MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	144407/FO/2025
Date registered valid:	31 October 2025
Proposal:	Change of Use from Apartment (C3) to Small House in Multiple Occupation (C4) for up to four people.
Address:	Apartment 6, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Ward(s):	Hulme Ward
Applicant:	Xiaolin Qin
Agent (if any):	Silas Willoughby Planning by Design
Case officer:	Lea Joseph Tel: 0161 227 3644 Email: lea.joseph@manchester.gov.uk
Recommendation:	**Refuse**
Date of recommendation:	**12 December 2025**

Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit: 26 November 2025

Standard consultations:
Printed: 6 November 2025 Expired: 27 November 2025

Neighbour notifications
Printed: 6 November 2025 Expired: 27 November 2025

Site notice
No site notice has been produced

Press advert
No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:
This application pertains to a first-floor apartment within Trinity Court, a nine-storey block of flats. The application site includes an enclosed end terrace, communal vehicle and cycle parking is sited within the building's undercroft. The building is currently under external renovations for external recladding including balconies. The site is bounded by Higher Cambridge Street, Booth Street West and Boundary Lane.

No external alterations are proposed.





Planning History

142330/FO/2025 | Replacement of cladding, brickwork and balcony decking. Approved July 2025.

Description of area
The application site is located within the Oxford Road Educational Corridor in close proximity to the Royal Northern College of Music, Manchester Museum and various University of Manchester Buildings. Trinity High Sixth Form and Trinity Sports Centre are also near by. In addition to the many Class F.1 uses in the area there are supporting amenity Class E uses, much of residential character of the area consist of student housing, some University Halls and other Purpose Built Student accommodation however, low density housing can be noted at around Upper Brook Street and Boundary Lane.

Description of development
Full Planning Consent is sought for the change of use of a three-bedroom dwellinghouse (C3) to a House in Multiple Occupation (C4) for up to four people.

Consultations & Notification Responses

Highway Services – No objections. The level of trips generated by the proposed use is not expected to be dissimilar from the existing use. Parking spaces are currently unavailable due to the on-going cladding project (142330/FO/2025). No allocated parking spaces are present for the existing apartment or proposed HMO. Vehicular demands associated with the residential HMO are anticipated to contribute to the level of vehicles parked on-street. One cycle rack is

currently present on site; this provision is acceptable. Waste management will continue as existing arrangement.

Environmental Health – No objections. Should the application be approved, a condition for the scheme of storage and disposal of waste including estimated volumes of waste, internal and external stores, location of the waste collection point and the number and capacity of waste bins.

Policy

Manchester Core Strategy (2012-2024)
SP1 Spatial Principles
DM1 Development Management
H1 Overall Housing Provision
H11 Houses in Multiple Occupation
H5 Central Manchester

Saved Unitary Development Plan Policies
DC26 Development and Noise

National Planning Policy Framework (2025)
Chapter 5 Delivering a sufficient supply of homes

Other Material Considerations:

Manchester Housing Strategy 2022-2032

Report on Purpose Built Student Accommodation in Manchester (2023)

Manchester City Council Assessment of the Need for Shared Housing in Manchester (2023)

Issues

Principle of Development

The application would see the establishment of a House in Multiple Occupation (Class C4) within an existing block of flats. Due to the loss of family sized housing and the over intensive nature of the use, the proposed change of use is not considered to be acceptable in principle.

Loss of Family Sized Accommodation

Policy H11 identifies the importance of balanced, sustainable communities. In contrast to more transient groups such as students and young professionals, families are more likely exhibit a commitment to their neighbourhood, have longer tenancies, and support a range of local services such as schools. This policy recognises the needs for equitable communities, in which the supply of family accommodation is not lost.

As the largest housing tenure type within Manchester and the fastest growing the PRS is facing extremely high demand for properties that is driving up rents across the City Centre. In an effort to address this, the Report on Purpose Built Student Accommodation (PBSA) in Manchester,

the Manchester Housing Strategy (2022-2032), and the Assessment of the Need for Shared Housing in Manchester were produced.

These reports clearly identify that a sufficient supply of housing for students is ‘in the pipeline’ for development within Manchester City Centre. The ‘Assessment of the Need for Shared Housing’ also noted a meaningful change in student behaviours, as more students have sought to live in smaller accommodation within the City Centre, further from the University campuses. Unlike family housing, which the Manchester Housing Strategy specifically identifies as being in a shortage, there is sufficient supply of private rented student housing within the City Centre and there appears to be a marked shift amongst students away from Houses in Multiple Occupation.

Policy H1 identifies the need for diverse housing types across Manchester's areas, specifically noting that in mono-tenure area's the availability of family housing should be increased. Policy H11 requires that when a C4 use is proposed they may be permitted in areas with high concentrations of student housing when it can be demonstrated that there is no reasonable demand for the existing use. This involves marketing the property for a reasonable price
or rent for at least six months, or if there is other compelling market evidence. The Planning Statement submitted for this proposal does not demonstrate market evidence nor previous marketing of the property as family housing.

Policy H5 requires that new housing developments within Central Manchester give priority to family housing. Paragraph 61 of the National Planning Policy Framework states that Council should aim ‘to meet an area’s identified housing need, including with an appropriate mix of housing types for the local community’ The proposed Change of Use would be discordant with these policies as it would result in a loss of family housing in an area dominated by student accommodation with little existing family provision.

The below image shows the ten student accommodation buildings sited in close proximity to the proposed site.

Purpose built student accommodation (marked with diamonds) and halls in relation to the application site.

Since the 2010 adoption of an Article 4 direction requiring for HMOs to be licensed, the Council has effectively managed the location of HMOs in order to maintain residential amenity and diversity in housing types. Policy H11 requires that proposals for Changes of Use from Class C3 to Class C4 within area's with a high concentration of properties that are exempt from paying Council tax because they are entirely occupied by full time students should not be permitted on the basis of maintaining an equitable balance of housing types. The proposed development would hinder the strategic goals around meeting the shortage of family housing within Manchester City Centre and harm the residential amenity of the area. For these reasons the proposal would fail to meet the requirements of policy H11, SP1, DM1 and the Manchester Housing Strategy 2022-2032.

In 2020, a refusal for an HMO at 73 Furness Road (Council Reference: 128662/FO/2020, Appeal Reference: 3273744) the Inspector noted that 'although the appeal site is located close to the Higher Education facilities with a large student population, there is a lack of evidence to substantiate the appellant's claim that there is a need for more student accommodation.' The decision was upheld by the Planning Inspectorate on the following basis:

The proposal before me would result in a loss of family housing which the Council seeks to resist and for which there is a demand. The proposal would therefore undermine and harm the mix and balance of housing provision in the area.

In summation, the proposed change of use would result in the loss of a family flat, this would be detrimental to the balance of housing types in the area that ensures a sustainable neighbourhood. Further, it fails to meet the well-evidenced gaps currently in the housing market and would therefore be unacceptable pursuant to policies H11, H5, Chapter 5 of the National Planning Policy Framework, the Manchester Housing Strategy, the Manchester Report on Purpose Built Student Accommodation and the Assessment of the Need for Shared Housing in Manchester.

Residential Amenity

Policy DC26 requires that LPA consider the potential adverse noise impacts of a development proposal. Policy SP1 requires that development proposals make a positive contribution to their environment. Policy DM1 requires considerations of amenity impacts, including noise, and waste.

Houses in Multiple Occupation are likely to be occupied by individuals with separate lives, in contrast to the existing use, which is for families. Families lives are enjoined, as such their schedules and lifestyles are complementary and they often come and go from their residences at the same or similar times. HMOs would have separate comings and goings, and different hours spent within the residence. As such these four residents would likely generate higher volumes of waste, produce higher levels of noise and nuisance to adjacent residents and require more car parking spaces than a family would. For these reasons the proposal is considered to be an over intensive use of the property.

The Planning Inspectorate dismissed an appeal at 53 Furness Road on the basis that the proposed use would be over intensive stating:

In my view, using the property as a HMO compared to a family dwelling would be likely to lead to noise and disturbance from an increased number of comings and goings, but also from the concentrated occupation of the property by multiple unrelated individuals. These could occur at any time of the day and the effect of them would be felt by neighbouring residents in the local area due to its tight-knit urban grain.

As an over intensive use the proposal would fail to adhere to policy SP1, which requires that developments make a positive contribution to their environment.

An HMO refusal 77 Averill Street (128901/FU/2020, 3277884) that was upheld by the Planning Inspectorate on this basis in 2020 stated that:

Whilst I appreciate that a family could be a group of adults, a HMO is far more likely to contain more adults than a family house. Furthermore, family occupants are more likely to share cars. Allowing 5 unrelated adults to live in the house would significantly increase the chance of the occupants, collectively, keeping more cars than they would if the house remains in a C3 Use.

It should be noted, as was confirmed by the applicant in correspondence that there is currently no parking provision for residents of the tower of flats. This is due to the ongoing recladding works (142330/FO/2025). Thus, it is expected that the development would exacerbate existing on street parking arrangements around the site.

It is acknowledged that an HMO Management Plan was submitted alongside this document, the management plan briefly addresses noise. Stating ‘Should noise complaints arrive they will be investigated promptly’. The submitted plan does not adequately address the above concerns about over intensive use.

Given these details the proposal is considered to be an over intensification in the level of occupation at the site. With harmful impacts on residential amenity pursuant to policies DC26, DM1, and SP1.

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
In assessing the merits of a planning application, officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. The proposal is unacceptable and contrary to policy. The application has been determined in a timely manner.

Reasons for recommendation to refuse

1) The proposed change of use to a House of Multiple Occupation (HMO) (Use Class C4) would result in the loss of accommodation suitable for a family. The proposal would fail to support the creation of a sustainable community and would be contrary to the provisions of policies H1, H5 and H11 of the Manchester Core Strategy (2012) and the National Planning Policy Framework.

2) The proposed change of use to a House of Multiple Occupation (HMO) (Use Class C4) would result in the over intensive use of the property resulting in noise and disturbance and waste generation which is not commensurate with the existing use as a family home or the wider development. This would have an unduly harmful impact on residential amenity which is contrary to the provision of policies SP1, H1, H5, H11 and DM1 of the Manchester Core Strategy (2012), saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Apartment 2, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 4, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 21, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 10, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 5, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 29, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 49, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 42, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 11, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 13, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 55, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
40 - 42 Higher Cambridge Street, Manchester, M15 6AN
Apartment 1, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 24, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 53, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 46, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 15, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
57 Booth Street West, Manchester, M15 6PQ
Apartment 17, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 47, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 7, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 28, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 27, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 48, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Room 327, The Foyer, 61 Booth Street West, Manchester, M15 6PP
Apartment 51, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 57, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 40, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 33, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 3, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 35, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 19, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 14, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 23, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 41, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 39, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 22, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Ground Floor, 61 Booth Street West, Manchester, M15 6EP
Apartment 32, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 50, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 44, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 54, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 26, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 52, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 37, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 56, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 30, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 9, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR

Apartment 31, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 43, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 16, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 12, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 25, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 20, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 34, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 8, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 45, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 18, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 38, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
Apartment 36, Trinity Court, 44 Higher Cambridge Street, Manchester, M15 6AR
The Foyer, 61 Booth Street West, Manchester, M15 6PP

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 2 (low to medium risk) -
Flood Zone Plus Climate Change -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL