MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140312/FO/2024
Date registered valid:	18 June 2024
Proposal:	Conversion of a dwelling into three self-contained 1 bed flats
Address:	7 Wynfield Avenue, Manchester, M22 5NE
Ward(s):	Woodhouse Park Ward
Applicant:	Mr A F
Agent (if any):	Dr M Munshi, Munshiandpartners
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	**31 July 2024**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 16 July 2024

Standard consultations: Printed: 3 July 2024 Expired: 24 July 2024

Neighbour notifications: Printed: 3 July 2024 Expired: 24 July 2024

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two-storey semi-detached C3 dwellinghouse of redbrick with a red concrete tile hipped roof. The property features brown-framed uPVC windows, including two ground-floor bays to the front, a paved driveway and modest front garden (with no boundary treatment), a front porch extension, a two-storey side extension, a part-built part-single / part-two storey rear extension and a rear garden.





















Description of area

Wynfield Aveue is a residential cul-de-sac situated within the Woodhouse Park ward of Manchester, close to Manchester Airport, Manchester Airport Relief Road (A555), and Shadowmoss Metrolink tram station. The area is mixed in terms of its character, due to its proximity to the airport and commercial offices, however the properties situated within the application site's immediate vicinity are predominantly residential, consisting of terraced and semi-detached family dwellinghouses.

Description of development

The applicant is seeking permission for the change of use of a single 4-bedroom dwellinghouse into 3no. self-contained 1-bedroom / 2-person flats together with external alterations.

The external alterations would include:

- Replacement of the ground floor bi-folding doors along the rear elevation with 2no. windows. *During their site visit, the case officer documented that the bi-folding doors had not yet been installed due to the part-single / part-two storey rear extension only being partially built.*
- Replacement of the ground floor window along the front elevation with a bay window. *During their site visit, the case officer documented that this element of the proposal had already been installed.*

Apartment 1 would be located at ground-floor level, providing 1no. bedroom (capable of accommodating 2no. individuals), 1no. hallway, 1no. bathroom, 1no. open plan kitchen/dining/lounge area and 1no. internal store with a gross internal floor space of 49 square metres.

Apartment 2 would be spread across ground and first-floor level, providing 1no. dining/lounge area, 1no. kitchen, 1no. staircase, 1no. bathroom, and 1no. bedroom (capable of accommodating 2no. individuals) with a gross internal floor space of 49 square metres.

Apartment 3 would be located at first-floor level, providing 1no.bedroom, 1no. bathroom, 1no. hallway, 1no. lounge, and 1no. kitchen/dining area with a gross internal floor space of 49 square metres.

The proposal's external amenity space arrangements remain unclear with a lack of detail submitted in this regard.

Planning history

049814/FH/SOUTH3/96 – Two storey side extension to form dining room over and conservatory at rear – **APPROVED** (30.05.1996).

085364/FH/2007 – **INVALID**.

086347/FH/2008/S2 - Erection of part single storey, part two storey rear extension to form additional living accommodation – **APPROVED** (12.05.2008).

113560/FH/2016 - Erection of a two-storey rear extension to provide additional living accommodation – **REFUSED** (31.10.2016).

120874/FH/2018 - Erection of a two-storey rear extension to form additional living accommodation – **REFUSED** (04.10.2018).

121958/FH/2018 - Erection of a part single/part two storey rear extension to form additional living accommodation – **APPROVED** (29.01.2019).

132604/JO/2021 - Application to vary condition nos. 2 (approved drawings) and 3 (materials) attached to planning permission 121958/FH/2018 – **APPROVED** (25.03.2022).

Consultations & Notification Responses

Twelve letters of objection were received in response to this application. Their concerns are summarised as follows:

