



Appeal Decision

Site visit made on 25 May 2022

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2022

Appeal Ref: APP/U4230/W/21/3289679

Vacant land bounded by Glen Avenue & Mulgrave Road, Roe Green, Worsley M28 2RP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Ms A Faiz, The Planning Studio, against the decision of Salford City Council.
 - The application Ref 20/75126/OUT, dated 5 March 2020, was refused by notice dated 22 June 2021.
 - The development proposed is described as: application for outline planning permission for comprehensive redevelopment of site comprising erection of 4 storey block (16 apartments), site access, parking area, amenity space, landscaping and external works (access and layout to be approved at the outline stage).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Although only access and layout are referred to in the description of proposed development, elsewhere the planning application form indicates that access, layout, **and scale** are applied for (with matters of appearance and landscaping reserved for a future application). The description of proposed development given on the Council's Decision Notice differs to that provided on the planning application form, ie outline planning permission for erection of 4 storey block comprising 16 apartments with matters of access, layout and scale sought for approval at the outline stage.
3. Although I have not been provided with any evidence that the appellant agreed to the change, the description provided by the appellant on the appeal form corresponds with that provided on the Council's Decision Notice. As this description includes reference to scale, it more accurately describes the proposal. I have therefore made my Decision based on this description.
4. Bearing in mind the matters sought for approval at this stage, I have taken the submitted elevational and 3D drawings to be for illustrative purposes only.
5. Both parties agree that, with reference to paragraph 48 of the National Planning Policy Framework (the Framework), the Emerging Salford Local Plan (ESLP) and Greater Manchester Spatial Framework (GMSF) carry little weight at this stage. I agree with the parties on this matter.

6. The Council did not refuse the application for lack of any planning obligations, though reference is made to such matters in submissions. I shall return to this matter below.
7. The appellant suggests the Council does not have any concerns regarding the locational sustainability of the site. However, notwithstanding the contents of the Council Officer's Report, the first reason for refusal includes the site not being particularly accessible to jobs and facilities, as required by criterion E of saved UDP Policy H1. I have therefore considered this matter as a main issue.

Main Issues

8. The main issues are:

- the effect of the proposal on the character and appearance of the area, with particular regard to size, scale, siting and impact on trees,
- whether the proposal would provide a suitable mix of residential units, with particular regard to the type of accommodation and the number of bedrooms,
- whether the proposal would have an unacceptable impact on highway safety, or the residual impact on the road network would be severe, with particular regard to access and car parking, and
- whether the location of the proposal would provide suitable access to services and facilities for future occupiers.

Reasons

Character and appearance

9. The site comprises a triangular area of woodland, around 0.4 ha, that is protected by a woodland Tree Preservation Order. For planning policy purposes, the site is in West Salford. It is located immediately south of properties at the north-eastern end of Mulgrave Road and the south-eastern end of Glen Avenue. There are also residential properties south-west of the site on Manthorpe Avenue. The M60 is located beyond the south-eastern boundary of the site and the A580 runs broadly east to west a little north of the site.
10. Except for residential properties on Manthorpe Avenue, the surrounding area is characterised by 2-storey detached, semi-detached and terraced dwellings. The properties are modest in scale, of traditional design, with dual-pitched roofs (some hipped) and gable ends.
11. Manthorpe Avenue is a more recent development consisting of around 20 No. 2 and 3-storey semi-detached and terraced mews properties and 2 No. 3-storey apartment buildings. Although different in size and scale to other properties in the area, the detached, semi-detached, and terraced properties have similarities to surrounding properties in terms of design, form, and materials. As well as being larger in size and scale than most properties in the area, the apartment buildings also depart from the established features in that they are deeper with a greater mass.
12. A buffer of trees sits between the rear of properties within proximity of the surrounding highway network, and many of the residential gardens have trees within them. There are also several relatively large, green, public open spaces

