

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141340/FO/2024

Date registered valid: 22 October 2024

Proposal: Conversion of existing 12 bedroom house in multiple occupation and separate self contained apartment to 14 bedroom house in multiple occupation (sui generis) and associated elevational alterations.

Address: 49 -51 Knutsford Road, Manchester, M18 7NJ

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr Remon Jager, B&R Assets Ltd

Agent (if any): Mr Steven Mellor, William McCall

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 16 December 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 12 December 2024

Standard consultations:

Printed: 4 November 2024 Expired: 25 November 2024

Neighbour notifications

Printed: 4 November 2024 Expired: 25 November 2024

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

Description of area

The application relates to detached pair of properties located at the north- east junction of junction of Knutsford Road and Glencastle Road. The setting of the properties comprises of hardstanding areas, including car parking within the front garden accessed via Knutsford Road and lawned area to the rear. The site is demarcated from the highway by brick walls and railings. A separate pedestrian gate provided access and egress to a shallow garden areas via Glencastle Road. The application site is located in an immediate context of semi-detached and terraced houses. However, Sacred Heart Primary School is located to the west of the site. A children's centre and Sacred Heart Church and Parish Hall are located to the south.

The application properties are predominantly two storeys to Knutsford Road. However, the configuration of the roof allows the formation of accommodation within the roof space. The properties comprise of a pitched roof with hipped pitched roof bays to each side elevation. Whilst the properties predominantly comprise of red brick the principal elevation comprises of render and includes a pair of flat roof bays to ground floor and raised basement.

Refurbishment works have commenced on site. The applicant has indicated that the properties are currently vacant and the previously undertaken large scale HMO use ceased on 12 May 2024.

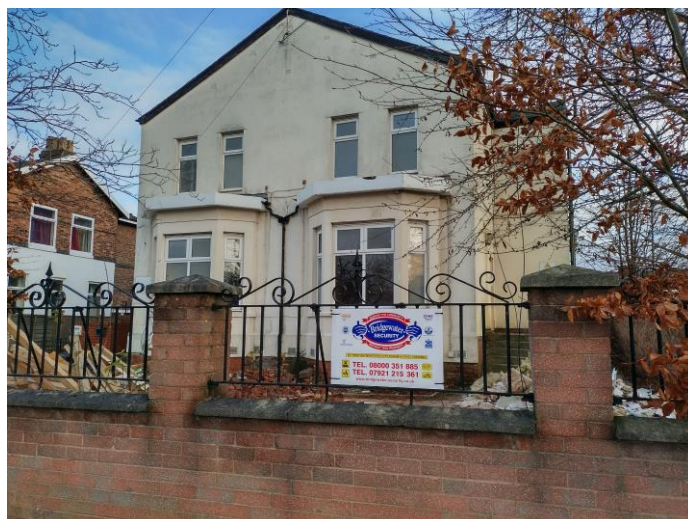


Fig.1 – Views of the application site from Knutsford Road

Fig.2 – Views of the application site from Glencastle Road

Description of development

The development involves the expansion of the existing HMO from 12 to 14 bedrooms. This would involve the reconfiguration of properties to form:

- i. Basement – Conversion of the existing flat in the basement into two bedrooms with ensuite bathroom. A laundry room with separate access from the rear garden would be retained.
- ii. Ground floor – Formation of four bedrooms with en suite bathrooms, A kitchen and separate kitchen / dining room.
- iii. First floor – Formation of eight bedrooms with en suite bathrooms.
- iv. The roof space accommodation would not be used to provide additional bedrooms.

External alterations would include:

- i. The enclosure of a ground floor window to the side (southern) elevation.

- ii. The partial enclosure of a doorway to the rear (eastern) elevation to allow the formation of a window. A window opening the rear elevation would also be enclosed (in relation to bedroom 2).



Fig.3 – Proposed layout and elevations

The external layout comprises:

- i. Three car parking spaces (one accessible) within the front garden.
- ii. Bin storage adjacent to the southern boundary.
- iii. Cycle storage adjacent to the eastern boundary.

