



Appeal Decision

Site visit made on 27 April 2021

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2021

Appeal Ref: APP/B4215/W/20/3263284

Flat 4, 19 Clifton Avenue, Manchester M14 6UD

- 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 Mrs Janice Gilmartin against the decision of Manchester City Council.
 - The application Ref 127329/FH/2020, dated 30 June 2020, was refused by notice dated 27 August 2020.
 - The development proposed is the insertion of six velux type windows to the front roof slope (which will allow internal alterations to be undertaken to flat 4 to be changed from one studio flat into a two bedroom flat).
-

Decision

1. The appeal is allowed and planning permission is granted for the insertion of six velux type windows to the front roof slope (which will allow internal alterations to be undertaken to flat 4 to be changed from one studio flat into a two bedroom flat) at Flat 4, 19 Clifton Avenue, Manchester M14 6UD in accordance with the terms of planning application Ref 127329/FH/2020, dated 30 June 2020, 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 plan '19 Clifton Avenue, Manchester, M14 6UD v2' and 9461/01/A.

Application for costs

2. An application for costs was made by Mrs Janice Gilmartin against Manchester City Council. This application is the subject of a separate Decision.

Main Issues

3. The main issue is the effect on the living conditions of nearby residential properties.

Reasons

4. The appeal site consists of a large semi-detached building set behind a short front garden area with enclosed amenity space to the rear. The flatted villa sits within an area of buildings of varying ages and styles primarily in residential

- use. The housing includes family housing, purpose-built flats and buildings subdivided into smaller units since their original construction. According to the Council, the appeal property currently provides 4 residential flats over four levels.
5. The proposal seeks the installation of 6 rooflights to the forward roof slope facing on to Clifton Avenue. The rooflights would provide natural illumination of some newly created internal habitable spaces that, according to the appellant, could take place independently of the proposal before me.
 6. The existing accommodation consists of a bedsit with a bathroom, kitchen and storage. The rearrangement of the internal accommodation would provide two bedrooms separate from a retained but reduced lounge area, a reduced kitchen, the bathroom, an additional bathroom and increased storage areas.
 7. The interior works would separate the lounge and bedroom functions that are currently shown to be combined. Although the kitchen and lounge would be reduced in area, and the bedrooms would not have full height ceilings, the separation of the internal functions would allow for improved living conditions for prospective occupiers. Taken with the benefit of good levels of natural daylight, the scheme would potentially deliver an improved standard of accommodation through the increased number of habitable rooms.
 8. According to the site's planning history, the building has seen changes which doubtlessly have facilitated greater occupancy over time. I acknowledge that the cumulative effects of increased housing occupancy and density can adversely impact on the living conditions of neighbouring residents and the wider location. The layout plans indicate a limited increase in the extent of accommodation by the formation of bedrooms in lieu of the existing bedsit element. This would increase the potential for higher occupancy, however, given the size of the bedrooms, this would be limited in number.
 9. The building is large with a sizable amenity space to the rear. The main entrance is located centrally in the building's frontage whereupon any increased external activity at the entrance would be focussed away from neighbouring buildings. Whilst congregation in this area could facilitate views of neighbouring residential properties opposite, these would be to no greater extent than from public areas within the street and be over distances that are commonly experienced between neighbouring properties within residential areas.
 10. Although some additional noise or disturbance could arise from use of the rear amenity space and an increased frequency or volume of occupiers accessing the flat through the building, these would not be unusual effects in subdivided buildings. The rear area is suitably contained and the limited increase in occupation would not therefore cause undue harm to the living conditions of existing occupiers of the building.
 11. Concerns have been raised in respect of the potential nature of the occupancy and propensity for late night disturbance and antisocial behaviour. According to local residents, the locality has a high proportion of students and other more transient residents who may have less regard for the effects of their behaviour than those residing on a more permanent basis.
 12. I do not doubt that some students do attend late night events (as do others), and that there may be some disturbance in the street when they return home;

or, that the playing of loud music or parties held at unsociable times might sometimes take place. However, there is little objective evidence that this is directly associated with the appeal property, that the unit would be let on a short-term arrangement or that occupants would not contribute positively to community cohesion. Furthermore, and in any event, I do not consider the effect of a minor increase in the occupation of the flat would materially change existing levels of noise and disturbance in the locality.

13. The site benefits from a driveway to the side of the building. However, use as a vehicular access to a garage building to the rear would not be possible for the significant majority of cars due to the limited width of the gap between the building and boundary wall. The driveway area forward of the building could accommodate only one vehicle such that other cars or larger vehicles used by residents or visitors to the site would be restricted to parking on the road.
14. At the time of my site inspection, albeit only a snapshot in time, there appeared to be limited parking pressure in the locality. Other properties on the Avenue benefit from larger side driveways and garages, such that demand for on-street parking places would not appear to be saturated. I therefore conclude that the limited parking provision at the site is unlikely to cause highway safety concerns or significant harm to the living conditions of nearby residents due to parking competition arising from the occupancy of a single additional bedroom.
15. For the above reasons, I find that the increase in the total number of bedrooms within the building would not materially harm the living conditions of nearby residents. The proposal would align with the requirements of Policy DM1 of the Manchester Core Strategy and saved Policy DC5 of the Unitary Development Plan as they seek to protect living conditions and local amenity.

Other Matters

16. I acknowledge the concerns of nearby residents and third parties in respect of the effect of the development on the character and appearance of the locality and bin storage at the site.
17. The insertion of rooflights into roof slopes is not uncommon in the locality. Several examples are present on Clifton Avenue, including the adjoining building at 17 Clifton Avenue. Although the number of openings is greater than most, these are spread over the roof area. Furthermore, some would lie immediately to the rear of the bay roofs which project upwards of the eaves line such that, along with the height of the building, views of all the proposed openings would be difficult from any one viewpoint. The effect on the appearance of the building would not be harmful and the character of the wider locality would be preserved.
18. Although the bin storage at the site is visible from the street and highlighted by some signage, the effect of a single additional bedroom is unlikely to cause or require any material changes to the management of waste at the site. It would not therefore be a matter of sufficient gravity to warrant the refusal of planning permission in the particular circumstances of the case.

Conditions

19. I have considered the suggested conditions from the Council and had regard to Paragraph 55 of the National Planning Policy Framework and the National Planning Practice Guidance in terms of the use of planning conditions. 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.

20. A condition requiring the use of matching materials is not appropriate or necessary in relation to a proposal for new rooflights.

Conclusion

21. For the above reasons, the appeal should be allowed.

R Hitchcock

INSPECTOR