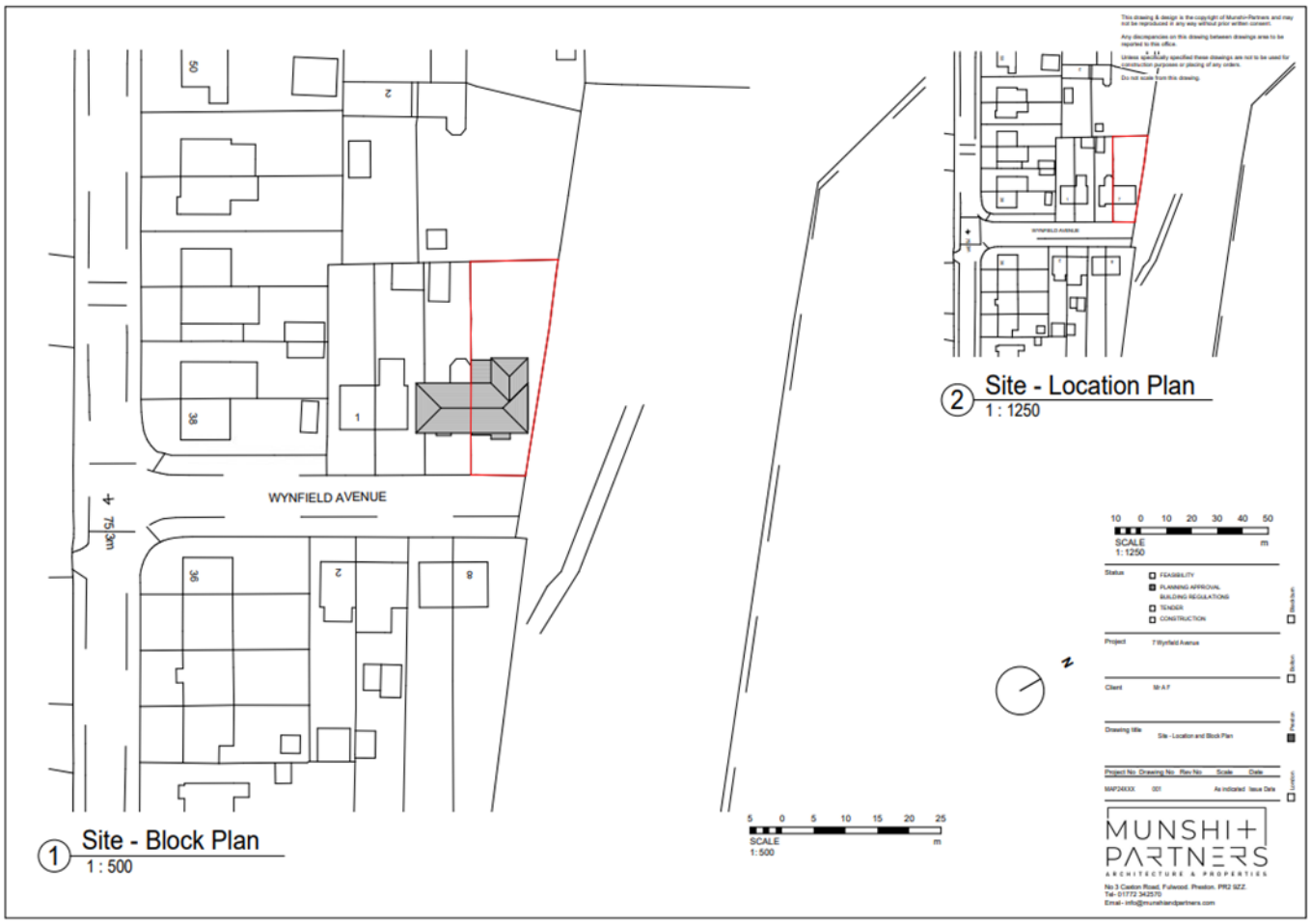
- Wynfield Avenue is a private road; therefore its residents are responsible for the upkeep and maintenance of the highway, rather than the local authority.
- Concerns that the applicant and future tenants of the property would not contribute to the maintenance of the road.
- Existing access and on-street parking is very limited along Wynfield Avenue.
- Increased road traffic and footfall would have a detrimental impact upon the road surface, incurring additional costs.
- An increase in the number of vehicles at the property would contribute to existing traffic congestion issues, causing a risk to emergency services vehicle access.
- Concerns regarding the change in character and housing mix of the area.
- Wynfield Avenue is a quiet, residential street and a House of Multiple Occupancy would cause disruption.
- 3no. flats would be out-of-keeping with the current dynamics of the area.
- The occupants of the flats would create 3, potentially different, sets of noise.
- The property should be retained as a family dwellinghouse as these are in demand.
- The flat conversion would decrease the value of surrounding properties.
- The flat conversion would lead to an increase in noise disturbance, traffic and congestion.
- The proposed dwelling does not match the scale, character, or appearance of Wynfield Avenue, which consists of predominantly two-storey family dwellinghouses.
- Concerns regarding construction impacts.
- Potential loss of privacy, especially in back gardens, due to future occupiers having full view.
- The multi-occupancy dwelling could alter the family-oriented and community-spirited nature of the avenue.
- Risk of overcrowding, attracting undesirable tenants, and leading to excess waste and poor waste management.

Highways Services made no objection to the proposal, requesting further information on vehicular and cycle parking provisions, boundary treatments, and refuse and servicing arrangements.

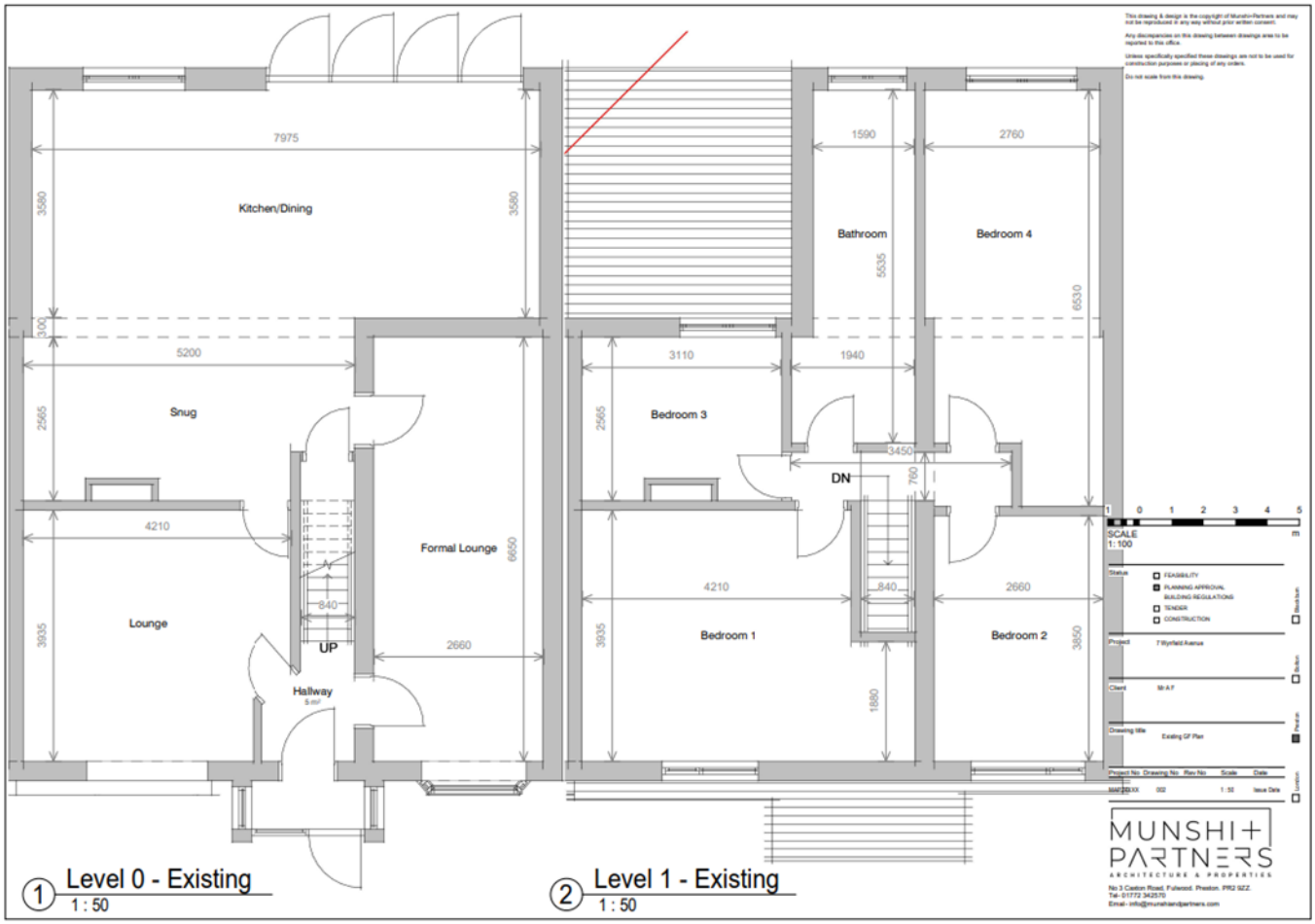
Environmental Health made no objection to the proposal, requesting a condition relating to the submission of a scheme for the storage and disposal of refuse be attached to the decision.

