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PS

Design & Access/ Planning Statement

2-14(evens) Exbury Street, Manchester, M14 6RF

Image by Freepik

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Introduction

2. This design and access/planning statement supports a planning application submitted by VSHF Manchester Ltd [*'the applicant'*] for the erection of dormer window extensions and single-storey infill extensions to the rear and the installation of two rooflights to the front [*'the proposal'*] of each of 2 to 14 (evens), Exbury Street, Fallowfield, Manchester, M14 6RF [*'the property'*].

Planning History

3. Each of the seven properties benefits from a Certificate of Lawful Use or Development for using the property as a Class C4 small house in multiple occupation.
4. Applications to erect a single-storey extension and rear dormer window and a hip-to-gable conversion of the end terrace properties, 2 and 14 Exbury Street, reference 135793/FO/2022 and 135794/FO/2022, were refused by the Council on 19 December 2022.

Proposal

5. It has been decided to take a holistic approach to the redevelopment of the terrace so that the Council can consider the proposal as one comprehensive and understandable scheme. It will also simplify the appeal process if the Council refuses the application.
6. As per the earlier application proposals, the roofs of numbers 2 and 14 Exbury Street will be converted to a gable end instead of terminating with a hipped roof. Gable-ended roofs are not alien to the locality.



Fig.1 – 3D Sketch illustrating the proposed rear of the property - (Source: Courtesy of .mark Architecture)

7. It is proposed to erect single-storey infill extensions between the existing hipped roofed offshoots. These will have lean-to roofs terminating neatly below the first-floor window brick cills.
8. Each property will have a dormer window extension to the rear, so the dormer window will stretch from gable to gable across the terrace. The dormer windows are offset from the rear elevations, gables and roofline such that they are subservient to the main roof.
9. The operational development will facilitate the increase in occupancy of each HMO from **3** to **5**. In total, an additional **14** people will be housed on the whole terrace.
10. The end users may be students; they may not. Given the broken housing market, more mixed HMO markets, including students and other social groups, are forming. The latter includes professionals, international migrant workers, low-skilled workers, benefit recipients and divorcees.
11. Moreover, given the housing crisis, we must make more efficient use of residential property to house more people where the residential amenities of neighbours and end users can be preserved.

Location

12. Fallowfield is to the south-southeast of the city centre, and Exbury Street is south-southeast of the district centre of Fallowfield.

13. The property is on the west side and southern end of the street.
14. The property is within a predominantly residential area, but it is not within a Conservation Area.

Access

15. The property's pedestrian and vehicular access are from Exbury Street, and the properties have in-curtilage parking space accessible via a dropped curb from the highway.
16. The property is in a sustainable location, accessible to services, facilities, and employment opportunities by foot and wider areas with excellent public transport services.
17. Buses can be caught from Ladybarn Lane to the east and Parrs Wood Road to the south-southwest, only a short walk from the property.

The Property

18. The property is a red brick two-storey terrace of seven properties terminating with hipped roofs. Each property has a lean-to porch to the front and a two-storey offshoot with a hipped roof to the rear.
19. Windows have contrasting grey/blue soldier course brick heads and cills. There is a buff brick band connecting the properties at the first-floor level.
20. Internally, each property comprises a hallway leading to a bedroom at the front, a sitting room in the middle and stairs to the first floor. The sitting room provides access to a toilet and the kitchen within the rear offshoot.
21. The landings provide access to two bedrooms and a bathroom in the rear offshoot.
22. The front of the property is all hard surfaced with Tarmacadam, providing access to the principal access of each property and space for each to park a car.
23. Bins are stored in the open at the front of the property between the porches.
24. Access to the rear of the properties is via a gate at the south end of the terrace. Each property is accessible to its rear via its kitchen.

