



Appeal Decision

Site visit made on 21 January 2025

by C Harding BA (Hons) PGCert PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2025

Appeal Ref: APP/B4215/W/24/3349252

24 Cawdor Road, Manchester M14 6LQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by VSHF - Manchester against the decision of Manchester City Council.
 - The application Ref is 139314/FO/2024.
 - The development proposed is rear dormer to existing loft conversion with internal alterations.
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Decision

1. The appeal is allowed and planning permission is granted for installation of rear dormer to enable two additional beds in the roofspace at 24 Cawdor Road, Manchester M14 6LQ in accordance with the terms of the application, Ref 139314/FO/2024, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos "2226-24CR02a – Existing and Proposed Elevations and Sections", "2226-24CR01b – Existing and Proposed Floor Plans" and "2226-24CR03 – Block and Location Plans".
 - 3) The application property shall be used as a 9-bed house in multiple occupation (Class Sui Generis) and shall be occupied by no more than nine residents at any time and no rooms shall be converted or subdivided to form additional bedrooms or be used in conjunction with any increase in the number of bedrooms in the house or any increase in the number of occupants of the house.
 - 4) Prior to the occupation of the additional bedrooms hereby approved, a scheme for the storage and disposal of refuse, including a timetable for implementation, shall be submitted to and approved in writing by the local planning authority. The property shall thereafter be occupied only in accordance with the approved details.

Preliminary Matters

2. The description of the proposal that I have used in the banner heading is taken from the planning application form. It differs from the description of development used on the appeal form and by the Council on its decision notice.

3. It is common ground between the parties that the appeal property is currently lawfully occupied on a *sui generis* basis as a seven-bedroom House in Multiple Occupation, and although not set out explicitly in the description of the development, it is clear from the plans and accompanying evidence that the proposal would facilitate the creation of two further bedrooms, bringing the total occupants to nine.
4. The description of the development on the appeal form and used by the Council incorporates this fact, and the application was advertised as such. Accordingly, I have used the description of the development stated on the appeal form in my formal decision, and have considered the appeal on this basis.
5. A revision to the National Planning Policy Framework was published in December 2024. The amendments did not have a bearing upon the issues in this appeal, and it was therefore not necessary to seek comments from the main parties upon it.

Main Issue

6. The main issue is the effect of the proposal upon the living conditions of existing occupiers of nearby properties, with particular regard to noise and disturbance, waste generation and parking demand.

Reasons

7. The appeal property is an end terrace two-storey house located in a residential area of mainly terraced houses. The appeal property has previously been enlarged by rear extensions and roof alterations.
8. The intensity and pattern of activity associated with HMOs generally contrasts with houses in single family occupation. Occupiers are more likely to lead lives independent of one another, whereas families occupying a single house are more likely to carry out day-to-day activities together.
9. However, the appeal property can already be occupied by up to 7 adults, and therefore differing patterns of behaviour from those of a family house are already likely to be occurring. The evidence indicates that the current use has been in place for a number of years, and there is no evidence that demonstrates that it has resulted in previous issues in terms of noise and disturbance. There is no indication that an increase of an additional two people residing at the appeal property would materially change the existing position in terms of the effect on the living conditions of neighbours with regard to noise and disturbance.
10. I acknowledge that there can be situations where relatively small changes can lead to a more significant effect, but there is no reason to suggest that this is the position in this case.
11. In terms of the management of waste, I saw that the lane to the rear of the appeal property contained large, wheeled bins, however it is unclear whether any of them were associated with the appeal property. An additional two residents at the property would be likely to increase the level of waste generated. However, there is no indication that the existing waste management arrangements are currently unsatisfactory, and there is no evidence before me to indicate that the additional waste created by two further residents would be likely to result in significant harm in this respect.

12. On this basis, and given that there is rear yard space associated with the appeal property where waste could potentially be stored, I consider that it is likely that adequate waste management arrangements could be agreed through means of an appropriately worded planning condition.
13. I acknowledge that the proposal could lead for demand for parking for up to nine vehicles, with no off-street parking provided, although it is material that the property could already generate demand for up to seven spaces.
14. However, the appellant's evidence indicates that car ownership in the area is likely to be lower than average, and this is not contested by the Council. Despite the Council's assertion to the contrary, there is no substantive evidence before me to indicate that the area is currently subject to parking stress and there appeared to be no parking restrictions in place at the time of my visit.
15. While only a snapshot in time, I saw that there was parking demand in the immediate area, but also that on-street parking spaces remained available. There is no dispute that the appeal property is located in a relatively accessible location. When all of these factors are considered together, I find that the level of additional demand potentially created by the proposal would not amount to unacceptable harm to the living conditions of existing occupiers in this respect.
16. For these reasons, the proposal would not lead to unacceptable harm to the living conditions of occupiers of nearby properties with particular regard to noise and disturbance, waste generation and parking demand. It would accord with Manchester's Core Strategy Development Plan Document 2012 ("MCS") Policies H11, DM1 and SP1, which together and amongst other matters, state that developments should make a positive contribution to the health, safety and wellbeing of residents, is of a high standard, have regard to effects on amenity including noise and litter, and create places with a high standard of amenity for existing users.

Conditions

17. I agree with the Council that the maximum number of occupants should be specified to accord with the details of the application and that a condition should be imposed in order to secure a satisfactory means of managing waste in the interests of the living conditions of the occupiers of nearby properties. I shall also list the approved plans for the avoidance of doubt and in the interests of proper planning.

Conclusion

18. On the basis of my reasoning above, the proposal would be in accordance with the development plan when read as a whole, and there are no material considerations which would indicate taking a decision other than in accordance with it. I therefore conclude that the appeal is allowed.

C Harding

INSPECTOR