Aerodrome Safeguarding made no objection to the proposal, requesting conditions and informative conditions relating to lighting, tall equipment, and construction management be attached to the decision.

Cadent Gas made no objection to the proposal, requesting an informative note be attached to the decision.



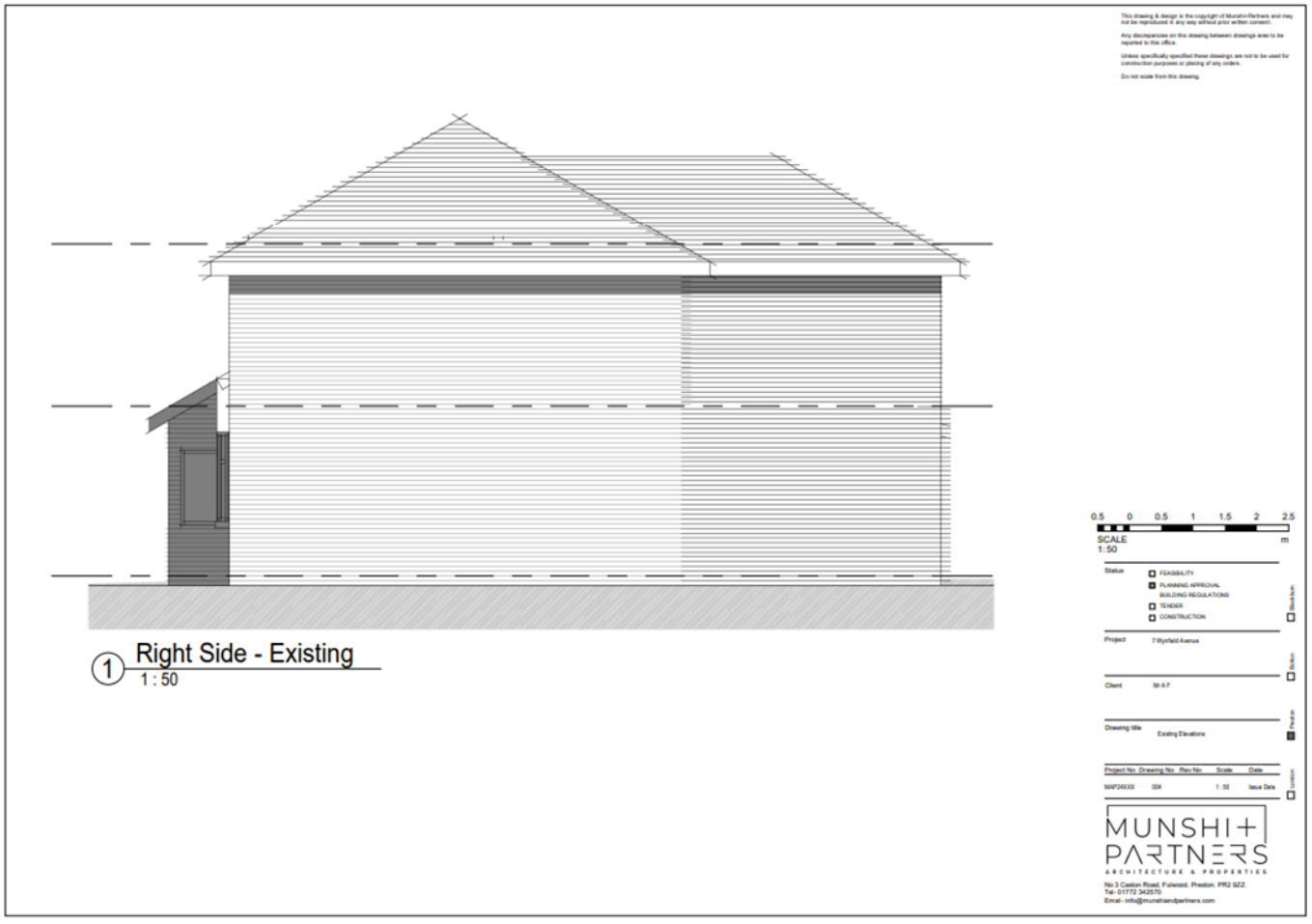
Submitted site location plan and site block plan



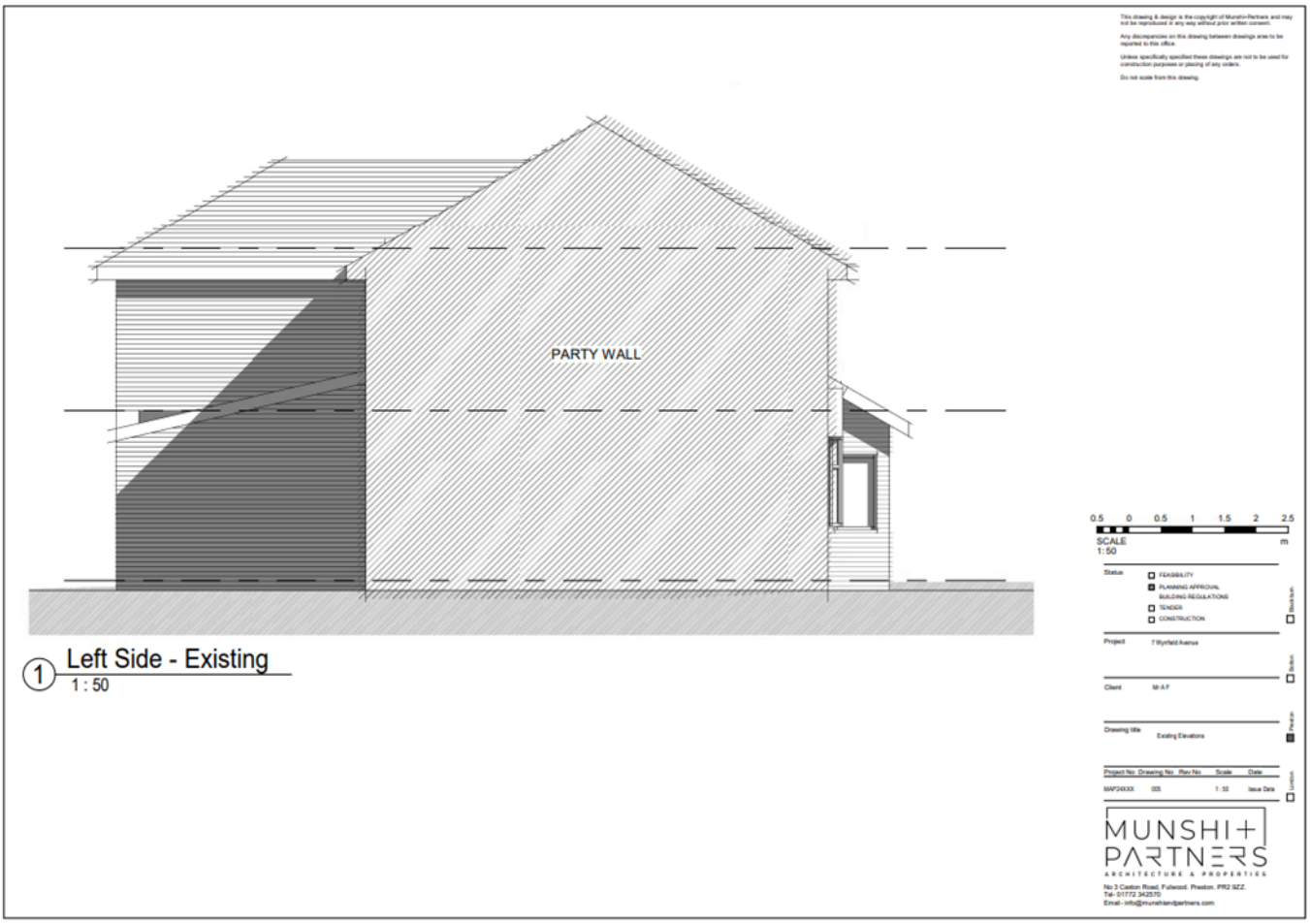
Submitted existing ground and first floor plan



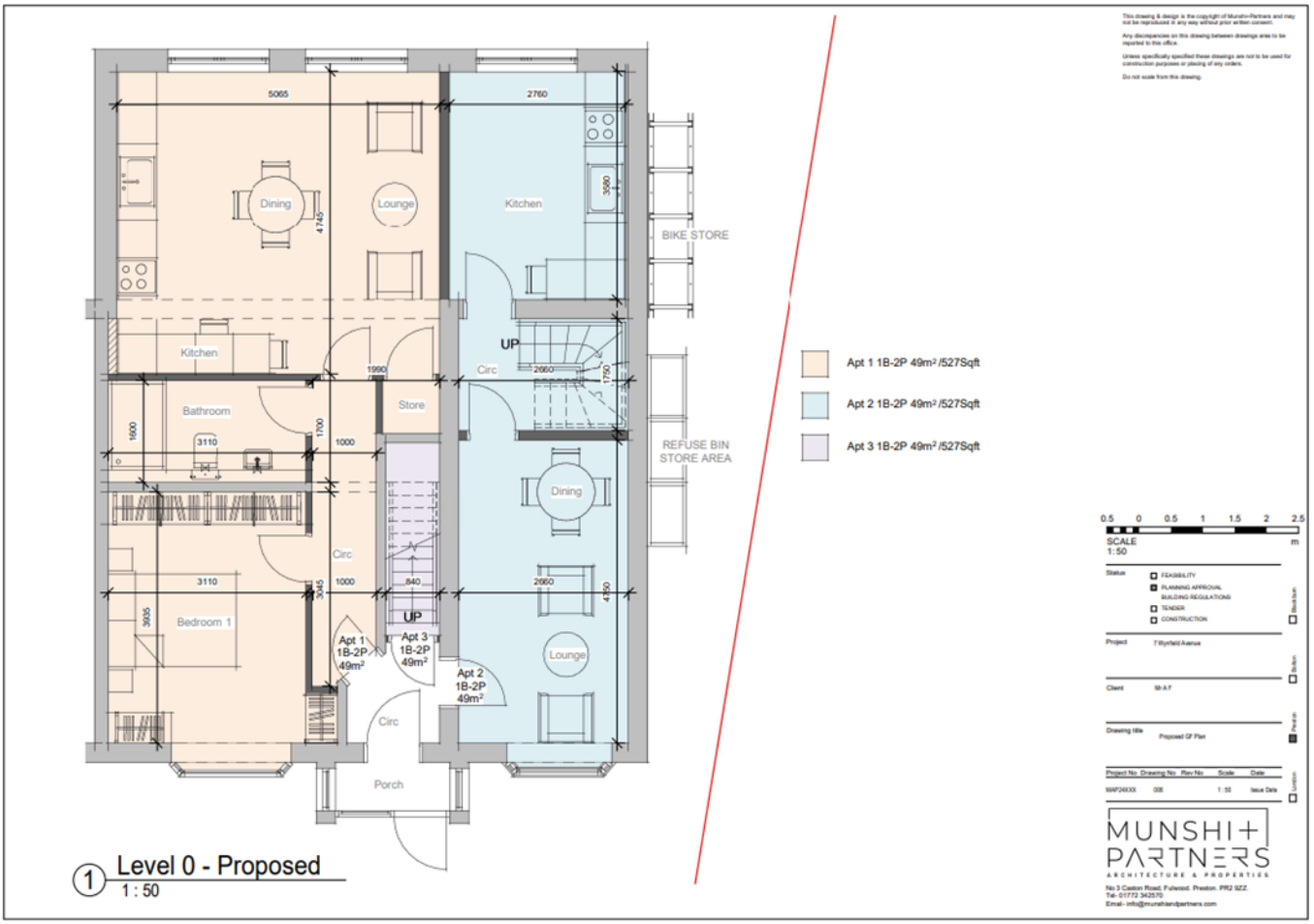
Submitted existing front and rear elevations



