

Planning

Growth & Development

Delegated officer report for planning application

Application no. 143319/FO/2025
Date registered valid: 21 July 2025
Proposal: Change of use from Class C3 dwelling to Class C4 (HMO)
Address: 48 Old Road, Manchester, M9 8BS
Ward(s): Harpurhey Ward

Applicant: Mr Mustafa Ghafouri, UK Capital Investments Ltd
Agent (if any): Rachel Bell, CGRB Management
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: **3 September 2025**

Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit: 26 August 2025

Standard consultations:

Printed: 5 August 2025 Expired: 27 August 2025

Neighbour notifications

Printed: 5 August 2025 Expired: 27 August 2025

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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The application site relates to 48 Old Road within the north Manchester ward of Harpurhey. The application site relates to a red brick, two storey terraced dwellinghouse characterised by curved bay windows at ground and first floor level and grey roof tiles with decorative ridge detail. Amenity space to the front of the property relates to hardstanding with some soft landscaping, with the site bounded to the front by a low red brick wall and grey fencing separating the front of the property to the neighbouring properties. Amenity space to the rear consists of timber decking at a raised level. A gate provides access from Surrey Road to the rear amenity space. Such amenity space is confined in nature with an approximate area of approximately 55 m². See Figure 1 for photos of the applicant site.



Figure 1, Applicant Site

Description of area

The surrounding area is residential in nature. Boggart Hole Brook is sited further east of the applicant site.

Description of development

The current planning application seeks consent for the Change of use from Class C3 dwelling to Class C4 (HMO).

As stated as per the application form, the Class C3 use ended on 06/06/25.

The application would involve the introduction of a stud wall between the lounge and dining room to create an additional bedroom at ground floor level. No external alterations would take place as a result of the proposal.

The proposed Class C4 use would provide:

On the ground floor: bedroom 4, lounge and kitchen,

On the first floor: bedroom 1, bedroom 2, bedroom 3 and 1 bathroom.

Negotiations during the Course of the Application

During the course of the application, the LPA advised the agent such application could not be supported.

The agent was asked to confirm the number of bedrooms proposed for the HMO use. Confirmation and amended plans were provided confirming the HMO would consist of 4no. bedrooms.

Planning History

No planning history exists for this site.

Consultations & Notification Responses

Local Residents

3no. neighbour comments were received during the course of the application. The following concerns were raised from the 3no. comments:

- Loss of family housing- the proposal would result in the loss of a 3 bedroom family dwellinghouse which is in short supply across Manchester.
- Over-intensification and harm to amenity- the HMO would lead to an increased number of comings and goings at irregular times, lead to late night activity and associated noise.
- Inadequate external space- the external rear amenity space is extremely limited. The applicant site benefits from a decking area which is raised and gives rise to unacceptable overlooking implications. The proposal would result in cramped and substandard living conditions for future tenants.
- Parking and highway safety- there is no off street parking afforded to the property. An HMO would result in additional pressure on the road.
- Waste management issues- Concern the limited external amenity space would not be able to successfully accommodate the additional bins required.
- Harm to community cohesion- the introduction of a HMO would erode the housing in the local area and led to a transient community, with higher resident turnover and less long term investment.

One neighbour made reference to similar planning applications that had been refused in Manchester for those reasons detailed above.

One neighbour requested a list of conditions to be attached to any approval granted, if any consent were to be granted on the scheme.

One neighbour stated the emotional distress caused by such HMO application.

Local Councillors

One Local Councillor wrote to confirm they support the neighbours' objections and confirmed they are opposed to such development. Another Councillor made comment to discuss local policies regarding HMOs.

Highway Services

The following comments were received from colleagues in Highway Services:
Old Road and Surrey Road to the rear of the property are adopted highways.

An HMO with three bedrooms could house three separate family units, albeit due to the space available in each unit, the family units would normally only consist of one or two members. The change of use does not result in any additional bedrooms.