- within the area. These features give the area a verdant, suburban character and appearance.
13. The siting of the proposed development would require a significant number of protected trees to be removed; including removing trees at the southern end of Glen Avenue to create a vehicle and pedestrian access into the site. These trees currently denote the boundary of built form at the south-eastern tip of residential development north-west of the M60. The removal of trees and construction of a vehicle and pedestrian access would alter the character and appearance of the south-eastern head of Glen Avenue. Instead of a dense woodland there would be a gap in the woodland boundary and built form where there is currently none.
 14. I consider the removal of the trees at the south-eastern end of Glen Avenue and the construction of the proposed access would be harmful to the street scene. Additionally, I consider the removal of trees generally within the site would erode the verdant character and appearance of the area, which I consider to be worthy of protection.
 15. I accept that the trees proposed to be removed are of low amenity value, and I note that the appellant proposes tree planting of better quality to mitigate against the loss. However, as noted, landscaping details are to be determined at a later stage; and although it may be possible to provide trees within the site to mitigate against the loss, it is not clear at this stage whether planting of replacement trees would have implications, for example with regard to the extent of light the proposed building would receive. Consequently, I cannot be certain at present that any forthcoming landscaping scheme would mitigate against the harms I have identified.
 16. Although the proposed building would be sited well within the site, there would still be glimpses of it, at minimum, from the rear of several properties and gardens along the south-eastern side of Mulgrave Road, and from several properties and gardens, and parts of the parking and turning areas, on Manthorpe Avenue.
 17. The proposed 4-storey, stocky 'T' shaped building would be significantly higher and bulkier than any other building within the surrounding area. I appreciate that there are 3-storey buildings located on Manthorpe Avenue. However, although I do not know the details of the development, the Council Officer's Report suggests that the circumstances of that development were very different to those of the appeal site, ie it was re-development of a site which already had an apartment block on it.
 18. Regardless, I consider the proposed 4-storey block would be out of keeping with, and harmful to, the area, based on its size and mass being 4-storeys high. Notwithstanding the circumstances surrounding the development of Manthorpe Avenue, the 3-storey blocks are larger than any other buildings within the surrounding residential area. Allowing further development within the area on a similar scale or larger would erode the predominant low-rise character and appearance of the area.
 19. I therefore conclude that, with particular regard to size, scale, siting and trees, the proposal would have a detrimental impact on the character and appearance of the area. As such, the proposal does not accord with saved policies H1 and DES1 of the UDP or sub paragraph 130 (c) of the Framework. Collectively, and

among other things, these policies require new development to be sympathetic to local character, have regard to any special character of the surrounding area worthy of protection, and the scale of the proposal in relation to its surroundings.

Mix of units

20. The appellant indicates a willingness to discuss the mix of units proposed. However, permission is sought for 16 apartments, comprising of a mix of 50% 1-bedroom and 50% 2-bedroom units, with details of access, layout, and scale to be determined. Although details of appearance are reserved for a later stage, I have not been provided with any details to demonstrate how a change in the mix to include, for example, 3-bedroom units, could be achieved without either a reduction in the number of units applied for, or alteration to the scale and/or layout. Hence, my decision is based on the proposal before me.
21. Saved Policy H1 of the UDP requires all new housing development to, among other things, contribute towards the provision of a balanced mix of dwellings within the local area in terms of size, type, tenure, and affordability, and to be built to an appropriate density, having regard to criteria A to H listed in the policy.
22. The reasoned justification of Policy H1 states, among other things, that it is vital that housing development supports the creation and protection of sustainable and balanced communities and contributes to the mix of housing types.
23. Policy HOU1 of the Salford City Council Planning Guidance-Housing (Policies saved beyond 18 June 2015), (PGH)¹, advises, among other things, that within West Salford most dwellings within new developments should be houses rather than apartments, to protect the existing character of the area and reflect the generally lower levels of accessibility.
24. I consider saved Policy H1 and Policy HOU1 and the associated guidance within the PGH to be consistent with the Framework in respect of providing a mix of dwellings in terms of size, type, tenure, and affordability to meet the needs of different groups and create mixed, balanced communities.
25. Policy HOU2 of the PGH states that, where apartments are proposed, they should provide a mix in terms of size with regard to both the number of bedrooms and the extent of floor area. Additionally, the policy states that studios or 1-bedroom apartments should not predominate, and a significant proportion of 3-bedroom units should be provided wherever practicable. The reasoned justification of the policy advises that the majority of apartments in new developments should normally have two or three bedrooms. The policy does allow for alternative approaches on individual sites where it can be clearly demonstrated by the applicant that there are specific circumstances to justify this (having regard to criteria A-H of Policy H1).
26. No 3-bedroom units are proposed, nor does the proposal include a majority of 2-bedroom units. The appellant suggests that there are specific circumstances to justify the proposed development, in terms of its type and number of bedrooms. Thus, it is asserted that the accommodation proposed responds to

¹ As the PGH has been through public consultation and subjected to a sustainability appraisal, I attach considerable weight to it.

identified housing needs of the Worsley and Roe Green Lane area, and that the unit mix reflects current market demand in the area. However, I have not been provided with any substantive evidence demonstrating either a specific need for such accommodation in the area or a market demand.

