



Appeal Decision

Site visit made on 23 September 2019 by Hilary Senior BA(Hons) MCD MRTPI

by P J Davies BSc (Hons) MA MRTPI

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

Decision date: 14 November 2019

Appeal Ref: APP/P4225/W/19/3232651

490 Manchester Road, Rochdale, OL11 3EL

- 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 Dr Taylor against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref 18/00781/FUL, dated 6 July 2018, was refused by notice dated 6 March 2019.
 - The development proposed is change of use from single dwelling to 3 self-contained flats with alterations to rear elevation including the creation of a new door opening at basement level and a further 2 car parking spaces provided to the rear.
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Decision

1. The appeal is allowed and planning permission granted for change of use from single dwelling to 3 self-contained flats with alterations to rear elevation including the creation of a new door opening at basement level and a further 2 car parking spaces provided to the rear at 490 Manchester Road, Rochdale, OL11 3EL in accordance with the terms of the application, Ref 18/00781/FUL, dated 6 July 2018, subject to the conditions set out in the schedule attached to this decision.

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.

Preliminary Matter

3. The proposed development has been amended during the determination of the application. The description on the application form was "change of use from single family dwelling to four self-contained flats". I have used the description of development from the Council's decision notice and the appeal form in the banner heading as it more accurately describes the appeal proposal and have determined the appeal on that basis.

Main Issues

4. The main issues are the effect of the proposal on the living conditions of the occupiers of neighbouring properties, and highway safety.

Reasons

5. The appeal property is a large red brick Victorian, semi-detached house on the A664, a major route into Rochdale. It is set back from the road by a landscaped garden. To the rear there is a garden area and parking spaces for two cars under a car port. This parking area is accessed via a gated alleyway off Hargreaves Street or Onslow Street, which is shared by the six properties on this part of Manchester Road.
6. The area is characterised by large detached and semi-detached family homes. At the site visit there was no evidence that other properties had been similarly converted. The use of the building as three flats would be more intensive and would increase the general activity at the property, over that to be expected from a single family dwelling. However, given the residential nature of the proposal, and that the existing dwelling is capable of occupation by a large household, this would be unlikely to result in a materially greater impact. Similarly, there would be no significant change in the existing relationships between windows and external spaces/gardens. As such there would be no unacceptable loss of privacy for neighbouring residents.
7. The gated alleyway would provide vehicular access to the proposed parking area, and adjoins the gable wall of 2 Hargreaves Street. However, this is a flank elevation without any windows. Also, owing to its locked and secure nature, the alleyway would be used mainly by residents rather than visiting traffic. The proposal would double the number of spaces from two to four, but the alleyway serves some six dwellings and is already subject to traffic. Although the parking spaces would be laid out in tandem pairs, they would each serve the same household so that there would be less likelihood of conflict or a need for frequent manoeuvring. In the circumstances, the additional vehicular movements generated by the development would not result in any significant increase in noise or disturbance for nearby residents.
8. The proposal would fall short of the maximum parking standards in the Rochdale Core Strategy. Nonetheless, this is an accessible and sustainable location close to public transport and other facilities. The flats would therefore be attractive to non-car owning households and residents would be encouraged to use public transport or walk/ cycle. I acknowledge that there might be some displaced parking onto the adjoining streets, but there are limited parking restrictions and many dwellings in the locality have some off-road parking. I note the photos which have been provided to demonstrate parking congestion, but these are not quantified by any relative information such as the day / time, the extent of the survey area, or an objective analysis of the area's context that might influence supply and demand. I do not doubt that the demand for on street parking would be higher in the evenings and on weekends, but I have no tangible information before me to demonstrate that the proposal would materially add to any existing parking stress or cause harm to highway safety as a consequence.
9. With regard to the safety implications of manoeuvring vehicles to and from the parking spaces and along the alleyway, I have no evidence that the layout or sizes of the spaces would be substandard or deficient in any way. The highway authority does not object to the proposal and I have no reason to disagree.
10. For the reasons outlined above I conclude that the change of use would not cause any material harm to residents' living conditions or highway safety

interests. It would therefore comply with Policies DM1, G9, T2 of the adopted Rochdale Core Strategy which together seek to ensure development does not cause unacceptable impacts in terms of, amongst other things, noise, and provides satisfactory vehicular access including parking and manoeuvring.

Other Matters

11. I have had regard to concerns relating to the effects on the area's character. Whilst the proposal would result in a higher housing density, the appeal property would retain its residential status and its external appearance would not be fundamentally changed. Despite the likely increase in the intensity of the use, the proposal would not result in an absolute change that would harm the area's character. In terms of precedent, it would be open to the Council to demonstrate in the individual circumstances of any other case that harm would be caused.
12. I have also taken account of the perceived difficulties of maintaining the integrity of the alleyway system and other tenant management concerns. However, these are not material planning considerations to which I can attach any significant weight.

Conditions

13. I have considered the conditions suggested by the Council. I have attached a condition relating to time limits and a condition specifying relevant plans to provide certainty. A condition relating to the details of the window frames is necessary to ensure the external alterations are in keeping with the area. Conditions relating to details of the hard landscaping, car parking and bin storage are also necessary to safeguard the character and appearance of the area and residents' living conditions.

Conclusion and Recommendation

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

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

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

P J Davies

INSPECTOR

Schedule of 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: Location Plan 1:1250, Drawing no. T178-Block Plan, Drawing no. T178-003/A – Proposed Floor Plan, Drawing no. T178-004/B – Proposed Elevation.
- 3) Notwithstanding condition 2, full details of the window frames, including details of the appearance, materials, finish, profile, depth of reveal and method of opening and the materials and specification to be used in the new brick surround and blocking up of the doorway, including how the areas will be finished/made good following the alterations, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of the flats.
- 4) No part of the development shall be occupied until a scheme for the design and construction of 'hard' landscaping treatment to provide the parking spaces shown on the approved plans has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the proposed surface treatment of the parking areas, paths or other hard-surfaced areas and any retaining structures and railings. The approved scheme shall be fully implemented before any of the flats hereby approved are first brought into use and thereafter retained for the parking of vehicles for the duration of the development.
- 5) No part of the development shall be occupied until full details of the construction and design of a refuse recycling/bin store(s) has been submitted for the written approval of the Local Planning Authority. The approved bin storage area shall be fully implemented before any of the flats hereby approved are first brought into use and retained at all times thereafter for the storage of bins.