



Appeal Decision

Site visit made on 25 July 2017

by A Jordan BA Hons MRTPI

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

Decision date: 7 August 2017

Appeal Ref: APP/B4215/W/17/3173644
12-14 Palatine Road, Manchester, M20 3JA

- 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 Danny Samuels of JPS Property Co Limited against the decision of Manchester City Council.
 - The application Ref 114580/FO/2016, dated 24 November 2016, was refused by notice dated 7 March 2017.
 - The development proposed is Change of use from C3 (dwellinghouses) to B1(a) (offices).
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Decision

1. The appeal is allowed and planning permission is granted for Change of use from C3 (dwellinghouses) to B1(a) (offices) at 12-14 Palatine Road, Manchester, M20 3JA in accordance with application ref 114580/FO/2016, dated 24 November 2016 and the plans submitted with it and 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:
 - Site Location Plan (ref: 2016.011.002);
 - Site Plan (ref: 2016.011.003);
 - Proposed Site Layout Plan (ref: 1233-PL03B);
 - Proposed Floor Plans (ref: 1233-PL04B);
 - Waste Management Strategy.

Main Issues

2. The main issues for the appeal are:
 - Whether the proposal would lead to an unacceptable loss of residential accommodation: and
 - Whether the development would lead to harm as a result of its location outside a designated district centre or designated employment area.

Reasons

Loss of Residential Accommodation

3. Policy SP1 of the *Manchester Core Strategy* (Core Strategy) sets out principles for achieving sustainable development within the city which aim to contribute to halting climate change. This policy focuses economic development within the regional centre and around the airport and seeks to provide the majority of residential development within regeneration areas. It also aims to achieve neighbourhoods of choice by providing diverse housing around district centres to meet local needs. The proposal would lead to the loss of 10 one-bedroom flats. The Council considers that the proposal would reduce the availability of such accommodation in the area and that this would be detrimental to the sustainability of the community.
4. I have been provided with conflicting information as to the availability of small residential units in the locality. An existing tenant at the property has expressed concerns regarding the availability of one bedroom flats and I accept that there is likely to demand for small units for staff employed at Christies, which lies a short distance from the site. Conversely, the appellant has provided evidence of the availability of a range of one bedroom units within a short distance of the site. I also noted during my site visit that there were large numbers of to-let and for-sale boards in the area, and whilst I cannot be assured of the size of these units, there appeared to be no lack of residential accommodation for rent or sale locally.
5. The proposal would comply with the aim in policy SP1 to provide access to jobs and as it is in an accessible location it would also accord with the aim of the policy to reduce the need to travel by providing good access to sustainable transport provision. Therefore, although the proposal would not comply with one of the aims of policy SP1 to provide high quality diverse housing, in the absence of any convincing evidence from the Council of a lack of small units in the area, I cannot conclude that the proposal would lead to significant harm in this regard.

Employment Use

6. The appeal site lies a short distance from the area identified as Withington Town Centre. It also sits close to Christies Hospital, which is also identified for employment uses. The Council consider that as the site lies outside an area identified for employment and economic development the proposal would be contrary to the provisions of Core Strategy Policies EC9, C1 and C6. These policies seek to protect the commercial and employment uses within designated centres but do not explicitly preclude employment uses outside district centres. The proposal would be relatively limited in scale, the size of the building limiting the number of potential employees. It would also be a B1 use, which is compatible with residential uses. I therefore do not accept that it would cause harm to adjoining occupiers and due to its limited scale would be unlikely to cause harm to the vitality of existing employment uses in the District Centre.
7. In support of the application the appellant has provided an analysis of available employment space within Withington, which shows that the District Centre has limited alternatives for the use proposed. I have also been provided with a land use analysis of the area around the appeal site. This shows that although

the streets adjoining the District Centre are predominantly residential, they are not exclusively so, with some other commercial uses within a short distance of the site. Taking into account the proximity of the site to the District Centre, accessibility and the mixed character of the area, the proposal would not harm the character of the area, or lead to an unacceptable distribution of employment use.

8. I therefore conclude that the proposal would not conflict with the employment and economic development aims outlined in policies C1, C6 and EC9 of the Core Strategy which seek to maintain the vitality and viability of District Centres and to ensure efficient use of existing employment space. It would also comply with guidance in the *National Planning Policy Framework* (the Framework) which seeks to proactively support sustainable economic development.

Other Matters

9. I am advised that the site lies within the Withington Conservation Area. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving or enhancing the character and appearance of Conservation Areas. The proposal would involve no external alteration. The scale of the use and the activity associated with it would also be in keeping with the mixed character of the area. Although not specifically expressed in relation to the effect on the Conservation Area, I note the Council's comment in relation to the potential effects of signage. I have no convincing evidence that any such signage, if erected, would be out of character. Nevertheless, I am mindful that if considered necessary the Council could restrict the extent of signage through advertisement controls and I therefore give no weight to this matter and conclude that the proposal would have a neutral effect on the character and appearance of the Conservation Area, thus preserving both.

Conclusion

10. The proposal would not cause an unacceptable loss of residential accommodation, and would not lead to harm as a result of the location of an employment use outside a District Centre or other designated employment area. I therefore conclude that the appeal be allowed. The Council have not suggested any conditions and taking into account the absence of any external alteration, the availability of parking and the B1 nature of the use, I see no reason to impose any conditions other than a time limit and a requirement to implement the scheme in accordance with the approved plans.

Anne Jordan

INSPECTOR