
Appeal Decision

Site visit made on 30 January 2024

by S Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 February 2024

Appeal Ref: APP/U4230/W/23/3330676
24 Coronation Street, Salford M5 3RW

- 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 John McLeod against the decision of Salford City Council.
 - The application Ref 23/81956/COU, dated 30 June 2023, was refused by notice dated 30 August 2023.
 - The development proposed is change of use from C3 dwelling to C4 additional HMO (three or four persons).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the residential character of the area, having particular regard to community stability and social cohesion.

Reasons

3. 24 Coronation Street is a three bedroomed, mid-terraced property situated in a well-established residential area and is currently in use as a house occupied by a single household. The proposal seeks to change the use of the property to a House in Multiple Occupation (HMO) for 3 or 4 people, with floor plans indicating that one of the ground floor rooms could be used as the fourth bedroom.
4. Policy F3 of the Salford Local Plan: Development Management Policies and Designations (adopted in 2023) (the Local Plan) requires that all places and developments should be as inclusive as possible. Policy H1 is an overarching housing policy which requires individual new residential developments to contribute to the provision of a broad mix of housing options across Salford and within the local area, ensuring that identified housing needs can be met.
5. The justification for Policy H10 notes that non-self-contained residential units can be transitory in nature, having a relatively rapid turnover of occupants and consequently a high number of them can adversely affect the social stability of a neighbourhood. Accordingly, Policy H10 requires that the conversion of houses into uses including HMOs and student housing is carefully controlled to ensure a good supply of houses is maintained and the positive character of neighbourhoods is protected.

6. Conversions to these uses will only be permitted where, amongst other things, it can be demonstrated that the proposal would not, individually or cumulatively, have an unacceptable impact on the positive residential character of the surrounding neighbourhood having particular regard to potential increases in noise and disturbance, on-street car parking, waste management and population turnover that could reduce community stability; and would not result in a house that is in use as a single dwelling being immediately adjacent to more than one property in such use. For the purposes of the Policy 'adjacent' includes properties opposite a site.
7. This part of the City is subject to an Article 4 Direction which prevents houses being converted to HMOs without the benefit of planning permission, in line with the aims of Policy H10. In Coronation Street there is no dispute between the parties that the proposal would result in 12 out of the 19 properties in this particular terrace, 63%, being in HMO use. There is a similar concentration in the adjacent terrace. I note that there are no HMOs elsewhere within the immediately vicinity but nevertheless the proposal would result in a high concentration of such uses on this particular road.
8. The potential effects of HMOs on the local residential environment are set out in the Council's evidence¹ and are not disputed by the appellant although it is the appellant's contention that larger HMOs are likely to have a greater impact than those with fewer bedrooms, as is proposed here. However, whilst smaller HMOs might be able to integrate into the residential structure of an area more easily, evidence appears to indicate that the proposal would result in a row of 5 consecutive HMOs including one larger HMO. Cumulatively the impact of these properties on the local environment, including on community stability, would be significant.
9. Moreover, those properties lie directly opposite No 1 Regent Square, which is a single occupancy house. Whilst the proposal would not result in it being adjacent to more than one HMO, as there are four already, the proposal would add to the cumulative effect of those properties on the living conditions of occupiers of that property in terms of, amongst other things, noise and disturbance and car parking pressure. The appellant notes that no objections to the proposal were raised by the Council's environmental consultees. Nevertheless, it seems to me that whilst the use might not give rise to a statutory noise nuisance, disturbance from, for example, comings and goings, parking, and social activity late at night would have a harmful effect on the living conditions of occupiers of that property, particularly given the particular concentration of HMOs on Coronation Street. Moreover, the concentration of a large, likely transient group of people would not create social cohesion.
10. My attention has been drawn to an appeal decision² from 2018 where planning permission for a change of use of a house to an HMO was granted in a residential area of Cardiff. In that case the percentage of HMOs within a 50m radius of the appeal site already far exceeded the threshold for HMOs set out in that Council's planning guidance. Accordingly, the Inspector drew the conclusion that the character of the wider area was already defined by the

¹ 'Small houses in multiple occupation: Evidence to justify the purpose and extent of an Article 4 Direction – Salford City Council, October 2017'

² Appeal ref: APP/Z6815/A/18/3211717

high concentrations of HMOs and an additional unit would not have a significant impact. Policy and guidance in the case before me does not set a threshold or define a particular radius in which a proposal should be considered. The matter is therefore one of planning judgement. The fact that this area is subject to an Article 4 Direction indicates the pressures on this particular local environment and its housing stock. Furthermore, there appears to have been little evidence before that Inspector on the social effects of a large concentration of HMO uses, which is not the case here. Accordingly, the context of that case differs from the proposal before me and the decision therefore carries little weight in my considerations.

11. I understand that No 24 was at one time in use as an HMO. However, that use has not existed for some years. Moreover, it is my duty to determine the proposal in accordance with the most up to date development plan policy.
12. For the reasons set out above, the proposal would have a harmful impact on the residential character of the area, with particular regard to community stability and social cohesion. Accordingly, the proposal is contrary to Policies F3, H1 and H10 of the Local Plan as set out above.

Other Matter

13. The Council has identified the New Barracks estate, where the property is situated, as a non-designated heritage asset, its significance derived primarily from its social history as well as, as I saw on site, its layout and cohesive architectural style, materials and detailing. There is no dispute between the main parties that the proposal would preserve the significance of the non-designated heritage asset. I have no reason to disagree. This matter therefore has a neutral effect on my considerations.

Conclusion

14. As set out above, the proposal would be contrary to the adopted development plan read as a whole. There are no other considerations before me that would indicate that permission should be granted other than in accordance with the development plan. Therefore, taking into account all other matters raised, the appeal is dismissed.

S. Ashworth

INSPECTOR