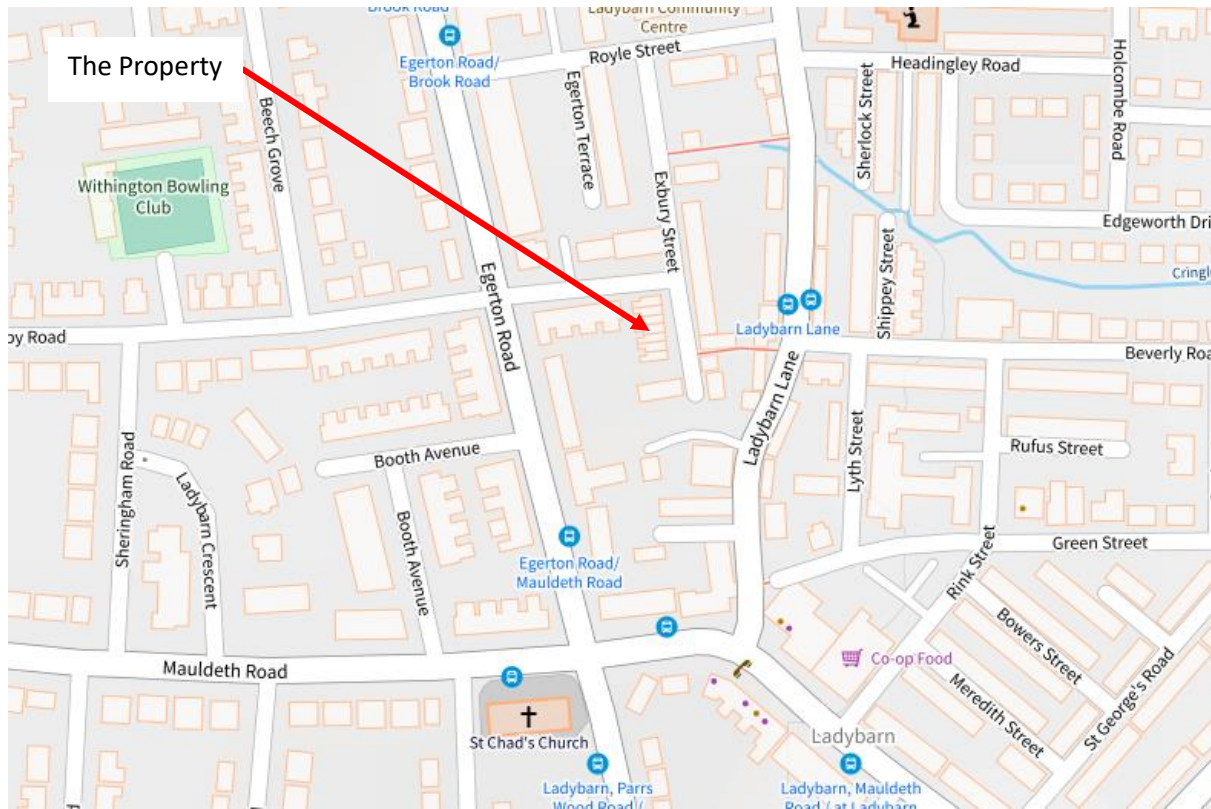


Fig.2 - Mapping - The property in its wider setting (Source: OpenStreetMap)



Fig.3 – Satellite Imagery - The property in its local setting (Source: Google Maps)



Fig.4– Imagery - The east elevation of the property from Exbury Street (Source: Google Maps)



Fig.5– Imagery - The north and west elevation of the property from Derby Road (Source: Google Maps)

Key Views

25. The principal public vantage points of the property are from Exbury Street and Derby Road.
26. There is a glimpse of the rear of the property from a gap between buildings on Egerton Road to the west (see Fig.6 below)

Planning Policy

27. The starting point for considering planning applications is set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004. It confirms that applications for planning permission are to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
28. This statement will evaluate the consistency of the proposed development with the relevant planning policies of the Development Plan, national policy contained within the National Planning Policy Framework [*the Framework*] and other material considerations.



Fig.6– Imagery - The glimpse of the rear of the property from Egerton Road to the west (Source: Google Maps)

29. Paragraph 224 of the Framework states that its policies are material considerations that should be considered in dealing with applications from the day of its publication.
30. Plans may need to be revised to reflect the replacement Framework's policy changes. Revisions should be progressed as quickly as possible, either through a partial revision or by preparing a new plan.
31. In this case, the Council is reviewing its Local Plan [*LP*], although the process is in the early stages. Accordingly, we rely upon the extant LP comprised of the Core Strategy [*CS*], its key document, and the Unitary Development Plan's extant, or saved policies [*UDP*].

Core Strategy

Policy H11, Houses in Multiple Occupation

32. Policy H11 is a restrictive policy that resists the change of use of a Class C3 dwellinghouses to Class C4 small HMO where there is a '*high concentration*' within a '*short distance*' of the property. Despite the age of the policy, these have never been defined. So, the policy has inherent flexibility, unlike some rigid HMO policies adopted by other Councils.
33. HMOs include Council Tax student-exempt properties, licensed HMOs and those identified as being in Class C4 small HMO use or sui generis large HMO use (although it does not state these need to be lawful, a possible drafting flaw).
34. It states that where the concentration of HMOs is '*significant but less high*', whatever that means, the Council will consider the property type and residential mix when considering HMO proposals.
35. The policy also seeks to resist any increase in the occupation level where an extension that requires planning permission facilitates that increase.
36. There is a presumption against HMO proposals, which result in the loss of Class C3 homes unless it can be demonstrated there is no demand for it.
37. Lastly, the policy requires a '*high standard*' of accommodation that will not materially harm the '*character of the area*', with reference to Policy DM1.
38. The commentary on Policy H11 refers to a student accommodation study [*the study*] undertaken by Tribal Consulting (Tribal, 19 May 2009) on behalf of the Council. This resulted in a Student Strategy reported to the Executive Committee in May 2009, with the issues raised addressed through the *Student Strategy Implementation Plan*.

39. According to the study, even back in 2009, Tribal had evidence that the area, including the south end of Exbury Street, had a concentration of student households between **20%** and **30%**. Who is to say whether this constitutes a high concentration or not. Again, a 'high concentration' is not defined by the LP.
40. It is evident that the principal tenure of housing in the area is family-occupied housing that must significantly outweigh the HMO population.
41. Yet this document is now **15** Years old and is undoubtedly not up to date.
42. Notwithstanding this, it is unlikely that there will have been a loss of HMOs to family homes. One would expect the Council can provide the figures that clarify the concentration of HMOs in the yet undefined 'short distance' of the property.
43. All seven residences within the property are already in lawful Class C4 HMO use, benefiting from a Certificate of Existing Lawful Development described above.
44. Accordingly, no family home would be lost to the proposal.
45. Policy H11 does not guide how a 'high standard' of accommodation that will not materially harm the 'character of the area' is achieved. Alternatively, we are guided toward Policy DM1 in this respect, and it is here where the guidance can be found.

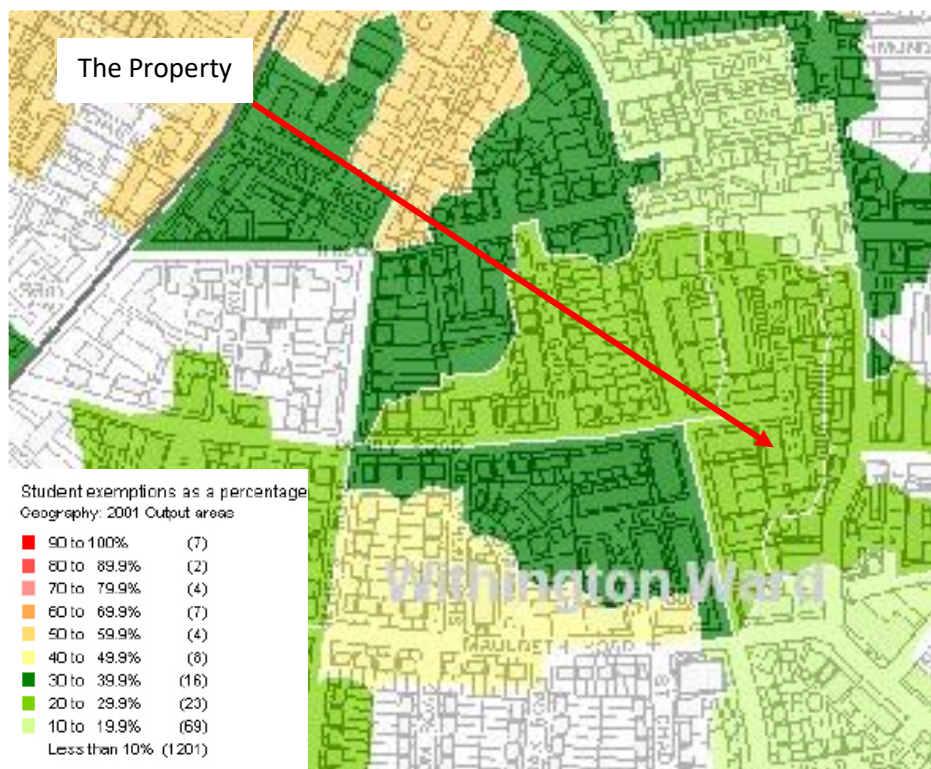


Fig.7 – Extract from the study showing the relatively low concentration of student-occupied HMOs in the vicinity around 2009

46. Given its inherent flexibility, the applicant contends their proposal does not conflict with Policy H11.

Policy DM1, Development Management

47. Policy DM1 is not specific to HMO development proposals. This policy applies to all development proposals and gives detailed guidance, sometimes supported by a supplementary planning document.
48. It covers a broad range of issues, and those relevant to the proposal are considered below.

Appropriate Siting, Layout, Scale, Form, Massing, Materials & Detail

49. The proposed operational development is largey sited to the rear of the property.
50. The ground floor extension of each residence will afford more floor area for a larger open-plan kitchen/dining/living room more suitable for the increase in occupants. The ground floor will still provide only one bedroom.
51. The first-floor layout is changed only slightly by taking a slither of the floor area of Bedroom 2 to take stairs to the second floor.
52. The new second floor of each residence will provide two additional bedrooms.
53. The form of the main roof of the terrace will terminate at gable ends rather than the existing hips at either end. All of the buildings in the locality have gable-ended pitched roofs. This part of the proposal does not fundamentally change the terrace's scale, form or mass.
54. The proposed dormer roof extensions are subservient to the main roof of the terrace. They are offset from the eaves, gables and main ridge line. The applicant contends that through the use of appropriate materials, the proposed dormer windows will not adversely impact the overall appearance of the property. Moreover, there are only limited public vantage points of the rear of the property from Derby Road.
55. The applicant contends that the proposed design of the extensions and alterations of the external envelope is sympathetic to the property and neighbouring buildings in the streets.

Impact on the Surrounding Areas

56. Accordingly, the proposal will have only a limited impact in terms of the design, scale and appearance of the property. The property is already residential, so the proposal will not impact the locality's character.

Effects on Amenity

57. This principally concerns the residential amenity of neighbours.

58. In assessing the applications for the development proposed at 2 and 14 Exbury Street, officers concluded in their delegated officer report that:

'It is not considered that either of the proposed extensions would adversely impact on the amenity of residents in terms of either overbearing impact or loss of privacy.'

59. The applicant contends that the Council should come to no other conclusion than it did here.
60. The principal concern here would be whether the proposed intensification of the use by three people would increase noise and disturbance that could adversely impact the residential amenities of neighbours.

Noise and Disturbance

61. Councils often assert that persons sharing an HMO would live independently, but this is often untrue. As an alternative, prospective occupiers usually come together as a group, not as individuals. They may have a commonality, such as working together, a course of study, a club or a sports team. While having the sole occupation of a bedroom, students and other HMO occupiers generally share communal areas as a household, just like occupants of a single-family home. They do not necessarily have entirely separate lives.
62. The increase in number of occupants will not change the character of the property or the street. The property is already in HMO use and will continue to be used as such unless there is no demand for it.
63. The concentration of HMO in the street and area is likely relatively low, not high. Outside term times, the area will not have a sense of abandonment. A significant proportion, in fact, the majority, of residences in the locality are in single-family use.
64. The Planning Inspectorate does not usually support an assertion that small HMOs are noisier than a family home. There is rarely evidence to substantiate that HMO occupiers would be noisier or keep more anti-social hours than other potential residents. The potential for nuisance applies to all residents and it could be expected that a responsible landlord would ensure that their tenants occupied premises in a manner which respects neighbouring occupiers. All residents, in whatever form of tenure, have the potential to cause nuisance according to the individual.
65. It is not considered that the proposal would significantly impact the residential amenities of neighbouring properties in terms of increased noise and disturbance.
66. However, the applicant advocates adopting two measures that should assure neighbours that their residential amenities can be preserved if not improved.

67. The first is to ensure that the property is attenuated to ensure its use would not impact the residential amenity of neighbours through airborne and impact noise originating from in it.

Part E of the Building Regulations

68. The Building Regulations address the required standard of noise separation and details of the measures taken to achieve adequate sound separation between the property and those adjacent properties likely to be affected by the proposed scheme.
69. Part E of the Building Regulations does not relate to changing use from a single-family residence to a small HMO or a small HMO to a large HMO. However, in this case, they apply because the loft conversion/dormer window extensions will be completed as one development.
70. Paragraph 194 of the Framework advises that planning policies and decisions should focus on whether the proposed development is acceptable land use. Policies should not focus on controlling processes or emissions where these are subject to separate pollution control regimes. Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.
71. The Building Regulations are not intended to eliminate noise altogether but ensure a minimum airborne sound resistance for dividing walls and floors between homes.
72. The Regulations would secure a minimum level of airborne sound resistance of 43dB for conversion to a home. This would easily cut out normal levels of speech, TV and amplified music playing. For impact sounds like footsteps, jumping and dropped objects, a maximum impact sound transmittance level of 64dB is set for floors and stairs in conversion projects.
73. For attached homes, developers can conduct an on-site sound test on dividing walls between homes **or** follow a robust set of Standard Details.
74. Compliance with Part E of the Building Regulations will ensure the property is adequately attenuated from noise and that the neighbour's residential amenity is preserved if not improved.

Property Management Plan

75. Through policy and tenancy agreements, the applicant takes measures to minimise the potential for their tenants to cause anti-social behaviour, noise and disturbance.
76. If there are such occurrences, neighbouring properties can report them to them. To strengthen that position, they could set out procedures in a property management plan secured through a condition of planning permission. This

benefit is not something that the Council can bring about other than through the grant of conditional planning permission, i.e., the existing C4 use has no controls to this effect.

77. A property management plan will enhance the quality of development. Again, such plans are often secured for purpose-built student accommodation. There is no reason why they cannot be proportionately used for smaller-scale HMO developments. Government guidance (Ministry of Housing, Communities and Local Government, 2019) is that conditions should be tailored to tackle specific problems rather than standardised or used to impose broad, unnecessary controls. Here is one of the instances where a condition can be tailored to mitigate any adverse effects of the development.
78. The applicant considers that securing a property management plan would meet the necessary test to safeguard the residential amenities of neighbouring properties.
79. Such a property management plan would be relevant to controlling the property's proposed use and, therefore, relevant to planning. It would not be ultra vires.
80. The Council could enforce the condition if the applicant or successors in the title do not adhere to the property management plan. The condition would prevent harm to the area's amenities that may result from the development.
81. It would not be difficult to monitor, as those affected by a contravention of the condition's requirements are highly likely to be able to provide clear evidence of any breaches. Accordingly, the condition would be practically enforceable.
82. The condition could require the applicant to implement a property management plan before commencing the use per a plan approved in writing by the local planning authority. Accordingly, a carefully worded condition can be precise.
83. Suppose the applicant, or any successor in title, is not adhering to the plan. In that case, the Council has the discretion to enforce compliance with the condition.
84. The applicant considers such a condition perfectly reasonable and should assure neighbours that the property is well-managed. They will gladly work with the Council to secure an appropriate property management plan.

Accessibility

85. The property is accessible to the city and district centre's services, facilities, employment opportunities and academic institutes by walking, cycling and public transport. Occupants are not reliant on private motor cars for travel.
86. Again, buses can be caught from nearby streets.

Community Safety & Crime Prevention

87. HMO tenants are usually the victims as opposed to the perpetrators of crime. However, it is accepted some have an age-old perception that HMO tenants, especially students, increase crime in an area. Anti-social behaviour crime is readily attributed to students. Still, in the author's experience dealing with HMO and PBSA development proposals across the country, this is rarely supported by tangible evidence.
88. Usually, the principal types of ASBs are noise and disturbance ASBs.
89. However, one should not automatically assume HMO tenants are the leading cause of anti-social behaviour. Any occupier of any property could cause concerns in a community. Nonetheless, it would be disingenuous for the applicant to guarantee that future residents would not engage in anti-social behaviour. However, the controls and measures the applicant advocates will reduce the potential for noise ASBs and deal with problems that arise efficiently and effectively.
90. The author would ordinarily refer to the Police Crime Reports (Police.UK, n.d.) for the area and summarise the ASB crimes over the last reporting year. Rarely do they demonstrate a high incidence of ASB crime, even in areas where the concentration of HMOs is high.
91. However, for whatever reason, no data is available from the Police for this area. If it does become available, the author will update this statement.
92. The property would benefit from natural surveillance from surrounding properties. A professionally fitted security system will act as a deterrent to burglary if the property is empty. There is no reason to believe the accommodation would not meet reasonable security expectations.

Design for Health

93. The applicant acknowledges that noise exposure can cause annoyance and sleep disturbance, impacting the quality of life. However, subject to appropriate measures and controls advocated in this statement, the proposal would not amount to a '*significant adverse impact on health and quality of life*', the test in the Framework.

Adequacy of Internal Accommodation & External Amenities Space

94. Of course, the proposal must ensure that end users have an acceptable level of residential amenity, too.
95. The Council's HMO Guidance and Amenity Standards document (Manchester City Council, Unknown) requires a single occupancy bedroom to have a floor area of no less than **6.5m²**. All the proposed bedrooms' floor areas exceed this

minimum requirement, some significantly. A two-person bedroom must have a floor area of at least **10.22m²**, although none is proposed in the layout.

96. The Council provides no guidance on what would be an acceptable area for outdoor amenity space within the property.
97. The residences have only a small private external amenity space to the rear. However, various outdoor recreation and relaxation opportunities exist in the locality, including Ladybarn and Kingswood Parks.
98. The applicant contends that while modest, the property would provide adequate amenity space with additional opportunities to enjoy the outdoors within easy reach.

Refuse Storage & Collection

99. Bins will continue to be stored to the front (east) of the property. However, to improve the visual amenity of the street, these will be stored in a bin store whose details can be agreed upon as a condition of planning permission. The bins will be brought out onto the highway and returned after collection. This will improve the visual amenity of the street.

Vehicular Access & Car Parking

100. The residences each have one in curtilage parking space.
101. Theoretically, the increase in residential use of the property could lead to greater demand for the definitive number of parking spaces in the locality.
102. While the property may occupy students, it may not. However, it is no secret that the property is particularly attractive to students, given its proximity to the University.
103. However, residents of HMOs generally have low car ownership levels, particularly students.
104. A meta-analysis of existing research and literature for the Department for Transport by Oxford and Bristol Universities (Chatterjee, et al., 2018) has looked into transport trends for those aged 17-29. It found a sharp decline in car usage and ownership in this age group. Furthermore, the study found the proportion of those in this age group holding a driving licence had fallen in recent years.

'Driving licensing among young people peaked in 1992/4, with 48% of 17-20 year olds and 75% of 21-29 year olds holding a driving licence. By 2014, driving licence holding had fallen to 29% of 17-20 year olds and 63% of 21-29 year olds. Between 1995-99 and 2010-14, there was a 36% fall in the number of car driver trips per person made by people aged 17-29, with a fall of 44% for men and 26% for women.'

105. The study demonstrates it is reasonable to presume that students and young professionals, typically persons falling in this age bracket and more likely to occupy HMO property, have less demand for parking spaces than they did and are likely to in the foreseeable future.
106. Accordingly, communities with higher proportions of student/young professional occupation will likely find less demand for offsite parking spaces than previously.
107. Furthermore, the proximity of public transport and local services also reduces reliance on private motor vehicles. It adds to the sustainability credentials of the scheme.
108. In this regard the National Planning Policy Framework [*'the Framework'*] advises that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
109. Cycle parking, secured as a condition of planning permission, can be provided at the rear of the property.
110. The applicant also acknowledges the property's accessibility to public transport and access to the City's services, facilities, and employment opportunities by foot to reduce the reliance on private motor cars for travel.
111. Taking account of the above factors, the applicant contends that any cars used by the additional occupants could be accommodated on the street without detriment to highway safety or the visual amenity of the street.
112. The proposal would comply with Policies DM1 and SP1 of the CS, which seek to reduce the need to travel and provide good access to sustainable transport.

