



Appeal Decision

Site Visit made on 7 September 2021

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 September 2021

Appeal Ref: APP/B4215/W/21/3276926

105 Princess Road, Manchester M14 4RB

- 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 Oladele Oluyemi (RPJ Associates) against the decision of Manchester City Council.
 - The application Ref 129007/FO/2020, dated 28 December 2020, was refused by notice dated 23 March 2021.
 - The development proposed is a change of use of existing residential building to a house with multiple occupation. The existing has a front ground floor shop and an empty uninhabitable basement. The proposed works does not affect these areas.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The revised National Planning Policy Framework was published on 20 July 2021 and the main parties have been given the opportunity to make comment on this in relation to the appeal.

Main Issues

3. The main issues are:
 - (i) whether or not the proposed development would provide acceptable living conditions for its future occupiers
 - (ii) the effect of the proposed development on the living conditions of the occupiers of nearby residential properties
 - (iii) the impact on the supply of family housing

Reasons

Living conditions – future occupiers

4. The proposed house in multiple occupancy (HMO) would be laid out with seven bedrooms, which are shown to have their own kitchenette area with a sink and microwave. All bedrooms would have their own private bathroom facilities. A communal kitchen area equipped with a sink, washing machine, tumble dryer, refrigerator and cooking facilities would be provided on the first floor. There would be no other internal communal areas within the property other than lobbies and corridors.

5. The communal kitchen area is however of such a small size that it would be difficult to accommodate multiple numbers of occupants in it at any one time and it provides no area in which to consume foods, either individually or as a group. In the absence of any other communal space, future occupiers would inevitably be confined to their bedrooms to enjoy their leisure time at the property and to eat. Very limited opportunity for socialising between residents would also be presented. Collectively, these factors mean that the proposal would fail to provide acceptable living conditions for the future occupiers of the property.
6. For these reasons, I conclude that the proposed development would not accord with Policies H11, DM1 and SP1 of the Manchester Core Strategy 2011, where they require HMO accommodation to be of a high standard, to provide adequate internal accommodation and to make a positive contribution to the wellbeing of residents.

Living conditions – existing occupiers

7. Princess Road is a busy arterial road leading into and out of Manchester city centre with high traffic levels. At ground floor, units are occupied by a range of uses including shops, restaurants and takeaways. Whilst rooms at the rear of the property would be quieter, the principal entrance and exit to the proposed HMO would be through the front elevation and onto Princess Road. Therefore, movements of residents to and from the appeal property would not be likely to cause harm to the living conditions of the occupiers of nearby properties, in the context of the existing noise environment and ground floor uses.
8. Whilst it would appear that upper floors of the adjoining properties are also in residential use, it is unclear whether these form individual dwellings, flats, HMOs or other living arrangements. It is not therefore known how the layout of the proposed HMO would correspond to that of the areas of adjoining properties that may be in residential use. However, given that all of the rooms would be used only as bedrooms, kitchens and bathrooms, and given that there is nothing to suggest that any concerns that did arise could not be adequately overcome by soundproofing, I am not persuaded that there would be harm to the living conditions of the occupiers of adjoining properties from the internal use of the appeal property.
9. Due to the matters arising from the poor living conditions that would be provided for future occupiers, the proposed HMO would be unlikely to be an attractive proposition for long-term occupation and therefore occupancy would be more likely to be transient, with a higher turnover of residents. However, in light of my findings with respect to comings and goings from the appeal property and in relation to the proposed internal layout, there is nothing to suggest that a high turnover of occupants would itself cause harm to the living conditions of the occupiers of nearby properties.
10. I therefore conclude that the proposed development would not cause harm to the living conditions of the existing occupiers of nearby residential properties. Consequently, there would be no conflict with Policies H11, DM1 and SP1 of the CS and Saved Policy DC26 of the UDP, where they seek to ensure that development does not cause harm to the living conditions of existing occupiers in the surrounding area.

Loss of family housing

11. The planning history supplied refers to there have been historic planning consent granted for two flats at the property. It is unclear as to whether this permission has been implemented, although from my site visit it was evident that both the first and second floors benefit from rooms fitted out as full kitchens. The likelihood that the property currently provides for family housing is therefore unclear and this being the case I have significant reservations that the proposal would have an impact upon the supply of family housing. Accordingly, on the basis of the information that is before me, I find no conflict with the aims of Policies H11, DM1 and SP1, where they seek to ensure that an adequate supply of family housing is available.

Other Matters

12. The appellant raises a number of frustrations with the planning application process, but I must make my determination on the merits of the case that is before me. I cannot therefore take such considerations into account in reaching my decision.

Conclusion

13. Although I have not found that there would be harm to the living conditions of the occupiers of nearby residential properties and that there would not be a demonstrable loss of family housing as a result of the proposed development, I have found that the proposal would not provide acceptable living conditions for its future occupiers.
14. The proposal would therefore fail to accord with Policies H11, DM1 and SP1 of the CS, and accordingly with the development plan taken as a whole. There are no material considerations that indicate that a decision should be made other than in accordance with the development plan, and I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR