The Planning Inspectorate

Appeal Decision

Site visit made on 12 November 2013

by Jonathan Hockley BA (Hons) DipTP MRTPI

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

Decision date: 28 November 2013

Appeal Ref: APP/B4215/A/13/2203029
11 Albion Road, Manchester M14 6LT

- 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 Dermot McKenna against the decision of Manchester City Council.
- The application Ref 102268/FO/2013/S1, dated 16 May 2013, was refused by notice dated 12 July 2013.
- The development proposed is a single storey kitchen extension and first floor bedroom extension.

Decision

1. The appeal is allowed and planning permission is granted for a single storey kitchen extension and first floor bedroom extension at 11 Albion Road, Manchester M14 6LT in accordance with the terms of the application, Ref 102268/FO/2013/S1, dated 16 May 2013, subject to the following conditions:

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

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: Building as existing 19/02/2013, IPB/11/893B- REV B.

    3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue in this case is whether the proposed extension would have an adverse effect on the living conditions of neighbouring occupiers, with particular regard to noise and disturbance.

Reasons

3. 11 Albion Road is a two-storey mid terraced property, which has been previously converted into a house of multiple occupation (HMO). The property currently has five bedrooms, with three upstairs and the two downstairs reception rooms having been converted to bedrooms. The proposed development would extend the rear upstairs bedroom and enlarge the kitchen on the ground floor, as well as reconfiguring the internal details of the property to provide a downstairs WC and a separate WC space and shower room upstairs. The proposal would therefore create no new bedrooms in the property.

4. The upstairs element of the proposed extension would extend the rear bedroom to a size denoted on the plans as 10.25m^2, a size more in line with the rest of the bedrooms in the property. The ground floor extension would provide a larger kitchen and extend the lounge to become a lounge/diner. The Council consider that this could facilitate an increase in bed space through future internal reconfiguration of the property. This would intensify the use of the property and could, they consider, result in a significant increase in the comings and goings at the property, and hence cause more noise and disturbance to nearby properties. The appellant states there is not space to provide a further bedroom within the proposed extension and this would not be desirable in terms of lettings and management.

5. The current lounge and kitchen areas are very small for a property of this size with potentially five residents. Although it could conceivably be possible in the future to create a new bedroom out of the proposed extension this would be an awkward bedroom to let and would leave a property for six residents with an extremely small living area and kitchen.

6. I also noted on my site visit the large numbers of properties and rooms to let in the immediate neighbourhood. The proposed extension would improve the quality of the property, both through the extended living area and bedroom, and also through the proposed internal alterations, and will presumably make the property more attractive to potential tenants.

7. Policy H11 of the DPD states that extensions to HMOs in areas of high concentration will not be permitted where this could reasonably be expected to lead to an increase in the level of occupation. I conclude that the proposed extension could not reasonably be expected to lead to an increase in the level of accommodation and therefore would have no adverse effect on the living conditions of neighbouring occupiers, with particular regard to noise and disturbance. There is therefore no conflict with Policy H11 of the DPD, as well as policies DM1 and SP1, which seek to ensure development is appropriate and has no adverse effect on the living conditions of neighbours and that new development makes a positive contribution to neighbourhoods.

Conditions

8. The Council have suggested conditions in the event of approval concerning implementation and materials. I agree with these, although I have altered the materials conditions to one where the materials are required to match the existing building as this would ensure the proposed extension matches the existing property. I have also imposed a condition concerning compliance with plans, for the avoidance of doubt.

Conclusion

9. For the reasons given above I conclude that the appeal should be allowed.

Jon Hockley

INSPECTOR