



Appeal Decision

Site visit made on 5 August 2019 by Hannah Ellison BSc (Hons) MSc

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2019

Appeal Ref: APP/B4215/W/19/3230476

43 Lower Vickers Street, Manchester, M40 7LX

- 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 Ms Liyan Xiao against the decision of Manchester City Council.
 - The application Ref 122806/FH/2019, dated 26 February 2019, was refused by notice dated 7 May 2019.
 - The development proposed is a change of use of existing garage to storage/rest room.
-

Decision

1. The appeal is allowed and planning permission is granted for a change of use of existing garage to storage/rest room at 43 Lower Vickers Street, Manchester, M40 7LX in accordance with the terms of the application, Ref 122806/FH/2019, dated 26 February 2019, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: LP-001, LP-002, LP-003, LP-004.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The description of development set out in the Council's decision notice differs from that in the banner heading above, which is taken from the application form. I am not aware that the appellant has agreed to the Council's change therefore I have used the original description in the formal decision above.

Main Issues

4. The main issues are the effect of the proposed development on
 - (i) Highway safety and capacity; and

- (ii) the character and appearance of the wider area.

Reasons

Highway Safety

5. The appeal site comprises a three-storey, terraced dwelling within a residential area which has recently undergone major re-development. The property has a single integral garage with driveway in front. This proposal seeks to convert the garage to living accommodation in association with the host dwelling.
6. No information has been provided by the Council regarding the maximum number of parking spaces that would be expected at a dwelling of this size, although given that permitted development rights for the conversion of the garage space were removed when the original permission was granted, it is clear that the garage parking space was considered necessary at that particular time. Nevertheless, the conversion of the garage would reduce the capacity for off-street parking at the premises to only one space. The issue is whether that reduction in space would cause a danger to highway safety and capacity.
7. The site lies in an accessible location close to services and facilities. I have taken into account the anecdotal evidence from a third party that car ownership levels in the locality are low. However, while I observed only one vehicle parked along the entire length of Lower Vickers Street at the time of my visit and have taken into account photographs from the appellant which show a similar situation, it seems to me that that given the number of bedrooms in the property and lack of parking space for visitors, there is likely to be a need for some vehicles to park on the highway particularly in the evenings and at weekends.
8. It is noted there is no opportunity for a vehicle to park immediately outside the property as there is limited space between the appeal site and the driveway of No.41. However, there is available kerbside parking opposite as there are no dwellings on the canal side of Lower Vickers Street. Furthermore, this stretch of the road does not have any sharp bends and there are no parking restrictions. Thus, there are ample opportunities to park within the immediate area.
9. Furthermore, the parked vehicle I saw did not encroach the footway and there remained sufficient width for other vehicles to pass. As such, it was not causing an obstruction or having an adverse effect on the safety of pedestrians or drivers. Moreover, there is no evidence before me to demonstrate that parked vehicles would cause congestion on the highway.
10. Whilst I note the objection raised by the Highway Authority regarding the potential for commuter parking, which would add to demand for parking spaces locally, such a concern has not been substantiated with any evidence and observations on site do not suggest the road is currently being used by commuters. Thus, in the absence of specific evidence of a local parking issue this proposal would not in itself cause or add to existing congestion.
11. The potential for the appeal scheme to establish a precedent has been raised by the Council. I acknowledge that a reduction in off-street parking space could cumulatively increase demand for on-street space. However, this appeal has been treated on its own merits and determined with consideration to the specific nature and context of the appeal site and the evidence before me regarding the prevailing traffic and parking conditions.

12. It is noted other properties within the immediate area have converted their garages to living accommodation, albeit without planning permission. However, it does not appear that the loss of these garage spaces has resulted in any detrimental increase in on-street parking.
13. As such, on the basis of the evidence before me, I conclude on this issue that the proposal would not result in a level of on-street parking which would have a harmful effect on highway capacity and safety. Thus, it would comply with policies DM1 and T2 of Manchester's Local Development Framework, Core Strategy, Development Plan Document, Adopted 11 July 2012 (the Core Strategy) which, amongst other things, collectively seek to ensure developments have regard to car parking provision.

Character and Appearance

14. Within the immediate area there is varying provision for parking, including garages and on-plot spaces. Concern has been raised that the proposal will alter the character of the area through an increased presence of parked vehicles to the front of properties. However, it is noted that the appeal dwelling, and others in the immediate area, have been originally designed with a driveway to the front. Therefore, it would not be uncommon to see vehicles parked to the front of properties. The proposed removal of a garage space and potential displacing of one vehicle to the highway is not considered to have a significant impact on the street scene.
15. Consequently, the proposal would not cause unacceptable harm to the character and appearance of the area and it therefore complies with policy DM1 of the Core Strategy which seeks to ensure developments have regard to the character of the surrounding area.

Conditions

16. In addition to the standard time limit condition, I have imposed conditions requiring that the approved development is carried out in accordance with approved plans and is finished in materials to match the original dwelling. This is to provide certainty and is necessary in the interests of the character and appearance of the host dwelling and wider area.

Conclusion and Recommendation

17. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is allowed.

Hannah Ellison

Appeal Planning Officer

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Susan Ashworth

INSPECTOR