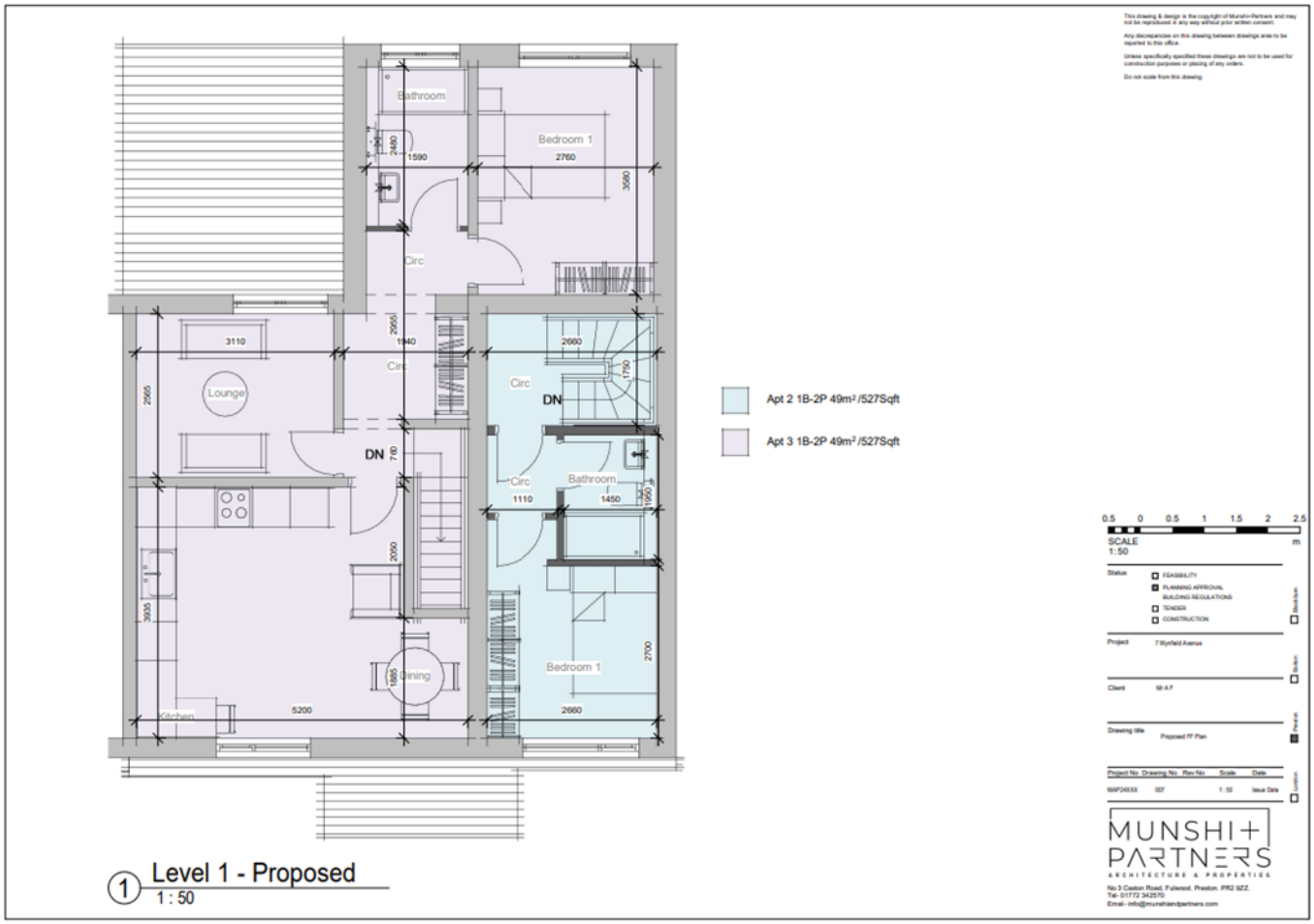
Submitted existing northern side elevation



Submitted existing southern side elevation



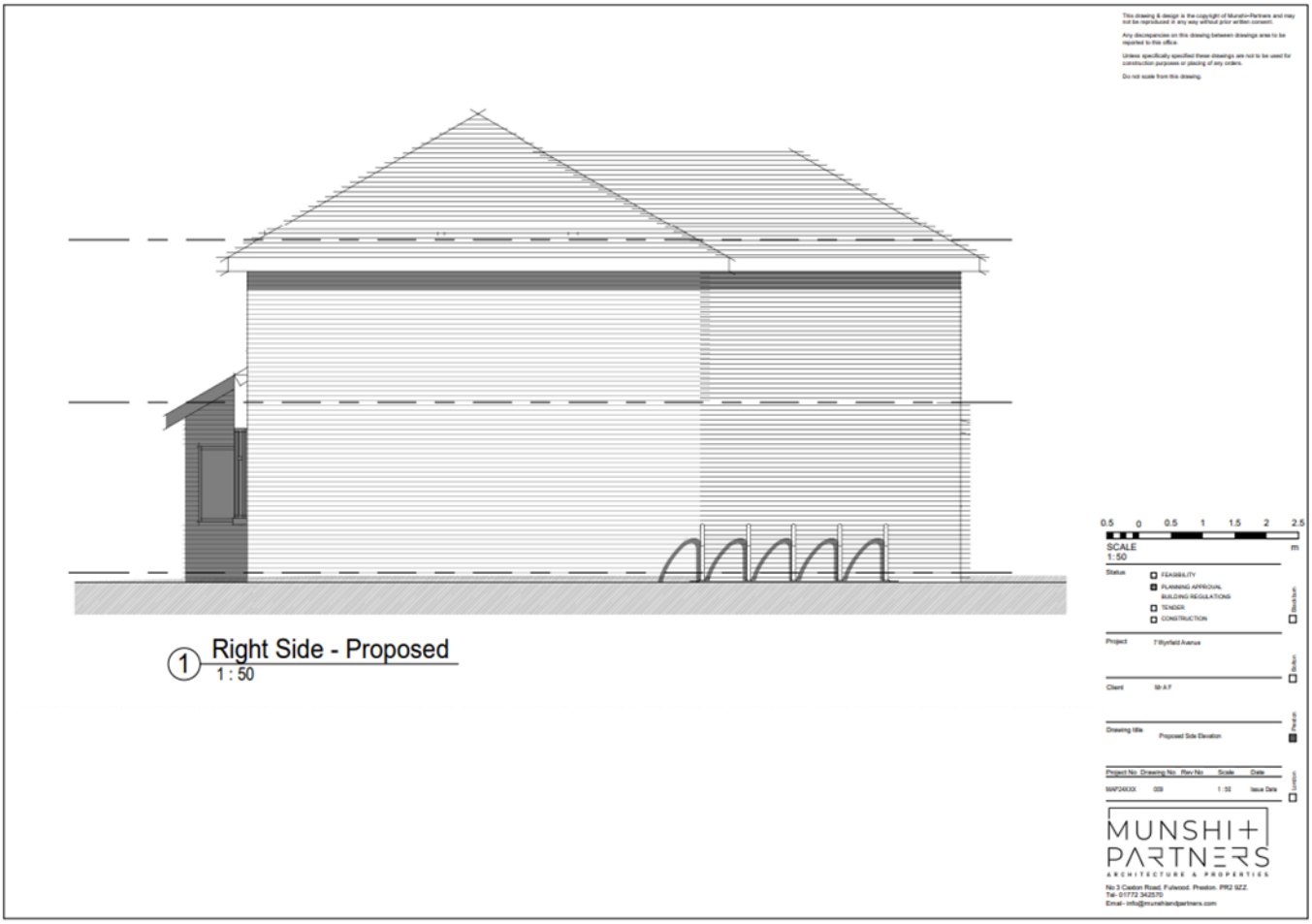
Submitted proposed ground floor plan



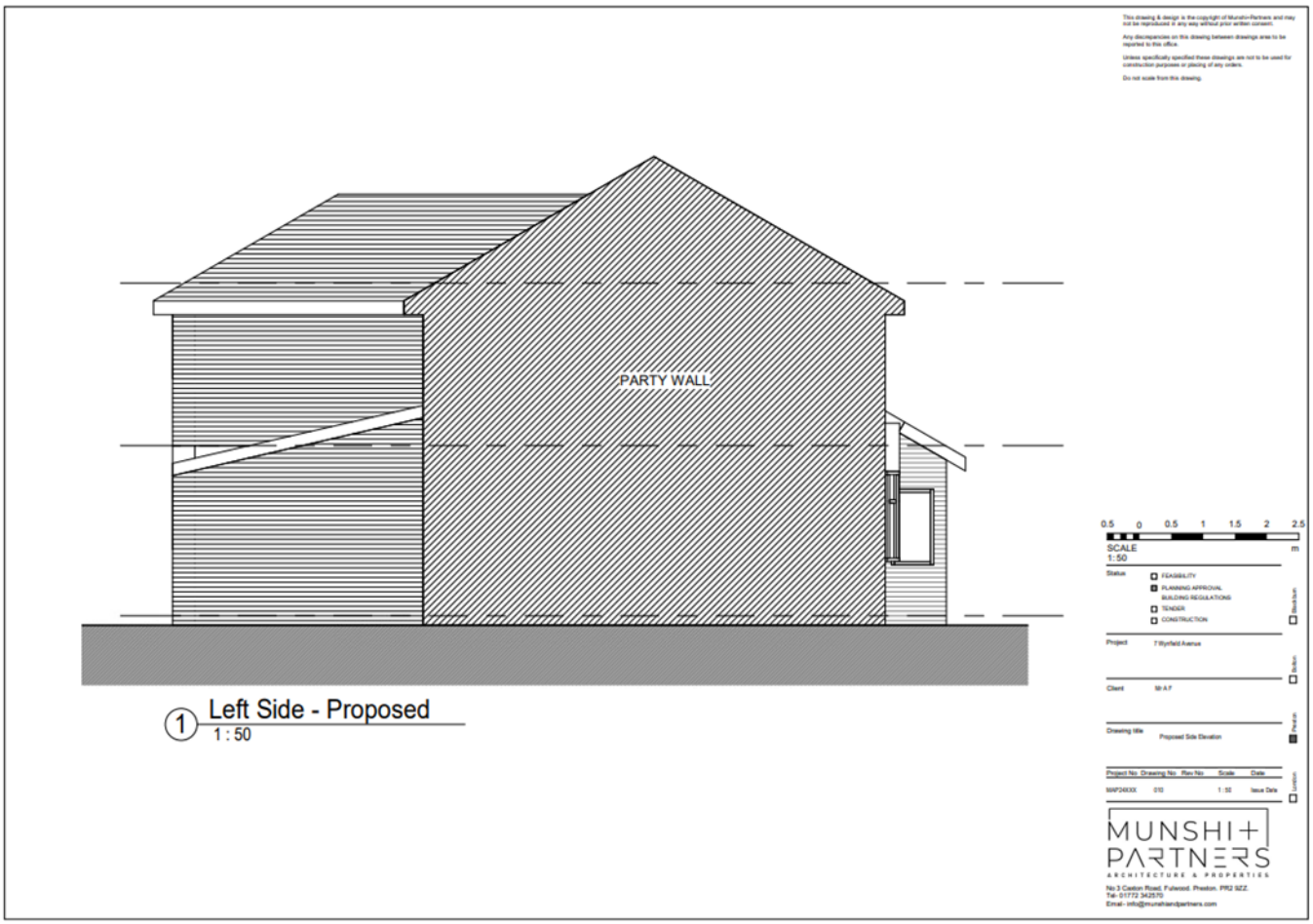
Submitted proposed first floor plan



Submitted proposed front and rear elevations



Submitted proposed northern side elevation



Submitted proposed southern side elevation

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:
- Policy DC5 – Flat Conversions
- Policy DC26 – Development and Noise

