

HEAL Planning & Developments
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HEAL
PLANNING & DEVELOPMENTS

PLANNING STATEMENT

SITE: 86 Belgrave Road, Manchester, M40 3SU

APPLICANT: Idowu Akindele

Application Description:

Change of use from single dwelling (C3) to small House in Multiple Occupation (C4).

Site Background:

The property is a semi-detached, two storey dwelling in a predominantly residential area of Manchester.

The applicants used the property as Airbnb accommodation originally and then decided to convert it into a small HMO which they believed was permitted development. However, in September 2024 they were informed that, due to an Article 4 Direction covering the area, permission was required to convert the property from C3 to C4.

The property as originally purchased provided 4 bedrooms, three on the first floor and one within the attic space.

Supporting Arguments:

The proposed development provides 5 bedrooms of accommodation, the four original bedrooms remain the same with the living room at ground floor being utilised as the fifth bedroom.

Whilst there may be some level of noise or disturbance to be expected in residential areas, given the limited number of occupants, increased vehicle and pedestrian movements would not be significant in the context of this locality if indeed there were any. Furthermore, the compact form of development in the area and passing traffic in the surrounding streets already results in some background noise being experienced and as a consequence of the orientation of the adjacent properties, some noise and disturbance from the occupants of other properties would not be unusual.

The attic bedroom benefits from an ensuite bathroom with the remainder of the bedrooms (4) sharing the original family bathroom. There is also a separate toilet on the ground floor. There is a communal seating area, kitchen and utility room as well as external private garden area.

There is a paved garden to the front of the property and a pedestrian access to the rear garden to the side. Secure cycle parking and wheelie bin storage is provided to the rear of the property and the side access allows for easy external access to this area. The wheelie bins will be dragged to curbside on the day of collection.

The property currently provides 4 bedrooms of accommodation under Use Class C3. C3 is divided into three categories and covers the following uses:

- a. Single person or by people to be regarded as forming a single household;

- b. Not more than six residents living together as a single household where care is provided for residents; or
- c. Not more than six residents living together as a single household where no care is provided to residents (other than a use within class C4).

The property, as a 4 bedroomed property, could easily have accommodated a single household of 6 under any one of the above categories and therefore, in terms of parking, it is not considered that the change of use will result in any additional parking requirement. It is also considered that the proposal will not result in any additional harm to neighbouring amenities from 5 individual adults residing there.

