

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130798/FU/2021

Date registered valid: 19 July 2021

Proposal: Change of use from dwellinghouse to two self-contained flats.

Address: 15 Parsonage Road, Manchester, M20 4PW

Ward(s): Withington Ward

Applicant: Mr Aboukass Ashaf 15 Parsonage Road, Manchester, M20 4PW

Agent (if any): Mr Chris Lawson CK Architectural 13 Hessle Road, Hull, HU3 2AA

Case officer: Dave Morris
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Recommendation: Refuse

Date of recommendation: 09.09.2021

Application details

Type of application: Change of use Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 23 July 2021 Expired: 13 August 2021

Neighbour notifications

Printed: 23 July 2021 Expired: 13 August 2021

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

This application relates to a two storey mid terraced property. There is an elevated ground floor and a basement and a two storey bay with a hipped roof on the front elevation. The front boundary wall has been removed and the garden concreted over and used for parking. Refuse bins are stored on the drive. At the rear the property is three storey, plus basement and there is a three storey outrigger shared with the adjoining property. There is a rear garden, although this is only accessible through the property.



Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

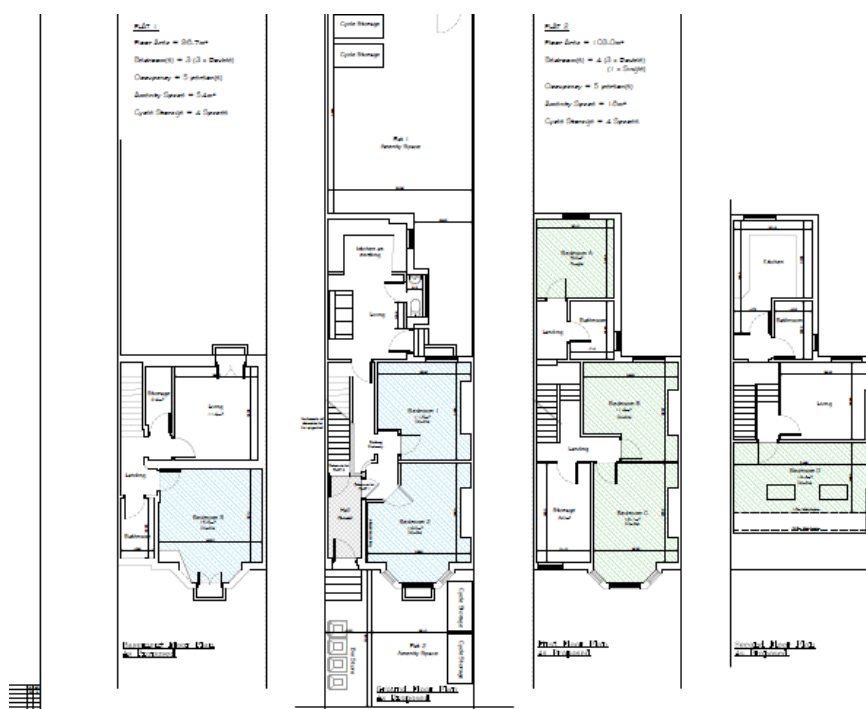
This is a predominantly residential area close to the Withington District Shopping centre. The site is one of a short terrace of four properties on the north side of parsonage Road. Number 19 was granted retrospective consent for a change of use to two self contained flats in 2004, reference 070305/FU/2003/S1. In 1984 planning permission was granted for the conversion of number 17 into three self contained flats

The rear garden adjoining the side of the rear garden of a residential property on Sherbourne Grove and there are residential properties facing the site across Parsonage Road.

Description of development

Consent is sought to convert the property into two self contained flats. A three bedroom flat utilising the basement and ground floor of 54 square metres. The accommodation would comprise one bedroom, a living room and a bathroom in the basement and an open plan living/kitchen area and two bedrooms on the ground floor. The second flat of 103 square metres would have four bedrooms and utilise the first and second floors. On the first floor would be three bedrooms, a store and a bathroom and on the second floor one bedroom a living room, a kitchen and a bathroom.

Both flats would be accessed from the existing front door, although only the lower flat would have access to the rear garden. The lower flat would have amenity space and two cycle storage units in the rear garden and the upper flat would use the front garden which would also contain a pair of cycle storage containers. Refuse bins are shown stored at the side of the path leading to the main entrance.



In support of the application the applicant the agent has made the following points

- The house has been vacant for over a year now with the previous tenant leaving the property due to the high costs and time of upkeeping such a larger dwelling.
- The immediate surrounding properties have already been sub-divided into flats so the proposal would be more in keeping with the community.
- Prior to letting the property the application tried to sell the property but found it was too large and expensive for a single family to purchase. The smaller 5 bedroom property directly adjacent recently sold at the end of 2020 for a price in excess of £500,000. The application dwelling was on the market for over a year and received no interest from single household buyers.
- There is high demand for 3 / 4 bed properties in the area.
- The proposed flats are in excess of the modern minimum space standards

Consultations & Notification Responses

Local Residents

Ten letters have been received objecting to the proposed development. The issues raised are summarised below.

