

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142135/FO/2025
Date registered valid: 4 March 2025
Proposal: Conversion of existing basement to provide 2 additional bedrooms in connection with existing house in multiple occupation (sui generis) to form 10 bedrooms in total.
Address: 37 Parsonage Road, Manchester, M20 4PS
Ward(s): Withington Ward

Applicant: Mr Arif Khokhar
Agent (if any): Mr Umayr Azam, Northedge Architecture
Case officer: David Lawless
Tel: 0161 234 4543
Email: david.lawless@manchester.gov.uk

Recommendation: **Refuse**
Date of recommendation: 25 April 2025

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 14 March 2025

Standard consultations:

Printed: 11 March 2025 Expired: 1 April 2025

Neighbour notifications

Printed: 11 March 2025 Expired: 1 April 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/area

37 Parsonage Road is a large semi-detached residential property currently in use as an 8 bed House in Multiple Occupation (HMO). There is a hard surfaced area to the front of the property, which can accommodate up to two vehicles, as well as the bins. To the rear there is long garden. The property is located within a predominantly residential area, but not within the Withington Conservation Area.

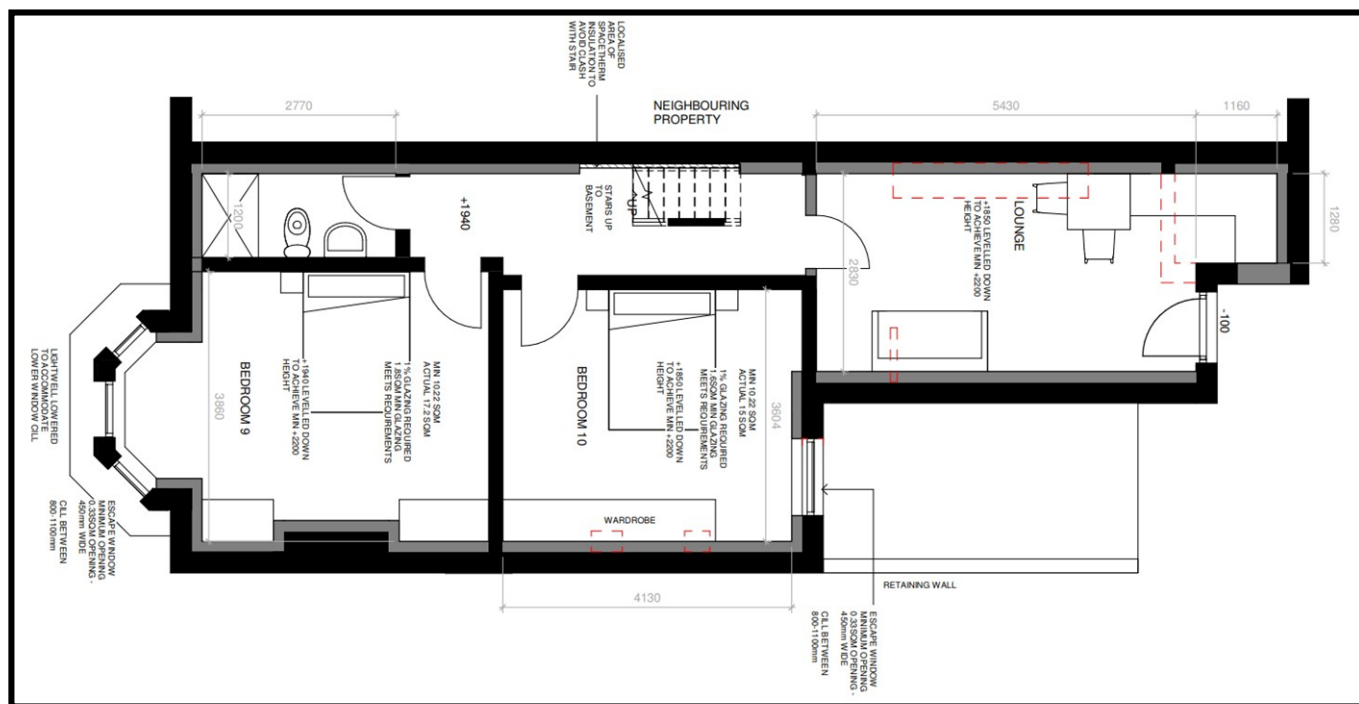


Listed building: No
Conservation area: No
Tree Preservation Order: No

Description of development

The applicant is proposing to convert the basement from storage to residential accommodation, i.e. two bedrooms, a lounge and toilet/shower room. This would increase the number of bedrooms to 10.

To facilitate the proposal, a lightwell would be provided at the front of the property and enlarged window and door openings created in the rear elevation, the latter of which would provide access to the lounge area.