Fig.4 – Proposed site layout

Site history

- i. 054153/FO/CENTL2/98 - Approved - 01.06.1998: 49/51 Knutsford Road, Gorton, Retrospective application for an access ramp and steps for a fire escape
- ii. 040013 - Approved - 06.11.1991: 49, Knutsford Road, Gorton. Erection of a 1.8m high boundary wall at front and side of property
- iii. 020423 -Approved - 04.01.1984: Knutsford Private Hotel, Knutsford Road, Gorton. Conversion of private hotel into a charitable hostel

Consultations & Notification Responses

Local residents – One email of objection has been received and is summarised below:

- i. The previous operation of a 12 bedroom HMO led to high levels of activity that caused undue noise disturbance and thereby harm to residential amenity. This included incident of anti-social behaviour requiring police intervention.
- ii. The property has been previously poorly maintained, and a lack of site management has been highlighted as having a detrimental impact on residential amenity. This includes unsatisfactory arrangements for waste management and bin storage.
- iii. The surrounding area is affected by significant on-street car parking. The displacement of car parking from the application site has added to localised congestion and increase demand for on-street car parking . There is concern to the development would exacerbate these difficulties to the detriment of residential amenity and highways safety.
- iv. There is concern that the increased number of bedrooms with the related formation of windows would result in overlooking and loss of privacy. The amenity of neighbouring residents would thereby be adversely affected by the development.

Highway Services – The following comments have been received:

- i. It is not considered that the development would result in a significant increase in trip generation and the site is accessible by sustainable transportation modes.
- ii. Submitted drawings indicate that existing car parking will be retained, i.e., two standard and one accessible space.
- iii. Appropriate cycle storage would be provided.
- iv. Suitable refuse storage would be provided. It should be ensured that collection arrangements should not result in obstruction of the adjacent highway.
- v. Any requirements for licensing, hoarding / scaffolding and temporary traffic management arrangements should be agreed with the Council as local highways authority.

Environmental Health – The following comments have been received:

- i. A more comprehensive strategy for the storage and collection of waste and recycling should be provided.
- ii. The submitted site layout plan should demonstrate the provision of EV charging points.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended most recently in December 2024. It represents key up to date national policy and is an important material consideration in determining the current application. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'. The purpose of the planning system is to achieve sustainable development. The NPPF states that to achieve this, the following three overarching objectives need to be pursued mutually:

- i. The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth.
- ii. The social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community.
- iii. The environmental role should protect and enhance the natural, built and historic environment.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. The following aspects of the Framework are relevant.

- i. Section 5 Delivering a sufficient supply of homes - States that 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; the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. In this case, the development would increase the intensity of occupation and related noise and disturbance. It would also result in the loss of a self-contained flat, which would be a more sustainable living arrangement. Given the harm presented by the increased intensity of the use, the development would be contrary to the objective of section 5.

Section 9: Promoting sustainable transport - States that in assessing specific applications for development, it should be ensured that:

- i. The potential impact of development on transport networks can be addressed;
- ii. Provide opportunities for walking, cycling and public transport use.

Although three car parking spaces have been indicated, the number of proposed rooms has the potential for additional demand for spaces that would exceed this dedicated provision. In such circumstances existing on-street car parking would be exacerbated. The site has capacity to accommodate cycle storage and it is accessible via public transport.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In considering this application consideration has been given to the following aspects of the PPG:

- i. Consultation and pre-decision matters;
- ii. Health and well-being;

iii. Noise.

It is not considered that the development would accord with points (ii) and (iii) for the reasons set out in this report.

Places for Everyone - Is a Joint Development Plan Document and provides a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan. To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation. The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023. Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report. Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is 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 following policies are relevant:

Policy JP-C6: Walking and Cycling - Discusses measures required to deliver a higher proportion of journeys made by walking and cycling. The site has the capacity for the provision of cycle storage, which would encourage the adoption of a sustainable transport mode.

Policy JP-P6 - Health - States that development should maximise its positive contribution to health and wellbeing, whilst avoiding any potential negative impacts of new development. It is considered that the development would result in an overly intensive use of the site. It would thereby generate levels of activity, noise and disturbance that would be harmful to the character and amenities of the area. Policy JP-P6 would not thereby be accorded with.

Policy JP-S1 - Sustainable development - States that, to address climate change, development should aim to maximise its economic, social and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives. The development would not achieve a quality of the accommodation that would encourage sustained future occupation. Policy JP-S1 would not, therefore, be accorded with.

Policy JP-S4 - Flood risk and the water environment - States that in locating and designing development to minimise the impacts of current and future flood risk. The site is in Flood Zone 1 as stated, clarification regarding the potential impact of the implementation of the development on below ground watercourses would need to be addressed should a more appropriate proposal be brought forward.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.'

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice through: the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents and responding to the diverse needs of all members of the community and the protection and enhancement of the built and natural environment;
- b. Minimises emissions, ensures efficient use of natural resources and reuses previously developed land wherever possible;
- c. Improves access to jobs, services, education and open space whilst reducing the need to travel and securing good access to sustainable transport provision.

For the reasons, set out in this report it is not considered that the development would accord with policy SP1, particularly regarding the impact of the intensified use of the application property. It is also considered that the related excessive noise and activity would be harmful to residential amenity and discourage the sustained occupation of the application properties.

Policy EN19 Waste - Relates to waste management and requires that consideration is given to consideration of the submitted details relating to the applicant's proposals for the provision of a waste management plan to demonstrate how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. How the sustainable waste management needs of the end user will be met.

It is considered that site has the capacity to achieve satisfactory waste and recycling storage and collection in accordance with policy EN19.

Policy T1 Sustainable Transport - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport. The policy states that the Council will support proposals that, amongst other things:

- i. Improve choice by developing alternatives to the car.
- ii. Promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services, particularly for those most in need and for those without a car.
- iii. Improve pedestrian routes and the pedestrian environment.
- iv. Reduce the negative impacts of road traffic.

The application site is located in an area with notable on-street car parking attributable to neighbouring residential and non-residential uses. The potential for the development to exacerbate on street car parking would be a significant concern. The reduction of the negative impacts of traffic generation, required by policy T1, would not be positively accorded with. The site has the capacity to provide cycle storage and the site is accessible via public transport.

Policy DM1 Development Management - Discusses a range of issues that all development should have regard to. The development fails to accord with policy DM1 as it would:

- i. Adversely impact upon on the residential character of the area;
- ii. Harm to the amenities of future and neighbouring residents. This harm would be attributable to additional noise, disturbance and activity associated with the development.
- iv. Have the potential increase demand for on street car parking. This would be particularly harmful to the amenity of the area, as there is a noticeable incidence of on street car parking and traffic congestion.

Unitary Development Plan saved policies - The following policy are relevant:

DC26 - Development and Noise

Policy 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 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.

The development has the potential to significantly additional noise, disturbance and activity in and around the application property that would be harmful to residential amenity and contrary to saved policy DC26.

Positive and proactive engagement with the applicant – Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires the local planning authority demonstrates how it has engaged with the applicant prior to the determination of the planning application. In this case, the application has been determined within the statutory timescale. In this instance the principle of the application proposals is contrary to the adopted development plan and would not improve the social or environmental conditions of the area. It is not considered, in this instance, that amendments could be made that would make the development acceptable. The applicant's agent was informed of these concerns prior to the determination of the application.

Principle of the development – Council records indicate the application was the subject of a planning permission (ref: 020423) on 4 January 1984 that allowed the operation of a hostel from the application property. There is no record of the use as an HMO with basement flat being granted. The applicant was asked to provide further information relating to the following:

- i. When the use of the properties as an HMO with self-contained basement flat commenced.
- ii. How the nature of the accommodation has changed, i.e., whether the property would continue to provide accommodation to meet a specific need, eg., in support of homeless people.

Further information has not been provided.

