



Appeal Decision

Site visit made on 26 November 2019

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 December 2019

Appeal Ref: APP/B4215/W/19/3236389
506 Wilmslow Road, Manchester M20 4BT

- 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 David Feltham (Feltham Management) against the decision of Manchester City Council.
 - The application Ref 121791/FO/2018, dated 7 November 2018, was refused by notice dated 5 March 2019.
 - The development proposed is the remodelling of the existing apartment building to create three new flats making five in total, alterations to elevations and creation of light wells.
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Decision

1. The appeal is allowed and planning permission granted for the remodelling of the existing apartment building to create three new flats making five in total, alterations to elevations and creation of light wells in accordance with the terms of application 121791/FO/2018, dated 7 November 2018, 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: 506-OD-0003 Rev 05, 506-OD-0005 Rev 03 and 506-OD-0006 Rev 03.
 - 3) No flat shall be occupied until space has been laid out and marked within the site in accordance with drawing no.506-OD-0006 Rev 03 for 11 cars to be parked and that space shall thereafter be kept available at all times for the parking of vehicles.
 - 4) Prior to the first occupation of any of the flats hereby approved, details of safe and secure cycle parking for the occupiers of the flats shall be submitted to and approved in writing with the local planning authority. Thereafter, the cycle storage shall be provided in accordance with the approved details and be retained for the lifetime of the development.
 - 5) The approved scheme for the siting and storage of refuse, as detailed on plan 506-OD-0003 Rev 05, shall be implemented as an integral part of, and for the lifetime of the development.

Preliminary Matter

2. The description of development is taken from the Council's decision notice as this provides a more accurate and inclusive description of the proposed development. It does not change the development for which planning is

sought. The appellant uses the same description on their appeal form. Consequently, I am satisfied that no party will be prejudiced by my use of it. I have proceeded on this basis.

Main Issues

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

- The living conditions of nearby residents with particular regard to noise and disturbance;
- The living conditions of future residents arising from the standard of accommodation, and with regard to noise and disturbance;
- Parking provision in the locality, and,
- The character or appearance of the Withington Conservation Area (CA).

Reasons

Living conditions – nearby residents

4. No 506 provides accommodation over four floors and was formerly in use as two apartments. The proposed subdivision of the building is designed to accommodate 8 persons. Although it is proposed to increase the number of individual units, the appellant submits that occupation levels will be similar to the former levels.
5. From the layout plans it is apparent that there would be some potential to increase the level of occupancy as a consequence of bedroom sharing or use of the proposed second-floor study/store as an additional bedroom. Whilst this possibility may arise, I am mindful that the existing arrangement of rooms would have similar potential to accommodate additional occupiers.
6. The neighbouring buildings also provide residential accommodation over several floors and there is some dispute between the parties as to the nature of the occupation of some of those premises. In support of the appeal, the appellant has drawn my attention to a recent grant of planning permission¹ in relation to the use of 516 Wilmslow Road as four self-contained flats. Additionally, the parties agree that 512 Wilmslow Road is in use as 6 apartments.
7. In the light of the evidence, whilst acknowledging the potential for some increase in occupancy levels at the appeal site, it is unlikely that this would be significantly different from those arising from the full occupation of nos 512 and 516. The proposed development would therefore be comparable to other examples in the immediate vicinity and there is little evidence to suggest that, in normal domestic use, such concentrations of residents would give rise to significant adverse impacts to nearby occupiers.
8. As highlighted by the Council, some additional activity may be generated with respect to comings and goings or the use of outside bins and parking areas. However, such activities tend to be short lived sufficient to avoid persistent annoyance. Additionally, the proposed development includes the re-siting of external bin storage to minimise those effects on neighbouring residents.

¹ 120840/FO/2018

9. Having regard to the size of the surrounding property types, the nature of their occupation and their location close to main roads and a busy local centre where background noise levels are higher, the proposed development and level of associated activity would not be at odds with the general character of the locality.
10. For the above reasons, I conclude that the proposed development would not significantly harm the living conditions of nearby occupiers through noise and disturbance. It would therefore comply with policies SP1 and DM1 of Manchester's Local Development Framework Core Strategy Development Plan Document (CS) and policies DC5 and DC26 of the Unitary Development Plan for the City of Manchester (UDP), that, amongst other matters, seek to protect the living conditions of neighbouring residents.

Living conditions – future residents

11. Although the Council has adopted emerging space standards following the release of the Technical Housing Standards (2015) (THS) these are not incorporated within the CS or UDP. The Planning Practice Guidance (PPG) states that *'Where a local planning authority (or qualifying body) wishes to require an internal space standard, they should only do so by reference in their Local Plan to the nationally described space standard²*. Whilst those standards cannot, therefore, be afforded full weight in this case, they provide a guideline to the standards of accommodation that would normally be expected for reasonable day-to-day living needs.
12. The evidence shows that proposed flats 1,3,4 and 5 would meet the standards for the levels of occupation specified. Whilst flat 2 would fall slightly short of the THS, this would not be to such a degree as to significantly reduce the living standards within it. Flat 2 would also be positioned adjacent to the communal hallway which would provide access to all five units. Some noise and disturbance may well be experienced as a consequence of occupiers accessing the other four flats, however, this is not an uncommon arrangement within subdivided properties and therefore would not cause significant harm to the occupier's living conditions.
13. As above, some additional outdoor activity may arise as a consequence of the proposed use of the building. Although additional bins may be required at the site, the relocation to the side of the building would limit any associated noise nuisance arising from their general use. Furthermore, whilst the works to form the lightwell to the front of the building would limit the space currently available here, this would be substantially offset by the proposed relocation of the bins to retain a similar level of amenity value as a present.
14. To the rear, the land provides a concreted area for parking provision and therefore has little value as usable outdoor amenity space. No significant change to this arrangement is proposed. Whilst this situation is not ideal this must be balanced against the general presumption in favour of flat conversions to deliver housing choice, particularly within accessible residential areas and on main road frontages, as detailed in policy DC5. When taken alongside the general constraint to rear amenity space within the locality where space is either absent, limited to small yard areas or provides access provision only, it would be unreasonably onerous to require it in this particular location. This

² Paragraph: 018 Reference ID: 56-018-20150327

approach is consistent with the evidence³ provided by the appellant in respect of 516 Wilmslow Road which lies close to the appeal site.

15. For the above reasons, I consider the proposed development would align with policies SP1 and DM1 of the CS and policies DC5 and DC26 of the UDP, that, amongst other matters, seek to provide suitable living standards for prospective residents.

Parking provision

16. The proposals include shared parking provision with neighbouring flats to provide 1 space per flat. These would be accessible from the rear service road off Marriott Street. Parking at a rate of one space per unit would be commensurate with provision in the immediate vicinity.
17. On-street parking in the locality is subject to local control, however, the area is well served by both local services and public transport indicating a highly sustainable location that could support car-free living or reduce demand for private vehicle travel. This is consistent with the Council's aim to maximise the potential of the City's transport infrastructure.
18. For the above reasons, I conclude that the proposed development would provide adequate off-street parking sufficient to avoid additional on-street parking pressure in the locality. It would therefore comply with policies SP1 and DM1 of the CS and policy DC5 of the UDP, that, amongst other matters, seek to secure suitable levels of parking for existing and future occupiers.

Conservation Area

19. As the site is located within the CA, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving or enhancing the character or appearance of the CA.
20. The CA consists of a mix of commercial, residential and community buildings about the busy linear shopping centre area and the junction of Wilmslow Road with Palatine Road. The area includes a number of notable listed buildings and a broad range of building styles of widely varying ages.
21. No506 Wilmslow Road is an extended, two-storey, semi-detached Victorian villa within a row of similarly styled properties. The site lies a short distance from the key radial route of Wilmslow Road where it splits with Palatine Road. It is close to the service centre providing a wide range of services and public transport links.
22. The proposed use of the building for residential accommodation would retain the building's original purpose. Although this would result in minor changes to its appearance, any increase in resident numbers would not so great as to be perceptible within the busy context of the site. The use of the building would therefore have little effect on the locality or be sufficient to bring about a change to either the character or appearance of the CA.
23. The proposed development would result in alterations to the front of the building through the formation of a lightwell and installation of windows to serve the proposed basement flat. The upper edge of the excavated area would

³ 120840/FO/2018

be fitted with an open railing to provide safety. To the side an open rail steel pedestrian gate is proposed as is the removal of the existing chimney stacks. To the rear it is proposed to install a rear window in lieu of an existing doorway providing access to the basement, and to remove a young tree within the parking area.

24. The works to the rear would not be widely visible from public areas and therefore have a neutral impact on the CA. The installation of basement windows and a lightwell to the front elevation would recreate an original feature of the building albeit somewhat larger than surviving examples visible locally. Although the presence of railings about the excavated area would be visible above the front boundary wall these would reflect the character of traditional boundary railings present in the area and therefore be consistent with the character of the locality.
25. As a minor building element, the parties agree that the proposed removal of the chimneys would not result in harm to the character and appearance of the wider CA. Noting other examples of chimney removal within the row and the previous alteration to the roofscape of no 506, the loss of the chimney in this context would preserve the character and appearance of the wider CA.
26. For the reasons set out above, I conclude that the proposed development would preserve the character and appearance of the CA. It would therefore be consistent with the requirements of saved policy DC18 of the UDP, policy EN3 of the CS and the National Planning Policy Framework (the Framework) as they seek to preserve or enhance the character or appearance of heritage assets.

Conditions

27. I have considered the suggested conditions from the Council and had regard to Paragraph 55 of the Framework and the PPG in terms of the use of planning conditions. I find the conditions to be reasonable and necessary in the circumstances of this case, however, some have been edited for precision and clarity.
28. In addition to the standard condition limiting the lifespan of the planning permission, I have imposed a condition specifying the relevant drawings as this provides certainty.
29. To secure suitable parking and cycle storage arrangements conditions requiring their provision on site have been included.
30. To preserve the character and appearance of the locality and minimise noise associated with use of external bins a condition requiring their storage as indicated on the appeal plans is included.

Conclusion

31. For the above reasons, I conclude the appeal should be allowed.

R Hitchcock

INSPECTOR