



Appeal Decision

Site visit made on 21 June 2023

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2023

Appeal Ref: APP/B4215/W/23/3316193

Land Adjacent To 50 Burton Road, Manchester M20 3EB

- 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 Tauqeer Sabir against the decision of Manchester City Council.
 - The application Ref 131117/FO/2021, dated 15 July 2021, was refused by notice dated 30 November 2022.
 - The development proposed is erection of 2 No 4 bedroomed semi-detached dwellings on vacant land.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the area, and
 - the living conditions of the occupiers of 14 to 20 Thursby Avenue with particular regard to privacy.

Reasons

Character and appearance

3. The appeal site is an irregular shaped plot of land adjacent to 50 Burton Road. To the left of the site, when viewed from Burton Road, is a terraced row of mixed commercial and residential properties. To the right of the site are residential properties with a mix of types and styles. They have a similar set back from the highway, giving a regular rhythm to the street, which contributes to the character of the area. The site has a relatively narrow street frontage, due to the presence of an electricity substation.
4. It is agreed that the site is a sustainable location and suitable for residential development. From the evidence before me and from my observations at the site visit, I have no reason to disagree with these findings. However, the narrow frontage and position of the electricity substation means that the development of two four bedroomed dwellings in a staggered formation would appear cramped within the site. In addition, the necessary set back would not reflect the established building line of the nearby properties.
5. Whilst I accept that the proposal would allow the reuse of a currently underused area of land which would be of benefit to the area, this matter does

not outweigh the harm I have found to the character and appearance of the area.

6. I conclude that the erection of two semi-detached dwellings would harm the character and appearance of the area. The proposal would conflict with Policies SP1 and DM1 of the Manchester Core Strategy (2012) which together, amongst other matters, seek to ensure that development has regard to the character of the surrounding area. It would also conflict with the design aims of the National Planning Policy Framework and the National Design Guide.

Living conditions

7. The rear first floor bedrooms of the proposed dwellings would have large openings with patio doors and Juliet balconies. Due to the setback position of the dwellings and the proximity to the site boundaries these would give the appearance of overlooking the gardens of the neighbouring properties on Thursby Avenue. I accept that the gardens of these properties are relatively long but nevertheless the possibility of overlooking from the first floor of the proposed dwellings would give a sense of loss of privacy.
8. I conclude that the erection of two semi-detached dwellings would harm the living conditions of the occupiers of 14 to 20 Thursby Avenue with particular regard to privacy. The proposal would conflict with Policy DM1 of the Manchester Core Strategy (2012) which, amongst other matters, seek to ensure that development should have regard to the effects on amenity, including privacy.

Other Matters

9. I have had regard to the nearby planning application that has been brought to my attention. Whilst I do not have the full details of the proposal before me, it involves residential development at a higher density than this proposal. However, that site has a wide frontage and is regular in shape so therefore not directly comparable to the proposal before me. In any event, I have determined this appeal on the site-specific circumstances of this case.

Conclusion

10. The proposed development conflicts with the development plan as a whole and there are no other considerations that outweigh this conflict. I therefore conclude that the appeal is dismissed.

H Senior

INSPECTOR