Notwithstanding above, the expansion of the HMO use following the conversion of the basement flat would increase the intensity of occupation and lead to increased activity, noise and disturbance. This would be potentially significant as the properties would be occupied by unrelated individuals with differing lifestyles and patterns of behaviour. Notwithstanding the introduction of en suite bathrooms, it is not considered that the quality of accommodation and intensity of occupation would encourage sustained occupation. The previous operation of a 12 bedroom HMO with basement apartment, as referenced in the submitted application, represents a highly intensive use of the application property. This existing arrangement potentially offers an opportunity for sustained occupation through the provision of accommodation in more manageable space.

It is acknowledged that the development would improve the existing accommodation through the introduction of en suite bathrooms. However, all residents would use shared communal areas. It is considered that the increased levels of occupation would lead to additional activity, noise and disturbance within and around the application property. There is concern that the associated levels of activity and disturbance would lead to the more transient rather sustained occupation of the property. It is believed that this cyclical change in occupiers has a negative

impact on the character and appearance of the area and undermines efforts to encourage the formation of neighbourhoods where people likely to remain residence over longer periods and establish links with the local community. The principle of the development is therefore considered to be unacceptable.

Residential amenity - The potential harm to amenity in the neighbouring area would be attributable to the additional levels of noise, activity and disturbance associated with the occupation of the property by up to 14 unrelated people. There is also concern that these characteristics of the development would not encourage occupation or contribute toward the formation of a sustainable neighbourhood. It is therefore considered that the development would have an unacceptable impact on residential amenity.

Car parking – The site is located in an area that is affected by significant on-street car parking. This is attributable to residential uses and the operation of the nearby school, nursery, church and parish hall. The development would be supported by three car parking spaces. However, given the number of proposed rooms, there is a potential for car parking to be generated that exceeds this provision thereby leading to localised congestion. Such circumstances would be unacceptable due to the associated harm to residential amenity and pedestrian and highway safety.

Cycle storage - The site has the capacity to provided secured cycle storage.

Waste and recycling management – The site has the capacity to provide appropriate bin storge within suitably designed enclosures. Previous arrangements for bin collection could reinstated.

Elevational alterations – The development would involve limited external alterations that would be potentially acceptable subject to the use of appropriate materials.

Conclusion - The City Council maintains that the increased intensity of occupation, following the conversion of the basement apartment, that would lead to additional noise and activity in and around the application property. It would also potentially lead to increased traffic generation and demand for on-street car parking. The development would thereby be harmful to residential amenity and the formation of sustainable communities.

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 polices 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 application has been determined within the statutory timescale. In this instance the principle of the application proposals is contrary to the adopted development plan and would not improve the social or environmental conditions of the area. It is not considered, in this instance, that amendments could be made that would make the development acceptable. The applicant's agent was informed of these concerns prior to the determination of the application.

Reason for recommendation to refuse

1) The proposed development would result in the loss of a self-contained flat and the formation of a 14 bedroom house in multiple occupation, which would lead to the overly intensive use and transient occupation of 49 -51 Knutsford Road. The resulting increase in the levels of noise and disturbance associated with related activity, comings and goings, traffic generation and demand for on-street car parking would be harmful to the character of the area, the amenity of neighbouring residents and the formation of a sustainable community. The development would therefore be contrary to policies DM1 and SP1 of the Core Strategy for the City of Manchester, saved policy DC26 of the Unitary Development Plan and policy JP-P6 (Health) contained within Sustainable Development Joint Development Plan Document - Places for Everyone.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Highway Services

Gorton Sacred Heart Family Hub, Glencastle Road Manchester , M18 7NE
Sacred Heart RC Primary School, Knutsford Road, Manchester, M18 7NJ
49A Knutsford Road, Manchester, M18 7NJ
Room 2, Belmont, Glencastle Road, Manchester, M18 7NE
Belmont, Glencastle Road, Manchester, M18 7NE
Room 1, Belmont, Glencastle Road, Manchester, M18 7NE
Sacred Heart Presbytery, Levenshulme Road, Manchester, M18 7WJ
Sacred Heart RC Junior School, Knutsford Road, Manchester, M18 7AL
Ingleside, Glencastle Road, Manchester, M18 7NE
47 Knutsford Road, Manchester, M18 7NJ
45 Knutsford Road, Manchester, M18 7NJ

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