Vehicle ownership is not expected to be high within the HMO. Maximum vehicle ownership for this HMO would potentially be three, therefore the occupants of the HMO may increase vehicle ownership by one. This would increase parking demand, which is all on-street by one space. The ebb and flow of parking demand on the street is expected to be able to accommodate this additional vehicle.

In regard to trip generation, the additional trips generated on the highway will have an insignificant impact on the highway network.

The site has access to a sustainable mode of transport. Regular bus services are available along Slack Road, Lion Street and from Rochdale Road.

It is recommended that secure and sheltered cycle parking provision should be made, within the curtilage of the site, at a provision of one-per-unit. This is to encourage the use of a cycle as a means of sustainable transport.

The assumption is refuse and servicing will remain the same as it is for the existing dwelling.

Environmental Health

Environmental Health reviewed the proposal and recommended the standard REF (waste & recycling) condition for the above application and advise that the applicant refer to MCC's guidance for further information regarding W&R requirements for HMO properties.

Issues

POLICY

The National Planning Policy Framework (NPPF) (December 2024)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective;
- b) a social objective; and,
- c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

- Chapter 5. Delivering a sufficient supply of homes
- Chapter 8. Promoting healthy and safe communities
- Chapter 9. Promoting sustainable transport
- Chapter 11. Making effective use of land
- Chapter 12. Achieving well-designed places

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. Updated March 2024 following adoption of Places for Everyone Joint Development Plan

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Of relevance are:

Policy SP1 (Spatial Principles) (last bullet point of the policy removed following the adoption of the Places for Everyone Joint Development Plan).
Policy EN1 (Design Principles and Strategic Character Areas)
Policy EN 16 (Air Quality) (part of policy replaced by PfE policy JP-S5)
Policy EN19 (Waste)
Policy H1 (Overall Housing Provision) (part of policy replaced by PfE policy JP-H1)
Policy H3 (North Manchester)
Policy T1 (Sustainable Transport) (part of policy replaced by PfE policy JP-C1)
Policy DM1 (Development Management)
Policy H11 (Houses in Multiple Occupation).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC26.1 The council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the city. In giving effect to this intention, the council will consider both
(a) the effect of the new development proposals which are likely to be generators of noise and
(b) the implications of new development being exposed to existing noise sources which are effectively outside planning control.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024. The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The policies of relevance are:

i.JP- S1- Sustainable development

ISSUES

Principle of Development

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that decisions are to be made in accordance with the development plan, unless material considerations indicate otherwise.

The NPPF at paragraph 2 reinforces this requirement and at paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an up-to-date development plan, permission should not normally be granted.

The current application seeks consent for the change of use from Class C3 dwelling to Class C4 (HMO). The principle of the proposed conversion of dwellinghouse into a 4 bedroom House in

Multiple Occupation (C4) is not considered acceptable and is in conflict with policies SP1, H3 and H11 development plan policies and associated guidance.

The associated level of occupancy arising from the existing property would result in an over intensive use of the property and would lead to problems associated with increased levels of activity formed by people with different lifestyles and patterns of behaviour, increased noise, disturbance, and car parking requirements.

Houses in multiple occupancy also often lead to transient occupancy, whereby occupants have little vested interest in the area and can in part, alter the character of an area as a neighbourhood of choice. HMOs tend to attract people who will live in the property for a comparatively short period of time and consequently they do not have the same interest in the well-being of an area as those who are less transient such as a family. It is believed that this cyclical change in occupiers can have a negative impact upon both residential amenity, often due to poor or no management and a general lack of civic pride. As such, the cumulative effects of HMOs can have an adverse impact upon the character and appearance of an area.

Further, given the existing use of the property has been specified as a family dwellinghouse, such application would result in the loss of a family dwellinghouse. Such loss of a family sized dwellinghouse which would reduce the standard and availability of such housing in the area, undermining the provisions of policies H3, H11 and SP1 of the Manchester Core Strategy, which seek to provide an appropriate mix and balance of housing provision in the locality, in order to maintain a sustainable neighbourhood and cohesive housing market.

Considering the above, the proposal is considered to conflict with policies DM1, SP1, H3 and H11 of the Manchester Core Strategy and guidance within the National Planning Policy Framework (NPPF). There are no material considerations to indicate otherwise.

Impact on Residential Amenity

The proposed Class C4 use would provide:

On the ground floor: bedroom 4, lounge and kitchen,

On the first floor: bedroom 1, bedroom 2, bedroom 3 and 1 bathroom.

Policies DM1 and SP1 of the Core Strategy indicate that consideration should be given to the effects of development upon the amenity, living conditions and the well-being of residents. Paragraph 135(f) of the NPPF also states that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

In this case, the Council has concerns in relation to the over-intensive use of 48 Old Road, as a result of the increase in occupancy. Whilst the City Council has no control over who can occupy a property, it can help prevent properties from being over intensively used, by restricting the number of unrelated occupants. HMO accommodation can often cause problems in residential neighbourhoods, due to the levels of activity associated with unrelated people living together, as opposed to traditional family occupancy, which normally involves the manifestation of different patterns of behaviour and less frequent levels of activity.

A collective group of individuals with different lifestyles and different patterns of behaviour can result in frequent comings and goings, with associated noise and disturbance. This in turn can have an adverse impact upon the living conditions of neighbouring residential occupiers, to the detriment of their amenity. The principal effects include, noise nuisance, negative impacts upon the physical environment and streetscape due to inadequate management of refuse storage and pressure upon local parking provision.

During the course of the application, Environmental Health reviewed the proposal and recommended the standard REF (waste & recycling) condition for the above application and advise that the applicant refer to MCC's guidance for further information regarding W&R requirements for HMO properties. With the use of condition, this issue would not warrant a refusal in its own right.

It is noted that Highway Services did not raise parking or highway capacity issues. However, concern is raised with regards to additional residents and the associated activity and coming and goings would add to and further detract from the amenity of residents in the wider area.

This proposal would result in 4no. bedrooms and would result in an increased number of comings and goings compared to the existing use. However, it is also the frequency and time when these comings and goings arise given that the HMO would be occupied by unrelated individuals leading different lifestyles, which can bring about frequent comings and goings at various times of day and associated noise and disturbance.

During the course of the application, one neighbour raised concern the applicant site benefits from decking to the rear which would give rise to unacceptable overlooking implications. Such decking would appear to give rise to potential overlooking regardless of whether the applicant property is used for a class C3 or class C4 use. The applicant should take steps to regularise such works.

On balance it is considered that the proposed development wholly conflicts with policy H11 and DM1 of the Core Strategy, and UDP policy 26.

Loss of a Family Dwellinghouse

Policy H3 of the Core Strategy sets out requirements for new housing development in North Manchester. The Housing Need and Demand Assessment 2010 (Arc4) shows there is a need for 3-4 bed family housing, which the applicant property offers. The Core Strategy Policy H3 also notes priority will be given to family housing.

Such Policy H3 promotes the need to encourage a mixed and diverse community by retaining larger properties with 3-4 bedrooms. There is huge demand across the city for larger homes, demonstrated by the waiting list for social housing, highlighting that demand significantly outstrips supply.

The Manchester Move website provides advice on available properties in Manchester and is used by the City Council's Housing and Residential Growth service as a data source, reflecting the Manchester Housing Register. The latest figures extracted from the website shows an extremely high demand for social housing in Manchester with over 15,000 live applications on the Manchester Housing Register.

The table below highlights the number of households on the Manchester Housing Register, by their band and the size of property applicants need. For example, without internal modifications to the floorplan, the application property was originally built as a 3-bedroom property. Figure 2 show that for this type of property 3,939 applicants were waiting for a 3-bedroom property as per the information dated 16 June 2025.

Bedroom Need	Band 1	Band 2	Band 3	Band 4	Band 5	Total
1	625	2828	323	4820	167	8763
2	187	3243	74	2157	18	5679
3	69	1813	957	1084	16	3939
4	147	802	279	118	4	1350
5	39	157	11	7	0	214
6	14	11	0	2	0	27
7	4	0	0	0	0	4
Total	1085	8854	1644	8188	205	19976

Figure 2, Number of households on Manchester Housing Register, by band and size of property

The application property is therefore a dwellinghouse suitable for a family and the proposal in this case would see the loss of such.