The Manchester Core Strategy – Development Plan Document 2012-2027 ("the Core Strategy")
was adopted by the City Council on the 11th of July 2012:
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy H1 – Overall Housing Provision
- Policy H7 – Wythenshawe
- Policy EN19 - Waste

The National Planning Policy Framework (NPPF, 2021)
- Chapter 2 – Achieving Sustainable Development
- Chapter 12 – Achieving Well-Designed Places

Places for Everyone (PfE) - is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

- Policy JP-Strat9 – Southern Areas
- Policy JP-H1 – Scale, Distribution, and Phasing of New Housing Development
- Policy JP-H3 – Type, Size, and Design of New Housing

Manchester Residential Quality Guidance (2017)
- Appendix - Manchester's Emerging Space Standards

Technical Housing Standards – Nationally Described Space Standard (2015)

Issues

Principle – Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions must be made in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework reinforces this requirement in paragraphs 2 and 47, whilst paragraph 12 indicates that the presumption in favour of sustainable development does not alter the statutory status of the development plan as a starting point for decision-making and that, where a planning application conflicts with an up-to-date development plan, permission should not normally be granted.

In the case of this application, the principle of the proposal is considered unacceptable and cannot be supported as it conflicts with the development plan policies and associated guidance listed in the preceding section.

It is considered that the proposed conversion of the property into 3no. smaller self-contained flats would result in the loss of family sized accommodation in an area where it is desirable to retain such properties so as to contribute to the Council's housing supply. It is further maintained that the proposed conversion would facilitate an over-intensive use of the property and would lead to problems associated with increased levels of activity formed by people with different lifestyles and patterns of behaviour, including increased noise disturbance, traffic congestion, parking pressures and waste storage demands. The internal floor space of the proposed flats also falls below national and local space standards for accommodation of this type, with the proposal also failing to respect the character of the area overall and creating potential amenity issues for neighbouring residents as well as for the prospective occupiers of the flats.

On this basis, the proposal is considered to conflict with policies DC5 and DC26 of the Unitary Development Plan, policies DM1, SP1, H1, and H7 of the Manchester Core Strategy, policies JP-Strat9, JP-H1, and JP-H3 of the Places for Everyone Joint Development Plan Document, chapter 12 of the National Planning Policy Framework, Manchester's Emerging Space Standards, and the Technical Housing Standards. There are no material considerations which indicate otherwise.

Loss of a family dwelling – it is apparent from recent figures obtained from the Council's Housing and Residential Growth section, that there are currently very significant shortfalls in the availability of family sized homes across the city based on current demand. Whilst these figures are based on the supply of social housing, there is inevitably a relationship between the availability of family homes for sale or rent in the private sector, and the demand for social housing.

An important policy objective of the City Council is to improve the quality of housing stock in the City and to deliver a more sustainable housing market. This can be achieved by increasing the amount of family housing stock on offer and by providing for choice through offering a range of accommodation. This would allow for more balanced and cohesive neighbourhoods that provide for stronger and safer communities.

The supporting narrative of policy H1 indicates that, outside the Inner Areas, the emphasis will be on increasing the availability of family housing, whilst policy H7 indicates that Wythenshawe should only accommodate around 3% of new residential development, with high-quality, high-density development encouraged within district centres and upon small infill sites where it would contribute to the stock of affordable housing and where it would complement Wythenshawe's garden city character. Additional family housing is also encouraged in this area overall.

The loss of a family sized dwellinghouse in this area and its replacement with 3no. flats would conflict with the aspirations set out in aforementioned policies as well as policy JP-Strat9 of PfE,

which indicates that the distinctive local neighbourhood character of the southern areas should be protected and enhanced, as it would reduce the availability of family housing in this area and would result in the creation of a poor-quality, high-density residential development outside of the district centre which would be out-of-keeping with Wythenshawe's garden city character. The proposal would also increase the threat of existing families being driven out of the area or from being attracted to the area due to a shortage of appropriate accommodation. Whilst the effect of the loss of a single home on the overall mix and balance of housing in the area would be limited, it would nevertheless contribute to the shortfall.

To permit the conversion of the property to smaller sized units, with the consequential loss of family sized accommodation, would clearly contravene City Council policy aspirations and would serve to contribute to the imbalance of the housing mix in the area, deviating from the long-term housing objectives of the City Council which focus on diversity and choice in the housing market.

On this basis, the proposed conversion is considered unacceptable.

Over-intensive use – policies DM1 and SP1 of the Core Strategy indicate that consideration should be given to the effects of development upon the amenity, living conditions and the wellbeing of residents. Saved policy DC5 of the UDP, which specially relates to flat conversions, requires consideration be given to the effect on neighbouring occupiers, as well as the adequacy of amenity space, parking, access and waste management arrangements, whereas saved policy DC26 seeks to consider the effect of new development proposals which are likely to be generators of noise. Paragraph 135(f) of the NPPF states that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

In this case, it is believed that the conversion of a single dwellinghouse with a private garden area into 3no. smaller residential units, would lead to the over-intensive use of the property. Whilst the City Council has no control over who can occupy a property, it can help prevent properties from being over intensively used, by restricting the creation of certain types of accommodation.