27. The appellant draws upon findings within the Greater Manchester Strategic Housing Market Assessment, 2019, (GM-SHMA). I have not been provided with full details of the GM-SHMA. However, the appellant contends that the study identified Salford as having a higher proportion of single person households across all age-bands between 55-85 years than the Greater Manchester average; and that it was also concluded that the number of homes needed for families with dependent children will grow by almost 10% to 2035. Furthermore, most of that growth will comprise of families with only one child.
28. Hence, the appellant suggests that there is a growing unmet demand from smaller households, who will look for smaller properties to meet their need; and that the growing number of young families with one child will seek 2-bedroom accommodation. The appellant therefore contends that the proposal would help meet the housing needs of the groups referred to.
29. The appellant accepts that the Council can demonstrate a housing land supply well in excess of 5 years, ie around 11 years. However, it is suggested that most of the housing delivered in Salford consists of tall, apartment buildings. The appellant also asserts that only 36 dwellings have been/are being delivered, across 17 sites, within the Worsley sub district; and of these, only one development is an apartment development, comprising of 4 units.
30. I acknowledge the observations made by the appellant in the GM-SHMA. However, I cannot conclude from the general findings provided that there are specific unmet housing needs in the Worsley and Roe Green Lane area. Nor have I been provided with any substantive evidence which suggests that the Council are failing to meet housing needs in either the Worsley district or across the Plan area.
31. It is clear from the reasoning provided for saved Policy H1 of the UDP and Policies HOU1 and HOU2 of the PGH that the housing development strategies and policies for the Salford City area seek to: a) meet the housing needs of the area, and b) contribute to shaping the households that move into the area, in order to address an existing imbalance of provision, ie too many smaller properties, and in particular too many apartments.
32. For the above reasons, I am not persuaded that the appellant has clearly demonstrated that there are specific circumstances to justify not adhering to the requirement of Policy H1, with reference to the guidance on types and sizes of accommodation outlined in policies HOU1 and HOU2 of the PGH. That is, that all new housing development should contribute towards the provision of a balanced mix of dwellings within the local area in terms of size, type, tenure, and affordability, having regard to criteria A-H of the Policy.
33. I therefore conclude that the proposal would not provide a suitable mix of residential units, in terms of the type of accommodation or the number of bedrooms within the units. As such, the proposal does not accord with saved Policy H1 of the UDP or guidance within the PGH.

Highways matters - including access to services and facilities

34. I note at the outset that the site red edge does not extend to the highway located at the south-eastern end of Glen Avenue, and there is no indication who owns the parcel of land in between. The Council Officer's Report suggests that the land could be offered for adoption, which suggests that the Council is confident that creating the proposed access over the land would be feasible. I have made my Decision on this basis.
35. The appellant contends that the submitted site plan indicates a 5 m wide vehicle access with a 2 m wide footway, connecting to the road and footway at the south-eastern end of Glen Avenue. The appellant also suggests that the large service vehicle indicated on the site plan attests that there is sufficient room for such a vehicle to enter and turn around within the site. The Council contend that the proposed access road measures 4.8 m wide and the footway measures 1.2 m wide.
36. There is evidently disagreement between the parties on the measurements. However, even if the Council's measurements are correct, given the location of the proposed access at the head of a suburban, residential street, and the number and size of the apartments proposed, I consider an access road of 4.8 m wide and a footway of 1.2 m wide would adequately provide for all users to be able to enter and exit the site in a safe manner, provided they can turn within the site.
37. Although a large vehicle is depicted on the proposed site plan, without any swept path analysis clearly demonstrating that such a vehicle could enter, turn around within, and exit the site in a forward gear (with cars parked in the proposed spaces), I cannot be certain that this could be achieved. Consequently, it has not been clearly demonstrated at this stage that a large vehicle, such as an emergency services vehicle, could access, turn around within and exit the site in a safe manner.
38. The proposal would provide 16 car parking spaces, 2 of which would be designated disabled spaces, and a secure cycle store that would provide spaces for 12 bicycles.
39. The appellant's evidence suggests that future occupiers of the proposed apartments would have access to shops and other services at either Walkden or Swinton, around 1.5 m from the site. Also, there is a Post Office and schools within walking distance of the site. Future occupiers would also have access to public transport, with bus stops just around the corner from the site, on Greenleach Lane, and train stations at Walkden and Moorside, again around 1.5 m from the site. Additionally, walking and cycling routes are accessible from the site, the 'looplines', and there is a park & ride facility just north of the site, off the A580. The proposed cycle storage facility would also encourage the use of bicycles as a mode of transport.
40. Hence, although the area within which the site is located is not as locationally sustainable as some of the more urban areas of Salford, I consider that future occupiers of the proposed flats would, to a reasonable degree, be able to access a range of services and facilities to meet their day-to-day needs, and employment opportunities, by modes of transport other than by private motor vehicles. I therefore consider that locational sustainability would not be a reason to withhold planning permission.

