
Appeal Decision

Site visit made on 6 August 2019

by Patrick Hanna MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th September 2019

Appeal Ref: APP/B4215/W/19/3225492

9 Daisy Avenue, Manchester M13 0LY

- 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 Nik Taylor against the decision of Manchester City Council.
 - The application Ref 120828/FO/2018, dated 14 August 2018, was refused by notice dated 19 February 2019.
 - The development proposed is conversion of existing three bedroom dwelling to one x 3 bedroom dwelling and one x 1 bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - (a) whether the proposal would provide acceptable living conditions for future occupants, with particular regard to internal and external space; and
 - (b) the effect of the proposal on the range of housing provision, with particular regard to family accommodation.

Reasons

Living conditions

3. The upper flat is described as having internal space of between 81.2 and 93 sqm, comprising three double bedrooms. Consequently, the flat is able to accommodate six persons over two floors. Both the emerging local standards and national standards have been cited as offering relevant guidance, and both advise greater floor area (102 sqm) than is provided. Notwithstanding non-compliance with such guidance, my observations of the second-floor attic living accommodation of the upper flat are that the arrangement and layout of the internal space, combined with relatively restricted heights and outlook, would provide awkward and cramped habitable living space for six persons or for a family. As such, harm would be caused to the living conditions of future occupants, in terms of internal space.
4. Provision of adequately sized external space for the appeal proposal is limited by the already small garden associated with the existing dwelling. The proposal shows retention of at least some of that space. Whilst the appellant has

indicated that the side garden had previously been unusable, the proposed use of the garden by occupants of the upper flat would, by virtue of proximity to a ground floor bedroom, potentially cause harm to the living conditions of the ground floor flat, in terms of noise and privacy. As such, I find that the appeal proposal fails to provide appropriate usable external space, particularly for family accommodation.

5. Reference is made to standards applied to a previous planning permission at Miles Platting. Whilst I have not been provided with full details, it appears none of those units related to three-bedroom, six-person units, as is the case in this appeal. Notwithstanding this, I must determine the appeal proposal on its merits. Reference is also made to noise transference from the upper flat to the lower flat, however, I find that in normal circumstances it would be unlikely for a bedroom use above a living room and kitchen to create such noise that it would harm living conditions.
6. Consequently, the appeal proposal would not provide acceptable living conditions for future occupants, with particular regard to internal and external space. As such, the proposal fails to comply with policies SP1, H1, and DM1 of the Manchester City Council Core Strategy, saved policy DC5 of the Unitary Development Plan for the City of Manchester, the draft Manchester Residential Quality Guidance, the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, and the National Planning Policy Framework, which together require high design quality that serves the needs of intended occupants, amongst other considerations.

Housing provision

7. The appeal site is a two-storey semi-detached dwelling within a small avenue of similarly sized family dwellings. The site is identified as being within Rusholme, Central Manchester. Whilst there may be flats and apartments within the wider locality, from my observations on site, Daisy Avenue is predominantly if not exclusively comprised of family sized dwellings. The proposal would result in the loss of one family sized dwellinghouse, and provision of one one-bed and one three-bed flats.
8. The Council's policies encourage a mixed and diverse community by retaining or attracting economically active households to central Manchester, with an emphasis on increasing the provision of family housing. As a consequence, Policy H5 of the Core Strategy requires that priority will be given to family housing, amongst other considerations. The appellant's view is that the proposed three-bedroom flat should be considered as family housing. However, notwithstanding the number of bedrooms provided, as a result of my above findings on living conditions and internal and external space, the particular configuration of the appeal proposal does not readily lend itself to suitable family accommodation, whereas the existing dwelling does. Accordingly, the proposal would result in loss of a unit suitable for family accommodation. Furthermore, that loss would be within a street where flat conversions are not a predominant or established feature.
9. Whilst the appellant has referred to support for the proposal from various sections of the Framework, I find that, when assessing the proposal against the Framework as a whole, and with particular regard to the three overarching objectives outlined in Chapter 2, the proposal would result in harm being caused to the social objective of supporting strong vibrant communities by

ensuring that a sufficient range of houses can be provided. This is not outweighed by the provision of a single unit of housing and any associated economic benefits, which would be limited.

10. On this basis, I find that the proposal would have a significant adverse effect on the range of housing provision, with particular regard to family accommodation. Therefore, the proposal conflicts with policies SP1, H1 and H5 of the Manchester City Council Core Strategy, saved policy DC5 of the Unitary Development Plan for the City of Manchester, the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, and the National Planning Policy Framework, which together seek to improve the range of housing provision, amongst other matters.

Other matters

11. The appellant has made submissions regarding shortfall in five year housing supply, but no evidence has been provided to me by either party on the level or significance of the shortfall. However, even if there is a shortfall in five year supply and that the most important policies for determining the proposal should be considered out-of-date, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, as I have found above.
12. I have taken into account all other matters raised, including the general improvement in appearance of the property; accessibility to transport, employment and services; parking; the higher value of the development; waste provision; cycle provision; landscaping; effective use of previously developed land; the sustainability of the location and the development; provision of family sized flats elsewhere; speedy delivery of a new home; and the residential context of the proposal. However, none of these matters are determinative such that they would outweigh my above findings on the main issues.

Conclusion

13. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Patrick Hanna

INSPECTOR