



Appeal Decision

Site visit made on 23 May 2025

by R Gravett BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th July 2025

Appeal Ref: APP/B4215/W/25/3362735

27 High Bank, Manchester M18 8UL

- 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 MZU Properties Limited against the decision of Manchester City Council.
 - The application Ref is 140558/FO/2024.
 - The development proposed is change of use from Use Class C3 to House of Multiple Occupancy for seven persons in six bedrooms, Sui Generis.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from Use Class C3 to House of Multiple Occupancy for seven persons in six bedrooms, Sui Generis at 27 High Bank, Manchester M18 8UL in accordance with the terms of the application, Ref 140558/FO/2024, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the area;
 - the effect of the proposed development on the living conditions of neighbouring residents with regards to noise;
 - whether future occupiers of the proposed development would experience acceptable living conditions, with particular regard to internal communal space; and
 - the effect of the proposed development on the parking conditions in the area and consequently on highway safety.

Reasons

Character and appearance

3. 27 High Bank (No 27) is a two-storey end of terrace dwelling. It is proposed to change its use to a house in multiple occupation (HMO) for up to seven persons. No 27 falls within a predominantly residential area and on either side of High Bank, and opposite along Rockhampton Street, I observed mostly family terraced housing.

4. The evidence before me demonstrates that No 27 is not located within an area with a high or significant concentration of HMOs. Within such areas, Policy H11 of the Manchester Core Strategy 2012 to 2027 (2012) (CS) states that 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 change of use which would result in the loss of a dwelling which is suitable for a family.
5. Although little evidence is before me confirming there is an unmet demand for single household dwellings in the area, it has not been demonstrated that the loss of a single dwelling would threaten the sustainability of the community. Nor would the change of use of one dwelling to an HMO noticeably alter or undermine the existing residential character of the area.
6. The proposed position of the waste and recycling bins has been shown to the front of the appeal property, adjacent to an existing low brick wall. The bins would be visible from the street above the wall, but I observed that the storage of bins to the front of houses is not uncommon along High Bank, nor are they particularly prominent or intrusive in the street scene. Moreover, they could be stored in this location should No 27 remain as a single dwelling.
7. There is also sufficient space to both the side and rear of No 27 to accommodate bins without leading to a significant loss in external communal space for future occupiers. I can see no reason why an acceptable scheme for the storage, management and disposal of refuse could not be secured by means of a suitably worded planning condition, such as has been suggested by the Council.
8. I therefore conclude that the proposed development would not cause harm to the character and appearance of the area. It would accord with CS policies SP1, DM1 and H11 in so far as they require development to protect and enhance the built environment and have regard to, and not materially harm, the character of the surrounding area.

Living conditions – existing occupiers

9. Compared to a single household occupying No 27, the occupation of the HMO by up to 7 unrelated individuals could lead to some additional activity, such as general comings and goings of the occupiers and their visitors, and vehicle movements.
10. The existing arrangement of No 27 includes four good sized bedrooms and the dwelling could be occupied by different members or generations of the same family, including grown-up children. Such members of the family may well have different work or education schedules to one another and share only limited living arrangements, resulting in frequent comings and goings to the dwelling throughout the day. Therefore, the level noise from future occupiers of the HMO would not necessarily be greater than current levels.
11. Additionally, whilst future occupiers of the HMO may be transient and live at the property for only a comparatively short time, this does not mean they would not have a similar level of interest in the well-being of the area as a family. Nor do I have any evidence that the HMO would be poorly managed, or lead to potential for anti-social behaviour.

12. I have no persuasive evidence to indicate that an intensification of use and activities as a result of the proposed development would cause an unacceptable increase in noise such that it would be detrimental to the living conditions of existing occupiers of neighbouring properties.
13. I therefore conclude that the proposed development would not cause significant harm to the living conditions of neighbouring residents, with regards to noise. Consequently, it would accord with CS policies DM1 and SP1 and saved Policy DC26 of the Unitary Development Plan (1995). Together, these seek to ensure that development makes a positive contribution to the wellbeing of residents and has regard to effects on amenity including noise, alongside other requirements.

Living conditions – future occupiers

14. The proposed change of use involves internal alterations, which would increase the existing number of bedrooms from 4 to 6. As a result, the existing living and dining room would be converted into additional bedrooms and a communal space would be provided at ground floor comprising a kitchen, living and dining area.
15. The HMO would be occupied by up to seven persons, with a 2-person bedsit on the top floor which would have sufficient space to sit at a table to eat meals plus its own kitchenette although essential facilities, such as a sink and hob, are not indicated on the floor plan. Therefore, the occupiers of the bedsit may still use the proposed communal space at ground floor, and the appellant is not proposing a restriction on this.
16. The plan demonstrates that the communal space would accommodate a double sink, cooker with a combination microwave, separate fridge and freezer and chairs for 5-persons to sit at a dining table – facilities reasonably expected to support day to day living. Although the floor plan indicates 3-seater sofa would be provided, it is unlikely that the space would be used by everyone at the same time.
17. The Council's concern principally relates to the size of the proposed communal space per occupant, which is based on standards applicable to new dwellings rather than to HMO accommodation. Irrespective of compliance or otherwise with these standards, I have found adequate internal communal space would be provided to satisfy the everyday needs of up to 7 people. The communal space would not therefore point to the property being overcrowded or failing to encourage its sustained occupation.
18. I therefore conclude that the proposed development would provide an adequate standard of accommodation for future occupiers, with regard to internal communal space. Consequently, it would accord with CS policies SP1, H11 and DM1. These, amongst other things, require development to have adequate internal accommodation, contribute to the wellbeing of residents, and that proposals for change of use to an HMO provide a high standard of accommodation.

Parking and highway safety

19. Whilst a snapshot in time, on my weekday lunchtime site visit, I saw that most houses along this part of High Bank do not have off-street parking. However, on-street parking is not restricted and although cars were parked on both sides of the road, including partly on the pavements, I saw that there was space available to park along the stretch of highway directly in front of the appeal site. Further, on-

street parking spaces were available on nearby roads including Hobart Street, Rockhampton Road and notably along Alston Road which has the bowling green to one side and few houses fronting it.

20. The demand for on-street parking may increase but, despite the concerns of a local resident, there is no demonstrable evidence that there is insufficient capacity to accommodate it. Therefore, there is no reason to conclude that the HMO would have a detrimental impact on highway safety resulting from drivers circling the area looking for a parking space.
21. Furthermore, given the proximity of the site to shops and services within Gorton District Centre, to regular bus and rail services and the provision of cycle storage, future occupiers would not be solely reliant on the use of the private car. Additionally, I have no substantive evidence that an HMO would lead to illegal or hazardous parking.
22. Therefore, I conclude that the proposed development would not have a harmful effect on the parking conditions in the area or on highway safety. Consequently, there would be no conflict with CS policies DM1 and T2 in so far as they require all new development to provide appropriate car parking.

Other Matters

23. The claims made by an interested party in respect of the background of prospective occupiers of the HMO and the intentions of the appellant have not been substantiated and, in any event, they are not matters for this decision.

Conditions

24. I have considered the Council's suggested conditions against the advice contained within the National Planning Policy Framework and the National Planning Practice Guidance. I have undertaken some minor editing in the interests of precision and clarity. In addition to the standard time condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty.
25. To protect the living conditions of neighbouring and future occupiers, I have imposed a condition which controls the occupation of the property to a maximum seven residents. Conditions relating to the provision of refuse and bicycle storage have also been imposed to safeguard the character and appearance of the area and encourage alternative modes of transport.
26. Given the limited scale of internal alterations to facilitate the change of use, a condition specifying when demolition or construction works are permitted on the site is not considered necessary.

Conclusion

27. For the above reasons, the appeal should be allowed.

R Gravett

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawings: Site Location Plan – Dwg No. 01 rev V2; Proposed Block Plan – Dwg No. 03 rev V2; Proposed Plans – Dwg No. 05 rev V2; and Elevations – Dwg No. 06 rev V2, all dated 25 June 2024.
- 3) The occupancy of the HMO hereby approved shall be limited to a maximum of seven residents.
- 4) Prior to the first occupation of the development hereby permitted, refuse storage shall be provided in accordance with details that have first been submitted to and approved in writing by the local planning authority. The approved storage shall be maintained and kept available for the storage of refuse thereafter.
- 5) Prior to the first occupation of the development hereby permitted, secure and covered bicycle storage shall be provided in accordance with details that have first been submitted to and approved in writing by the local planning authority. The approved storage shall be maintained and kept available for the storage of bicycles thereafter.

****End of Schedule****