
Appeal Decision

Site visit made on 4 March 2025

by **H Senior BA (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 April 2025

Appeal Ref: APP/B4215/W/24/3355866

50 Richmond Grove, Manchester M13 0DP

- 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 Parc Housing Limited against the decision of Manchester City Council.
 - The application Ref is 140678/FO/2024.
 - The development proposed is change of use from 9-bed HMO to 12-bed HMO with associated changes.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are; a) the effect of the proposal on highway safety and living conditions with regard to off street parking; b) the effect of the proposal on the character of the area and living conditions of neighbouring occupiers with regard to noise and disturbance, waste generation, demand for on-street parking and the formation of sustainable communities; and c) the effect of the proposal on the character and appearance of the area with regard to the storage of waste and recycling.

Reasons

3. 50 Richmond Grove is an end-terraced property in a predominantly residential area. It is a three-storey property and includes accommodation in the roof space. The proposal would incorporate further accommodation in the existing cellar. It is set back from the road behind a paved area that is used for parking and the storage of refuse bins. The premises has permission to be occupied as a large-scale House in Multiple Occupation (HMO) for nine tenants¹.

Highway Safety

4. The submitted plan indicates that there would be provision for one off-road parking space to the front of the property. However, the proposed front lightwell and steps to the basement bedrooms would reduce the depth of the available space for vehicles. This would result in the vehicles overhanging the footway thus reducing the space available for pedestrians on the footway to the detriment of their safety. In addition, the presence of the bin storage area to the front of the property would reduce the amount of space available for the parking and manoeuvring of vehicles. This would be particularly detrimental to the safety of children who would be less

¹ Planning Ref 139663/LE/2024

likely to be able to see moving vehicles due to the presence of bins. These could also obscure the view of children on the footpath from the driver of the vehicle.

5. Whilst I saw that there were other examples of premises with off-street parking, vehicles were parked parallel with the footway and there was no reduction in the depth of the parking area through the installation of lightwells, thus reducing the harm to pedestrian safety.
6. I conclude that the proposal would harm highway safety and living conditions with regard to off street parking. It would conflict with Policies SP1, DM1 and T1 of the CS which together, amongst other matters, seek to ensure that development has regard to vehicular access and car parking.

Character and Living Conditions

7. Whilst the comings and goings to the property would be likely to be increased as a result of the greater number of occupiers at the property, no substantive evidence has been provided to demonstrate that this would be harmful to the living conditions of nearby occupiers. Moreover, I have not been made aware that the Council has received any formal complaints or objections from neighbours regarding noise or anti-social behaviour relating to the existing use of the property. The appellant has stated that they have significant experience with HMO's including resolving issues regarding noise complaints and the Management Plan demonstrates how noise and anti-social behaviour could be pre-emptively reduced. It is likely that the proposed increase in occupiers over and above that allowed by the previous approval would not have a harmful impact on neighbouring occupiers in terms of noise and disturbance.
8. The proposal would create additional waste generation over and above the level currently generated with nine tenants. However, the proposal includes the provision of additional waste and recycling facilities to the front of the property close to the boundary with No 48 and shows that there is sufficient space for them. The provision of additional waste and recycling facilities would be adjacent to the parking area and be some distance from the occupiers of No 48 due to the setback of the property so any additional noise from tenants would not harm the living conditions of neighbouring occupiers. I will return to this matter in a later main issue.
9. On my site visit I saw that long term on-street parking in the area is restricted to residents via a permit scheme. However, there is no substantive evidence before me of the availability of on-street parking, whether any permits are available or how they are issued. I have had regard to the Travel Plan which indicates there would be little demand for on-street parking places from the occupiers as there would be a low level of car ownership and that the location of the property, proposed cycle storage facilities and proximity to bus and rail services would encourage travel by alternative methods. Whilst I acknowledge car ownership will differ between individuals' circumstances and may change, there is no substantive evidence to suggest that the addition of three residents would substantially increase the demand for parking spaces on Richmond Grove.
10. The proposal would amalgamate the existing two kitchen areas into one larger space and also includes a lounge area. These spaces are larger than the minimum standards allowing opportunities for the additional residents to socialise within the property. Whilst the type of accommodation provided by an HMO is less likely to

attract long term residents so transitory short-term occupation is common the increase of three additional residents would not further inhibit the opportunities to form and sustain a community within the property or in the surrounding area.

11. I conclude that the proposal would not harm the character of the area and living conditions of neighbouring occupiers with regard to noise and disturbance, waste generation, demand for on-street parking and the formation of sustainable communities. It would comply with Policies DM1 and SP1 of the Manchester Core Strategy (2012) (CS) and Policy DC26 of the Unitary Development Plan (1995) which together, amongst other matters, seek to ensure that development has regard to effects on amenity and makes a positive contribution to the character of the neighbourhood.

Waste and Recycling

12. Within the appellant's statement of case, the proposed position of the existing and additional recycling and waste bins have been shown to the front of the premises. They would be close to the fence separating the appeal site from No 48 which would go some way to limiting their prominence in the streetscene. In addition, I note that the appellant would be willing to include a formal bin store to prevent the dispersal of the bins within and around the site. From the evidence before me and having regard to the nature and scale of the development, I can see no reason that submission, approval and implementation of a bin store could not be secured by means of a suitably worded planning condition.
13. Therefore, subject to a suitably worded condition, the proposal would not harm the character and appearance of the area with regard to the storage of waste and recycling. It would comply with Policies SP1 and DM1 of the CS which together, amongst other matters seek to ensure that development has regard to the satisfactory provision of refuse storage and collection facilities.

Planning Balance and Conclusion

14. The appeal scheme would provide additional affordable rented accommodation in the area. It would also allow the property to be upgraded in terms of both layout, fire and safety to improve the living conditions of future occupiers and improve the energy efficiency of the property. Additional residents would also contribute to the local economy through local spending. However given the magnitude of the development, these matters would attract limited weight in favour of the proposal.
15. Although I have found no harm to the character of the area and living conditions of neighbouring occupiers with regard to the matters in the second main issue or the character and appearance of the area regarding the storage of waste and recycling, the appeal scheme would not accord with the development plan in relation highway safety and living conditions with regard to off street parking. Such is the nature of the harm this attracts significant weight against the appeal scheme. Thus, there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with the development plan. The appeal should therefore be dismissed.

H Senior

INSPECTOR