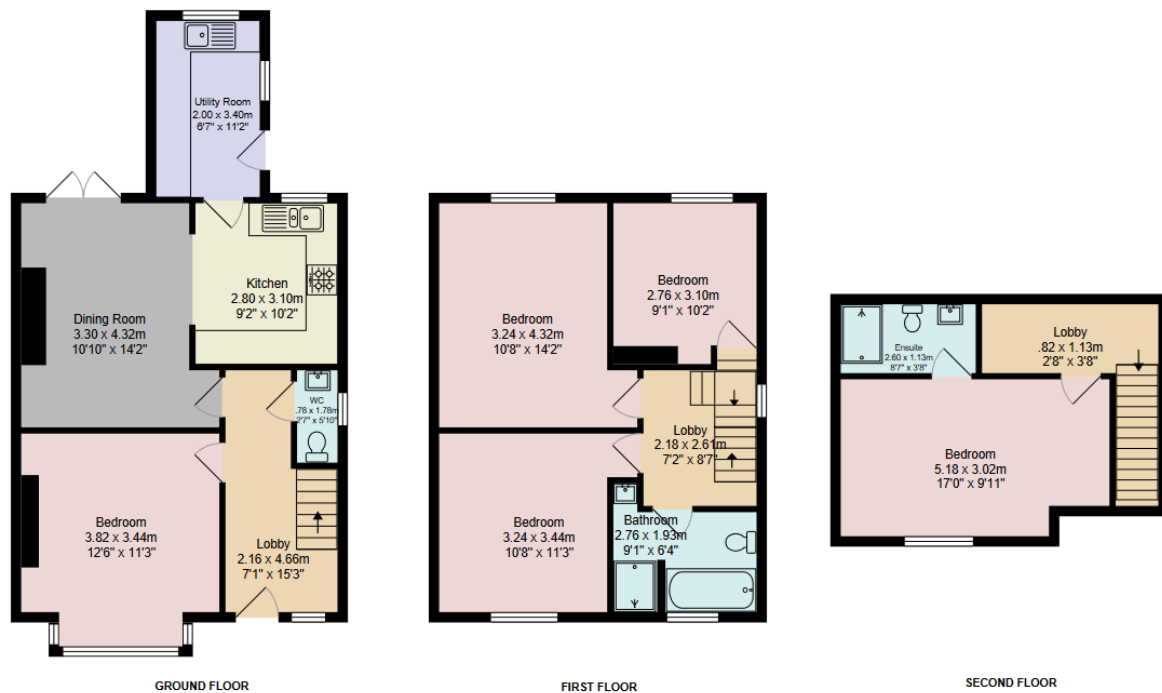
Manchester City Council do not appear to have a published HMO register as prescribed under the Housing Act 2004 s.232(1) and the requirements of The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006. However, a copy of the 2022 HMO register can be found as part of a Freedom of Information request that confirmed that in 2022 there were no licensed HMO properties in the Moston Area. In addition to this, a search on Manchester City Council's Planning Website, confirms that there has only been 1 permission granted within the M40 postcode for HMO accommodation and therefore the creation of an HMO here will not result in an overconcentration of such accommodation in the area. Unauthorised HMOs, if there are any in the locality, cannot be considered here as they should have to apply retrospectively and in turn be assessed on the individual merits of the case.

It is also important to note that Article 4 Directions are placed on areas to control the level of HMO accommodation, not to stop the provision of such accommodation altogether.

It is also important to note that the property was previously used as Airbnb accommodation under permitted development and not operating as a single-family dwelling, the use as an HMO can therefore not be considered as the loss of a family dwelling. It is equally important to note that, should such a time arise when the applicant sells the property or no longer wishes to operate it as an HMO, it can easily be used as a single-family dwelling again without the need for any physical alterations or a change of use planning permission in place.

The accommodation comprises the following, in line with the space standards in place:

- Bedroom 1 Ground Floor – 13.14 m²
- Bedroom 2 First Floor front – 11.14m²
- Bedroom 3 Second Floor rear left – 13.99m²
- Bedroom 4 Second Floor rear right – 8.55m²
- Bedroom 5 Attic Bedroom – 15.64m²
- Kitchen area – 8.68m²
- Utility – 6.8m²
- Communal seating/dining area – 14.25m²
- Communal Bathroom – 5.32m²
- Ensuite Bathroom – 3.38m²
- Downstairs Toilet – 1.38m²



Need for Single Room Affordable Accommodation in Manchester:

According to an article published online in 2023, *“Over the recent years, the demand for rooms to let across Greater Manchester has been staggering”*.

New developments in and around Manchester, such as MediaCityUK in Salford and the arrival of the BBC in the area, has led to the creation of a significant number of new jobs in the North West leading to many southern employees relocating to Manchester.

In addition to this, Manchester hosts three universities drawing in students from across the globe. As one of the largest student cities in the Country coupled with the vast expansion in employment opportunities, the demand for affordable, single room accommodation has increased dramatically.

In a city where the cost of living can be high, HMOs provide a suitable solution for students and young professionals due to their affordability and social benefits.

Local Planning Policy Context:

The relevant parts from the Council's Local Plan with commentaries under each are set out below:

In line with paragraph 11 of the NPPF, the most important policies for determining the appeal need to be identified. It is clear from the judgement *Wavendon Properties Ltd v SoSoHCLG & Milton Keynes Council* [2019] EWHC 1424 (Admin), that the collection of most important policies should be considered in the round.

Most important policies should only be those that govern the development proposed in a particular area. More generic policies that can apply to multiple types of development should not logically be considered as most important policies. This approach is adopted in the below assessment of the refusal policies.

Manchester Core Strategy July 2012

Policy H11 – Houses in Multiple Occupation

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 that 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 site is surrounded predominantly by single dwellings, there are no other licensed HMO properties within the locality and no planning permissions showing for HMO properties that may not require licenses. It is therefore safe to consider that there isn't a high concentration of such accommodation in this area and that there is sufficient family accommodation. A quick search online also reveals a significant number of 2, 3 and 4 bedroomed homes for sale in the M40 postcode region demonstrating an availability of family housing in the area.**

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 high standard and where it will not materially harm the character of the area, having particular regard to the criteria in Policy DM1. **The accommodation provided is of high quality and meets all the necessary internal space standards.**

It is therefore clear that this proposal fully complies with this policy insofar as it relates.

Policy SP1 – Spatial Principles

The key spatial principles which will guide the strategic development of Manchester to 2027 are:

- The Regional Centre will be the focus for economic and commercial development, retail, leisure and cultural activity, alongside high-quality city living. **Not relevant to this proposal.**
- The growth of Manchester Airport will act as a catalyst for the regional economy and will also provide the impetus for a second hub of economic activity in this part of the City. **Not relevant to this proposal.**
- Beyond these areas, the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment. The majority of new residential development in these neighbourhoods will be in the Inner Areas, defined by the North Manchester, East Manchester and Central Manchester Regeneration Areas. **This proposal**

contributes to the create of diverse housing and meets a local need and is therefore in line with this aim.

- The City is covered by regeneration areas including the City Centre. All development should have regard to the character, issues and strategy for each regeneration area as described in the North, East, Central and South Manchester and Wythenshawe Strategic Regeneration Frameworks and the Manchester City Centre Strategic Plan.

Not relevant to this proposal.

- The City's network of open spaces will provide all residents with good access to recreation opportunities. The River Valleys (the Irk, Medlock and Mersey) and City Parks are particularly important, and access to these resources will be improved. **Not relevant to this proposal.**
- New development will maximise the potential of the City's transport infrastructure, in particular promoting walking, cycling and use of the public transport. The extension to the Metrolink network through the Oldham and Ashton lines will create key corridors for new development. **Not relevant to this proposal.**

Core Development 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
 - Making a positive contribution to the health, safety and wellbeing of residents
 - Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.

- Protect and enhance the built and natural environment. **This proposal fully complies with these aims, it is making a positive contribution to the health safety and wellbeing of the occupants who require affordable single room accommodation and is meet a community need. Due to the fact that there are no internal or external alterations proposed the built and natural environment is protected and the fact that the applicant is committed to ensuring the property is maintained and will be governed by the requirements of the HMO license will enhance the built environment.**
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible. **Not relevant to this proposal.**
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision. **The proposal is within easy access of Manchester University main campus, as well as the city centre for any young professionals working within the city, all of which can be easily reached by public transport or walking/cycling.**

Policy DM1 – Development Management

All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail. **The property is an existing residential dwelling in a built up residential area and therefore a wholly appropriate siting. There are no external or internal alterations proposed and therefore no further details to be assessed in relation to layout, scale, materials etc.**

- 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. **See comment above.**
- 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. **See comment above regarding impact on amenity. In addition to this, as the property could easily accommodate a large family of 6+, 5 occupants will not result in any additional noise or disturbance to neighbouring occupants.**
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes. **Not relevant to this proposal.**
- Community safety and crime prevention. **Not relevant to this proposal.**
- Design for health **Not relevant to this proposal.**
- Adequacy of internal accommodation and external amenity space. **The proposal fully accords with all relevant internal and external amenity space standards as demonstrated previously within this statement**
- Refuse storage and collection. **Refuse storage and collection will be provided to the rear of the property with pedestrian access to the side of the property to allow it to be brought to the front on collection days.**
- Vehicular access and parking **Not relevant to this proposal, there is currently no parking provision provided, and it is not considered that the occupants of the property will require any more parking than a large family of 6 would.**

- Effects relating to biodiversity, landscape, archaeological or built heritage **The property is existing and no external works are proposed, therefore there will be no impact on biodiversity, landscape, architectural or built heritage.**
- Green Infrastructure including open space, both public and private **Not relevant to this proposal.**
- The use of alternatives to peat-based products in landscaping/gardens within development schemes **Not relevant to this proposal.**
- Flood risk and drainage **Not relevant to this proposal.**
- Existing or proposed hazardous installations **Not relevant to this proposal.**
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-
 - a. For new residential development meets as a minimum the following Code for Sustainable Homes standards. This will apply until a higher national standard is required:

Year 2010 – Code Level 3;

Year 2013 – Code Level 4;

Year 2016 – Code Level 6; and **Not relevant to this proposal.**
 - b. For new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment Environmental Assessment Method) standards. By 2019 provisions similar to the Code for Sustainable Homes will also apply to all new non-domestic buildings. **Not relevant to this proposal.**

National Planning Policy Framework 2023:

There is a presumption in favour of sustainable development at the heart of the planning system, which should be central to the approach taken to both plan-making and decision-taking. Local planning authorities should plan positively for new development and approve all individual proposals wherever possible.

The underlying principle of determining living space and meeting the need of people is set out in Paragraph 61. Within this context, “the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable\housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes”. – **The site is within a sustainable location and therefore ideally located for accommodation such as this. There is a recognized need for single room accommodation in Manchester with all existing rooms currently occupied. The proposal will contribute to that need and the mix of housing available in the locality and, if such a time comes when the need is no longer there, the property can easily be used as a single-family dwelling again. Therefore, it is meeting the needs of the current occupants of the property but is not so specific that it will compromise the needs of any future occupants.**

“Section 2. Achieving sustainable development

7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, 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.” **This proposal meets the current need for affordable single room accommodation and no alterations are required, therefore it is not so specific that it would compromise the ability of future generations to meet their own needs. If at any point in the future the demand for HMO accommodation decreases the property can easily be used as a single dwelling again.**

8. “Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a. an economic objective– to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;” -
The proposed HMO is meeting an economic need in relation to affordable, single room accommodation to meet the needs of young professionals, students and single people living, studying and working within Manchester and the wider areas, which contributes to the supply of labour and demand for such accommodation. HMOs form part of the housing stock, particularly providing low-cost housing which is recognised as needed in both the local and national housing context.
- b. a social objective– to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and

future needs and support communities' health, social and cultural well-being; and

As mentioned this meets the social objective by helping meet the demand for this type of accommodation. Without such accommodation there will be a requirement for even more dwellings to be constructed. The social support provided as well in HMOs to others living within the property is beneficial not just to those people but also in supporting community requirements by not displacing time and resource that may otherwise be required.

an environmental objective– to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. **This proposal utilises an existing property to meet an existing demand for this type of accommodation so there is no environmental cost or new provision required. The very fact that the property has rooms which can provide for up to 5 people is an opportunity to use an existing dwelling for such use rather than having to use materials in construction for providing alternatives. There is no harm to any ecology.**

9. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) **Therefore**

use of an existing property that can supply up to 5 people's housing needs is fundamental to this whole principle.

Conclusions:

The proposal is utilising an existing dwelling to provide affordable accommodation for up to 5 individuals in an area where there is not an overconcentration of such accommodation. The property as existing could easily accommodate a large family of 6+ people and therefore having 5 individual adults residing there is unlikely to result in any harm to the amenities of neighbouring occupants.

The property meets all the relevant size requirements and does not require any external alterations to be made. Sufficient space is available to the rear to provide secure, covered cycle storage as well as sufficient refuse storage.

Clearly there is no harm in granting permission for the use of this property as a small House in Multiple Occupation.

Recommendation:

The Planning Authority is respectfully requested to approve this application.

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