41. Notwithstanding, as the site is located within a suburban area that is not as close to services, facilities, employment opportunities or public transport options as the more urban areas, I consider it likely that many future occupiers of the proposed apartments would still use a private motor car as a mode of transport. Consequently, an adequate level of on-site car parking would be required.
42. I observed during my visit that the neighbouring streets of Glen Avenue and Mulgrave Road were subject to on-street parking, even though I carried out my visit during the daytime when some residents would have been out at work.
43. To prevent further parking occurring on the neighbouring streets, which could create highway safety issues, I consider 16 No. car parking spaces in total, ie the equivalent of one space per unit, to be insufficient to meet the needs of future occupiers, visitors, and the requirement for some disabled parking spaces, given that occupiers of some of the flats may have 2 cars.
44. I acknowledge that it may be possible to provide an appropriate level of on-site car parking within the site boundary. However, without having swept path analysis demonstrating large vehicles could turn within the site, or an Arboricultural Impact Assessment detailing any likely impact of additional parking area on trees, or details of tree planting to mitigate against tree loss and the space required for this, I am unable to conclude that the required extent of parking could have been secured by condition, should I have been allowing the appeal.
45. With regard to the flow of traffic on the surrounding highway network, subject to an appropriate level of car parking and a suitable turning facility for large vehicles being provided on-site, I consider the extent of additional traffic generated by the proposal would not have a 'severe' impact on the surrounding highway network.
46. I acknowledge that the Local Highway Authority (LHA) did not object to the proposal. However, notwithstanding my conclusion regarding locational sustainability, bearing all the above factors in mind, I conclude that it has not been clearly demonstrated that large vehicles such as emergency services vehicles would be able to enter, turn within and exit the site in a forward gear, or that an adequate number of on-site car parking spaces could be provided. As such, it is not possible to conclude that the proposal would not have an unacceptable impact on highway safety.
47. Therefore, the proposal does not accord with saved Policies A8 and A10 of the UDP or paragraphs 110, 111 and 112 of the Framework. Collectively, and among other things, these policies require developments to provide a safe and suitable access for all users, to allow access by service and emergency vehicles, to provide car parking facilities of an adequate standard of safety and to refuse development that would have an unacceptable impact on highway safety.

Other considerations

48. I acknowledge that the proposed apartments could provide a greater choice of residential type in the area. However, given that the Council has a healthy supply of housing land, and there are development plan policies that seek to

protect the character and appearance of local areas, I attach limited weight to this matter.

49. Nevertheless, an additional 16 residential units would assist in meeting the Government's objective of boosting the supply of housing, a matter to which I attach moderate weight. The proposal would provide a range of economic benefits, ie during the construction phase, post construction with future occupiers contributing to the economy of the area, Council Tax revenues and New Homes Bonus payments. These economic benefits constitute a matter to which I attach moderate weight.
50. The appellant has indicated that the proposal could provide biodiversity habitat enhancement. However, national planning policy requires developments to provide biodiversity gains; without details of the nature and extent of what would be provided it is not possible for me to attach additional weight to this matter.
51. Bearing these factors in mind, I do not consider that the benefits outlined outweigh the significant harms I have found in relation to character and appearance of the area, insufficient mix of type and size of residential units, and highway safety.

Other Matters

52. The Council has suggested that, should the appeal be allowed, planning obligations would be required. The appellant questions this. Regardless, neither a section 106 agreement nor a Unilateral Undertaking have been submitted; and as I am dismissing the appeal for other substantive reasons there was no need for me to pursue this matter.

Conclusion

53. Notwithstanding my conclusion regarding locational sustainability and the impact of the proposal on the surrounding highway network, due to the other significant harms I have found, the proposal does not accord with development plan policies as outlined and there are no other considerations that lead me to conclude other than in accordance with the development plan. I therefore conclude that the appeal is dismissed.

J Williamson

INSPECTOR