
Appeal Decision

Site visit made on 22 April 2025

by **G Bayliss BA (Hons) MA MA MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 12th May 2025

Appeal Ref: APP/B4215/W/24/3357873

Land adjacent to 57 Grimshaw Lane, Manchester M40 2AX

- 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 Mr Peter Hargreaves, LPLP Properties Ltd against the decision of Manchester City Council.
 - The application Ref is 140785/FO/2024.
 - The development proposed is erection of building to end terrace, to form 6 x 1 bedroom holiday/short stay studio flats.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government published a revised version of the National Planning Policy Framework (the Framework) in December 2024. I have considered its amendments against the earlier version and against the appeal evidence. However, I have not gone back to the parties for comment, as I do not consider the Framework changes to be substantive or determinative to the outcome of this appeal.

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the adjoining terrace and the surrounding area; and
 - The effect of the proposal on the living conditions of nearby residents and future occupants with particular reference to noise, disturbance, and fear of crime.

Reasons

Character and appearance

4. The appeal site is a parcel of land which adjoins the northern end of a terrace of four houses and is alongside a playground. The surrounding area is a mix of mainly traditional terraced housing, commercial and industrial buildings, with a large industrial building opposite the appeal site. The terrace is of brick construction with a slate roof and is of two storeys with attic accommodation, and most have two storey outriggers with enclosed rear yards. Despite some variations, the houses in the terrace exhibit a similar character and appearance,

including small dormer windows and a horizontal alignment of windows to their frontage.

5. Whilst the proposed building would follow the ridge height and general form of the front range of the terrace, the horizontal alignment of the windows on the first floor would not line through. The position of these windows would be noticeably different and, along with a distinctly different proportion and appearance to the windows generally, the overall design of the building would not integrate with that of the adjoining terrace. It would have a visually jarring relationship and would not comfortably assimilate with it.
6. To the side elevation, the proposed rear outrigger, rising to three storeys, would not be subordinate to the front range and it would also appear of much greater form and massing than the others in the terrace. The number and arrangement of windows to the side elevation, overlooking the playground, would also give it an uncharacteristic prominence and appearance. The rear outrigger would therefore be a dominant and overwhelming element, disproportionately large in relation to the front range and most nearby houses. It may be that there are larger commercial buildings nearby and other dwellings with different characteristics, but the immediate context is the adjoining terrace, and the proposal would not sufficiently assimilate with it and it would not represent good design.
7. The proposal would therefore have a harmful effect on the character and appearance of the adjoining terrace and the surrounding area. It would conflict with policies SP1 and DM1 of Manchester's Local Development Framework, the Core Strategy (2012) (CS), and Policy JP-P6 of the Places for Everyone Joint Development Plan Document (2024) (JDPD). These policies, amongst other things, seek to achieve well designed places which enhance or create character. It would also conflict with the Framework which seeks to ensure that developments add to the overall quality of the area.

Living conditions

8. The proposed building would be sub-divided into six short stay apartments. The appellant mentions that the accommodation would be for six people based on a market demand for solo accommodation. The Council is concerned that the premises could be used by up to 12 people and that its location near to sport and entertainment venues could lead to intense levels of activity associated with transient guests, particularly in the evening and at night. They consider that this noise and disturbance could be experienced both from within the property and outside.
9. Whilst there are industrial and other businesses in the area, and busy roads nearby, I noticed during my visit that the area near to the appeal site was a relatively quiet area. The concentration of nearby terraced houses and a playground gave the area a strong residential character. The proposal would be well placed for local venues, many of these could be reached on foot, and there also appears to be a demand for this type of accommodation. However, the property would be located away from the city centre, retail or other commercial contexts where this type of accommodation might be more typically located. Given its location, it is reasonable to assume that the proposed accommodation would be used by some guests visiting these sport and entertainment venues and therefore many of the comings and goings are likely to be concentrated at certain times of

the day. Typically, many guests would be returning late at night. Whilst the appellant suggests that only six people would occupy the premises at any given time, I see little reason why the accommodation would not be used by couples or small groups so it is possible that the building could have significantly more occupants than nearby dwellings.

10. Some nearby businesses may operate in the evening or overnight and during the day there may be noise coming from the playground, but there is little to suggest that these are disruptive to occupants in the immediate area. However, late night revellers, either singly or collectively, arriving back at the property from an evening venue would have the potential to be noisy and disruptive especially when background noise levels are likely to have reduced. This disturbance may be at unexpected times and erratic in length and is likely to be unacceptably harmful to nearby residents. Although an acoustic report was not requested by the Council, this could have demonstrated how noise and disturbance could have been avoided or satisfactorily attenuated and managed. In the absence of a report and despite the suggested measures to mitigate the likely disturbance and to monitor and manage the site remotely, the lack of an on-site presence suggests to me that there will be times when noise and disturbance from guests may cause a nuisance to nearby residents. This may be outside disturbance or noise coming from open windows and this would be difficult to manage remotely. Whilst any disturbance may subsequently be addressed this may take time and by then the harm has already occurred, and this may be repeated on a regular basis. The appellant may have several other similar properties and experience of such accommodation but even by attaching conditions to any approval to attempt to mitigate the harm I am not assured that these matters would be adequately addressed.
11. With the main access located to the side of the property facing the playground, there would be limited natural surveillance of this entry from the street. Although I have no doubt that the side entrance could be made secure with gates, fences and surveillance measures, there are few submitted details. Whilst the side passage may be secure, the fencing is likely to limit natural surveillance further and guests accessing the property may feel uncomfortable in this secluded space, especially if unknown others are using this access at the same time. Guests with rooms alongside this passage may also feel vulnerable and fearful of any disturbance. Although crime statistics for the area may be low, and some preventative measures would be put in place to provide security for guests, I am not assured that I have sufficient information to know that this would be adequate.
12. The proposal would have a harmful effect on the living conditions of nearby residents and future occupants with particular reference to noise, disturbance, and fear of crime. It would therefore conflict with CS policies SP1 and DM1, Policy DC26 of the Unitary Development Plan (1995) and JDPD Policy JP-P6. These policies along with the Framework seek to ensure that development makes a positive contribution to the health, safety and wellbeing of residents.

Other Matters

13. The Council's appeal statement refers to concerns in relation to parking, cycle storage and arrangements for waste disposal. Although these are mentioned in the officer report, they do not appear to be mentioned in the Council's decision notice. As I am dismissing this appeal in relation to the main issues it has not been necessary for me to consider these matters further.

14. The appellant considers that information relating to Biodiversity Net Gain was requested by the Council on validation but was subsequently advised that this was not necessary. The costs incurred by the appellant are a matter for the Council and are not relevant to the appeal decision before me.
15. There may be an absence of objections from residents nearby, demand for this accommodation, and the development has the potential to contribute to the local economy, but these are not sufficient reasons to depart from my conclusions on the main issues.

Conclusion

16. For the reasons given above the appeal should be dismissed.

G Bayliss

INSPECTOR