the previous application under reference 131117/FO/2021, the pair of semi-detached dwellings previously proposed were considered to depart from the historic pattern of development in the locality in terms of the layout and character of the proposal.

6.9. The submitted plans maintain the red brick and clay tile (hanging and roof) materials proposed in the previous application for 2 dwellings. This design approach ensures the proposed development is sympathetic to the local character and the materials respond well to the contexts of the area. This was previously accepted by the LPA and the development is considered to have a positive contribution on the street scene.

6.10. The application site is currently vacant, overgrown and does not contribute positively to the amenity of the area. There is a clear opportunity to better utilise the land in a way that will contribute towards much-needed housing provision, in line with the Government's objective of significantly boosting the supply of homes.

6.11. The proposal hereby submitted is considered to be in-keeping with the historic pattern of development and the proposed single dwelling would have a positive contribution on the street scene.

6.12. With regard to Policy DM1 (Development Management) of the Core Strategy the proposal has regard to the character of the surrounding area and is commensurate with the surrounding area in terms of design, scale and appearance. The proposal accords with Policy DM1 in the Manchester Core Strategy.

6.13. In accordance with paragraph 130 of the NPPF, the proposal adds to the quality of the area for the long-term, is sympathetic to the surrounding built environment, and will enhance the distinctiveness of the area.

6.14. Therefore, there are no reasons by way of design or appearance for refusal of planning permission at the site.

**Residential Amenity**

6.15. The pair of dwellings previously proposed situated the units in close proximity to the shared boundary of the rear of properties on Thursby Avenue. Due to their close proximity to the boundaries with nos. 14 to 20 Thursby Avenue, the LPA and Inspector considered windows at

the northern extent of the building at first floor level would lead to overlooking of the rear gardens and result in a loss of privacy.

6.16. The proposed development was refused as the LPA considered it conflicted with Core Strategy Policy DM1 (Development Management) which looks to protect residential amenity including privacy, light, noise, road safety, and traffic generation.

6.17. The revised plans have given more thoughtful consideration to the site constraints, including the irregular shape of the site and the sensitivity of neighbouring residential uses.

6.18. The revised layout and siting of the dwelling creates a separation of at least c.4.25m from the shared rear boundary with dwellings on Thursby Avenue. The plans have omitted windows at the first-floor level on the north elevation closest to this boundary to ensure adequate privacy for nos. 14 to 20 Thursby Avenue.

6.19. Please note that the rear projection was further reduced during the pre-application discussions the case officer to increase the distance between the proposed house and the shared rear boundary. The rear elevation also features a hipped roof which reduces the scale and 'bulk' of the development on the rear gardens of Thursby Avenue.

6.20. The layout of the proposed development would therefore ensure a high standard of residential amenity for the future occupiers and existing adjacent residential dwellings in accordance with Policy DM1 (Development Management) and H1 (Overall Housing Provision) of the Core Strategy.

6.21. With regard to design and residential amenity, the proposed development should therefore be considered favourably by the LPA.

## 7. Conclusion

7.1. This Planning Statement has been prepared on behalf of Tauqeer Sabir to support an application for full planning permission for the erection of one new residential Dwelling at land at 50 Burton Road, Withington Manchester, M20 3EL. The following description of development is sought by the application:

*'Erection of 1 no. detached dwelling with parking and associated works to facilitate the development'.*

7.2. This Statement has outlined the proposed development in detail, before outlining the relevant local planning policy framework and material considerations to judge the proposals against. An assessment has then been made against this context in accordance with the NPPF and relevant planning law.

7.3. The proposal will have a positive impact on the character of the surrounding area by bringing a vacant site into an appropriate use. The resultant design of the development will contribute positively to the streetscene and the character associated with the historic pattern of development.

7.4. This planning statement has also confirmed there will be no detrimental impacts to the residential amenity enjoyed by existing or prospective residents. The proposed development protects the privacy of the neighbours along Thursby Avenue, with particular attention to nos. 14 to 20 Thursby Avenue. The proposal will deliver a scheme with a high standard of residential amenity for the future occupiers and existing adjacent residential dwellings.

7.5. Therefore, the proposals are considered to constitute sustainable development in accordance with the National Planning Policy Framework. For the reasons stated in this statement it is requested that the local planning authority should look upon this scheme favourably and grant planning approval without delay.

7.6. Should there be any queries regarding this Statement or accompanying information, then please contact Broadgrove via Mike Parham (mp@broadgrove.co.uk) at your earliest opportunity.