The Planning Inspectorate

Appeal Decision

Site visit made on 2 December 2013

by Beverley Doward BSc BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 January 2014

Appeal Ref: APP/B4215/A/13/2201836
52 Central Road, West Didsbury, Manchester, M20 4ZD

- 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 MKM Properties against the decision of Manchester City Council.
- The application Ref 101878/FO/2013/S2, dated 27 February 2013, was refused by notice dated 15 May 2013.
- The development proposed is conversion of basement to 2–bed self-contained flat.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The site address given on the application form is incomplete. Therefore, I have used the address stated on the Council's decision notice in the heading above.

3. The application was submitted in the name of MKM Properties as detailed in the heading above. The name given on the appeal form is that of the proprietor of MKM Properties.

4. The description of development given in the heading above is taken from the application form. The submitted plans show lightwells to be inserted into the front, side and rear elevations of the building and the erection of a bin storage enclosure at the side of the property behind the side gate. Accordingly, I have considered the appeal proposal on this basis.

5. The appellant has suggested a revised scheme to provide external access to the proposed basement flat and to amend it to a one bedroom flat. However, these amendments have not been considered by Council and as they have not been consulted upon, interested parties will not have had the opportunity to comment upon them. Therefore, I have considered the appeal on the same basis as the application determined by the Council.

Main Issues

6. The main issues in this appeal are:

   - whether the proposal would amount to an intensification of the use of the property which would adversely affect the living conditions of neighbouring residents and future occupants of the proposed basement flat; and

- the effect of the proposal on the character of the area in relation to car parking.

Reasons

Living conditions

7. No 52 Central Road is a semi-detached, three storey property which has been converted into 3 self contained flats which are all accessed from the main entrance at the front of the property. The appeal proposal would create a two bedroom flat in the basement accessed from the existing main entrance by a new staircase which would be taken off the common hallway. Entrance doors to both bedrooms would provide secondary access points to the rear of the basement flat.

8. The additional flat would be likely to result in some intensification in the use of the appeal property. However, I consider that the level of noise and disturbance generated from within the confines of the building, by virtue of the sound of raised voices or doors opening and shutting, would not in itself be so discernible as to result in significant harm to the living conditions of neighbouring residents or provide unacceptable living conditions for the future occupants of the proposed flat. However, noise and disturbance would also be generated by the activities that would be likely to take place outside of the property as a result of the intensification of its use.

9. The proposed large excavated lightwell to the rear, which is also intended to serve as a sunken garden area for the basement flat, would be directly below the rear bedroom of the ground floor flat. There could be no certainty that it would not be used for outdoor entertaining whilst the occupants of the ground floor flat were sleeping. Given its close relationship to the bedroom window and the enclosed nature of the space, any noise and disturbance emanating from it, particularly during the summer months when the occupants of the ground floor flat would be likely to have their windows open for ventilation, would cause material harm to the living conditions of the residents of the ground floor flat. Furthermore, the comings and goings associated with the use of the rear walkway serving the basement flat would, given its proximity to the second bedroom window of the ground floor flat, be likely to add to the level of noise and disturbance experienced by the residents of this flat.

10. I appreciate that there are a number of basement flats within Central Road, including the property next door. However, I am unaware of the planning context within which these were developed. In any event, I have considered the appeal proposal on its own merits bearing in mind the specific context of the appeal property and its surroundings.

11. The occupants of an additional flat would undoubtedly create more refuse. It would therefore be reasonable to conclude that more waste and recycling bins would be required. The proposed bin storage enclosure, located at the side of the property behind a security gate, would improve the appearance of the property within the street scene by removing the bins from the front garden area, where they are currently stored. However, its position close to the bedrooms of the existing ground floor flat and the proposed basement flat would result in noise and disturbance which would be likely to be detrimental to the living conditions of the occupants of those flats.

12. Therefore, taking all of the above factors into account and notwithstanding that there are no objections from neighbouring residents within the appeal property or the Council's Environmental Health Officer, I consider that the proposal would amount to an intensification of the use of the property such as to have a significantly detrimental effect on the living conditions of neighbouring residents and future occupants of the proposed basement flat, particularly in relation to layout, noise and disturbance and refuse storage.

13. Accordingly, the appeal proposal would conflict with policies SP1 and DM1 of Manchester's Local Development Framework Core Strategy Development Plan Document 2012 (Core Strategy) which emphasise the need to consider the effect of all development on amenity, including noise, and make a positive contribution to the well being of residents. It would also conflict with policy DC5 of the Unitary Development Plan for the City of Manchester 1995 (UDP) which provides further detail regarding flat conversions in relation to the standard of accommodation, the provision of outdoor amenity space and outdoor refuse storage and collection facilities. The supporting text to policy DC26 of the UDP explains that it seeks to consider the relationship between different land-uses from the point of view of noise generation and impact. Therefore, although referred to in the Council's reasons for refusal, it would not appear applicable in this case.

14. The proposal would however, fail to comply with the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance 2007 (SPD) which states that density levels must be informed by the specific circumstance of a proposal.

Character of area

15. There is currently no on-site car parking at the appeal property and no provision is made for any as part of the appeal proposal. Therefore, there would be likely to be an increased demand for on-street parking within the vicinity of the appeal property by the occupants of the proposed flat. However, there are no parking restrictions on Central Road in the locality of the appeal property. Furthermore, the appeal property is within a sustainable location being well located in relation to shops, services and public transport.

16. Evidence submitted by the appellant indicates that on 4 occasions when the on-street parking provision within 100m of the appeal property was surveyed there were between 18% and 50% of parking spaces available. Furthermore, at the time of my site visit (which took place in the early afternoon on a weekday) I saw that there were a number of on-street parking spaces available on Central Road and in the adjacent streets, although I am mindful that this would be likely to be less so in the evenings and at weekends when people return from their place of work. I acknowledge that a high number of properties have been converted into flats along Central Road and in nearby streets and that the nature of the properties are such as to provide little scope for off-street parking. However, in my view the additional demand for on-street parking generated by the occupants of one additional flat in this location would be unlikely to add to any existing parking problems within the area such as to significantly detract from its character.

17. Therefore, the appeal proposal would accord with policies SP1 and DM1 of the Core Strategy and the SPD in so far as they relate to maintaining the character of an area. Furthermore, it would not conflict with policy T2 of the Core

Strategy or policy DC5 of the UDP which seek to ensure the provision of appropriate car parking facilities.

Other matters

18. The evidence before me indicates that there is a demand for the proposed type of accommodation and the appellant states that the proposal would contribute towards the supply of housing in this part of Manchester. However, I also note that the city has an oversupply of flat accommodation and a shortage of family accommodation. In any case, any benefits of providing this type of accommodation would not override the harm that I have identified above.

19. I appreciate that the proposal would utilise the existing basement which is currently vacant and in a poor condition to create a well insulated flat with high sustainability credentials and that the income generated from the proposal would help secure the renovation and maintenance of currently under utilised parts of the appeal property thereby providing some economic and regenerative benefits. However, these points do not overcome the harm that I have identified above.

Conclusion

20. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Beverley Doward

INSPECTOR