The creation of multiple households within a property originally intended for a single household, would create a greater propensity for independent activity as opposed to family occupancy. The use by multiple, unrelated occupiers with different lifestyles and different patterns of behaviours is likely to create a greater level of comings and goings, with increased noise and disturbance to neighbouring occupiers. This would include increased activity associated with visitors to those individuals, including noise transfer to internal walls and the movement of bins and vehicles. The impact to amenity would therefore be far greater than a single household. As the property is attached to a similar family dwellinghouse, the impact to neighbouring living conditions as a consequence of levels of activity, waste generation and multiple levels of car ownership and increased vehicular activity and parking requirements, is considered unacceptable.

On balance, it is maintained that the increase in levels of activity and associated noise and disturbance is likely to be unduly felt, undermining the living conditions of neighbouring occupiers, to the detriment of residential amenity. On this basis, the proposal would result in the over-intensive use of the application property, contrary to the aforementioned policy and guidance.

Standard of accommodation – paragraph 135(f) of the NPPF states that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

The proposal does not include adequate living space for the prospective occupiers as each flat scales at 49 square metres, which is below the nationally described space standard as well as Manchester's emerging space standards which both indicate that 1-bedroom / 2-person dwellings should provide a minimum of 50 square metres of internal floor space with at least 1.5 square metres of built-in storage. The proposal therefore directly conflicts with policy JP-H3 of PfE which indicates that all new dwellings must comply with the nationally described space standards as well as policy JP-H1 which indicates that new homes should be of good quality and design.

Parking and impact to the highway – saved policy DC5 of the UDP indicates that, in determining planning applications to convert properties into flats, the Council will have regard to the adequacy of car parking, with policy DM1 of the Core Strategy further reiterating the importance of vehicular access and car parking within new developments.

The submitted planning statement indicates that the proposal would provide on and off-street parking for multiple vehicles, however no further details are included on the submitted plans.

The 6no. individuals accommodated by the proposed flats could choose to have access to their own vehicles, which would result in potentially 6no. additional vehicles being parked in this area. Given that the existing driveway would be unable to accommodate such a volume, it is considered that the proposed flat conversion would lead to an increase in on-street parking, causing additional parking pressures along what is an already poorly accessible and congested private road. The proposal is therefore considered unacceptable in this regard, conflicting with the principles set out in the aforementioned policies.

Cycle provisions – the submitted plans indicate that 5no. Sheffield-style cycle loops would be included along the northern edge of the property.

These provisions are considered to be inadequate as cycle parking provisions must be secure and sheltered, as stipulated by the Council's Highway Services.

Waste storage and management – the submitted plans indicate that a refuse bin store area would be included along the northern edge of the property, however no further details are provided. This is insufficient as the proposal fails to include:

- The estimated volumes and types of waste produced by the development.
- Details of internal and external stores for both general waste and recycling.
- The location of the proposed collection point and details of the route the collection vehicle will take.
- Details of how waste will be transferred between stores and to the collection location.
- Details of the number and capacity of bins proposed and collection frequency.

The proposal therefore fails to adhere to the requirements of policy EN19 of the Core Strategy.

Conclusion - on balance, it is considered that the proposal would result in the unacceptable loss of a family dwellinghouse, creating a development which would inflict poor living conditions upon its prospective occupiers as well as leading to the over-intensification of the site, which would have an adverse impact upon the amenity of the area, to the detriment of neighbouring residents. The proposed development therefore conflicts with policies DC5 and DC26 of the Unitary Development Plan, policies DM1, SP1, H1, and H7 of the Manchester Core Strategy, policies JP-Strat9, JP-H1, and JP-H3 of the Places for Everyone Joint Development Plan Document, chapter 12 of the National Planning Policy Framework, Manchester's Emerging Space Standards, and the Technical Housing Standards.

Other Legislative Requirements

Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 polices 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 proposed conversion of the host property into 3no. self-contained 1-bedroom / 2-person flats would result in the loss of a family sized accommodation, which would reduce the standard and availability of such housing in the area, undermining the provisions of policies DM1, SP1, H1 and H7 of the Manchester Core Strategy, which seek to provide an appropriate mix and balance of housing provision in the locality, in order maintain a sustainable neighbourhood and cohesive housing market.

2) The proposed flat conversion would result in an over-intensive use of the property, with a consequential increase in the levels of activity, including increased 'comings and goings', noise disturbance, traffic congestion, parking pressures and waste storage demands. This in turn would have a detrimental impact upon the amenity of neighbouring occupiers, contrary to saved policies DC5 and DC26 of the Unitary Development Plan for the City of Manchester, policies

DM1, SP1, and EN19 of the Core Strategy and the provisions of the National Planning Policy Framework.

3) The proposed flat conversion fails to provide adequate internal living space, which would give rise to a poor standard of living accommodation for its prospective occupiers and an inadequate residential accommodation, contrary to the Technical Housing Standards – Nationally Described Space Standard, Manchester's Emerging Space Standards detailed in the Manchester Residential Quality Guidance document, policies DM1 and SP1 of the Manchester Core Strategy, saved policy DC5 of the Unitary Development Plan for the City of Manchester, policies JP-H3 and JP-H1 of the Places for Everyone Joint Development Plan Document, and chapter 12 of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Manchester Airport Safeguarding Officer

4 Wynfield Avenue, Manchester, M22 5NE
1 Wynfield Avenue, Manchester, M22 5NE
6 Croyde Close, Manchester, M22 5NT
6 Wynfield Avenue, Manchester, M22 5NE
2 Wynfield Avenue, Manchester, M22 5NE
4 Croyde Close, Manchester, M22 5NT
2 Croyde Close, Manchester, M22 5NT
8 Wynfield Avenue, Manchester, M22 5NE
5 Wynfield Avenue, Manchester, M22 5NE
3 Wynfield Avenue, Manchester, M22 5NE

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Green Belt Land - Greater Manchester Green Belt Local Plan 1984
Airport Noise Index Zone - Noise and Nuisance Index - 60
Area Team Boundary - Name: SOUTH AREA