The Planning Inspectorate

Appeal Decision

Site visit made on 10 September 2019

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd December 2019

Appeal Ref: APP/B4215/W/19/3231218
888 Rochdale Road, Manchester M9 8AH

- 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 Mrs S Ramesh against the decision of Manchester City Council.
- The application Ref 121683/FO/2018, dated 24 October 2018, was refused by notice dated 18 December 2018.
- The development proposed is single house into two residential dwellings.

Decision

1. The appeal is allowed and planning permission is granted for the change of use of a single house into two residential dwellings at 888 Rochdale Road, Manchester M9 8AH in accordance with the terms of application 121683/FO/2018, dated 24 October 2018, subject to the following conditions:

   1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

   2) The development hereby permitted shall be carried out in accordance with the following approved plans: P1061-01 Rev. A and 1061-03.

   3) Notwithstanding details submitted, the flats hereby approved shall not be occupied until a detailed a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as Local Planning Authority. This should include a layout plan demonstrating that the required number of receptacles for the entire building can be accommodated at the property and detail of screening. The details of the approved scheme shall be implemented in full prior to first occupation of either flat and shall remain in situ whilst the use or development is in operation. No bins should be stored outside the curtilage of the property other than on the day of collection.

Preliminary Matter

2. The appellant provided an amended plan[1] at the appeal stage showing an alternative site layout with respect to parking and bin storage. The subsequent statement of 29 August 2019 advises that, following objections from the local highway authority, it is not intended to provide additional parking on the site and that the amended plan is for illustrative purposes only. The plan does not therefore provide a formal proposal and therefore would not prejudice any party. I have considered it on that basis.

[1] Appendix 2 of Appeal Statement 121683/F/2018, 17/6/2019

Main Issues

3. The main issues are the effect of the proposed development on:

   - the supply of family housing and maintaining sustainable communities;
   - the living conditions of future occupiers and neighbouring residents; and,
   - the character and appearance of the locality.

Reasons

Family housing and sustainable communities

4. The proposed change of use would result in the loss of a single large family dwelling shown to accommodate three bedrooms. The development would provide for the formation of 2 residential units consisting of a 1x2-bed and 1x3-bed unit, each over two floors.

5. The Council's policies contain a range of provisions in relation to housing delivery. These include a degree of protection to existing large family houses and higher value development in the area to maintain or attract economically active households. Additionally, this is aimed at retaining mixed types of residential accommodation and to provide for the diversity of housing need in local communities. However, the polices also acknowledge that there is a need to give general support to delivering improvements to the existing stock, recognising that the conversion of older properties can be a way of preserving buildings which are no longer economical for use as single family dwellings.

6. This approach to housing delivery is supported by a presumption in favour of flat conversions and increases in housing density in residential areas where such alterations do not set a precedent and where those properties lie on main road frontages, particularly with accessibility to high frequency public transport services.

7. No.888 is situated within an area of mixed residential and commercial development. It is apparent that some of the dwellings in the terrace and larger properties in the vicinity have undergone changes away from single family use and therefore the proposed development would not be the first conversion in a street of otherwise single units. The site lies on a busy main road close to a local service centre and is well served by public transport.

8. Whilst the development would result in the loss of a single larger family house it would retain at least one three-bedroom family-sized unit of accommodation and provide a further smaller unit. It would therefore be consistent with the character of development in the immediate vicinity and closely reflect the circumstances for which the presumption in favour of flat conversions apply. The proposed development would also utilise a refurbished building and give rise to higher density housing along a high frequency public transport route.

9. In the absence of any detailed housing delivery figures within the main parties' submissions, I am unable to conclude as a matter of fact on the balance of housing delivery or local housing need. In the context of the site circumstances and the policy tension between preserving family housing and increasing density in sustainable locations, based on the evidence before me, I find that there would be little demonstrable harm arising from the subdivision of the property or the aim of achieving sustainable communities.

10. For the above reasons and considering the development plan as a whole, I consider that the proposed development would align with the aims of saved Policy DC5 of the Unitary development Plan for the City of Manchester (UDP) and Policies SP1, H1 and H3 of the Manchester Local Development Framework Core Strategy Development Plan Document (LDF), and the National Planning Policy Framework (the Framework) that, amongst other matters, seek to deliver a range of housing types to maintain sustainable communities.

Living conditions

11. In providing a combined higher number of overall bedrooms, the occupation of the building as two separate flats has potential to increase the extent of comings and goings in comparison to the original 3-bedroom arrangement. However, the appellant indicates that rooms within the existing building could be converted to additional bedrooms such that there would be little difference in the associated levels of activity.

