

Planning

Growth & Development

Delegated officer report for planning application

Application no.	129089/FO/2021
Date registered valid:	22 January 2021
Proposal:	Erection of 2-storey side and rear extension and change of use from a House in Multiple Occupation (Class C4) to form 7 bed House in Multiple Occupation (sui generis)
Address:	413 Greenwood Road, Manchester, M22 9RA
Ward(s):	Woodhouse Park Ward
Applicant:	The Message Trust Lancaster Campus, Harper Road, Manchester, M22 4RG
Agent (if any):	Mr Jonathan Renshaw ebrdesigns.com ltd 250 Church Road, Manchester, M41 6HD
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	18/3/2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Standard consultations:

Printed: 25 January 2021 Expired: 15 February 2021

Neighbour notifications

Printed: 25 January 2021 Expired: 15 February 2021

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

413 Greenwood Road is a 2 storey end terraced dwellinghouse currently in use as a 5 bed Class C4 HMO run by The Message Trust. There is a large garden at the rear and a small garden and associated hard surfaced area at the front. To the side there is a driveway. The property is located in a residential area and to the side there is a large plot of land upon which planning permission for an apartment scheme was recently granted. The applicant has confirmed that the property has been a long standing use as a HMO since prior to the applicants ownership and provided assisted living accommodation by the City Council.

Listed building: No

Conservation area: No

Tree Preservation Order: No

Description of development

The applicant is proposing to erect a 2 storey side and rear extension to form additional living accommodation and change the use of the property from a 5 bed House in Multiple Occupation (Class C4) to a 7 bed House in Multiple Occupation (sui generis)

Consultations & Notification Responses

Local Residents – No comments received.

Environmental Health – Suggests the imposition of a waste management condition.

Policies

The National Planning Policy Framework (February 2019) – The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, the most relevant of which in this instance are:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.

Policy H 11, Houses in Multiple Occupation – This policy states that 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 the following categories:

- Exempt from paying Council tax because they are entirely occupied by full time students.
- Recorded on Private Sector Housing's database as a licensed HMO.
- Any other property which can be demonstrated to fall within the C4 or sui generis HMO use class.

In cases where the concentration of such properties is significant but less high, the Council will examine property type and resident mix in more detail when considering an application for a change of use.

In areas of high concentration, extensions to HMOs (as defined in the Housing Act 2004) would not be permitted where this could reasonably be expected to lead to an increase in the level of occupation.

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. Changes to alternative uses, including C4 and HMOs with more than six occupants, will only be acceptable where it can be demonstrated that there is no reasonable demand for the existing use. The approach above will also be used for change of use to a HMO which is classified as 'sui generis'.

Notwithstanding the policy requirements set out above, all proposals for change of use of existing properties into houses in multiple occupation, and all proposals for conversion of existing properties into flats (which might not necessarily fall within Class C4), would be permitted only where the accommodation to be provided is of a high standard and where it will not materially harm the character of the area, having particular regard to the criteria in policy DM1.

Issues

Principle of the Proposal – Given the existing use of the property, the principle of the HMO use is considered acceptable. Notwithstanding this, consideration must be given to the potential impact of the intensification of the site upon existing levels of residential and visual amenity enjoyed within the vicinity of the site.

The applicant has confirmed that the property has been in use as a HMO for a significant period of time pre-dating their ownership. The area in which the property is located is not considered to have a high concentration of HMOs and as the property is not a dwellinghouse no loss of family accommodation would take place. As such in this instance it is considered that the enlargement of an existing HMO is acceptable.

Design – The design of the proposed extension is considered acceptable and compatible with the existing property.

Residential Amenity – It is not considered that the proposed change of use would generate such significant additional comings and goings to the property so as to prove detrimental to existing levels of residential amenity.

The application site sits in a large plot which is considered can accommodate the proposed extensions without causing significant impacts on residential amenity of surround properties.

Furthermore, the design and siting of the extension would not impact on existing levels of residential amenity.

Visual Amenity – The proposed extension will not have a detrimental impact upon the levels of visual amenity currently enjoyed within the vicinity of the site.

Pedestrian and Highway Safety – The proposal will not have a detrimental impact upon the levels of pedestrian and highway safety enjoyed along Greenwood Road.

Car Parking – Sufficient parking at the front of the property would be retained.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to resolve any problems arising in relation to dealing with the planning application.

Condition(s) to be attached to decision for approval

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- a) Drawing nos. A01 to A05, stamped as received on 13 January 2021
- b) Drawing no. A06, stamped as received on 18 January 2021

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The materials to be used on external elevations shall match those on the external elevations of the existing building in colour, size and texture.

Reason - In the interests of visual amenity, pursuant to Policy DM1 of the Manchester Core Strategy.

4) The storage and disposal of waste shall be undertaken in accordance with the Waste Management Strategy stamped as received on 18 January 2021 and shall remain in situ whilst the development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

10 Gladeside Road, Manchester, M22 9QH
12 Gladeside Road, Manchester, M22 9QH
414 Greenwood Road, Manchester, M22 9SA
Flat 8, 6 Nathans Road, Manchester, M22 9AX
Flat 7, 6 Nathans Road, Manchester, M22 9AX
Flat 6, 6 Nathans Road, Manchester, M22 9AX
Flat 5, 6 Nathans Road, Manchester, M22 9AX
Flat 4, 6 Nathans Road, Manchester, M22 9AX
Flat 3, 6 Nathans Road, Manchester, M22 9AX
Flat 2, 6 Nathans Road, Manchester, M22 9AX
Flat 1, 6 Nathans Road, Manchester, M22 9AX
415 Greenwood Road, Manchester, M22 9RA
1 Greatfield Road, Manchester, M22 9RU
418 Greenwood Road, Manchester, M22 9RT
5 Mottershead Road, Manchester, M22 9GJ
1 Mottershead Road, Manchester, M22 9GJ
419 Greenwood Road, Manchester, M22 9RA
417 Greenwood Road, Manchester, M22 9RA
3 Mottershead Road, Manchester, M22 9GJ
416 Greenwood Road, Manchester, M22 9SA
412 Greenwood Road, Manchester, M22 9SA
2 Greatfield Road, Manchester, M22 9RX

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 45M
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH