The Planning Inspectorate

Appeal Decision

Site visit made on 22 May 2017

by Alison Partington BA (Hons) MA MRTPI

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

Decision date: 7 June 2017

Appeal Ref: APP/B4215/W/16/3162735
367 Wilmslow Road, Manchester M14 6AH

- 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 Feltham Management Limited against the decision of Manchester City Council.
- The application Ref 110091/FO/2015/S1, dated 18 September 2015, was refused by notice dated 22 August 2016.
- The development proposed is the extension and refurbishment of existing residential apartment building to create new dwellings.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has raised concerns regarding the Council's handling of the case, and in particular that it was refused after a long period of negotiation and discussion with Officers. However, this is a matter that would need to be taken up with the Council in the first instance. In determining the appeal I have only had regard to the planning merits of the case.

Main Issues

3. The main issues in the appeal are the effect of the proposed development on:

   - the character and appearance of the host property and the surrounding area;
   - the living conditions of adjacent occupiers with particular regard to privacy; and
   - the supply and mix of housing in the area.

Reasons

Character and appearance

4. The appeal site comprises a large semi-detached dwelling that has been converted into flats and an area of vacant land to the side of the building. It lies on one of the main arterial routes into and out of Manchester City Centre, just south of Fallowfield District Centre. Although the surrounding area is predominantly residential, along the main road there are a number of commercial uses. The attached property has also been converted to flats, and

a number of modern purpose built apartment buildings lie to the other side and the rear of the site.

5. The proposed L-shaped extension would be 3 storeys in height with additional accommodation in the basement. In comparison to the host property which is about 14m wide the proposed extension would be approximately 20m in width, and whilst part of the front elevation of the extension would be set back in relation to the main building, the remainder would project as far forward. As a consequence, the scale and mass of the proposed extension is considerably larger than the existing property. Therefore it would be an overly dominant and unsympathetic addition that would not respect the scale and proportions of the host building. I note that where the extension is joined to the host property the ridge height would be lower than the main dwelling, but this is not the case in the gable part of the extension, and given the overall scale and mass of the extension this is not sufficient to make the extension appear subordinate.

6. The appeal property and No 365 are an attractive pair of buildings with fine architectural detailing on both the front and side elevations. I accept that the proposed extension has sought to incorporate some of the detailing into the design, but it lacks the finesse of the host property. In particular, the gable element is overly bulky, and the proportions and spacing of the fenestration would not reflect those found on the main building. As a result, the ratio of solid walls to openings on the extension would be out of keeping. Given this, the extension would appear as a discordant and alien addition to the host property.

7. The vacant site currently contains a number of mature trees, some of which are covered by a Tree Preservation Order. The trees on this site, together with those in other gardens, and within the pavement, make an important contribution to character and appearance of the area. The appeal scheme would result in the loss of a number of the trees on the site, and as no replacement planting is being proposed to compensate for the trees that would be lost, this would be have an adverse impact on the street scene

8. Moreover, the proposed development and car parking would be in close proximity to many of the trees that it is proposed to retain on the site. Therefore, the overshadowing caused by the trees, the potential damage to property and cars, and the nuisance caused by falling leaves, would be likely to result in future occupiers seeking either the heavy pruning or the removal of the trees. As such the proposal would adversely affect the prospects of retaining trees on the site, which would be detrimental to the character and appearance of the area.

9. In order to create adequate parking space for the development the area to the front of the extension would be utilised for parking. In combination with that which already exists to the front of the adjoining property this would create a substantial hard surfaced area adjacent to the road frontage. The detrimental impact this would have on the street scene would be exacerbated by the loss of the trees on the site. Whilst I observed that some of the other buildings along the road had also converted their front area to create large areas of parking, in my view this confirmed that such areas, without adequate landscaping, are detrimental to the character and appearance of the area, and so do not set a precedent to be followed.

10. All in all, I consider that the proposed development would unacceptably harm the character and appearance of the host property and the surrounding area. Thus it would be contrary to Policies SP1, DM1, EN1 and EN9 of the *Manchester Core Strategy Development Plan Document (adopted July 2012)* (MCS) and Policy DC1 of the *Unitary Development Plan for the City of Manchester (adopted July 1995)* (UDP) which, amongst other things, seek to ensure that proposals are well-designed, and protect and enhance the character and appearance of the area including its green infrastructure.

Living Conditions

11. Both the rear and the side elevations of the proposed extension contain a number of windows, and those on the side elevation in particular would only maintain a limited distance to windows on the side elevation of the adjacent block. Whilst the trees along the boundary would help to screen the proposal to some extent, this screening would be reduced in winter. Furthermore, for the reasons outlined above, I consider that the appeal scheme could affect the long term retention of these trees. Given this I consider the proposal would have the potential to result in significant overlooking of the occupiers of the adjacent property.

12. Therefore, I consider that the proposed extension would unacceptably harm the living conditions of adjacent occupiers with particular regard to privacy. Accordingly, it would conflict with Policy DM1 of the MCS and Policy DC1of the UDP which, amongst other things, seek to ensure that developments have regard to, and protect the residential amenity of, neighbouring occupiers.

Supply and mix of housing

13. Policy H6 of the MCS indicates that within South Manchester outside district centres, the priority for residential development is to meet identified shortfalls, including family housing, and accommodation that meets the needs of elderly people, with schemes adding to the stock of affordable housing. Generally, it states that higher density development is only appropriate within the district centres as part of mixed used schemes.

14. The appellant has suggested that the scheme is not a high density scheme. However, whilst I have not been provided with any definition of what constitutes a 'high density', in total the proposal would result in 19 flats being provided on what is a relatively modest site. As such, the density of development would be relatively high.

15. A large number of the apartments would have 2 bedrooms, and the appellant has stated that each new apartment would be provided with either a balcony or a terrace. Notwithstanding this, the overall amount of amenity space provided within the development is limited, and given this, even if the ration of amenity space per apartment it is greater than existing, in my opinion, the development would be unlikely to be attractive to families. In addition, whilst the development would be accessible, there is no specific evidence that it would provide any form of specialist accommodation for the elderly.

16. I accept that there might be high demand for flats in the area, but the aim of the Core Strategy is to create balanced sustainable communities, with a good mix in the housing stock. Without any more specific evidence regarding the housing stock within the Fallowfield area, and how the scheme would address

shortfalls identified within the policy, the proposal would not contribute towards the aim of the Core Strategy.

17. In the light of this, and the fact that it would be creating a high density scheme outside the district centre, I consider that the proposal would be contrary to Policy H6 of the MCS.

Other Matters

18. The appellant has highlighted that the proposal would be built to code level 6, and meets secure by design criteria. These are matters that favour the scheme but they do not outweigh the significant harm I have identified. In addition, whilst I note the Council's concerns regarding the size of the bin storage area on the plans, I am satisfied that adequate space for this could be provided on the site, and that this could be dealt with by way of condition.

19. The appellant has also stated that they would be willing to negotiate a commuted sum for off-site contributions as part of the scheme. However, no indication has been provided as to the purpose of the commuted sum, nor has the Council highlighted the need for any such contribution. Furthermore, no mechanism has been put before me to secure any such payment. As such, I give this little weight.

Conclusion

20. For the reasons set out above, I consider that the appeal should be dismissed.

Alison Partington

INSPECTOR