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Grounds of Appeal

Case Details;

Application no. 105609/FO/2014/S1

Date of application 16th June 2014

Date of decision 24th July 2014

Authority

Manchester City Council

Appellant

Mr Zahid Hanif

24 Spinney Brow

Preston

PR2 6YG

Site address

27 Egerton Road

Fallowfield

Manchester

M14 6YQ

Particulars of development

Erection of a single storey side & rear extension to allow internal re-configuration to create additional (sixth) bedroom to House in Multiple Occupation (class C4)

Introduction

This appeal is against a decision by Manchester City council for the refusal of an extension to a C4 (HMO) semi detached property in the district of Fallowfield, Manchester. The proposal is to extend at ground floor level to create a larger modern open plan kitchen / diner which would free up the current lounge at the front of the property to be converted to a sixth additional bedroom. A larger bathroom, utility room & en suite will also be added to provide better facilities.

Planning history

The property falls under Class C4 of the Use classifications category and the proposals do not require a change of use. The property has had no previous applications or extensions added to it.

Reasons for refusal

The council's reasons for refusal is that the extension would lead to a higher level of occupancy which would be detrimental to the sustainability & character of the area in which there are a high number of HMOs.

Appellant's case

Our understanding is that the design of the extensions may have otherwise been deemed acceptable under normal domestic circumstances. The suggestion is that an additional bedroom or tenant would lead to an increase in comings and goings, noise levels, waste generation and demand for parking.

The area is characterized by a high number of tenanted properties mostly occupied by students. Landlords are constantly striving to stay ahead of their competition by improving the size of their property bedrooms and associated facilities. The existing layout has a kitchen and lounge on the ground floor with a single bedroom & small shower room. On the first floor there are a further four bedrooms with a communal bathroom.

Currently the kitchen & lounge area are separated by the hallway and small shower room. The extension is required to create a larger modern open plan communal lounge & kitchen to

the rear. This will free up the lounge at the front to be converted to a sixth bedroom with an en suite housed in the side extension.

Some additional floor space between will be used to create a full size bathroom & a small utility room. There are no changes proposed at first floor level.

A single additional tenant would not lead to an over intensity of use of the property neither would it lead to the problems associated with over development & high level of occupancy. There is ample amenity space to the rear, space for bin storage and unrestricted off street parking, although it is not common for students to have cars due to the good transport facilities at this location.

Relevant appeals

We would like to bring to attention all appeals we have made for similar proposals within the local vicinity. Some sought to create additional bedrooms whilst others wanted to increase the size of existing previously un-lettable bedrooms. All these planning applications were refused by the council on similar grounds and subsequently allowed upon appeal.

7 & 9 Clifton Avenue, Fallowfield, Manchester, M14 6UD
APP/B4215/A/09/2108448 Appeal allowed 11th Dec 2009

1 Clifton Avenue, Fallowfield, Manchester
APP/B4215/A/10/2126596/WF Appeal allowed 7th Oct 2010

14 St Chads, Withington, Manchester
APP/B4215/D/11/2153478 Appeal allowed 19th July 2011

11 Clifton Avenue, Fallowfield, Manchester M14 6UD
APP/B4215/A/12/2168017 Appeal allowed 3rd April 2012

13 Parrs Wood Road, Withington, Manchester, M20 4WJ
APP/B4215/A12/2176876 Appeal allowed 8th Oct 2012

32-34 Egerton Road, Fallowfield, Manchester, M14 6XA
APP/B4215/A/12/2188455 Appeal allowed 18th April 2013

Summary

We believe the extension is a modest addition to the property designed in keeping with its surroundings. The extension would improve the space standards of the communal areas on the ground floor area providing a higher quality of housing stock.

The addition of a single bedroom & tenant at this location and to a site of this size and nature would not be detrimental to the area or the surroundings and the council have provided no evidence to the contrary.

We respectfully request the appeal be allowed with the appropriate conditions.