Whilst these figures are based on the supply of social housing, there is inevitably an intrinsic relationship between the availability of family homes for sale or rent in the private sector, and the demand for housing.

An important policy objective of the City Council is to improve the quality of housing stock in the city and to deliver a more sustainable housing market. This can be achieved by increasing the amount of family housing stock on offer and by providing for choice through a range of accommodation. This would allow for more balanced and cohesive neighbourhoods that provide for stronger and safer communities. The loss of a family house in this area would conflict with this aspiration, undermine the policy objectives for the area and increase the threat of existing families being driven out of the area, or from being attracted to the area, due to a shortage of appropriate accommodation. Whilst the effect of the loss of a single home on the overall mix and balance of housing in the area would be limited, it would nevertheless contribute to the short fall.

Policy H11 of the Core Strategy is concerned specifically with changes of use to houses in multiple occupancy. The policy sets out different approaches for different parts of the city, depending on the extent to which HMOs are already concentrated and seeks to manage changes of use from C3 dwellinghouses to houses in multiple occupation (HMOs).

The policy above will prevent further loss of Class C3 dwelling houses, which generally provide accommodation for families, to Class C4 HMOs, thus preventing further harm to residential amenity.

Review of the MCC Private Sector Housing register of the Licensed Private Rented Accommodation shows the site of 48 Old Road has no history for use as an HMO. Searches of the surrounding streets also reveals there is a low prevalence of HMO uses. Planning searches also show very little prevalence of approved HMO uses in the immediate context. This is also evidenced by Figure 3 from the selective licensing database.