Consultations & Notification Responses

Local Residents – Six letters of objection have been received, summarised as follows:

- An additional two bedrooms would exacerbate the existing problems of noise and disturbance. The issues of noise have already been reported to the Council.
- Instances of anti-social behaviour are commonplace, this proposal would exacerbate the problem.
- The impact on our lives can be significant with bedrooms in our house having adjoining walls meaning disturbed sleep for my children and myself and my husband. The noise is particularly bad in the kitchen which is their communal area. There is currently no back door to this house and no way out other than the cellar at the back. This is already dangerous and will only be made worse with increased capacity.
- There is room for only two small cars on the driveway meaning that all other cars have to park on the already congested street.
- The bins already overflow with the amount of rubbish generated by 8 students.
- Negative Impact on residential amenity (greater noise levels for neighbours in particular those with families from student accommodation which is already a blight on the neighbourhood),

- Real potential for increased anti-social behaviour affecting wellbeing of all living in the area (this property has attracted previous complaints).
- Negative impact with increased parking and traffic issues (the immediate area already has at least 4 large HMOs which are out of control)
- There will be increased rubbish and waste. It is common to see bins overflowing and not collected as rubbish mixed. Plus the annual end of tenancy piles of rubbish that the council have to clean up.
- The site does not need to be overdeveloped in this way, it's already a huge property. There are several other 10 bedroom student houses around which can be extremely noisy, and noise coming from the basement often travels through the whole building. The extra residents create additional noise and disturbance. Many residents, including students, have a car each, meaning this will create additional parking requirements, which there isn't space for
- The property already houses 8 students which is a very high occupation but an additional 2 or more would be extreme. Given the current occupancy, there is already a high level on comings and goings from residents, visitors and food deliveries, whilst the area is already subjected to disruptions from parties and antisocial pedestrians returning home at all hours of the night.
- With strong proactive council support, these issues are minimised as much as possible, but there is a delicate balance and additional intensification of HMO could create a tipping point that would detrimentally and permanently affect the residential amenity for council tax paying neighbours.

Withington Civic Society – Objects to the proposal on the following grounds:

- Reference is made to Planning Appeal decision letter APP/B4215/W17/3189101, in which the Inspector stated: *Areas that have a high concentration of HMOs, including student accommodation, often experience a conflict between the lifestyles of students and local residents. The generally transient nature of the occupants of HMOs results in them often failing to integrate into the local community and makes it difficult to provide community services and facilities. This is exacerbated by the often-seasonal nature of student occupation, with fluctuations in service needs as a result of students often vacating the properties outside term times. As a result, an over concentration of HMOs creates an imbalance in the housing provision in the local community which can have a harmful effect on the sustainability of the community.*
- Reference is made to Planning Appeal decision letter APP/B4215/A/10/2139091 (32 Heaton Road), in which the Inspector stated: *In the Withington ward in which the appeal is located, the number of HMO's in the area has now reached the tipping point beyond which maintaining a sustainable community attractive to permanent residents would be difficult.*
- According to the Office for National Statistics Official Census Map 2021, the relevant property falls within area E00026875 of the map where it is stated that the number of full-time students is 64.9%. A small percentage may be school students still living at home, but the vast majority are students living in the community. Indeed the Census also notes that 66.4% of the accommodation in the relevant area is “privately rented/rent free”. Adjacent areas have an even greater density of students. This all creates a serious imbalance and is seriously damaging to the well-being of the permanent community.
- This proposal, in combination with other HMOs in the area, would significantly harm the mix and balance of housing provision in the area. As such, it is contrary to Core Strategy Policy H11 which states that “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”. It also fails to accord with the objectives of the National Planning Policy Framework, which states that local planning authorities should provide a wide choice of high quality homes.

- Noise and disturbance from HMOs is a common problem and causes conflict with the non-student population.
- It is noteworthy that the applicant makes inadequate proposals for waste disposal. Yet the whole area suffers from a serious and appalling litter and waste problem. The increase in occupation by additional persons will inevitably lead to increasing problems of littering, and it is noted that bins are stored at the front of the property.
- There would be no additional parking provision despite the already existing parking issues in the road. Indeed, traffic problems and accidents recently caused the City Council to trial a safer streets initiative.
- Traffic on Parsonage Road “causes” many motorists to park partly on the pavement with the result that access for pushchairs, wheelchairs, etc is often severely compromised.
- The intensification of use will cause additional noise and disturbance.
- The provision of kitchen, washing and toilet facilities appears to be inadequate judging by the plans provided.
- This particular property is surrounded by owner-occupied family houses or properties split into individual apartments, all of whom would be sensitive to intensification of HMO usage, parking, bins on the pavement, noise and littering.

Ward Councillors – Joint correspondence has been received from Cllr Wills and Chambers:

- This proposed development is adjacent to an area of high student density and will therefore exacerbate issues of over-saturation and over-occupancy. This runs contrary to Core Policy H11. For this reason, we would ask that this application be refused.

Highway Services – Highway Services have made the following comments:

- Given that the proposed development is resultant in 2 additional bedrooms, the number of vehicular trips associated with site is expected to be minimal. It is therefore accepted that the adjacent highway network can facilitate such additional demands with no highway safety or capacity concerns.
- The site is well accessed by sustainable modes. Regular bus services, Metrolink services and railway services are available within walking distance of the development site.
- It is noted that the property could accommodate 10 residents and therefore the limited car parking could contribute to the level of vehicles parked on-street. It is also recognised that on-street parking does occur along Parsonage Road.
- Secure and sheltered cycle parking provision should be made, within the curtilage of the site, at a provision of one-per-unit.

