



Appeal Decision

Site Visit made on 21 September 2021

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 October 2021

Appeal Ref: APP/B4215/W/21/3273086

Hani Court, Eaton Road, Manchester M8 5DY

- 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 Y Schreiber against the decision of Manchester City Council.
 - The application Ref 127750/FO/2020, dated 28 February 2020, was refused by notice dated 15 October 2020.
 - The development proposed is described as a roof extension comprising of 6 No. new dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. A revised National Planning Policy Framework was published in July 2021 (the Framework). Whilst the paragraph numbers have changed in regard to those relevant to the main issues of this case, the substance thereof remains the same as the 2019 iteration. I have sought comments from the main parties and taken any comments made into consideration.

Main Issues

3. The main issues are (i) whether the proposed development would preserve or enhance the character or appearance of the Crumpsall Lane Conservation Area (the Conservation Area), and (ii) the effect of the proposed development on highway safety with specific regard to parking.

Reasons

Conservation Area

4. The appeal property is situated in a predominantly residential area that contains a range of buildings. This mix, which includes larger Victorian properties and more modest 20th Century housing, contributes to the architectural diversity of the Conservation Area. Despite this diversity, there is a general consistency in the front alignment of properties and in the scale of different groups of properties that are situated close to each other, which gives the area a harmonious characteristic and contributes positively to the significance of the Conservation Area.
5. The proposal would result in the provision of an additional floor on the existing footprint, resulting in a three-storey building. My attention has been drawn to a number of buildings in the surrounding area that are three storeys in scale, and I was able to see these at the time of my visit. These are however generally

groups of older properties that appear to be from the Victorian period, or in the case of the school opposite the site, take a modern form. More immediately around the appeal site on the northern side of Eaton Road, the buildings have a consistent two storey form other than a single storey building on an adjacent site.

6. I note the additional floor would be partly in the roof space, but the mansard roof form would be of a scale and bulk that would be comparable to an additional storey. It would not therefore appear similar to roofs of the nearby two storey properties which are distinct in their pitched roof structures. The appeal property also has a considerably larger L-shaped footprint than the nearby two storey residential properties and the proposal would appear as a significant addition in this context. I note the reference to the nearby larger three storey building to the north, but this is to the rear of the appeal building and fronts Bennett Road. As such, it is not readily seen in the same views of the appeal site from Eaton Road. The close proximity of the school building as a taller, dominant structure with a large blank wall is also referenced. This is however situated outside the Conservation Area.
7. Reference has been made to the age of the existing building, dating from 1994 and that it has a neutral effect on the character and appearance of the Conservation Area. Whilst the appeal building has a more modern appearance than others in the area, its two storey form which is generally consistent with neighbouring properties, makes a positive contribution to the character and appearance of the Conservation Area. The proposal would fail to respect this and despite there not being medium-long distance views of the appeal property, and that mature trees providing some screening, the development would clearly be seen in closer views along the length of Eaton Road.
8. For the above reasons, the proposal would fail to preserve or enhance the character or appearance of the Crumpsall Lane Conservation Area. As such, it would be contrary to Policies SP 1, EN 3, H 1 and DM 1 of the Core Strategy Development Plan Document (Core Strategy) which seek, amongst other matters, to preserve or where possible, enhance the historic environment. It would also be contrary to saved Policies DC1 and DC18 of the Council's Unitary Development Plan, which seek, amongst other matters, to preserve and enhance the character of designated conservation areas. It would also be contrary to the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, which seeks, amongst other matters, to preserve or enhance the character of conservation areas.
9. In relation to designated heritage assets, Paragraph 202 of the Framework states where there would be less than substantial harm to the significance of a designated heritage asset, as in this case, primarily due to the scale of the proposed development in context, this harm should be weighed against the public benefits of the proposal.
10. I acknowledge the proposal would provide local people with additional residential accommodation in a popular, accessible area. Whilst this matter weighs in favour of the scheme, it would not outweigh the harm the development would cause to the Conservation Area in the terms I have described, bearing in mind the Framework, which states that great weight should be given to a heritage asset's conservation, irrespective of the level of harm to its significance.

Highway Safety

11. The appeal proposal does not seek to provide additional off-street parking and the Council have raised concerns on the effects of on-street parking in the locality, particularly given the demand for parking associated with the school opposite. The site currently provides 12 no. car parking spaces for the existing occupiers of the flats, but the appellant has set out in evidence that, typically, during the day up to 6pm, there were no more than 6 vehicles utilising the car park. There is therefore surplus capacity in the daytime within the car park to accommodate parking at a level of 1 parking space per flat for the proposed units.
12. Overnight however, when demand is typically the highest, the evidence presented shows there to be up to 9 vehicles using the car park. At these times though, the appellant has set out information that shows on-street parking stress in the vicinity of the site is low, with surplus capacity. It is also clear from this information that the high demand for on-street parking is limited to particular times during the day which coincide with the school opening and closing times. The Council have not disputed this evidence and although the proposal would likely give rise to additional vehicle parking, I consider it can be accommodated within the on-site car park and utilising on-street spaces.
13. I also note in this regard, the close proximity of public transport connections and local shopping facilities which would enable future occupants alternative transport choices to the private car. Policy T2 of the Core Strategy sets out that the circumstances of each proposal can be taking into account to establish what level of parking is appropriate.
14. I conclude that the proposed development, for all the aforementioned reasons would be acceptable in relation to parking and would not have a detrimental effect on highway safety. As such, as well as complying with Policy T2 of the Core Strategy, it would also comply with Policies SP 1 and DM 1 of the Core Strategy, which require, amongst other matters, that development provides appropriate car parking facilities. It would also comply with guidance in Section 9 of the Framework.

Other Matters

15. The proposal would provide a windfall housing site comprising a mix of accommodation sizes within an accessible location. In this regard, it receives some support from local and national policy. Whilst these matters weigh in favour of the proposal, they would not outweigh the harm that I have identified.
16. The development is said to be acceptable in principle, would meet the minimum space standards relating to the size of accommodation, avoid overlooking from habitable rooms and be acceptable in relation to amenity space provision. It would also be compliant with fire escape distances and acceptable in terms of landscaping as well as on the detailed external appearance replicating the design of the existing building. A lack of harm in these areas are neutral matters and do not weigh in favour of the proposal.
17. Although reference has been made to the lack of objections, a number of parties have raised representations against the appeal proposal. I also note that concerns were raised by the Council in relation to the impact on the

amenity of neighbouring occupiers but I have been provided with limited further information. As I have found that the proposal would be acceptable in relation to parking, it follows that there would be no unacceptable impact on neighbouring occupiers in this respect.

18. Whilst reference has been made to permitted development rights relating to the upward extension of residential buildings, it is also acknowledged that they would not apply to the appeal building as it is less than 3 storeys in height. I therefore afford limited weight to this matter.

Conclusion

19. I have found that the proposal would be acceptable in relation to highway safety. However, this is a neutral factor and does not outweigh the harm it would have on the Conservation Area.
20. For the reasons given above, having considered the development plan as a whole, the approach in the Framework and all other relevant material considerations, the appeal is dismissed.

F Rafiq

INSPECTOR