



PLANNING STATEMENT

73 Furness Road, Manchester, M14 6LX

Change of use to a six-bed HMO

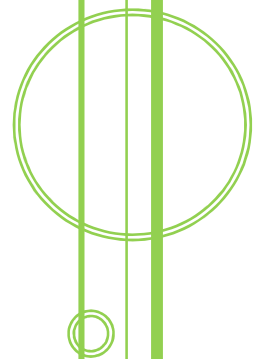
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1.0 Introduction

- 1.1 This Statement has been prepared by Inspire Planning Solutions Ltd on behalf of the Applicant, Mr Anil Aggarwal, to accompany a planning application seeking consent for the change of use of 73 Furness Road from a C3 dwelling house to a six-bedroom House in Multiple Occupation (HMO). This Statement should be read alongside the accompanying plans and other supporting documents and information submitted as part of the application.
- 1.2 The application property comprises a generous sized, end-terrace property located within Fallowfield which has a sizable student community. The Applicant seeks to make effective use of the vacant property and given the well-documented chronic undersupply of homes nationally, seeks to provide accommodation for students or young professionals in need of a flexible, cost-effective place to live.
- 1.3 The Applicant confirms there is much need for such accommodation in this particular locality, such as from University students and as well as those recent graduates starting out in employment, but wanting to reside in such areas. The site is within an accessible location, and well-connected to the Universities and Manchester City Centre as well as having a vibrant local social offer.
- 1.4 The Applicant seeks to undertake a high-quality conversion, providing good quality living accommodation. This submission follows an application that was refused in 2019 (LPA Ref no. 123255/FO/2019). This submission follows careful consideration of that application, which did not benefit from a policy justification in relation to the main issues of assessment.

- 1.5 This submission seeks to address the LPA's identified concerns which centered on the principle of development and the effect on the character of the area. No other issues were identified as areas of concern (such as residential amenity or highways related). Moreover, it is important to note that since the previous refusal, Covid19 has resulted in significant job losses, with consequential impacts on homelessness as well as stalled housing delivery.
- 1.6 This Statement will show that the proposed conversion is acceptable and complies with local and national planning policy whilst bringing about a number of other benefits. The following sections describe the site and its surroundings and the proposed development. The relevant local and national planning policy context is then set out before an assessment of the proposal. The Statement concludes that planning permission should be granted.

2.0 Site & Surroundings

- 2.1 The Application property comprises a two storey (plus accommodation in the roof space) end-terrace dwelling (Use Class C3) located within the urban boundary as per the adopted proposals map and within Fallowfield, a predominantly student area. The application site is located within a sustainable location with excellent public transport links. Wilbraham Road is a short walking distance away and is a high frequency bus corridor, whilst Fallowfield has a number of convenience retail provisions, local services and health and education places, all accessible on foot.



Figure 1. Application site *Source: Google Maps*

- 2.2 The locality is primarily residential in nature with a large student community. A number of nearby properties have been subdivided to provide HMO accommodation¹. There is unrestricted on-street parking adjacent the property and in surrounding side-streets.

¹ 27 Furness Road, 28 Furness Road, 29 Furness Road, 30 Furness Road, 32 Furness Road, 33 Furness Road, 35 Furness Road, 36 Furness Road, 38 Furness Road, 40 Furness Road, 41 Furness Road, 43 Furness Road, 45 Furness Road, 47 Furness Road, 48 Furness Road, 52 Furness Road, 55 Furness Road, 56 Furness Road, 57 Furness Road, 58 Furness Road, 60 Furness Road, 61 Furness Road, 62 Furness Road, 65 Furness Road, 68 Furness Road, 69 Furness Road are all registered HMOs. Source: <https://www.b3.manchester.gov.uk/housing/hmo/>; a significant similar number are on Albion Road and the other parallel running streets.

3.0 Policy Context

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application. The Council's decision notice makes reference to the Manchester Core Strategy (adopted 2012) and Saved Policies from the Unitary Development Plan (UDP) for the City of Manchester adopted in July 1995. The National Planning Policy Framework (NPPF) sets out the Government's planning agenda and should also be considered.

Manchester Core Strategy (adopted 2012)

3.2 The following policies are considered to be of relevance:

- **Policy SP1 - Spatial Principles** – sets out the key spatial principles, which will guide the strategic development of the city. There will be an emphasis on the creation of neighbourhoods of choice, which meet local needs, in a distinct environment. Proposals should make a positive contribution to the health, safety and wellbeing of residents considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- **Policy DM1 – Development Management** - states that proposals should have regard to a range of specific issues such as impacts upon neighbouring residential amenity, accessibility, highway safety, access and car parking provision.

- **Policy H1 Overall Housing Provision** - Approximately 60,000 new dwellings will be provided for in Manchester between March 2009 and March 2027². Proposals for new residential development should contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing population. Priority should be given to sites which are in close proximity to centres of high frequency public transport routes and to the re-use of previously developed sites in sustainable locations.
- **Policy H6 – South Manchester** – this policy sets out that around 5% of new residential development will be built in this area; the supporting text to the policy makes a specific mention of the *‘university-owned Fallowfield campus sites will be appropriate for further high density purpose built student accommodation’*, going on to identify that this would contribute to the vitality of the District Centre.
- **Policy H11 Houses in Multiple Occupation** – the supporting text of the policy recognises that universities and their students make an important contribution to the economy of the City. The policy states that where the concentration of HMOs 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.
- **Policy T2 Accessible areas of opportunity and need** – new developments should be easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities.

National Planning Policy Framework (NPPF)

3.3 The NPPF is a statement of government policy in relation to planning matters nationally. Council’s Development Plans must accord with the general

² Manchester’s current Local Plan, the Manchester Core Strategy, was adopted over 5 years ago therefore, the requirement for the purposes of calculating whether there is a five year supply is based on local housing need in line with the methodology set out in national planning practice guidance

principles detailed in the NPPF and it is a material consideration in the determination of all planning applications.

- 3.4 The NPPF does not change the statutory status of the development plan as the starting point for decision making. It states that development in accordance with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless material considerations indicate otherwise.
- 3.5 According to the NPPF, the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).
- 3.6 The NPPF at para 59 confirms *“the Government’s objective of significantly boosting the supply of homes”*. Local planning authorities should deliver a wide choice of quality homes and create sustainable inclusive and mixed communities planning for a mix of housing and identifying the size type, tenure and range of housing that is required in particular locations reflecting local demand. Paragraph 118 (d) states that planning decisions should; promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained. The NPPF seeks to achieve good levels of amenity for all occupiers of land and buildings.

Five Year Housing Land Supply Statement

- 3.7 The Five-Year Housing Land Supply Statement sets out the current housing need and a list of sites deliverable within the five years from 1 April 2019. On 31 March 2019 there were 21,218 homes in the planning process (i.e these are developments which had planning permission that had not expired). Nearly two thirds of these homes were on sites that were already under construction at that point. In addition to the dwellings with planning permission, the SHLAA identified the potential for a further 44,454 homes in Manchester. This makes 65,672 dwellings in total. 55,503 of these homes will be built by 2037 – within the ‘plan period’ for the Greater Manchester Spatial Framework. 24,684 homes will be built within the next five years.

4.0 Planning Appraisal

4.1 The purpose of this section of the Statement is to identify and assess the main planning considerations raised by the proposals in the context of relevant national and local planning policy and guidance. The key issues are:

- the principle of the development, having regard to the provisions of the adopted Development Plan and other local planning policy documents, including consideration of the effect on the character of the area;
- the effect of development on residential amenity; and
- the effect of development on the local highway network.

4.2 Each of these matters is considered below.

Principle of development

4.3 As previously set out, this application follows that of a previously refused application. The refused application was not accompanied by a detailed assessment. Two issues were raised during LPA ref no. 123255/FO/2019 which formed the refusal reasons; the impact on the supply of family accommodation in the area and the increased level of occupation of the property and its consequential impact on the sustainability and character of the area. The remainder of this section of the Statement will address the Council's previous concerns accordingly whilst also discussing some other relevant considerations.