12. Whilst I have some sympathy with that claim, I consider that there is a greater likelihood of increased activity. However, noting the busy location, variation and nature of the surrounding property types and the close proximity of a hotel within the terrace, there is little evidence to indicate that, in normal domestic use, there would be any uncharacteristic or significant adverse impact on neighbouring living conditions as a consequence of the likely level of intensification of occupancy.

13. For potential future residents of the development private outdoor amenity space is limited at the site. The plans show the rear private area would only be practicable for the users of the lower floors, as no direct access would be provided from the upper unit. Whilst the absence of dedicated private amenity space is not ideal, this must be balanced against the policy supporting flat conversions to deliver housing choice in accessible locations. The site benefits from exceptionally close and easy access to the adjacent extensive parkland and play space that would provide a significant opportunity for outdoor activity and healthy living objectives.

14. There is currently no parking provision at the site other than through the informal use of land to the rear of the site. Proposals for on-site parking were rejected by the Council's highway advisers, who have indicated that the necessary kerb crossovers would not be supported in this location. Given the necessity to rely on third party land to achieve rear access from a public highway, there are no demonstrated ways to deliver parking within the site.

15. Rochdale Road is subject to a no parking restriction during the hours of 07.00 to 19.00 hours. The side roads opposite the site are not so restricted but on-street parking levels were reasonably high at the time of my site inspection with limited parking spaces remaining. Alternative provision exists on Blackley Park Road and Tudor Avenue in close proximity but these roads suffer from poor levels of natural surveillance that, in combination with the distance from no.888, could discourage use due to security concerns.

16. However, this is an existing constraint to the use of the property and the Council's parking standards are maximum requirements capable of being reduced for individual site circumstances. The location of no.888 is near extensive local services, outdoor amenity space and benefits from a high level of accessibility due to local public transport provision. For those reasons, whilst

on-street parking could be achieved close by without prejudice to highway safety or capacity, the site location is such that it would be capable of supporting car-free living.

17. Taken with the policy support for flat conversions on main road frontages, the alignment with policies seeking prioritisation of sustainable modes of transport and absence of harm to on-street parking provision in the locality, I consider justification exists for providing no on-site parking in this case.

18. In terms of bin storage, the majority of properties in the row retain storage to the rear. The site has space within the rear courtyard to accommodate bins however, as above, this area is not practically accessible from the upper floor unit. However, some screened storage could be accommodated within the front garden area without significant detriment to the local street scene. This can be suitably secured through planning condition to address this concern.

19. For the above reasons, I conclude that the proposed development would deliver suitable living conditions for nearby and prospective residents and that the development would therefore be consistent with the aims of Policy DC5 of the UDP and Policies SP1, H1, H3, T1, T2 and DM1 of the LDF, the Guide to Development in Manchester Supplementary Planning Guide and Planning Document, and the Manchester Residential Quality Guidance as they relate to providing suitable living conditions for future occupiers and protecting nearby living conditions.

The effect on the character and appearance of the locality

20. The proposed layout and single access point for the upper unit of accommodation would not be practical for occupiers to rely on external bin storage to the rear. Although examples of bin storage within front garden areas is present locally, the presence of additional unscreened bins in the front garden area of the site would lead to some reduction in visual quality in the locality. However, this could be suitably assimilated through appropriate landscape or other screening secured through planning condition.

21. This also has the potential to reintroduce greenery to an area which is currently devoid of any landscaping and thereby facilitate visual and biodiversity enhancement. On that basis, I consider the development can be made acceptable in planning terms to comply with saved Policy DC5 of the UDP and Policies SP1, H1, H3 and DM1 of the LDF.

Other Matters

22. The Council has highlighted numerous enforcement cases that were upheld and planning permission was refused where the loss of family homes resulted. In the absence of detail in respect of those cases I am unable to draw comparisons to the case in point, a case I have considered on its own merits.

Conditions

23. I have considered the suggested conditions from the Council and had regard to Paragraph 55 of the Framework and the Planning Practice Guidance (PPG) in terms of the use of planning conditions. I find the conditions to be reasonable and necessary in the circumstances of this case, however, some have been edited for precision and clarity.

24. In addition to the standard condition limiting the lifespan of the planning permission, I have imposed a condition specifying the relevant drawings as this provides certainty.

25. In the interests of protecting the character and appearance of the locality, living conditions and public health, I have applied a condition in relation to bin provision.

22. The Council has suggested the removal of permitted development rights to prevent a change of use away from family housing. However, in the absence of clear justification, the case for removal of rights fails the Framework's tests of reasonableness and necessity, as set out in the PPG.

Conclusion

20. For the above reasons, I conclude the appeal should be allowed.

R Hitchcock

Inspector