



Appeal Decision

Site visit made on 7 May 2024

by J Hobbs MRTPI MCD BSc (hons)

an Inspector appointed by the Secretary of State

Decision date: 04 June 2024

Appeal Ref: APP/B4215/W/23/3335564

141 Queens Road, Manchester M8 0QY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Abbas Sheikh of Knightswood Investments Ltd against the decision of Manchester City Council.
 - The application Ref is 138395/FO/2023.
 - The development proposed is conversion of domestic property to two 2 bed flats.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Following the deadline for final comments, the Places for Everyone Joint Development Plan (JDP) was adopted. Both parties were consulted on the adoption of the JDP. The Council responded to indicate that the sections of Manchester's Local Development Framework Core Strategy Development Plan Document, July 2012 (CS) that have been replaced by the JDP have no bearing on the policy content within the reasons for refusal. The appellant did not provide comments.

Main Issues

3. The main issues are the effect of the proposal on:
 - the mix of housing, with particular regard to family housing; and,
 - the living conditions of neighbouring residents, with regard to the availability of on-street parking, and noise and disturbance.

Reasons

Housing Mix

4. The appeal property is a 4-bedroom, mid-terrace dwelling located within the 'North Manchester' area, as identified by the CS. Despite accommodating four bedrooms, the property is modest in size and includes accommodation in the basement and the loft.
5. CS Policy H3 sets out the housing strategy for North Manchester and indicates that priority will be given to family housing. The term 'family housing' is not defined. However, paragraph 9.19 of the explanatory text states that the Housing Need and Demand Assessment 2010 shows there is a need for 3- and 4-bedroom family houses.

6. The appeal property is located on Queens Road (A6010), which appears to be an arterial route. Saved Policy DC5 of The Unitary Development Plan for the City of Manchester, July 1995 (UDP) gives a general presumption in favour of flat conversions within residential areas for properties on main road frontages. Nonetheless, the policy also indicates that the Council will consider situations in which the conversion of small, terraced properties is proposed and where a scheme is the first in a street of otherwise single, family dwellings. In these instances, the Council will give weight to the desirability of maintaining the character of the street.
7. An interested party has indicated there are no other flats in the area. This is not disputed by the appellant and during my site visit I did not observe any properties which had been obviously subdivided. The proposal would therefore represent a conversion of a small, terraced property and could be the first flat conversion in the area. The area is currently characterised by the prevalence of family housing.
8. Through the loss of a family home, the appeal proposal would have a harmful effect on the character of the area. CS Policy H3 prioritises family housing in North Manchester. Therefore, significant weight is given to the desirability of maintaining the prevailing character of the area.
9. Whilst the proposed apartments may be able to accommodate small family units, two-bedroom apartments would not normally be considered family housing due to its size and limited number of bedrooms. Also, the proposed dwellings would not address the shortfall of 3- and 4-bedroom family houses. In fact, it would lead to the loss of a 4-bedroom dwelling, through its sub-division.
10. Although the property may be less desirable than other 4-bedroom dwellings due to the living space being over four floors, there is no reason why the internal arrangement could not be altered. There is also no substantive evidence of a lack of demand for this property, and this alone does not justify the loss of a large family home. Moreover, I note that Eden School is in proximity to the appeal property. The proximity to schools further supports the need to retain large family housing.
11. Overall, the appeal proposal would have a harmful effect on the mix of housing, with particular regard to family housing. As such, it would be contrary to CS Policies SP1, DM1 and H3 which set the key spatial principles for development in Manchester, the housing strategy for North Manchester, and indicate that development should have regard to the character of the area.

Living conditions

12. The conversion of the appeal property to two two-bedroom flats would increase the maximum occupation of the appeal property. In turn the demand for vehicle parking spaces would increase. The appeal property does not include any off-street parking. As such, future residents would be reliant on on-street parking.
13. The Council's Highways team identified that Queens Road already experiences significant parking demand. In addition, interested parties have also raised concerns with parking congestion in the area. UDP saved Policy DC5 outlines that the Council will normally refuse permission for developments which are in

tightly-packed residential streets where there is no scope for off-street parking and where there is already an acknowledged problem of on-street congestion.

14. The area is characterised by terraced houses, there is evidence of on-street parking congestion, and no off-street parking is proposed. Therefore, the appeal proposal would exacerbate the existing parking stress and would lead to residents having to park further from their houses. In some instances, this would be impractical and could lead to anti-social parking. As such, it would have a detrimental effect on residents' living conditions.
15. Due to the close, physical relationship between properties, neighbouring residents are vulnerable to increased noise and disturbance. Nonetheless, the increase in occupation of the appeal property, following its conversion to two flats, would be modest. Furthermore, the properties on Queens Road front onto an arterial road which creates a relatively noisy environment compared to other nearby residential streets. As such, the limited increase in activity related to the appeal property would not have a materially harmful effect on neighbouring residents, with regard to noise and disturbance.
16. The appellant has indicated that they considered converting the appeal property to three flats but decided against this to avoid overcrowding. The presence of a potentially more harmful scheme does not justify the appeal proposal. Moreover, my assessment is based upon the planning merits of the appeal proposal only.
17. I conclude that the proposal would have a harmful effect on the living conditions of neighbouring residents, with regard to the availability of on-street parking. However, it would not have a materially harmful effect on the living conditions of neighbouring residents, with regard to noise and disturbance. It would therefore be contrary to CS Policies SP1 and DM1 and UDP saved Policy DC5. These policies indicate that developments should make a positive contribution to the wellbeing of residents and development should have regard to its effect on amenity, amongst other factors. The proposal would also be contrary to paragraph 135 of the National Planning Policy Framework which indicates that planning decisions should ensure that developments create places with a high standard of amenity.

Conclusion

18. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

J Hobbs

INSPECTOR