



Appeal Decision

Site visit made on 29 April 2025

by Andreea Spataru BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th June 2025

Appeal Ref: APP/B4215/W/25/3359491

49-51 Knutsford Road, Manchester M18 7NJ

- 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 Remon Jager (B&R Assets LTD) against the decision of Manchester City Council.
 - The application Ref is 141340/FO/2024.
 - The development proposed is described as 'conversion of existing 12 bedroom HMO and separate self contained apartment to proposed 14 bedroom HMO'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The address for the appeal site above has been taken from the Council's decision notice and the appeal form, rather than the application form, as it is more precise.

Main Issues

3. The main issues are the effect of the proposal on:
 - The living conditions of the occupiers of neighbouring properties with particular regard to noise, disturbance and parking demand.
 - The character and appearance of the area and community balance.

Reasons

Living conditions

4. The appeal site relates to a property located on a corner plot, at the junction of Knutsford Road with Glencastle Road. The appellant asserts that the appeal property was used as two separate units for some time: as a 12 bedrooms House in Multiple Occupation (HMO) and a self-contained one-bedroom flat at the lower ground floor. The proposal seeks to convert the one-bedroom flat into two bedrooms and operate as a 14 bedrooms HMO.
5. The appeal property is in close proximity to the neighbouring residential dwellings located to the north and east of the appeal site. Therefore, there is a susceptibility for the living conditions of neighbouring occupants to be affected by the introduction of a more intensive use. The submitted plans show that the HMO would be 14 bedrooms, occupied by 14 people. The appellant indicates that the overall number of people would not increase, as the one-bedroom flat was occupied by 2 people. Whilst there might not be an increase in the number of

people compared to how the property was used for some time, taking into account the potential for each additional HMO occupant to have individual schedules, deliveries and visitors, there is likely to be some intensification of activity. In this respect, an intensification of use for such a large HMO would be more likely to increase the volume of movements to and from the property, and the range of times when these activities take place.

6. In addition, the proposed HMO use, with 14 separate individuals using the rear garden for recreation and for entertaining visitors is likely to result in a more intensive use of the garden than the current use. Consequently, it is likely that there would be an increase in noise and disturbance to neighbouring occupants.
7. I therefore consider that an intensification of the HMO use would result in levels of noise and disturbance which would adversely affect the living conditions of the neighbouring occupiers. This derives from noise generated from comings and goings outside of the building, increased vehicular and pedestrian movements and intensified use of the rear garden.
8. I am unconvinced that the noise control measures, as outlined within the appellant's supplementary measures to support appeal and mitigate concerns document, would be sufficient to mitigate the harmful impact that the development would have on the living conditions of the occupiers of neighbouring properties with regard to noise and disturbance. I have had regard to the planning history of the site, which indicates that the appeal building was used as a hotel/hostel for some time in the past. Nevertheless, this does not justify the proposed use, which I have considered based on its own planning merits and site-specific circumstances.
9. The appeal property would have three off-street parking spaces and 12 cycles spaces. I noted that on-street parking is available within proximity of the appeal site and, although this is only a snapshot in time, there were several parking spaces available in the vicinity at the time of my site visit. Given the proximity of the site to local services, facilities, and bus stops, occupiers would not necessarily all need a car. Accordingly, I find that there would not be a significant adverse effect on parking demand.
10. In conclusion, I find that the development would cause harm to the living conditions of nearby occupants with regard to noise and disturbance. Consequently, the proposal conflicts with Policies DM 1 and SP 1 of the Manchester's Local Development Framework Core Strategy Development Plan Document 2012 (CS) and saved policy DC26 of the Unitary Development Plan for the City of Manchester 1995 (UDP), which collectively seek, amongst other things, to protect the amenity of residents.

Character and appearance and community balance

11. I acknowledge the Council's concern regarding the effect of the proposal on the character and appearance of the area due to the type of occupation and its possible implications on balanced neighbourhoods. Policy SP 1 of the CS states that there is an emphasis on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.
12. The appeal property is located in a predominantly residential area and the proposed external alterations are modest. There is no substantive evidence before

me that the area has a high percentage of HMOs. Whilst the proposal would result in the loss of a self-contained flat and an intensification of the HMO use, there is no substantive evidence before me to suggest that this development would undermine the formation of a balanced community or significantly affect the character and appearance of the area.

13. Accordingly, I conclude that the proposal would not be detrimental to the character and appearance of the area and would not undermine the formation of a balanced community. Therefore, in these regards, there is no conflict with CS Policies DM 1 and SP 1, which collectively require developments, amongst other things, to protect the local environment. There is also no conflict with UDP Policy DC26 or Policy JP-P6 of the Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 to 2039 adopted 2024, which concern the amenity and health of residents. Nevertheless, this does not negate the harmful impact that the proposal would have on the living conditions of the neighbouring occupants, as set out above.

Other Matters

14. It has been put to me that there is a need for the type of residential accommodation proposed. I accept that there is a general need to boost the supply of housing, and I acknowledge that HMOs have an important role to play in meeting Manchester's housing needs. I also had regard to the fact that the appellant intends to refurbish the accommodation to a higher standard and to make use of energy efficient materials. However, these do not alter my findings above regarding the impact of the proposal on the living conditions of the occupiers of neighbouring properties, and thus any benefits of a larger HMO do not outweigh the harm identified.

Conclusion

15. The proposal would be acceptable in terms of its effect on the character and appearance of the area and community balance and parking demand. However, I have found that there would be harm to the living conditions of occupiers of neighbouring properties with regard to noise and disturbance to this extent there would be conflict with the development plan when considered as a whole. Consequently, the appeal should be dismissed.

Andreea Spataru

INSPECTOR