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## Appeal Decision

Site visit made on 12 December 2023

**by Elaine Moulton BA (Hons) BPI MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 16 January 2024**

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**Appeal Ref: APP/B4215/W/23/3325061**

**10 Ellesmere Road, Manchester M21 0SR**

- 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 Tahira Akram against the decision of Manchester City Council.
  - The application Ref 135431/FO/2022, dated 4 November 2022, was refused by notice dated 5 January 2023.
  - The development proposed is the conversion of the basement of the property from storage area to form a one bedroom apartment, with new window openings to front and rear elevations to serve the proposed apartment and formation of a sunken terrace on the rear elevation to provide a dedicated amenity space for the new apartment. Construction of a bicycle store in the rear garden and alterations to form 3 No. off road parking spaces to the front elevation, and the provision of an EV charging point.
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### Decision

1. The appeal is allowed and planning permission is granted for the conversion of the basement of the property from storage area to form a one bedroom apartment, with new window openings to front and rear elevations to serve the proposed apartment and formation of a sunken terrace on the rear elevation to provide a dedicated amenity space for the new apartment. Construction of a bicycle store in the rear garden and alterations to form 3 No. off road parking spaces to the front elevation, and the provision of an EV charging point at 10 Ellesmere Road, Manchester M21 0SR in accordance with the terms of the application, Ref 135431/FO/2022, dated 4 November 2022, 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: Drawing number 26/20-02 Rev D – Proposed Basement and Ground Floor Plans + Site Plan; and Drawing number 26/20-04 Rev D – Proposed Elevations.
  - 3) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the local planning authority. The space and facilities shall then be retained and permanently reserved for bicycle parking for as long as the development is in place.
  - 4) No part of the development shall be occupied until 1 No. electric car charging point has been installed within the site in accordance with a scheme submitted to and approved in writing by the local planning authority. The approved scheme shall thereafter be retained for as long as the development is in place.

## **Applications for costs**

2. An application for costs was made by Mrs Tahira Akram against Manchester City Council. This application is the subject of a separate decision.

## **Preliminary Matters**

3. The Government published a revised National Planning Policy Framework (the Framework) on 20 December 2023. The main parties have been given the opportunity to comment on this version and in reaching my decision I have taken account of those comments that were received. For the avoidance of doubt, where reference is made in this decision to paragraph numbers, they are taken from the latest version of the Framework.

## **Main Issue**

4. The main issue is the effect of the proposed development on the living conditions of neighbouring occupiers, with particular regard to noise and disturbance, on-street parking and the mix of house types in the area.

## **Reasons**

5. The appeal site contains a three-storey semi-detached property, with basement, which is currently subdivided into three apartments. The frontage of the property is fully hard surfaced and used for parking of vehicles.
6. The site is in a predominantly residential area, within a cul-de-sac of similar properties, many of which have off-street parking spaces. The South West Manchester Cricket Club (Cricket Club), including its pavilion and car park, is accessed at the far end of Ellesmere Road.
7. The proposal would increase the number of occupants within the appeal site. Nonetheless, given the proposal is for a one-bedroom apartment, the occupancy would be low. Any uplift in the comings and goings to the property would, therefore, be modest in number. In the context of a densely developed residential area, on a street which provides access to the Cricket Club and where there is a mix of apartments and family homes, such additional activity would not be noticeable, nor would it result in unacceptable noise and disturbance. In the absence of any substantive evidence to the contrary, I find that the introduction of an additional one bedroom, two-person residential unit is unlikely to generate more activity and noise than the existing use of the site to an extent where it is detrimental to living conditions of adjoining residents.
8. The site is in an accessible location which offers good access to bus and Metrolink services. I also note that the proposal includes secured, weatherproof bicycle storage. This suggests that the occupants of the proposed apartment would not necessarily be reliant upon the private car, having access to alternative modes of transport.
9. The site frontage can accommodate three parking spaces, which equates to one space for each of the existing apartments. An additional on-site parking space for the proposed apartment could not be accommodated within the appeal site.
10. On my visit I noted that there are no parking restrictions on Ellesmere Road and whilst there was on-street parking there remained some capacity in the vicinity of the appeal site to park on the street. I acknowledge that my visit was a snapshot in time, and not representative of on-street parking levels in