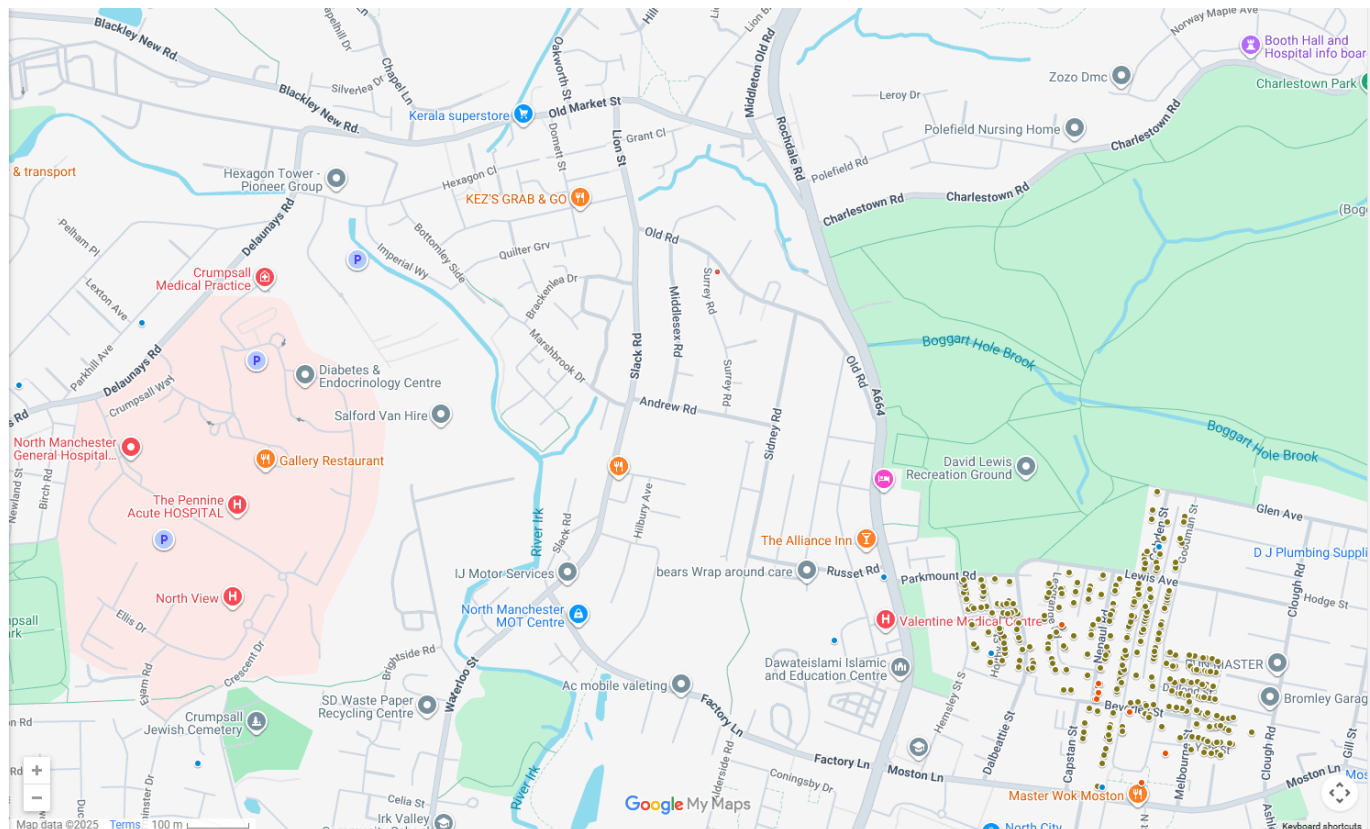


Figure 3, Licensed Private Rented Accommodation. Applicant site identified by red dot close to the junction of Old Road/ Surrey Road

Two HMOs are located to the south of the application site by the blue dots:

1025 Rochdale Road relates to a 5 bedroom HMO. However, there is no approved planning history for this property.

2 Sandhutton Street relates to a 6 bedroom HMO. However, there is no approved planning history for this property.

Two HMOs can be seen to the north of the North Manchester General Hospital site:

54 Parkhill Avenue relates to a 6 bedroom HMO. However, there is no approved planning history for this property.

3 Ingleton Avenue has deemed consent to operate as a 6 bed HMO (see planning ref: ENF/12646/15). Such case was approved through an enforcement notice and is not considered comparable to the applicant site.

Numerous brown coloured dots to the south east of the applicant site relate to social homes owned by Manchester City Council and do not help to show a prevalence of approved HMO uses in the immediate area.

As such, this map shows the prominence of family dwellinghouses and how a conversion to an HMO would undermine the existing character of the area.

The proposed change of use therefore results in the loss of a family dwellinghouse, eroding the balance of housing provision in the locality and conflicts with the development plan when considered as a whole with respect to delivering a sufficient supply of homes. It is not therefore believed there are any other considerations, either individually or in combination that outweigh the harm and associated development plan conflict. The application is therefore contrary to H3, H11 and SP1 of the Manchester Core Strategy.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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: Refuse

Article 35 Declaration

Officers have communicated their concerns about this proposal to the agent during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The change of use from Class C3 dwelling to Class C4 (HMO) would result in an over intensive use of the host property. The consequential increase in the levels of activity, noise and disturbance would have a harmful impact upon the amenity of neighbouring residential occupiers, which would have a detrimental impact on the sustainability and character of the area. The proposal would therefore be contrary to the provisions of policies SP1, H3, H11 and DM1 of the Core Strategy of the Local Development Framework and, UDP policy DC26.

2) The proposed change of use would result in the loss of a family sized dwellinghouse which would reduce the standard and availability of such housing in the area, undermining the provisions of policies H3, H11 and SP1 of the Manchester Core Strategy, which seek to provide an appropriate mix and balance of housing provision in the locality, in order to maintain a sustainable neighbourhood and cohesive housing market.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

52 Old Road, Manchester, M9 8BS
50 Old Road, Manchester, M9 8BS
4 Surrey Road, Manchester, M9 8AU
69 Old Road, Manchester, M9 8BF
67 Old Road, Manchester, M9 8BF
54 Old Road, Manchester, M9 8BS
46 Old Road, Manchester, M9 8BS
6 Surrey Road, Manchester, M9 8AU

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA