

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142035/FO/2025

Date registered valid: 31 January 2025

Proposal: Retrospective application for a change of use from dwellinghouse (Class C3) to 6-bedroom house in multiple occupation (Class C4) together with the erection on a single storey rear extension

Address: 16 Anfield Road, Manchester, M40 3NS

Ward(s): Moston Ward

Applicant: Mr Daniel Pechev, Valery Home Decor

Agent (if any): Miss Robyne Marsden, Plans 2 Extend Ltd

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 3 March 2025

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 28 February 2025

Standard consultations:

Printed: 10 February 2025 Expired: 3 March 2025

Neighbour notifications

Printed: 10 February 2025 Expired: 3 March 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

The application site relates to a two storey, semi-detached dwellinghouse, incorporating front and rear garden areas. To the rear is a large, partially constructed, single storey rear extension for which retrospective planning permission is sought as part of this application.

The property forms one of six semi-detached properties set around a crescent, fronted by a lawned area.



Application property

The property does not include any off-road parking area.

At the time of the Officer site visit, the property appeared to be empty and under refurbishment, with the rear extension partially constructed.



Rear extension under construction

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The immediate area is predominantly residential in character, largely comprising two storey, semi-detached and terraced dwellinghouses.

To the rear of the property boundary is a linear area of informal open space which incorporates a public right of way that runs parallel with the property.

Description of development

Planning permission is sought for a change of use from a 3-bedroom dwellinghouse (C3) to a 6-bedroom House in Multiple Occupation (C4). The submitted drawings show 3 bedrooms to the first floor and a further 3 bedrooms to the ground floor, including 1 bedroom within the rear extension. Also to the ground floor are 2 communal kitchen and dining areas.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Local Ward Members – Councillor Appleby raises concerns about the proposal.

Environmental Health – A condition relating to the submission and agreement of a waste management scheme is requested.

Highway Services - In comparison to the former use, the level of trips generated is not anticipated to result in a significant increase in trips.

There is no on-site car parking associated with the development and as such, all vehicular demands associated with the site are anticipated to contribute to the level of vehicles parked on-street. Whilst it is noted that the site is within a sustainable location, there are concerns that the increase in tenants could result in a rise in on-street parking.

4 cycle spaces proposed. If approved, it is requested that 6 cycle parking spaces (100% provision) is provided.

Planning History

There have been no previous planning applications at this property.

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'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 also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Core Strategy policies

Policy SP1 (Spatial Principle) - refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (Development Management) - states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy H3 (North Manchester) - North Manchester, over the lifetime of the Core Strategy, will accommodate around 20% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained.

Policy H11 (Houses in Multiple Occupation) - states that changes 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 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.

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.

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policy of the Unitary Development Plan is also considered relevant:

Saved policy DC1 (Residential Extensions) provides criteria to be considered in determining applications for extensions to residential properties.

Policy DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. the general character of the property;
- b. the effect upon the amenity of neighbouring occupiers;
- c. the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. the overall appearance of the proposal in the street-scene;
- e. the effect of the loss of any on-site car parking.

Policy DC1.2 states further that extensions to residential properties will be allowed subject to compliance with other relevant policies of the UDP and the following criteria;

- a. they are not excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings);
- b. they do not create an undue loss of sunlight, daylight or privacy;
- c. they are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details;
- d. they would not result in the loss of off-street car-parking, in a situation where there is a severe existing on-street parking problem.

Place for Everyone (Joint Development Plan) - The Places for Everyone Plan is a strategic plan for nine of the 10 boroughs in Greater Manchester and forms part of the city's development plan.

The Guide to Development in Manchester (SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

National Planning Policy Framework

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

Section 4 provides guidance on the decision-making process and mirrors legislation in stating that planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Section 5 refers to the need to deliver a sufficient supply of homes and states that strategic policies should be informed by a local need assessment and the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

Paragraph 60 states:

'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community'.

Issues

Permitted Development Rights

Ordinarily the change of use from Class C3 to Class C4 would constitute permitted development in accordance with the Town and Country Planning (General Permitted Development) Order 2020 (as amended).

