



Appeal Decision

Site visit made on 11 January 2022

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 March 2022

Appeal Ref: APP/B4215/W/21/3274312

Jessiefield, Spath Road, Manchester M20 2TZ

- 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 McCarthy and Stone Retirement Lifestyles Ltd against the decision of Manchester City Council.
 - The application Ref 128018/FO/2020, dated 11 September 2020, was refused by notice dated 18 December 2020.
 - The development proposed is the erection of Retirement Living Housing (Category II type accommodation) with associated communal facilities, landscaping and car parking following the demolition of the existing building.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues of this appeal are:
 - the character and appearance of the appeal site and surrounding area; and,
 - the effect of the proposed development on the living conditions of neighbouring occupiers in the surrounding area, particularly through general disturbance and noise, and dominance / loss of privacy to the occupiers of 23 and 25 Holme Road.

Reasons

Character and appearance

3. The appeal site and its host property represent a visually pleasing feature in the street scene, owing in part to the mature trees and vegetation on its boundary, soft landscaping, brick boundary wall facing Spath Road and the pleasant architectural quality of the existing house. In turn, the notable size of the appeal site positively contributes to a sense of spaciousness in the immediate area, which along with the mature landscaping positively contributes to the attractive character of the site and the surrounding area.
4. It is common ground between the main parties that the principle of development is acceptable and that the existing house does not constitute a non-designated heritage asset. Additionally, I note the properties in the surrounding area, particularly those centred around the junction of Spath Road and Holme Road (the junction). Nonetheless, whilst noting the 4-storey apartment block within the grounds of Needham Hall, the other properties are 3-storeys in height. This contributes significantly to the character and appearance of the area surrounding the junction.

5. However, although the appeal site is located adjacent to 'Cairncroft' which comprises a number of apartments and reaches 3-storeys in height, the development away from the junction, in the direction of Lancaster Road appears much reduced in scale. Although some properties in this direction reach 2.5-storeys in height with accommodation within the roof space and on properties with a significantly smaller footprint. I acknowledge the appellant's analysis of the townscape and design by Townscape Solutions dated 4 May 2021 and the viewpoints provided by NPA visuals (the visuals), but do not agree with all the findings.
6. I find the scale and massing of the proposed development would represent a notable addition to the built environment that would represent a dominant structure through its overall scale and massing, particularly through the sections that are 4-storeys in height. This adverse visual effect would be readily visible from both Spath Road and Lancaster Road, where this awkward relationship would be heightened, due to the lack of articulation of the ridge of the proposed front elevation facing Spath Road and the overall amount / form of development proposed in this location.
7. Although, whilst I accept that the proposed front elevation would exhibit some visual relief through the 4no. front facing gables, recesses and balconies, this would not provide sufficient mitigation to overcome the adverse issues identified. Furthermore, the loss of soft landscaping and the dominance of parked cars to the front of the site would further erode the existing verdant character of the site. My attention has been drawn towards the planning history of the site, including an appeal decision¹, but there is little contained within these details to alter my findings on the proposed development.
8. For the reasons given above, I conclude that the proposed development would have a significantly detrimental impact on the character and appearance of the appeal site and surrounding area. Consequently, it would fail to accord with the design, character and appearance aims of Policies SP1 and DM1 of the Council's Core Strategy Development Plan Document 2012 (CS) and the National Planning Policy Framework (the Framework).

Living conditions

9. I accept that the proposed development would result in the general intensification of the site, and it is more likely that more vehicle movements will be generated from the scheme, when compared to the existing single residential unit on site. However, given the size of the site, the nature of the proposed development, the use of the existing access, albeit incorporating modifications and the location of neighbouring dwellings, I am not convinced that a significant harmful effect on the living conditions of neighbouring occupiers, particularly with regard to general disturbance and noise would occur. Additionally, I note the lack of an objection from Environmental Health.
10. I viewed the site from within the rear garden areas of both no's 23 and 25. It was obvious that the tall Leylandii at No 23 provides a significant amount of screening to the rear of the property. This tall hedgerow significantly reduces the view out onto the site. I am confident that this hedgerow would also provide additional mitigation, along with the other mature trees to screen majority of the proposed development, particularly the 4-storey element. I

¹ APP/B4215/A/2038312

note that the main parties agree that this hedgerow could be safeguarded by condition. Additionally, I consider that the facing bedroom windows above the lounge area have secondary status to that room and could therefore be obscure glazed by condition to further protect the living conditions of the occupiers at No 23.

11. I accept that the occupiers of No 25 do not benefit from the presence of a tall solid hedgerow, but do have some mature trees and vegetation on their rear boundary. In both instances, the occupiers of both No's 23 and 25 have views over the site, albeit reduced in the case of No 23. The appellant asserts that the distances between the proposed development and No's 23 and 25 rear boundaries would range between 14.9m and 17.8m. Furthermore, the closest distance between the proposed development and the existing houses on Holme Road would be 27.7m (between the scheme and No 25). The appellant states that this is in excess of the Council's guidance, which is not disputed.
12. I accept that in both instances the views from No's 23 and 25 would change through the proposed development. However, given the distances that would be maintained between the proposed development and No's 23 and 25, I am satisfied that these properties would not experience any significant loss of privacy to habitable rooms (including the side conservatory in the case of No 25) or experience a sense of enclosure. Additionally, due to the combination of the proposed distance between the scheme and the rear boundaries of No's 23 and 25, along with the existing mature trees / vegetation and the potential for additional landscaping, I am satisfied that the occupiers of No's 23 and 25 would not experience any significant harmful effect to impede the use of their garden areas.
13. For the reasons given above, I conclude that the proposed development would not have a significantly detrimental impact on the living conditions of neighbouring occupiers in the surrounding area, particularly through general disturbance and noise, or result in a sense of enclosure and/or loss of privacy to the occupiers of No's 23 and 25. Consequently, it would accord with the amenity aims of CS Policies SP1, H1, DM1; Saved Policy DC26 of Council's Unitary Development Plan 1995; The Guide to Development in Manchester 2007 and the Framework.

Other Matters

14. A significant number of representations from local residents, local Members, West Didsbury Residents Association and Needham Hall-Dundreggan Residents Group have also expressed a range of concerns on the application including, but not limited to the following: highway / pedestrian safety, parking, increase in traffic, disturbance during construction, drainage, demand on local services, ecology and trees, amongst other things. However, I note that these matters were considered where relevant by the Council at the application stage and did not form part of the reasons for refusal, which I have dealt with in the assessment above. Whilst I can understand these concerns, there is no compelling evidence before me that would lead me to come to a different conclusion to the Council on these matters.

Planning Balance and Conclusion

15. Whilst I accept the lack of harm in respect of living conditions and the absence of other harm arising from the proposed development, there is also the

provision of specialised retirement accommodation that has attracted modest support from the community, family housing potentially being freed up, a substantial financial contribution towards affordable housing, a notable contribution to the Council's supply of homes, and economic and social benefits through the construction phase and subsequent occupation of the scheme, amongst other things.

16. Nonetheless, these factors do not outweigh my assessment on character and appearance, which would result in significant harm. Given my findings above, the proposed development conflicts with the development plan when taken as a whole, and there are no other material considerations that indicate otherwise. It is also at odds with the requirements of the Framework.
17. For the reasons given above, I conclude that the appeal should be dismissed.

W Johnson

INSPECTOR