Planning Inspectorate

Appeal Decision

Site visit made on 25 November 2025

by J Hobbs MRTPI MCD BSc (hons)

an Inspector appointed by the Secretary of State

Decision date: 11 December 2025

Appeal Ref: APP/B4215/W/25/3372824
148 Slade Lane, Manchester M19 2AQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mariam Radi against the decision of Manchester City Council.
- The application Ref is 143121/FO/2025.
- The development proposed is conversion of an existing dwellinghouse to a 6 bed HMO, and alterations to the fenestration.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (i) the availability of family housing in the area, and (ii) the living conditions of neighbouring occupiers, with particular regard to vehicle parking, noise and disturbance, and waste generation.

Reasons

Housing mix

3. The proposal is for the change of use of a dwellinghouse to a house in multiple occupation (HMO). The only external alterations would be the installation of a first-floor window on the elevation facing Lindsay Avenue. There is no evidence showing the current number of bedrooms within the appeal property, but it was built as a 3-bedroom detached dwellinghouse. The proposed HMO could accommodate up to 6 individuals.

4. Policy H11 of Manchester's Local Development Framework, Core Strategy, Development Plan Document, July 2012 (CS) seeks to prevent the further loss of dwellinghouses suitable for families by controlling the conversion of them to HMOs. It sets out specific restrictions on proposed changes of use, which I will address in turn below.

5. Firstly, CS Policy H11 indicates that a change of use from Use Class C3 (dwellinghouse) to Use Class C4 (HMO) will not be permitted where there is a high concentration of residential properties which fall into one of the following categories. Properties which are exempt from paying Council Tax because they are entirely occupied by full time students; recorded on the Private Sector Housing's database as a licensed HMO; or any other property which can be demonstrated to fall within Use Class C4, or sui generis uses for a large HMO.

There is not a high concentration of these types of properties in proximity to the appeal site. Therefore, this restriction does not apply.

6. CS Policy H11 also explains that in parts of Manchester which do not have a high concentration of HMOs/student housing but where the lack of family housing has threatened the sustainability of the community to the extent that the regeneration activity with the specific intention of increasing the amount of family housing has taken place, there will be a presumption against a change of use which would result in the loss of a house which is suitable for a family.

7. There is a low concentration of HMOs/student housing in the area. The explanatory text associated with CS Policy H11 states that for the purposes of the policy, housing suitable for a family is a dwelling with 3 or more bedrooms. Therefore, the appeal property is a house suitable for a family. The proposal would result in the loss of this house as it would be converted to a HMO. However, there is no substantive evidence that regeneration activity in the area, with the specific intention of increasing the amount of family housing, has taken place. As such, the aforementioned presumption against a change of use would not apply.

8. Notwithstanding the above, CS Policy H11 also states “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 explanatory text sets out that no reasonable demand would be demonstrated by a period of at least six months on the market at a reasonable price or rental level or other compelling market evidence.

9. There is no evidence before me that the property has been marketed for sale or rent. Although I accept the Housing Register data indicates that there is a demand for all sizes of houses, it does not provide compelling evidence that there is not a demand for a 3-bedroom house in this location. Accordingly, it has not been demonstrated that there is not a reasonable demand for the appeal property as a dwellinghouse, and the proposal would be contrary to CS Policy H11, when read as a whole.

10. I am cognisant of paragraphs 124 and 130 of the National Planning Policy Framework (the Framework) which advise that planning decisions should promote an effective use of land in meeting the need for homes, and where there is an existing shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities. Nonetheless, paragraph 124 goes on to advise that strategic policies should set out a clear strategy for accommodating objectively assessed needs. On balance, the proposal would result in a higher density development; but it would not assist with meeting the identified need for houses suitable for families. As such, the Framework as a material consideration does not overcome the conflict with the development plan, identified above.

11. The Decision Notice specifies that the proposal would be contrary to CS Policy H5. This policy outlines the types of development that would be supported within Central Manchester. Whilst CS Policy H5 seeks to prioritise family housing it does not indicate that other forms of housing would not be acceptable. Therefore, I do not conclude that the appeal proposal would be contrary to this policy.

12. Taking the above into account, I conclude that the proposal would have a harmful effect on the availability of family housing in the area, as it has not been

demonstrated that there is not a reasonable demand for the appeal property as a dwellinghouse. As such, the proposal would be contrary to CS policies H11 and SP1, where they indicate that the emphasis is on providing housing around district centres which meet local needs, and for the reasons given above.

13. The appeal proposal would also be contrary to paragraph 61 of the Framework which indicates that that the overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.

Living conditions

14. HMOs tend to be occupied by individuals who live independently from one another. As such the proposed change of use would result in increased pedestrian and vehicle movements associated with the appeal property. In turn there would be an increased demand for parking.

15. The appeal property does not include off-street parking, and the appeal proposal does not propose to create any. As such, future occupiers of the proposed HMO would need to park on the street. I acknowledge the anecdotal evidence of parking stress in the area, but this is not supported by a parking stress survey or photographs. Furthermore, the Council's Highway Services do not object to the development. There are no parking restrictions in proximity to the appeal property. Future occupiers could park their vehicles close to the appeal property on either Slade Lane or Lindsay Avenue. In addition, the appeal property is within an area with good access to public transport and the services and facilities necessary to meet their everyday needs. This would reduce the demand for private motor vehicles and in turn the demand for parking. It should also be noted that any increase in demand for parking would be modest given the occupancy of the appeal property would only increase by a limited amount.

16. Taking the above into account, the proposal would slightly increase the demand for on-street parking, but this could be safely accommodated on existing roads. Whilst future occupiers of the HMO and neighbouring occupiers may not be able to park directly outside of their properties at all times, this would be somewhat expected in areas where there is a high density of development such as this.

17. The appeal property is detached. Therefore, the effect of noise generated from within the appeal property on neighbouring occupiers would be very limited. Neighbouring occupiers would experience a limited increase in noise and disturbance through the increased occupation of the appeal property. This would be linked to increased pedestrian and vehicle movements and the increased use of external areas. Nonetheless, this modest increase in noise and disturbance would be acceptable as it would assimilate with the background noise which is dominated by vehicle movements along Slade Lane and residential activity of nearby properties.

18. There would be sufficient space to accommodate a large number of bins either to the side or the front of the appeal property. This refuse storage arrangement is commonplace in the area. There is no evidence before me that these bins could not be used appropriately by future occupiers of the HMO.

19. There is not a high concentration of HMOs or student housing in the area. Whilst the proposal may lead to an increase in the transient population, it would not have

a harmful effect on community cohesion, nor would it in combination with other HMOs have a cumulatively harmful effect on the living conditions of neighbouring occupiers.

20. I conclude that the proposal would not have a harmful effect on the living conditions of neighbouring occupiers, with particular regard to vehicle parking, noise and disturbance, and waste generation. In this regard, it would comply with CS policies H11, DM1 and SP1, where they indicate that all development should have regard to the effects on amenity, amongst other matters.

Other Matters

21. The rooms within the proposed HMO would be of an appropriate size. Also, as above, it would be located in a sustainable location close to services and facilities. Nonetheless, these factors do not outweigh the identified harm.

Conclusion

22. In reaching my decision, I have had regard to the rights of the occupiers of the appeal property under Article 8, Protocol 1, Article 1 of the Human Rights Act 1998. Dismissing the appeal would not interfere with the occupiers' rights, as they could continue to peacefully enjoy their possessions and it would not affect their right for respect of their private and family life.

23. The proposal conflicts with the development plan, when read as a whole, and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

J Hobbs

INSPECTOR