the evening or at the weekend when pressure would be at its greatest. Nonetheless, whilst also a snapshot in time, the submitted parking survey suggests that sufficient capacity remains on Ellesmere Road to accommodate the limited additional parking demands arising from the proposal, even when the flats that have been permitted at 398 Wilbraham Road are taken into consideration. The Council have raised no objection to the methodology of the survey, or its findings and no compelling case has been given to counter such evidence.

11. Accordingly, there is nothing before me that suggests that any insufficiency of on-site provision would lead to antisocial parking, such as by blocking existing on-site parking spaces. I therefore find that any increased demand for parking arising from the appeal proposal would not be to such an extent that it would have a detrimental impact on the living conditions of nearby occupants.
12. The Council has indicated that the proposal is for a type of accommodation that is overrepresented and that it would act against a drive to improve housing choice in the local area. The appeal proposal is, however, for the conversion of under-used floor space to form a fully independent one-bedroom unit in a building already subdivided into apartments. It would not, therefore, result in the loss of a family home. There is no compelling evidence before me that suggests the appeal proposal would reduce any prospect of the property being turned back into family accommodation at a future date. Moreover, no evidence has been presented that demonstrates that there is an overprovision of one-bedroom dwellings in the area or that there is not a need for that type of accommodation.
13. Consequently, there is no basis upon which to conclude that the proposal would worsen any existing imbalance in the community. Whilst the proposal would not result in a diversification in the mix of house types in this location, even in the context of a street containing apartments that do not have the benefit of planning permission, I do not consider that it would be harmful to housing provision in the area.
14. I acknowledge the Council's concerns that the proposed accommodation could cater for occupiers for relatively short periods of time, and that such transiency of occupation could result in an increased risk of poor management and urban blight within the community. However, the appeal site, which already includes two one-bedroom units, appears to be well maintained and there is nothing before me that supports a conclusion that the introduction of a further one-bedroom apartment would lead to such issues.
15. Accordingly, the proposed development would not unacceptably harm the living conditions of neighbouring occupiers, with particular regard to noise and disturbance, on-street parking and the mix of house types in the area. It therefore accords with Policies SP1, H6 and DM1 of the Core Strategy Development Plan Document, and Policies DC26 and DC5 of the Unitary Development Plan. Such policies, amongst other things, seek to ensure that regard is had to the effects of noise on nearby residents, that adequate off-street parking is provided and that developments do not result in an unacceptable loss of family houses. The proposal would also accord with the same aims of the Framework.

## **Other Matters**

16. Concerns have been raised with regards to the potential for noise during construction. However, given the small scale of the proposed development, any disturbance during the construction period would be short-term. Therefore, such a matter does not materially weigh against the development in the overall planning balance.

## **Conditions**

17. I have imposed the standard time limit condition, limiting the lifespan of the planning permission, and, in the interests of certainty and best practice, attached a condition that specifies that the development is carried out in accordance with approved plans.
18. The Council has also suggested two conditions regarding electric vehicle charging points and the provision of cycle storage which I have considered against the Framework and Planning Practice Guidance. Conditions relating to such matters are necessary to encourage future occupiers to use sustainable modes of transport.
19. However, the appeal development relates to the provision of one additional residential unit which would accommodate up to two people. Consequently, I do not consider that the provision of three electric vehicle charging points would be reasonable or necessary. The wording of the condition I have imposed, therefore, requires the provision of one charging point. I have made some further amendments to the wording of such conditions in the interests of consistency and to avoid repetition.

## **Conclusion**

20. For the reasons given above, having regard to the development plan as a whole and all relevant material considerations, I conclude that the appeal should be allowed.

*Elaine Moulton*

INSPECTOR