- The proposed development will adversely impact on the amenity of the occupiers of the adjoining family homes.
- Existing HMO properties in the area cause numerous problems and show signs of neglect which detracts from the character of the area.
- The property is not registered as a HMO
- This application is an attempt to find a loophole in preventing the conversion of residential properties to hmos by changing it to two 'self contained flats' that are hardly fit for purpose considering the sizes of the proposed kitchens and living spaces.
- The flats are unlikely to be rented by families given the size of the accommodation..
- Rather than house families the property is more likely to become a pair of HMO's
- Residents suffer from a loss of amenity from the activity of students.
- The number of cycle racks proposed indicated the properties will be occupied by adults.
- Parsonage Road is supposed to be moving towards family homes.

Withington Civic Society

Object to the proposed development.

- The property has been used as a HMO
- The flats are not suitable for families. -The property will become a larger HMO
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Highways

- It is not anticipated that there would be a significant increase in trips.
- This is a sustainable location with good access to public transport.
- The area surrounding the property is protected by a parking scheme - although it is important to note that this property would not be eligible.
- There are limited on street parking opportunities and Highways therefore have concerns about the scheme.
- The cycle parking is acceptable to highways.
- Boundary treatments should not exceed 600mm or be permeable.
- There are no issues with the refuse storage.

Environmental Protection

Require a condition in respect of the storage of refuse.

Policy

Core Strategy

The relevant Core Strategy policies SP, H1, H6 and DM1

Policy SP1 sets down the spatial principles that guide development in the City in particular the creation of neighbourhoods of choice.

Policy H1 identifies a shortage of family accommodation in the south of the City.

Policy H6 says that high density residential developments will only be acceptable in district centres as part of mixed developments.

Policy DM1 Seeks to protect the amenity of an area from the adverse impact of development.

Unitary Development Plan.

The relevant saved UDP policy is DC5 which sets down the criteria to be considered in determining applications for flat conversions.

Issues

Principle

According to Council tax records both 17 and 19 Parsonage road are converted into flats. However, the consents granted pre date the current development plan for the City. As the proposal involves the loss of a property that could be used as family accommodation it is considered that the principle conflicts with Core Strategy policies H1 and H6 and is therefore unacceptable.

Loss of a family dwelling

This is a residential property that would be suitable for a large or extended family. It is located close to the local centre with good access to facilities. Council policies have identified that there is a shortage of family housing in the south of the City and whilst three and four bed flats could conceivably be family accommodation flats are not ideal as such. On balance it is considered that the proposed development would result in the loss of a property suitable for use as a family home and as such conflicts with policies H1 and H6.

Standard of accommodation

According to the submitted information the lower three bed 5 person duplex flat is 98.7 square metres, the required standard is 96 square metres. The upper four bed seven person duplex would be 103 square metres which is substantially below the 115 Square metres required. Further both flats contain rooms that could be used to create additional bedrooms. On balance it is therefore considered that the proposed development would result in substandard accommodation.

HMO

As a result of the Article 4 Direction planning permission would be required to use either or both of the flats as HMO's. However, given the size of the proposed flats it is not inconceivable that this could end up being the use of the flats.

Refuse

There is no external access to the rear garden and therefore refuse needs to be stored at the front of the property. The proposed development reinstates the front garden and the bins are to be store along the access path to the property. This obstructs free access to the entrance particularly for people with mobility issues. Also the bins should be in an enclosure. It is considered that the proposed arrangement will adversely impact on access and the visual amenity of the area and is therefore unacceptable.

Cycle storage

The proposed development can accommodate up to 8 cycles in secure lockers this is considered to be acceptable.

Parking

Currently there is a single parking space on a drive at the front of the property. This will be lost to amenity space as part of the development, although it would in practice create more space to park on street. However, this is a sustainable location within easy reach of facilities within the district centre. On balance it is therefore considered that the lack of parking would not support a reason for refusing consent.

Amenity Space.

The proposed development proposes amenity space for each of the flats. The lower flat would use the rear garden and the upper flats the reinstated front garden. Whilst the rear garden would be acceptable the front garden would not provide for any privacy for the tenants of the flat and is therefore of little value. On that basis the proposed amenity space provision is considered unacceptable.

Residential amenity

The use of the property as two households would result in additional comings and goings to the property, as well as noise and general activity all of which could potentially impact on the amenity of residents,

Conclusion.

It is considered that the proposed development conflicts with Council policies and would result in the loss of a substantial family dwelling and is therefore unacceptable.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Refuse

Article 35 Declaration

The proposal would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

- 1). The proposal would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.
- 2) The floor area of both the proposed flats is below the minimum space standards set in the Manchester Residents Quality Guidance. The proposed development would result in the creation of substandard accommodation contrary to the provisions of Core Strategy policy DM1.
- 3) The location of the refuse and recycling bins on the access to the property would obstruct access to the proposed flats and detract from the visual amenity and character of the area. The proposed development is therefore contrary to the provisions of Core Strategy policy DM1 and saved Unitary Development Plan policy DC5.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

18 Parsonage Road, Manchester, M20 4PE
13 Parsonage Road, Manchester, M20 4PW
24 Parsonage Road, Manchester, M20 4PE
22 Parsonage Road, Manchester, M20 4PE
20 Parsonage Road, Manchester, M20 4PE
Flat 2, 19 Parsonage Road, Manchester, M20 4PW
Flat 1, 19 Parsonage Road, Manchester, M20 4PW
22 Swinbourne Grove, Manchester, M20 4PP
Flat 1, 17 Parsonage Road, Manchester, M20 4PW
Flat 2, 17 Parsonage Road, Manchester, M20 4PW

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH