



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: 27 June 2025

Appeal Ref: APP/B4215/W/25/3358305

86 Belgrave Road, Manchester M40 3SU

- 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 Idowu Akindele against the decision of Manchester City Council.
 - The application Ref is 141214/FO/2024.
 - The development proposed is described as 'change of use from single house (C3) to 5 person HMO (C4)'.
-

Decision

1. The appeal is allowed and planning permission is granted for the change of use from single house (C3) to 5 person HMO (C4) at 86 Belgrave Road, Manchester M40 3SU in accordance with the terms of the application ref 141214/FO/2024, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawings: location plan, bin and cycle storage (HP-BR-01), floor plans.
 - 3) The development hereby permitted shall not be occupied until a cycle store for five bicycles has been sited at the rear of the property. The cycle store shall be retained thereafter.

Preliminary Matters

2. The application form indicates that the planning application is retrospective, as the change of use was completed in September 2024. However, both the Council and the appellant state that the property was reverted to the C3 use. Accordingly, I have considered the scheme as a proposal.
3. Since the application was determined, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. However, as any policies that are material to this decision have not fundamentally changed, I am satisfied that this has not prejudiced any party. I have had regard to the latest version of the Framework in reaching my decision.

Main Issues

4. The decision notice outlines two reasons for refusal. The Planning Officer's report contains three reasons for refusal, where reason no 3 refers to the effect of the proposal on the living conditions of the occupiers of neighbouring properties with

regard to parking. The appellant refers to the Planning Officer's report in their statement. Consequently, the main issues are the effect of the proposal on:

- community balance and housing mix; and
- the living conditions of the occupiers of neighbouring properties, with particular regard to noise, levels of activity and parking.

Reasons

Community balance and housing mix

5. The appeal property is a semi-detached dwelling located in a predominantly residential area. The proposal seeks to change the use from dwellinghouse Class C3 use to 5 person class C4 House in Multiple Occupation (HMO).
6. Policy H 11 of the Manchester's Local Development Framework Core Strategy Development Plan Document 2012 (CS) relates to HMOs. This policy has not been referenced in the Council's reason for refusal concerning balanced neighbourhoods, however reference was made to it in the Planning Officer's report regarding this matter. Given that it relates specifically to HMOs, I find it relevant in the context of this matter. CS Policy H 11 states that a change of use from a C3 dwelling house to a C4 HMO will not be permitted where there is a high concentration of residential properties within a short distance of the application site falling within one or more of certain categories. In parts of Manchester which do not have a high concentration of HMO/student housing but where the lack of family housing has threatened the sustainability of the community to the extent that regeneration activity with the specific intention of increasing the amount of family housing has taken place, there will be a presumption against changes of use which would result in the loss of a dwelling which is suitable for a family.
7. CS Policies H 1 and H 3 relate to the overall housing provision in Manchester, respectively North Manchester. CS Policy DM 1 concerns development management and CS Policy SP 1 outlines spatial principles and states that, amongst other things, the emphasis is 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.
8. The Council has stated that the appeal site is not within an area that has a high concentration of HMOs/student housing, and I have not been presented with evidence to demonstrate that there is a lack of family housing in the area which has threatened the sustainability of the community. Nevertheless, I acknowledge the Council's evidence regarding the demand for family housing as shown in the waiting list for social housing, which is a material consideration. However, whilst family housing is generally in demand, as outlined in the supporting text of CS Policy H 3, the aforementioned policies do not preclude the provision of other types of accommodation.
9. I note that the Council's concern is about the cumulative impact that similar developments would have on the availability of family housing in the area. In this case, whilst the appeal property appears suitable for family occupation, given the low percentage of HMOs in the area, there is no substantive evidence before me to suggest that this proposal would undermine the objectives of the aforementioned policies or lead to a shortage of appropriate family

accommodation in the area. Consequently, whilst I acknowledge the Council's concern, all developments need to be considered on their own merits.

10. Accordingly, the proposal would not be detrimental to the community balance or the housing mix. Therefore, the development would not conflict with CS Policies SP 1, H 1, H 3, and DM 1 as set out above. The proposal would also accord with CS Policy H 11, as outlined above.

Living conditions

11. The Council asserts that the proposed change of use might lead to an increase in noise and inappropriate management of waste because these are common issues associated with HMOs.
12. The submitted plans indicate that the HMO would be five bedrooms, occupied by five people. Taking into account the potential for each occupant to have individual schedules, deliveries and visitors, there is likely to be some intensification of activity when compared to a house occupied by a family. However, the extent of such an increase in comparison to occupation by a larger family (needing five bedrooms) is likely to be marginal. As such, any associated increase in noise from comings and goings would be limited and it has not been demonstrated that this would result in problematic levels of disturbance to nearby occupiers.
13. There is an access path to the side of the dwelling, which leads to the rear garden. The submitted plans show bin storage within the rear garden. At the time of my site visit the appeal property had bins stored to the side, while some of the neighbouring properties had them at the front. Nevertheless, based on the evidence submitted by the appellant and from what I have seen during my site visit there are no signs of problems in the area associated with waste disposal. I have no evidence before me to suggest that the upkeep of the property would differ significantly in relative terms based on the type and tenure of occupation. Its future maintenance would remain the responsibility of the owner and manager.
14. I acknowledge that some of the noise concerns, anti-social behaviour, and inappropriate management of waste came from the occupiers of neighbouring properties because they have experienced noise and disturbance when the property was used as short-term holiday accommodation. However, the proposed use as C4 HMO is not directly comparable with that of a short-term holiday accommodation, as the latter is characterised by a high turnover of short-stay occupants, often with minimal connection to the local area, resulting in a materially different pattern of use.
15. Regarding the Council's concern about amenity space, there is no substantive evidence before me that the dwelling would not be capable to adequately provide amenity space for the proposed 5 occupiers.
16. While off-street parking is not provided, on-street parking is available. Although concerns have been raised regarding parking availability, I have no substantive evidence before me to indicate that parking is an issue in the area. No specific parking survey indicating that the area is suffering from parking stress has been submitted. During my site visit, albeit it was only a snapshot in time, there were parking spaces available on Belgrave Road and on nearby streets. I acknowledge the photographs which show vehicles parked on grass verges. I saw some of the same vehicles parked on those grass verges during my site visit, although there

were several parking spaces available in the vicinity. This might indicate a preference for a specific location for some of the residents, rather than a lack of on street parking options.

17. The appeal site is in an accessible location, close to services and facilities, with bus stops in close proximity to the appeal property. Therefore, not all occupiers would necessarily require a car. Furthermore, the submitted plans show a lockable cycle store for five bicycles. This would encourage cycling as a choice of transport, which aligns with the aims of the Framework in promoting sustainable transport. Having bins stored on the access path might interfere with the use of the cycle storage. However, I do not consider this matter alone would result in occupiers not choosing cycling as a transport method. Accordingly, I find that there would not be a significant increase in parking demand sufficient to give rise to unacceptable parking problems for existing residents.
18. I have had regard to the Evidence Gathering – Housing in Multiple Occupation and Possible Planning Responses Final Report 2008, which outlines, amongst other things, the challenges experienced from high concentrations of HMOs. I understand that these challenges become noticeable when there is a high concentration of HMOs in an area. This particular area does not have a high concentration of HMOs, as evidenced by the Council. Accordingly, this report does not alter my findings above.
19. In conclusion, I find that the development would not cause harm to the living conditions of nearby occupants with regard to noise, associated activity, waste disposal and parking levels. Accordingly, there is no conflict with CS Policies H 11, DM 1 and SP 1 which collectively seek, amongst other things, to protect the amenity of nearby residents and the local environment, and to ensure an appropriate level of parking provision.

Other Matters

20. I have had regard to the concerns outlined by third parties. In addition to the concerns which I have addressed in the sections above, I understand that occupiers of neighbouring properties are concerned that an allowed change of use for class C4 HMO might encourage other changes of use from dwellings to HMOs. However, as outlined above, each case needs to be assessed based on its own individual merits and site-specific circumstances. Any effect of the proposal on the value of neighbouring properties is not a planning matter.

Conditions

21. The Council did not suggest any conditions. Nevertheless, having had regard to the requirements of the Framework and the Planning Practice Guidance I have imposed standard conditions concerning commencement and compliance with the submitted plans, in the interests of precision and certainty.
22. In the absence of off-street parking, and in the interests of promoting sustainable transport, a condition is necessary to ensure that the proposed cycle store is provided and retained thereafter.
23. The Council's Environmental Protection Officer has suggested a condition requiring a scheme for the storage and disposal of refuse to be submitted to the Council for approval. The Highway Authority had a similar request. Given the

nature of the proposal and the fact that bin storage is shown on the submitted plan, it would not be reasonable to impose such a condition.

24. The Highway Authority has also requested a Construction Management Plan. Given the nature of the proposal, which does not require any construction, a condition requiring a Construction Management Plan is not necessary in this instance.

Conclusion

25. For the reasons given above I conclude that the proposal does not conflict with the development plan and there are no material considerations which indicate that a decision be taken other than in accordance with it. The appeal should therefore be allowed, and planning permission granted.

Andreea Spataru

INSPECTOR