MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141214/FO/2024
Date registered valid:	11 October 2024
Proposal:	Change of use from single house (C3) to 5 person House in Multiple Occupation (C4)
Address:	86 Belgrave Road, Manchester, M40 3SU
Ward(s):	Moston Ward
Applicant:	Idowu Akindele
Agent (if any):	Mrs Kirstie Edwards Hooper Enterprise Associates Limited
Case officer:	Robert Tyrer Tel: 0161 234 4068 Email: robert.tyrer@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	**3 December 2024**

Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit: 29 October 2024

Standard consultations:
Printed: 29 October 2024 Expired: 19 November 2024

Neighbour notifications
Printed: 22 October 2024 Expired: 12 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 and area

84 Belgrave Road relates to a semi-detached property situated within a mixed row of terraced and semi-detached properties. The property lies within a predominantly residential area of Moston in the North of Manchester. The property benefits from garden area to the front and rear.



Photograph 1 Application Site as outlined in red.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

The applicant is seeking planning permission to allow for change of use from single house (C3) to 5 person House in Multiple Occupation (C4)

Consultations & Notification Responses

Local residents/public opinion – Notification letters were sent to the properties listed in appendix 1.

There has been a total of 25 representations of which 24 have objected to the application and 1 neither supporting nor opposing the development.

In addition, two petitions, both objecting to the proposal have also been received with 36 signatures on a handwritten petition and an online petition with 282 names.

The comments raised by the one representation neither supporting nor objecting to the proposal raised matters relating to the maintenance of the property.

The concerns raised by the objectors includes:

- Concerned that the development will increase the demand and competition for on street carparking.
- Property isn't suitable for an HMO type property.
- Noise from the property would have a negative impact on the area;
    - Residents have experienced noise and disturbance from the property being used for short-term holiday rental accommodation (i,e Airbnb)
        - Occupiers would leave at all hours and gave no consideration to the occupiers of the other dwellinghouses in the street.
        - Lack of consideration when parking vehicles.
- Increase the amount of waste generated at the property.
- Concerned that by allowing this property to become an HMO it will encourage other change of uses from dwellings to HMOs.

Other Matters

Some of the comments received included concerns that the development would have a negative impact on the value of their dwellinghouses. As this is not a planning matter it cannot be taken into consideration.

Ward Members – Councillor Dar objects to the proposal for the following reasons:

I wanted to bring to your attention some significant concerns raised by residents during a recent advice surgery I held. Many attendees voiced their objections regarding an unofficial HMO operating in the area. The impact on the neighbourhood was a common theme, with residents expressing frustration over issues such as increased noise, parking challenges, and general disruption to the community.

Given the strong concerns from multiple residents, I would appreciate any guidance on the steps they might take to address this issue formally. Additionally, it would be helpful to understand what actions, if any, the Planning Department could take in response to this matter.

Highway Services – Highways have raised the following comments and have objected to the application.

The site is located adjacent to 20mph adopted highway Belgrave Road.

No kerbside restrictions are present in the immediate vicinity of the site.

The site is located in a reasonably accessible location with various bus services operating within walking distance of the site along Moston Lane East.

Highways Services have objected to the fact that there is no on-site parking provision is proposed and so any resident parking demands will take place on-street. Given that the local area can already experience significant levels of on-street parking, Highways have concerns regarding the potential increase in on-street parking demand associated with the proposed HMO.

Plans show sheltered and secure cycle parking located within the site curtilage. This is considered acceptable by Highways.

Plans show a bin storage area located within the site curtilage with an access route for servicing from Belgrave Road. Further waste/bin storage/provision information is required as Highways would have concerns with a high number of additional bins placed out onto the footway for servicing.

Environmental Health – No objection, requested a condition requiring a scheme for the storage and disposal of refuse to be submitted by the applicant,

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

SP1 – Spatial Principles
DM1 – Development Management 1
T2 - 'Accessible area of opportunity and need'
H3 – North Manchester
H11 – Houses in Multiple Occupation

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

National Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

Use and Article 4 – The Council made an Article 4 Direction on 7th October 2010 which means that planning permission will be needed for a change of use from a use falling within Class C3 (Dwellinghouse) of the Schedule of the Town and Country Planning (Use Classes) Order 1987 to a use falling within Class 4 (House in Multiple Occupation) The Direction was confirmed in January 2011 and came into force on 8th October 2011.

For the remainder of this report houses in multiple occupation will be referred to as HMO's.

The Council will use Core Strategy Policy H11 to control further changes of use from a C3 to a C4 and 'sui generis' HMOs.

In terms of the threshold figure referred to in policy H11 of the Core Strategy Development Plan Document, the application site lies within an area where the 10% threshold for HMO's would not be exceeded by any approval of this application. Where the threshold is under the 10% figure policy H11 advises that there will be a presumption against change of use 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. 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.

Two of the Core Strategy Spatial Objectives for housing and economy seek to achieve balanced sustainable communities and to provide high quality housing. This includes avoiding over concentrations of accommodation types which could have a detrimental impact on the amenity of residents.

The surrounding area does not accommodate a high concentration of HMO's and any approval of this application would therefore not be detrimental to the balance of tenure in the area.

This objective does, however, needs to be weighed against other policy considerations including the HMO threshold, loss of a family house, residential amenity, car parking, the provision of waste and recycling facilities and the character of the area.

The application form states that the property has been in use as an HMO as recently as 24th September 2024 accommodating 5 individual adults.

Housing Balance and the Loss of Family Accommodation

Core Strategy policy H3 sets out the new housing development requirements in the northern part of the City. This policy is informed by the Housing Need and Demand Assessment (2010), which highlighted a significant need for 3 and 4 bedroom family homes within the City. Despite the assessment being several years old, the demand for family housing in the area remains strong.

The justification for this policy emphasises the importance of fostering a mixed and diverse community by retaining and attracting economically active households. This approach aims to create a balanced neighbourhood that supports families and enhance the overall community vitality.

The application site is located on Belgrave Road, with the area consisting predominantly of terraced properties; this single type of dwelling accounting for 52% of the dwellings in the

immediate locality. The housing tenure is predominantly either owned outright or owned with a mortgage, these two types accounting for 75% of the dwellings (source: www.streetcheck.co.uk/postcode/m403su).

There is a huge demand across the city for larger family homes, as demonstrated in the waiting list for social housing, which has over 15,000 live applications on the Manchester Housing Register, with demand significantly outstripping supply.

Manchester Move (www.manchestermove.co.uk) advertises ready-to-rent homes for around 18 not-for-profit landlords, including Manchester City Council, local housing associations, housing trusts, and management organisations. Applicants bid for them (it's called 'bidding' but there's no money involved; it's how applicants register an interest for a home) the landlord then decides who gets them based on their allocations policy. Most landlords use the re-housing rules of Manchester City Council to decide who gets the homes they advertise on Manchester Move.

The table below shows the number of households on the Manchester Housing Register, by their band and the size of property that they need:

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

*Information correct as at 15.10.2024

Image 1 The Housing Register Source: homes.manchestermove.co.uk/choice/content.aspx?pageid=13

As described in the planning statement submitted by the applicant the property was originally purchased as a four-bedroom property, three located on the first floor and one in the attic space.

Looking at the table this shows that for a four-bedroom property there were 1,255 applicants waiting for this type of property on the 15th October 2024.

According to the Manchester Move website the average waiting times for applicants in Band 2 with an award date after 2021 for 4 bed and larger family homes will be well in excess of 6 years and may be as high as 10-12 years for those that have recently been placed in this band.

Although 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.

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

Policy H11 of the Core Strategy is concerned specifically with changes of use to HMOs. 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 C4 HMOs.

In this case, the application site lies within an area where the 10% threshold for HMO's would not be exceeded by any approval of this application, however 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.

In demonstrating the need or demand for single room affordable accommodation, the applicant has referred to an online article published in 2023 and whilst the article was not provided a quick search on the internet reveals it is an article from 4th May 2021 that appears on the Edward Mellor estate agent website. The article provides an overview of Article 4 in Greater Manchester and guiding landlords in investing in HMO properties but it vague on the facts on the demands.

Impacts on 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. The applicant has already increased the number of bedrooms from 4 to 5 by converting the front living room into a bedroom

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. The property has been used previously for short term holiday accommodation and representation received by neighbours have raised that they have experienced noise and disturbance from the property.

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.

Car Parking

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.

There is no off-road parking available at the address, therefore it is likely that the occupiers would appeal to young professional who may also have access to a car and would likely want to park close to the site, this in turn will add to existing the problem as identified by residents in their objections to the application.

During a visit to the site the case officer also observed both on pavement and grass verge parking as shown in photographs 2 and 3.

Highways Services have objected to the fact that there is no on-site parking provision is proposed and so any resident parking demands will take place on-street. Given that the local area can already experience significant levels of on-street parking, Highways have concerns regarding the potential increase in on-street parking demand associated with the proposed HMO.



Photographs 2 and 3 Pavement and Grass Verge Parking in the immediate area on Belgrave Road and Belding Avenue

It is therefore believed that the lack of off-road car parking provision would have a harmful impact upon highway users and neighbouring occupiers due to increased competition for on street spaces and this would undermine the living conditions of neighbouring occupiers.

Waste Management

Whilst the submitted drawing show bins stored within the rear garden, the site photograph clearly show that they are stored in the side passage between the applicant site and 84 Belgrave Road which provides access to the rear garden. From a visual amenity perspective this placement has a negative impact on the street scene.

In addition, the placement of the bins in this location may also act as a deterrent/hinderance in the occupiers using the proposed cycle storage.



Photograph 4 Waste Bins stored in the narrow passage between properties and encroaching onto the pavement.

Conclusion

Considering all the issues in detail it is considered that the conversion of a property for use as a house in multiple occupation would result in the loss of a family house in an area where there is insufficient parking available for the number of unrelated occupants who can be accommodated in the property and potential disturbance to residential amenity from general comings and goings associated with an intensely populated property, would have a detrimental impact on the amenity and character of the area.

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 proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.

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

1) The change of use from single family dwellinghouse to a house in multiple occupation would result in the loss of quality residential accommodation, which would reduce the supply and availability of family housing. The development would thereby fail to positively respond to an identified housing need and thereby undermine the formation of cohesive and sustainable neighbourhoods where people would choose to live. The development would thereby be contrary to policies SP1, H1, H3 and DM1 of the Core Strategy for the City of Manchester.

2) The change of use from single family dwellinghouse to a house in multiple occupation would result in an over intensive use of the application dwellinghouse and result in a consequential increase in the levels of noise and disturbance and activity through its occupation as a house in multiple occupation (HMO) with limited usable amenity space. Occupation as an HMO would undermine the formation of sustainable communities, have a detrimental impact upon the amenity of neighbouring residents and thereby be contrary to policies H11, DM1 and SP1 of the Core Strategy for the City of Manchester.

3) The change of use from single family dwellinghouse to a house in multiple occupation would generate a demand for car parking facilities that cannot be accommodated in a satisfactory manner, and which will resulting in vehicles being forced to park on the surrounding highways in an area that is already experiencing significant levels of on-street parking.

The proposal fails to provide adequate car parking to the detriment of the amenity of neighbouring residents and thereby be contrary to policies H11, DM1 and SP1 of the Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

94 Belgrave Road, Manchester, M40 3SU
92 Belgrave Road, Manchester, M40 3SU
88 Belgrave Road, Manchester, M40 3SU
84 Belgrave Road, Manchester, M40 3SU
65 Belgrave Road, Manchester, M40 3SS
69 Belgrave Road, Manchester, M40 3SS
63 Belgrave Road, Manchester, M40 3SS
57 Belgrave Road, Manchester, M40 3SS
90 Belgrave Road, Manchester, M40 3SU
82 Belgrave Road, Manchester, M40 3SU
80 Belgrave Road, Manchester, M40 3SU
78 Belgrave Road, Manchester, M40 3SU
76 Belgrave Road, Manchester, M40 3SU
73 Belgrave Road, Manchester, M40 3SS
71 Belgrave Road, Manchester, M40 3SS
67 Belgrave Road, Manchester, M40 3SS
61 Belgrave Road, Manchester, M40 3SS
59 Belgrave Road, Manchester, M40 3SS
55 Belgrave Road, Manchester, M40 3SS
53 Belgrave Road, Manchester, M40 3SS

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA