



Appeal Decision

Site visit made on 8 October 2024

by G Sibley MPLAN MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 December 2024

Appeal Ref: APP/B4215/W/24/3341093

242 Platt Lane, Manchester M14 7BS

- 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 Mrs Saleem against the decision of Manchester City Council.
 - The application Ref is 138514/FH/2023.
 - The development proposed is ground floor extension to the rear of the property.
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Decision

1. The appeal is allowed and planning permission is granted for ground floor extension to the rear of the property at 242 Platt Lane, Manchester M14 7BS in accordance with the terms of the application, Ref 138514/FH/2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following drawings: Existing and Proposed Plans; and Proposed Elevations.
 - 3) The external materials of the extension hereby permitted shall match those used in the existing building.

Preliminary Matter

2. Notwithstanding the layout shown on the proposed plans I have determined the appeal on the basis of the description of the development on the application form and confirmation from the appellant that the building is a single dwelling and not a House in Multiple Occupation (HMO).

Main Issue

3. The main issue is the effect of the proposal upon the living conditions of the neighbouring occupiers with regard to noise and disturbance and linked to this the effect of the proposed development on the provision of a balanced community.

Reasons

4. The appeal property is a two-storey end terrace dwelling within a predominantly residential area. The proposal seeks to demolish the existing rear extension and erect a larger single storey rear extension. A gap would be retained between the flank wall of the extension and the attached property and there is an alleyway between the opposite flank wall and the other neighbouring dwelling.

5. The Council were initially informed that the building was used as an HMO, but it was later confirmed by the Lettings Agent, who lets out the appeal property, that this is not the case. The planning history for the building indicates that its last known and existing use is as a dwelling. As such, based on the evidence before me the building is used as a single dwelling and the scheme before me does not seek to alter that.
6. The proposed internal arrangements show that the extension would include a separate unit within the existing house, although this proposal does not seek to permit the house to be used as such. When considering the size of the extended property the modest size of the internal space available to the occupiers would be suitable for the continued use of this building as a single dwelling.
7. The comings and goings from the larger property may increase due to this scheme. However, the movements to and from the property would be fleeting with noise only created for a limited time.
8. The overall number of people who could live in the property would not be substantially different given the limited scale of the ground floor extension. The gap retained between the extension and the attached property would contribute to ensuring the noise and disturbances would generally occur away from the attached property.
9. Additionally, the garden would provide a modestly sized outdoor space and even if the occupiers of the building worked during the evenings with comings and goings occurring at night at the rear of the property, this does not necessarily infer that there would be an unacceptable impact in terms of noise and disturbance to other nearby residents. The issues raised are not predicated on the use of the building but rather a matter of individual behaviour.
10. By virtue of the limited intensification of the existing use, the proposal would not necessarily result in a substantial increase in activity either within the property, or externally. Even in combination with the comings and goings from HMO's and other properties in the area, the development would not give rise to a significant adverse impact on the living conditions of nearby occupiers.
11. Whether or not this property is used as an HMO in the future is not determinative in this appeal which only seeks permission for an extension to a dwelling. Should the Council think that an HMO use is persisting it has the powers to investigate this.
12. Given that the house is located in a predominantly residential area, the modestly extended dwelling would be consistent with the prevailing residential character of family homes. In light of the limited scale of the extension it would not have a detrimental impact on the sustainability and character of the area.
13. Therefore, the development would not cause unacceptable harm to the living conditions of the neighbouring occupiers and would maintain a balanced community. Accordingly, it would comply with Policies SP1 and DM1 of the Core Strategy Development Plan Document (CS), 2012. These state, amongst other matters, that development should have regard to the effects on amenity and make a positive contribution to the health, safety, and wellbeing of

residents. It would also accord with the Framework insofar as it states that development should create places with a high standard of amenity for existing and future users.

14. The Council's Decision Notice refers to Policy H11 of the CS. However this policy relates to extensions to existing HMO's and based on the information before me, this dwelling is not used as an HMO. As such, the proposal would not conflict with this policy.

Conditions

15. Further to the statutory commencement condition a further condition requiring the development is carried out in accordance with the approved plans is necessary in the interest of certainty. Another condition regarding the external materials is necessary in the interest of the character and appearance of the area. I have revised this condition to specify that the materials shall match those used in the existing building in the interest of clarity and certainty.

Conclusion

16. The development complies with the development plan and the material considerations do not indicate that a decision should be made other than in accordance with it. Therefore, for the reasons given above, I conclude that the appeal should be allowed.

G Sibley

INSPECTOR