Effects Relating to Biodiversity, Landscape, Archaeological or Built Heritage

113. The proposal has a neutral impact on built heritage and has no impact on landscape or archaeology.
114. However, it has significant biodiversity implications in providing a habitat to work, sleep and play for three additional *Homo sapiens sapiens* without detriment to other species, save for the occasional *Tegenaria domestica* or *Tegenaria parietina*.

Flood Risk & Drainage

115. According to the Flood Map for Planning, the property is within Flood Zone 2/3. At worst, it has a high probability of flooding from rivers and the sea. No new connections to the main sewer are proposed.

116. However, the property is already in residential use. The proposal will not introduce any use change, i.e., there are no new bedrooms on the ground or first floors.

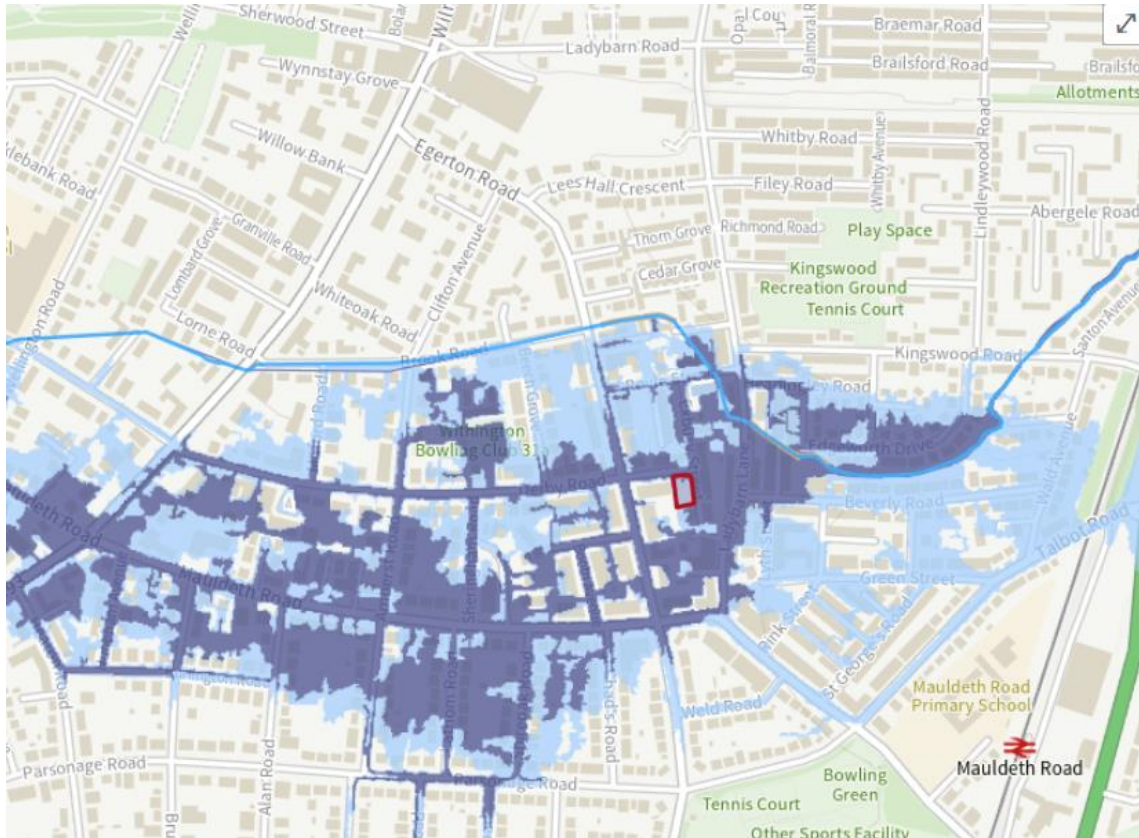


Fig.8– The Flood Map for Planning (Source: GOV.UK)

Conclusion

117. Considering the broad range of issues addressed above, the applicant contends that their proposal will contribute to the overall aims of the Core Strategy and not conflict with CS Policy DM1, *Development Management*.

Policy SP1, Spatial Principles

118. Policy SP1 provides over-arching principles intended to guide the strategic development of Manchester.
119. It seeks to encourage a positive contribution to '*neighbourhoods of choice*', providing high-quality, diverse housing around district centres to meet local needs.
120. The Council may consider whether the proposal would further unbalance the existing community and harm community cohesion or words to that effect.

121. We shall come to the balance momentarily, but let us first consider 'Community Cohesion', a term often flaunted by Councils in considering HMO development proposals. What is it, and how is community cohesion impacted by HMO proposals?
122. Community Cohesion is a concept often discussed in the context of planning and housing policy. Still, it is not strictly defined within planning law. The term refers to the social relationships within a community. It relies on criteria such as a shared vision, inclusion of those with diverse backgrounds, equal opportunity, and supportive relationships between individuals.
123. In the UK, the concept of community cohesion came to the fore following the civil disturbances in northern English towns in 2001. The subsequent Cantle Review identified the danger of divided communities living parallel lives. The government responded by establishing the Commission on Integration and Cohesion to consider what could be done to encourage cohesive communities.
124. There is no universally agreed definition of community cohesion. Some definitions focus on the relationship between the individual, their community, and wider society. They also allow people to interact, work together, develop positive relationships, and contribute to their community.
125. It's important to note that while community cohesion is a significant consideration in planning and housing policy, its definition can vary from neighbourhood to neighbourhood or even from **street to street**.
126. Community Cohesion is stated four times in the CS but nowhere is it referenced in relation to HMO development proposals.
127. The National Planning Policy Framework [*the Framework*] provides no definition of 'community cohesion'. It is referred to twice; paragraphs 96(b) and 135(f).

96. Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which:

*b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or **community cohesion** – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and*

128. The only relevance of this criterion to the proposal is that it should ensure a safe and accessible place and building so that crime and disorder and fear of crime do not undermine community cohesion. This statement demonstrates that the proposal would not adversely impact community cohesion in this way.

135. Planning policies and decisions should ensure that developments:

*f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or **community cohesion** and resilience.*

129. Interpreting the criteria in the context of the HMO development proposed, community cohesion can be impacted by safety, inclusivity, accessibility, standards of residential amenities, crime and disorder and the fear of crime.
130. There are no grounds to contend that the proposal would lead to an unsafe place. HMOs offer a low-cost alternative to owning or renting a home and are more accessible to most. Accordingly, it could be said they are more inclusive.
131. The applicant contends that the proposal will preserve the residential amenities of neighbours and provide an acceptable level of residential amenities for end users, considered in detail above.
132. Police Crime Reports would usually demonstrate that crime and the fear of crime associated with the proposed use is a perception, not a reality. As indicated above, the information is not currently available.
133. Still, the applicant contends there is no apparent reason why the Council should conclude that the proposal would harm the community cohesion out-with any concerns about noise and disturbance that the applicant considers can be satisfactorily addressed.
134. The benefits of affordable accommodation in the form of HMOs are widely accepted. The end-users of the proposed HMO may be students; they may not. HMO households rely on many services and facilities that those in single-family homes rely upon. It could be said that individual students have assured shorthold tenancies and might only occupy the property for a year or two. It is fair to say that an individual student would not contribute to community cohesion as much as someone who has lived in the locality for years. But year-on-year, an individual student is replaced by another, so there is continuity to that contribution.
135. Councils will often cite that HMOs place pressure upon local community facilities. Still, the author has yet to see any compelling evidence to this effect. They often reference the National HMO Lobby's publication *Balanced Communities and Studentification - Problems and Solutions* (Lobby, 2008).
136. Let us be frank. This document is a little '*long in the tooth*' now. The author contends it is no longer fit for purpose and should not, in any case, have been afforded the weight it has over the years in guiding HMO policy.

137. The HMO Lobby references the underwhelming of schools as a typical pressure on local facilities. The applicant is unaware of any potential school closures in the area because they are under capacity because of the percentage of HMOs in the area.
138. The HMO Lobby also cites increased pressure on cleansing and the Police as an impact of HMO development. One can presume that policing the area is not putting undue pressure on the Police force.
139. Similarly, the public realm does not appear to be particularly unkempt. There is no proliferation of littering, flyposting or graffiti in the vicinity that one presumes is putting undue pressure on the Council's cleaning services.
140. The applicant would contend that the proposal would not put undue pressure on local community facilities. They would wish to comment upon any evidence the Council can adduce to prove that retail, commercial services and recreational facilities are being restricted for the sole purpose of accommodating the HMO population of the area to the detriment of the non-HMO population.
141. The applicant contends that it cannot be shown that the proposal would lead to restructuring retail, commercial and recreational facilities, undermining the quality of life or community cohesion.
142. The proposal will not change the balance of the community. No family home will be lost as the property is already in HMO use.
143. In conclusion, the applicant contends that increasing the number of occupants would have a negligible impact on community cohesion and no impact on housing balance.
144. The proposal would, therefore, comply with Policy SP1 of the CS, which seeks to encourage a positive contribution to neighbourhoods of choice, providing high-quality, diverse housing in a distinct environment.

Unitary Development Plan Policy

DC26, Development & Noise

145. Policy DC26 acknowledges the Council's intentions to reduce the impact of noise on people living and working in or visiting the City.
146. The potential for the proposal to create noise and disturbance is considered in detail above in relation to Policy H11.
147. Subject to appropriate measures and controls advocated in this statement, the proposal would not amount to a '*significant adverse impact on health and quality of life*', the test in the Framework.
148. There is no conflict with UDP Policy DC26.

National Policy

149. Planning law requires applications for planning permission to be determined according to the development plan unless material considerations indicate otherwise. The National Planning Policy Framework [*Framework*] is a material consideration.
150. At the Framework's heart is a presumption in favour of sustainable development. Local planning authorities should approve proposals that accord with an up-to-date development plan without delay.
151. They should also grant permission where there are no relevant development plan policies or the most important policies for determining the application are out-of-date unless policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.
152. This statement demonstrates that the proposal adheres to the saved policies of the local plan, recognising the inherent flexibility of Policy H11.
153. The Framework itself gives no specific guidance on HMO or student accommodation proposals, except there is a general accord with the Council's Policy and paragraph 63 of the Framework in respect of the intent to create and maintain sustainable, inclusive and mixed communities:
- 63. Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.*
- These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.*
154. The purpose of the planning system is to contribute to sustainable development. It has an important social role in meeting present and future generations' needs across various tenure forms. There is no conflict between the proposal and Part 8, *Promoting healthy and safe communities*.
155. The Framework seeks to secure a high standard of amenities for existing and future occupants. Paragraph 191(a) states that planning decisions should mitigate and reduce to a minimum the potential adverse impacts resulting from noise from new developments and avoid noise giving rise to significant adverse impacts on health and quality of life. The Framework refers to the Noise Policy Statement for England to assist in interpreting noise impacts.

156. The Statement identifies three types of noise. It would be '*neighbour noise*' that, without appropriate controls, may be an issue in this case – i.e., noise from inside and outside people's homes. The applicant acknowledges that noise exposure can cause annoyance and sleep disturbance, impacting the quality of life. However, subject to appropriate measures and controls advocated in this statement, the proposal would not amount to a '*significant adverse impact on health and quality of life*', the test in the Framework.

Conclusion

157. The proposal will fully comply with the relevant development plan policies and guidance and not conflict with the aims and objectives of the Framework.
158. Consequently, the applicant considers this a form of sustainable development that does not conflict with the Framework policy and can be approved without delay by paragraph 11(c).

Design

159. The applicant intends to ensure that their proposal sits comfortably and appropriately in its setting. This statement section illustrates how the proposal complies with the Development Plan and National Planning Policy Framework regarding its design.

Use

160. The property comprises a terrace of seven residences, each with a Certificate of Lawful Use for use as a small HMO, Use Class C4. Each residence will remain in Class C4 use.

Amount

161. **21** people are accommodated on the Terrace. The proposal will facilitate the provision of two additional bed spaces in each residence. Accordingly, it will lead to a net increase in **14** terrace residents.

Layout

162. The proposed development is largely sited to the rear of the property.
163. The ground floor extension of each residence will afford more floor area for a larger open-plan kitchen/dining/living room more suitable for the increase in occupants. The ground floor will still provide only one bedroom.
164. The first-floor layout is changed only slightly by taking a slither of the floor area of Bedroom 2 to take stairs to the second floor.

165. The new second floor of each residence will provide two additional bedrooms.

Scale & Form

166. The main roof of the terrace will terminate at gable ends rather than the existing hips. Yet gable-ended roofs are more typical of the area. All of the buildings in the locality have gable-ended pitched roofs. This part of the proposal does not fundamentally change the terrace's scale, form or mass.
167. The proposed dormer roof extensions are subservient to the main roof of the terrace. They are offset from the eaves, gables and main ridge line. The applicant contends that through the use of appropriate materials, the proposed dormer windows will not adversely impact the overall appearance of the property. Moreover, there are only limited public vantage points of the rear of the property from Derby Road.
168. The applicant contends that the proposed design of the extensions and alterations of the external envelope is sympathetic to the property and neighbouring buildings in the street.
169. The residential scale of the property will be increased by **14** occupants overall.

Landscaping

170. No additional hard or soft landscaping is proposed.

Appearance

171. The applicant contends that the proposed design of the extensions and alterations of the external envelope is sympathetic to the property and neighbouring buildings in the streets.

Property Maintenance

172. As will be evidenced in the officer's site visit, the property is in a good state of repair. The applicant's agent has letting policies to ensure occupiers of its managed properties keep the property clean and tidy, inside and outside. There are guidelines for reporting repairs and maintenance issues, rubbish collection and storage. Annual maintenance and repairs of its buildings and their gardens are carried out in any case.

Access

173. The property is accessible by a public network of footpaths and roads. Hence, the site is not isolated from people, buildings, or places.
174. It has excellent access to the public transport network, a short walk away.

175. It is within walking distance of services, facilities, and employment opportunities by walking, cycling and public transport.

Inclusive Access

176. Should a need arise, the building will be further adaptable. It is accessible to people with impaired mobility and other disabilities like impaired sight or hearing.

Consultation

177. The applicant will rely upon responses to the Council's publicity and consultation per The Town and Country, Planning (Development Management Procedure) (England) Order 2015 as amended to identify any areas of concern, including access.

Specific Issues

178. The property is within Flood Zone 2/3, as shown on the Environment Agency's Flood Map for Planning and has, at worst, a high probability of flooding from rivers and the sea.
179. No new connections to the main sewer are proposed.
180. However, the property is already in residential use. Other than increasing the footprint of each residence to the rear, it will not introduce any use change, i.e., there are no new bedrooms on the ground or first floors.

References

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