



Appeal Decision

Site visit made on 24 May 2022

by David Jones BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 July 2022

Appeal Ref: APP/B4215/W/21/3287250

15 Waverley Road, Manchester M9 4LX

- 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 Brentwood Lettings against the decision of Manchester City Council.
 - The application Ref 131442/FO/2021, dated 18 August 2021, was refused by notice dated 14 October 2021.
 - The development proposed is the change of use from 1 x dwelling to 2 x self contained flats
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal upon the supply of housing suitable for family occupation in the area;
 - whether or not the proposal would provide adequate living conditions for future occupiers having particular regard to the provision of outdoor amenity space; and
 - the effect of the proposal on the living conditions of occupiers of neighbouring residential properties having particular regard to noise and disturbance.

Reasons

Supply of housing suitable for family occupation

3. The appeal property is a two-bedroom end of terrace dwelling located on the corner of Waverley Road and Springville Avenue. The surrounding area is residential in character, comprising predominantly red brick terraced dwellings which abut the pavement with modest rear private amenity spaces. A more modern housing development of detached and semi-detached dwellings is located a short distance to the north-east of the site.
4. Policy SP1 of Manchester's Local Development Framework Core Strategy Development Plan Document (2012) (CS) provides a number of key spatial principles, including an emphasis on the creation of neighbourhoods of choice, providing high quality and diverse housing outside of the regional centre. Policy H3 of the CS sets out that within North Manchester priority will be given to

family housing and other high value, high quality development. The supporting text to Policy H3 also states that the Housing Need and Demand Assessment 2010 identified a need for 3-4 bed family housing.

5. The proposal seeks the conversion of an existing 2-bedroom family dwelling into two self-contained 1-bedroom flats. The proposal would therefore result in the loss of a family dwelling and subsequent replacement with two 1-bedroom flats which would be unsuitable for occupation by families. Whilst Policy H3 does not include a specific presumption against the loss of family homes or preclude other forms of residential development in North Manchester, it reasonably follows from a policy which gives priority to family housing that the loss of an existing family dwelling should be avoided.
6. The appellant has referred to there being a limited number of flats in the area and claims that there is demand for such a form of accommodation. However, little robust evidence has been provided to justify this position and as a result I afford this matter limited weight. Accordingly, the proposal would result in the loss of a family home which Policy H3 expressly gives priority to within North Manchester.
7. I therefore conclude that the proposed development would have a harmful effect upon the supply of housing suitable for family occupation in the area. The proposal would therefore conflict with Policies SP1 and H3 of the CS, the aims of which are set out above.

Living Conditions – future occupiers

8. Policy DM1 of the CS requires, amongst other matters, that new developments provide adequate external amenity space. Similarly, saved Policy DC5 of the Unitary Development Plan for the City of Manchester (1995) (UDP), which specifically relates to proposals for the conversion of properties to flats, also requires the provision of adequate private outdoor amenity space.
9. The appeal scheme would see the existing small rear courtyard area shared between the two proposed self-contained flats. The submitted plans detail that this area would also be used for bin storage which would further reduce the amount of available external space. However, whilst the amount of outdoor amenity space would be very limited, given the size of the flats, I consider it likely that they would generally be occupied by single occupants for whom the availability of private outdoor amenity space would be of significantly less importance than it would be for a family. As such, I consider that the outdoor amenity space would be adequate for the development proposed.
10. Consequently, in this case, I do not consider that the provision of a very limited amount of outdoor amenity space would result in unacceptable living conditions for future occupiers. The proposal would therefore accord with Policy DM1 of the CS and DC5 of the UDP, the aims of which are set out above.

Living Conditions – neighbouring occupiers

11. Although the proposed flats are both 1-bedroom, the Council considers that it is not inconceivable that both could be occupied by couples. Whilst possible, I consider it more likely that the flats would be occupied by single occupants. In any event, two independent flats occupied by adults with differing lifestyles and work patterns would function differently to a single-family dwelling and would likely result in an increase in pedestrian and vehicular activity.

12. However, whilst there would likely be additional pedestrian and vehicular activity at the site, I consider that any increase in activity would be negligible. Pedestrian access to the two flats would be split, with the first floor flat only being accessed via Springville Avenue, with the ground floor flat being accessed from Waverley Road. Furthermore, given the dense residential development in the surrounding area, any minor increase in pedestrian or vehicular activity at the property would have a minimal impact and would not result in unacceptable levels of noise and disturbance for neighbouring residents.
13. The proposal would not provide any provision for off-road car parking, however like most other properties in the locality, the existing dwelling does not benefit from any off-road parking. Whilst the proposed use may result in a minor increase in the number of vehicles owned by occupants of the property, I do not consider that the number of vehicle movements associated with the flats would be dissimilar to that of a 2-bedroom family dwelling. I note that the Council's Highways Team concluded the same. I also observed during my site visit that there was plenty of on-street parking available in the vicinity of the appeal property. As such the proposal would not give rise to an unacceptable demand for on-street parking and congestion that would be harmful to the living conditions of the occupants of nearby properties.
14. The Council contends that the proposal would create the need for additional bins which would result in neighbouring residents being disturbed by multiple bin movements, as well as the bins being strewn around the property. Whilst the proposal would undoubtedly result in additional bins being required, the submitted plans clearly detail that these could comfortably be accommodated within the existing outdoor space to the rear. Furthermore, I consider that any additional bin movements would be minimal and would not result in any undue noise and disturbance being caused to neighbouring occupants. The Council's Environmental Health team also raised no objection to the proposal, stating that the proposed waste management strategy was acceptable.
15. I therefore conclude that the proposal would not unacceptably harm the living conditions of occupiers of neighbouring residential properties with particular regard to noise and disturbance. The development would therefore accord with Policies DM1, T2 and SP1 of the CS and Policy DC26 of the UDP. These policies, amongst other matters, seek to ensure that developments do not have an adverse effect on amenity including noise, and that appropriate provision for waste storage and car parking is provided.

Other Matters

16. The appellant has referred to two appeal decisions (APP/B4215/W/17/3177590 and APP/B4215/W/15/3135001) which were allowed in relation to the conversion of properties in North Manchester to self-contained flats. These decisions however related to the change of use of retail/commercial properties to self-contained flats, and therefore did not result in the loss of a family dwelling. Consequently, they are not directly comparable to the appeal proposal before me.
17. I note that there is disagreement between the parties as to whether or not the gross internal floor area of the proposed development would conform with the Nationally Described Space Standards. In any event, the provision of adequate internal floor space would not overcome the loss of a family dwelling, and the

subsequent harmful effect that would have on the supply of housing suitable for family occupation in the area.

18. I also acknowledge that the appellant has sought to demonstrate that the proposed flats would benefit from a greater degree of security and safety measures, along with other visual improvements that would be made to the property. However, these benefits do not outweigh the harm I have identified would be caused to the supply of suitable family housing in the area.

Conclusion

19. I have identified that the proposal would have a harmful effect upon the supply of housing suitable for family occupation in the area. Whilst the development would be acceptable in terms of its effect on the living conditions of future occupiers, and occupiers of neighbouring residential properties, and would not result in any further harm being caused, this is of neutral effect when weighed in the planning balance.
20. The proposal would conflict with the development plan, when taken as a whole, and there are no material considerations which would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

David Jones

INSPECTOR