Due to concerns regarding an oversupply of such accommodation and the impact that such accommodation was having on the character of areas throughout the city, as well as upon residential amenity, the City Council introduced an Article 4 GPDO Direction to remove permitted development rights for changes use from C3 to C4. The Direction was adopted on 11th October 2011.

Principle

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 paragraphs 2 and 47 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.

In the case of this application, the principle of the proposed change of use is not considered acceptable and is in conflict with the aforementioned development plan policy and associated guidance.

It is considered that the proposed change of use to a house in multiple occupation (Class C4) would result in the loss of family sized accommodation, in an area where it is desirable to retain such properties, so to contribute to the Council's housing supply.

It is further maintained that the proposed extension would create unusable amenity space for a family sized property and the proposed usage would facilitate an over intensive use of the property and lead to problems associated with increased levels of activity formed by people with different lifestyles and patterns of behaviour, increased noise, disturbance, waste storage demands and car parking requirements.

On this basis, the proposal is considered to conflict with saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies H3, H11, DM1 and SP1 of the Manchester Core Strategy, The Guide to Development in Manchester (SPD) and the National Planning Policy Framework (NPPF). There are no material considerations to indicate otherwise.

The principal issues of concern are outlined further below.

Housing Balance and the loss of family accommodation

Policy H3 of the Core Strategy set out requirements for new housing development in north Manchester, giving priority to family housing and other high value quality development. This reflects the findings of the Housing Need and Demand Assessment 2010 which identifies a need for larger family housing. Whilst this study is now some years old, the demand for larger family accommodation is still evident.

The justification text for this policy promotes the need to encourage a mixed and diverse community by retaining or attracting economically active households.

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. Figures show that for this type of property 3,630 applicants were waiting for a 3-bedroom property on 1 March 2025. The application property is therefore a dwellinghouse suitable for a family and the proposal in this case would see the loss of such.

Bedroom Need	Band 1	Band 2	Band 3	Band 4	Band 5	Total
1	581	2780	144	3863	129	7497
2	217	3020	62	1902	23	5224
3	88	1679	924	923	16	3630
4	147	748	256	101	3	1255
5	45	141	8	5	1	200
6	18	9	0	1	0	28
7	1	1	0	0	0	2
Total	1097	8378	1394	6795	172	17836

Extract taken from Manchester Move website

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 further 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 states that 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.

The proposed change of use therefore results in the loss of a family dwellinghouse, further 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.

Residential Amenity

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

The Council have concerns in relation to the over-intensive use of the property as a consequence of 6 unrelated people living together.

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 occupants and the creation of certain types of accommodation.

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 and 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, lack of civic pride and pressure upon local parking provision.

In this case, the lack of off-road car parking provision forms a particularly harmful factor, due to the lack of any off-road parking provision, as underlined by the consultation response received from Highway Services.

Notwithstanding the relative accessible location of the property, car ownership by prospective occupants cannot be precluded.

Policy DM1 in particular states, that for all development, regard should be made to parking provision.

The increased occupancy of the property would undoubtedly lead to increased competition for on-street parking spaces along a narrow section of highway.

The proposed use could quite feasibly generate demand for 6 car spaces. This in turn would cause increased competition for on-street parking spaces in the immediate area due to the lack of parking associated with neighbouring properties.

It is therefore believed that the lack of off-road car parking provision coupled with the increase in the levels of activity and associated noise and disturbance would have a harmful impact upon neighbouring occupiers due to increased competition for on-street spaces and the impact to living conditions. On this basis, the proposal is considered unacceptable.

Loss of Amenity Space

It can be seen from the footprint of the proposed extension already in situ that the proposal leads to the substantial loss of the rear garden area, save for a narrow strip that wraps around the side and rear of the extension, some of which is identified for bin and cycle storage.

Whilst the Council do not have any minimum amenity standards enshrined in policy in terms of area, it is maintained that the resultant space is insufficient for a family sized dwellinghouse.

Saved policy DC1.1 of the UDP states that in determining new applications for extensions, they should not be excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings).