4.4 Manchester is the fastest growing city in the UK; the 2011 Census established the City's population as 503,000, a 19% increase from 2001. Over the next

twenty years it is forecast that the city will continue to expand. The general perspective from the NPPF is that local planning authorities should deliver a wide choice of quality homes and create sustainable inclusive and mixed communities planning for a mix of housing and identifying the size type, tenure and range of housing that is required in particular locations reflecting local demand. HMOs play an important role in UK housing supply as they provide cost effective and flexible accommodation, particularly for young professionals, students or migrant workers. As set out previously, the Applicant seeks to make effective use of a large end-terrace property and given the well-documented, chronic undersupply of homes both locally and nationally, seeks a high-quality HMO conversion providing accommodation for students and/or young professionals in need of a more flexible, cost-effective place to live.

4.5 The demand for affordable rented accommodation such as that being proposed has notably increased in recent years. Such accommodation is cost effective to run, particularly for low-income earners or in this instance, for adults in full time education. This proposal, which in the context of the housing crisis, and a poor post-Covid-19 economic outlook which has particularly hit young people the hardest³, will provide good quality living accommodation for six people.

4.6 Moreover, the site is located within Fallowfield which is a most popular student area in the city. The supporting text of Policy H 11 *Houses in Multiple Occupation* recognises that universities and their students make an important contribution to the economy of the City⁴. In fact, the majority of nearby

³ The number of people being made redundant in the UK has risen at the fastest rate on record as the economic consequences of the coronavirus pandemic continue to bite, with the number of people aged 16-24 in work falling particularly sharply. <https://www.theguardian.com/society/2020/oct/13/uk-unemployed-young-people-tell-of-despair>

⁴ There are over 50,000 students in the city

properties have been converted to HMOs⁵ and student dominates this street and the surrounding locality⁶.

- 4.7 Whilst it is acknowledged that the proposal would result in one less C3 dwelling house, given the evidence provided of the area being predominantly student accommodation (HMO's), it is highly improbable that families would wish to reside at the application property. Students or other unrelated people living together may have different lifestyles to many families. In fact, since the refusal of consent, the property has been actively marketed as a family dwelling and the Agent confirms very little interest for these reasons. A vacant dwelling is not good for the local area or the City where there is a pressing need for housing.
- 4.8 There are a number of appeal decisions whereby Inspectors have assessed the impact of an additional HMO on the character and sustainability of an area and concluded that there would be no harmful effect. In on such case, elsewhere in the City at 20 Denmark Rd, (Appeal Ref: APP/B4215/A/14/2211768), the Inspector assessed the effects that the change of use of the property to a HMO would have on the achievement and maintenance of sustainable neighbourhoods and the living conditions of the occupants of nearby dwellings. The following observations were made which are considered to be very relevant in this instance:

⁵ 27 Furness Road, 28 Furness Road, 29 Furness Road, 30 Furness Road, 32 Furness Road, 33 Furness Road, 35 Furness Road, 36 Furness Road, 38 Furness Road, 40 Furness Road, 41 Furness Road, 43 Furness Road, 45 Furness Road, 47 Furness Road, 48 Furness Road, 52 Furness Road, 55 Furness Road, 56 Furness Road, 57 Furness Road, 58 Furness Road, 60 Furness Road, 61 Furness Road, 62 Furness Road, 65 Furness Road, 68 Furness Road, 69 Furness Road are all registered HMOs. Source: <https://www.b3.manchester.gov.uk/housing/hmo/>

⁶ 16 Albion Road, 18 Albion Road, 20 Albion Road, 22 Albion Road, 24 Albion Road, 25 Albion Road, 27 Albion Road, 28 Albion Road, 29 Albion Road, 30 Albion Road, 34 Albion Road, 36 Albion Road, 39 Albion Road, 44 Albion Road are all registered HMOs. Source: <https://www.b3.manchester.gov.uk/housing/hmo/>

“The area around the appeal site contains a high number of HMOs and other student accommodation, although some owner-occupied dwellings remain, including family homes on Acomb Street, Burleigh Street and Cecil Street.”