Policies

The National Planning Policy Framework (December 2024) – The National Planning Policy Framework 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 National Planning Policy Framework 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 means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or

- d) 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 strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The Places for Everyone Plan – This plan was adopted on 21 March 2024, as such 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 significant weight in the planning balance. The relevant policy is set out below:

Policy JP-Strat9 (Southern Areas) – This policy states that the economic competitiveness, distinctive local neighbourhood character and environmental attractiveness of the southern areas will be protected and enhanced. There will be a strong emphasis on making as much use as possible of suitable previously developed (brownfield) land and promoting the roles of the areas' town centres and its other key assets.

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, of which the following are of most relevance:-

- 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.
- Community safety and crime prevention.

- Design for health.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Flood risk and drainage.

Policy H1, *Overall Housing Provision* – This policy states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors and goes on to state that new residential development should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed sites in sustainable locations and which takes account of
- the availability of developable sites in these areas;
- Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours.

Policy H6, *South Manchester* – South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes. Outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing.

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 – Its proximity via Wilmslow Road to the Education Precinct make Withington a popular area for students to live. Consequently, there are large numbers of properties that have been taken over to support the demand for student lets. The objective of City Council policy is to seek to achieve balanced communities and to avoid over concentrations of accommodation types which could have a detrimental impact on the amenity of residents. In this instance it is considered that this section of Parsonage Road and the immediate neighbourhood does accommodate a high concentration of HMO properties and this is detrimental to the balance of tenure.

The image below illustrates that on the section of Parsonage Road between Heaton Road and Brunswick Road, in addition to the application property (yellow) there are four other properties in use as HMOs (red):



- 36a Parsonage Road - Maximum Permitted Number of Occupants = 7
- 36b Parsonage Road - Maximum Permitted Number of Occupants = 5
- 36c Parsonage Road - Maximum Permitted Number of Occupants = 5
- 25 Heaton Road - Maximum Permitted Number of Occupants = 10

Given the impact the existing HMOs have on the levels of residential amenity enjoyed along Parsonage Road, it is considered that increasing the number of occupants at no. 37 Parsonage Road would exacerbate this disamenity. As such, the principle of the proposal is not considered acceptable.

Residential Amenity – An increase in the number of occupiers residing at no. 37 Parsonage Road would lead to increased comings and goings and general activity. This additional activity has the potential to have a detrimental impact, particularly in terms of noise, on the occupiers of the nearby dwellinghouses, resulting in a reduction in the levels of residential amenity they currently enjoy.

Nine households and two of the local Councillors have objected to the proposal, citing the current problems associated with the existing HMOs and in particular the application property. These concerns include antisocial behaviour, noise nuisance in the house and garden, parking and litter issues. It is believed that an increase in the number of occupiers would exacerbate these problems and have an unduly detrimental impact upon the levels of residential amenity enjoyed by the nearby residents of Parsonage Road.

Car Parking – Given the confines of the site it would not be possible to provide any additional off-street car parking facilities. On-street parking pressures already exist and a number of residents have raised this as a significant problem in the immediate area. It is considered that the intensification of the use at no. 37 Parsonage Road would inevitably lead to further on-street parking demand which would not only have the potential to create highway problems but also lead to a loss of residential amenity for nearby residential occupiers.

Elevational Alterations – The proposed alterations are minor in scale and would not have an impact upon the overall character of the building.

Conclusion

It is considered that the intensification of the HMO use at no. 37 Parsonage Road would, due to increases in noise, disturbance and on-street parking pressures, have a detrimental impact upon the current levels of residential amenity enjoyed by the occupants of the nearby residential accommodation on Parsonage Road.

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

The proposal was assessed against the policies within the Manchester Core Strategy Development Plan Document and the guidance contained within the National Planning Policy Framework. The applicant was advised that the proposal would have a detrimental impact upon the existing levels of residential amenity enjoyed within the vicinity of the site. As the nature of the proposal is considered to be unacceptable and the applicant has requested that the proposal be determined in its current format, a solution that was acceptable to both the Local Planning Authority and the applicant could not be reached.

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

1) The proposed conversion to the existing House in Multiple Occupation would result in an over intensive use of the property leading to an increase in the levels of comings and goings to and from the site with attendant issues of noise and disturbance, parking demand and waste generation, to the detriment of the amenity of neighbouring residential occupiers. As such, the proposal is contrary to policies H11, DM1 and SP1 of the Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Flat 4, 44 Parsonage Road, Manchester, M20 4PT
10 Brunswick Road, Manchester, M20 4GA
Flat 3, 44 Parsonage Road, Manchester, M20 4PT
4 Burlington Road, Manchester, M20 4PY
35 Parsonage Road, Manchester, M20 4PS
6 Burlington Road, Manchester, M20 4PY
42 Parsonage Road, Manchester, M20 4PT
40 Parsonage Road, Manchester, M20 4PT
39 Parsonage Road, Manchester, M20 4PS

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Area Team Boundary - Name: SOUTH AREA