The Planning Inspectorate

Appeal Decision

Site Visit made on 1 June 2021

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th June 2021

Appeal Ref: APP/B4215/W/21/3269324
18 Seymour Road, Manchester M8 5BG

- 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 Simon Dale of Welcome Estates against the decision of Manchester City Council.
- The application Ref 126830/FO/2020, dated 1 May 2020, was refused by notice dated 19 August 2020.
- The development proposed is conversion of existing basement to create one one-bedroom apartment.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposal would provide satisfactory living conditions for its future occupiers with particular regard to amenity space and the effect of the proposal on the living conditions of occupiers of neighbouring residential units with respect of noise and disturbance.

Reasons

Living conditions – future occupiers

3. Outdoor space is important to meet the demands of everyday life for occupants, providing an area for relaxation as well as essential activities. Residential schemes should provide a level of outdoor amenity space that is proportionate to the type of accommodation, appropriate to its location and suitable to meet future occupiers' likely requirements.

4. The appeal site has existing outdoor amenity space in the form of a garden to the front and a yard area to the rear. These spaces are small and currently shared by the existing occupants of the appeal building. The existing amenity space is not of high quality, in particular the rear yard area being directly adjacent to the car park. Whilst the amenity space may be similar to others in the surrounding area, due to its size and location, it would be substandard amenity space that would not be suitable to meet the requirements of future occupiers.

5. The proposal would meet the national minimum space standards for a dwelling of its size in respect of internal floorspace and the habitable rooms of the proposed property would have large windows for daylight and natural ventilation. The appeal site is also within close distance to Cheetham Hill Shopping Centre. My attention has not been drawn to any outdoor amenity space in the near locality, and the lack of suitable outdoor space would give the

properties an oppressive feel that would have a detrimental effect on the living conditions of future occupants.

6. Accordingly, I find that the proposal would have a harmful effect on the living conditions of future occupiers of the properties with regards to amenity space. The proposal would be contrary to Policies SP1 and DM1 of the Manchester's Local Development Framework Core Strategy 2012, saved Policy DC5 of the Unitary Development Plan for the City of Manchester 1995 (UDP) and the National Planning Policy Framework which seeks proposals to have regard to the standard of accommodation for the intended occupiers of the premises and provide adequate external amenity space.

Living conditions – neighbouring occupiers

7. The proposal would increase comings and goings to the building including increased vehicular movements and additional refuse storage. The proposed flat is relatively modest in size and the general movements of future residential occupants would not be unnatural or excessive in this existing residential setting.

8. I note that there are no objections from the Councils Highways or Environmental Health Officers in respect of access, parking and waste receptacles. The increase in noise from additional activity from the car park, vehicular traffic and refuse storage would not create an overly disruptive atmosphere.

9. Due to the size of the proposal and location in respect of neighbouring residential units, I do not consider that the proposal would create significant levels of comings and goings that would adversely affect the living conditions of neighbouring occupiers.

10. The proposal would not have a harmful effect on the living conditions of occupiers of neighbouring residential units in respect of noise and disturbance. The proposal would accord with Policy DC26 of the UDP which seeks development to reduce the impact of noise on people living in the City.

11. I have had regard to the Council's statement of case including reference to appeal decisions[1]. However, insufficient details have been submitted on these schemes and I cannot be sure that they represent a direct parallel with the appeal scheme particularly with regards to location and size of development. In any case, I have determined this appeal on its own merits.

Other Matters

12. The appellant has indicated that there would be a designated area for refuse storage including recycling and discussions have been undertaken in terms of management of waste collection. All new windows would be acoustic grade in line with Building Regulations as well as all walls, ceilings and floors. The parking area would have visible permanent bollards installed with the access having road painted channel lines. Vehicle access would be controlled by a swipe fob or card in line with the Crime Impact Statement and high street planters would be installed along the vehicular access. These matters and benefits however would not outweigh the significant harm that I have identified above with regards to amenity space.

[1] Planning Inspectorate Reference Numbers: APP/B4215/A/13/2194004 and APP/B4215/W/19/3237988

Conclusion

13. I have found that the proposal would not compromise the living conditions of neighbouring occupiers in respect of noise and disturbance. However, these matters do not outweigh the significant harm I have identified with regards to living conditions of future occupiers in regards to amenity space.

14. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding.

15. Therefore, for the reasons given above, the appeal should be dismissed.

Chris Baxter

INSPECTOR