Policy DM1 of the Core Strategy states that new development should have regard to the adequacy of internal accommodation and external amenity space.

Paragraph 10.9 of the Guide to Development (SPD) state further that:

‘All residents should enjoy useable private amenity space wherever they choose to live in the city. All new developments should be designed to provide onsite amenity space which is fit for purpose, and which is informed by and relates to the character of the area. Simply this means the provision of gardens that perform well as multi-functional space. Gardens are valuable within any development by contributing the following:

- *A safe play area for children*
- *Additional storage outside the house*
- *The provision of outside drying area for clothes which additionally assists the environmental sustainability of a development*
- *Space in which to relax which helps the overall sense of well-being*
- *An increased amount of planting which enhances the quality of the natural environment*
- *The space to provide home grown food which benefits the health of the local community’.*

In this case, it is considered that rearward projection of the proposed extension and the area the extension consumes, is excessive large and lacks subservience to the main house. This results in an insufficiently sized garden area and functional, unusable amenity space in comparison to the size of the host property.

Prospective occupiers should be expected to have a private area to relax outdoors, hang out washing etc. The resultant size of the external area in this case is considered deficient in this regard and would undermine the living conditions of occupants.

The pandemic has emphasised the importance of having dedicated external amenity space in residential homes as part of the domestic set-up, with high quality and well-designed outdoor amenity space being fundamental to achieving an acceptable standard of development which offers a good standard of amenity to future occupiers. The Council believes in this case, the remaining amenity space would not be an appropriate standard and therefore contrary to Development Plan policy, supplementary design guidance and the National Planning Policy Framework.

Conclusion

In summary, it is maintained that the proposal clearly contravenes City Council policy aspirations and would serve to contribute to the imbalance of the housing mix in the area and deviate from the long-term housing objectives of the City Council which focuses on diversity and

choice in the housing market, as well as the protection of residential amenity arising from the over-development and the intensive use of the host property. On this basis, the proposed development is unacceptable.

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 attempted to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant 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 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 maintain a sustainable neighbourhood and cohesive housing market.

2) The proposed use would result in an over intensive use of the property. The consequential increase in the levels of activity, noise, disturbance levels, waste generation and demand for

parking, would have a detrimental impact upon the amenity of neighbouring residential occupiers, contrary to policies H11, DM1 and SP1 of the Manchester Core Strategy.

3) The proposed extension is excessively large in relation to the host property and results in the substantial loss of the rear garden area, creating inadequate private, external amenity space for prospective occupiers, to the detriment of their living conditions and well-being. As such, the proposed development is contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester, policy DM1 of the Manchester Core Strategy, The Guide to Development in Manchester (SPD) and the National Planning Policy Framework (NPPF).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

14 Borland Avenue, Manchester, M40 3LZ
20 Anfield Road, Manchester, M40 3NS
14 Anfield Road, Manchester, M40 3NS
3 Anfield Road, Manchester, M40 3WF
1 Anfield Road, Manchester, M40 3WF
7 Anfield Road, Manchester, M40 3WF
5 Anfield Road, Manchester, M40 3WF
20 Borland Avenue, Manchester, M40 3LZ
18 Borland Avenue, Manchester, M40 3LZ
16 Borland Avenue, Manchester, M40 3LZ
1 Winton Avenue, Manchester, M40 3WR
4 Winton Avenue, Manchester, M40 3WR
12 Borland Avenue, Manchester, M40 3LZ
2 Winton Avenue, Manchester, M40 3WR
4 Anfield Road, Manchester, M40 3NS
8 Anfield Road, Manchester, M40 3NS
6 Anfield Road, Manchester, M40 3NS
24 Anfield Road, Manchester, M40 3NS
22 Anfield Road, Manchester, M40 3NS
2 Anfield Road, Manchester, M40 3NS
18 Anfield Road, Manchester, M40 3NS
12 Anfield Road, Manchester, M40 3NS
10 Anfield Road, Manchester, M40 3NS
10 Borland Avenue, Manchester, M40 3LZ

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH AREA