“It is clear, therefore, that more than 10% of households within 100 metres of the site reside within HMOs or other types of student accommodation. However, the limited scale of the proposal means that, individually, it would have a negligible effect on the local housing market. Furthermore, whilst the dwelling is not so large that it would necessarily be unsuitable for use as a family home, its location within a short terrace of properties occupied by students or other unrelated people means that it would be unlikely to be attractive to many families. Its location also means that the proposal would not materially affect the attractiveness of the wider area to families.”

Students or other unrelated people living together may have different lifestyles to many families, and the proposal could generate a greater number of comings and goings, and noisier activities, than some other residential uses of the property. It is also the case that HMOs can lead to inappropriately stored waste, unkempt gardens, parking problems, anti-social behaviour, and damage to the local environment and streetscape. Research commissioned by the Council suggests that such problems are most noticeable where they occur in what were previously stable residential neighbourhoods that have changed such that student accommodation now represent between 20% and 40% of households.

Notwithstanding this, there are no family homes in the immediate vicinity of the site, and its location in the middle of a terrace of similar uses on a busy road already used by many students and non-residents mean that the proposal would be unlikely to materially affect the living conditions in family homes in the wider area.

I am aware that Greater Manchester Police object to the proposal on the grounds that a high concentration of HMOs can lead to increased crime and disorder, but there is no substantive evidence before me to indicate that the change of use would exacerbate any such problems, and the scale and location of the site suggest to me that this would be unlikely to be the case.”

- 4.9 The Inspector concluded that given the area was already heavily dominated by student housing, where students had different lifestyles to families, that it would not be attractive to families looking for accommodation. The higher levels of activity in the area also led the Inspector to conclude that the limited scale of the proposal would give rise to no adverse effects.
- 4.10 In another more recent appeal decision (in September 2020, Appeal Ref: APP/Z6815/A/20/3249001) which related to a site in Cardiff which was similarly in a largely student area, an Inspector allowed the change of use from C3 to a C4 six bedroom HMO where the main issue in dispute was the effect of the proposed change of use on the character and amenity of the area. The following conclusions also have relevance in this instance:

“The Council estimates that around 57% of all residential properties within 50 metres of the appeal site are in use as HMOs, but the Appellant contends that the actual proportion is nearer to 70%. Having regard to the evidence before me, including a map of registered HMOs, I have no reason to query either figure, but what is clear to me even taking the lower figure provided by the Council, a high percentage of properties within a 50 metre radius of the appeal site are in use as HMOs. The percentage provided by the Council and the Appellant are significantly above the threshold set out in the SPG and is, therefore, a major factor in my consideration of this appeal.

I accept that the proposal would amount to a change of use, however, with a high percentage of properties in the area being in use as HMOs, I consider it inevitable that this now informs the character of the area. Whilst the area surrounding the appeal site may once have been characterised by family homes, this has changed over time such that the majority of dwellings are now in HMO use or have been converted to flats which are likely to be occupied by younger and more transient tenants such as students, young professionals or migrant workers. It is against this established character that the effect of the proposal should be assessed.

In terms of the effect on amenity, the Council states that the use of the property as a HMO will further exacerbate the negative impacts associated with HMOs in respect of crime and anti-social behaviour, and refers to environmental health issues such as noise pollution and household waste. However, the appeal property is contained within an area already characterised by high concentrations of HMOs, as such, it is not an area that can be reasonably considered to be sustaining a mixed use and socially cohesive community. There is no substantiated evidence that directly links the proposal to any significant loss of community cohesion or character, which is already largely determined by the existing concentration of HMOs in this particular location.

Indeed, any significant changes in the balance and mix of households and the overall character of the area resulting from an over-proliferation of HMO's has already taken place, and the addition of a single HMO is unlikely to have any material impact, either individually or cumulatively on either the character of the area or on the social or physical infrastructure requirements. Therefore, it has not been established how the appeal proposal could lead to any loss of community cohesion or character.

I find that another HMO property within the area would not materially harm the character or the amenity of the surroundings, especially given the new university development close-by. 14. For these reasons, I consider the change of use of this property to a HMO would not cause significant harm to the character and amenity of the area."

- 4.11 In this appeal, although in a different local authority area, with a different local policy context, it is relevant to note that, like the appeal site, it was accepted that there the majority of properties were HMO's occupied by students. Given this position, the one additional property was not seen to be harmful to the character of the area, or one that was likely to attract other (family) occupation.
- 4.12 The Council's aims, as set out in Policy H11 are noted, but in the case of the appeal site and the surrounding area, there are very few, if any family occupied dwellings. The locality has already progressed well beyond any balance in the

type of accommodation and given the specific case set out in this submission, the change of use of this one dwelling would not have an adverse impact on the supply of dwellings and nor would it change the character of the street, given it is 1 dwelling out of 49 along Furness Road, where the majority are already HMO's. Policy H6, which is relevant to this area of South Manchester also identifies that student accommodation can help sustain the local centre. Although this is not purpose built student accommodation, the effect of additional students residing in the area would be the same.

- 4.13 On this basis, there is no conflict with the spatial development policies of the adopted development plan and the NPPF advises that proposals which accord with the development plan should be approved without delay. The NPPF instructs that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole or its specific policies indicate development should be restricted. The scheme will clearly deliver beneficial sustainable development that should be granted planning permission and it will not result in any adverse impacts that would significantly and demonstrably outweigh the benefits of its approval. This is confirmed in the following assessment of the detailed material considerations relevant to the application.

The effect of development on residential amenity

- 4.14 As shown on the accompanying plans, the proposal will provide sizeable internal accommodation with rooms that benefit from good levels of natural light and expected amenities. The proposal will provide a convenient living arrangement within walking distance of shops, services, public transport and green open spaces including many nearby parks. Matters relating to amenity did not form part of the refusal reasons within LPA ref no. LPA Ref no. 123255/FO/2019. Adequate waste storage would be provided in the rear garden.

- 4.15 As already set out, the locality is home to a large student community and the comings and goings to and from the property following the change of use would be indistinguishable from the already high level of pedestrian activity seen in the area. In these respects, the proposal would be compliant with Policy DM1 *Development Management*.

The effect of the development on the local highway network

- 4.16 The application site is located within a sustainable location with excellent public transport links. Wilbraham Road is a short walking distance away and is a high frequency bus corridor whilst Fallowfield has a number of convenience retail provisions, local services and health and education provision all reachable on foot. Given the nature of the accommodation being provided, it is unlikely occupants will own a vehicle. In any case it is noted that there is plentiful unrestricted on-street parking in the locality and the property occupies a corner position with much on-street capacity nearby, as shown overleaf. Matters relating to highways did not form part of the refusal reasons within LPA ref no. LPA Ref no. 123255/FO/2019.



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Figure 2. There is plentiful unrestricted on-street parking in the locality *Source: Google Maps*

- 4.17 In these respects, the proposal would be compliant with the NPPF which seeks to promote sustainable development and Policy T2 which prefers developments to be easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities.

5.0 Conclusion

- 5.1 This Statement has justified the merits and acceptability of the proposed change of use of 73 Furness Road from a C3 dwelling house to a six-bedroom House in Multiple Occupation (HMO). This re-submission has provided justification in relation to the principle of development and supply of homes as well as the effect on the character of the locality. The proposal would provide much needed living accommodation for six individuals whilst not adversely impacting residential amenity or the functioning of the local highway network.
- 5.2 The NPPF states that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. It goes on to state that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.
- 5.3 For the reasons set out within this Statement, the LPA is kindly requested to grant consent. If there are any queries arising, it is requested that contact is made with Inspire Planning Solutions Ltd.