



Appeal Decision

Site visit made on 17 April 2026

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th May 2026

Appeal Ref: 6003885

48 Old Road, Manchester M9 8BS

- 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 Mr Mustafa Ghafouri against the decision of Manchester City Council.
 - The application Ref is 143319/FO/2025.
 - The development proposed is described as 'Application for change of use from class 3c dwelling to class c4 HMO. There will be no changes/additions to the external structure of the building and the sole modification to the internal structure will be the addition of a stud wall between the two ground floor reception rooms that are currently open plan'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has referred to the draft National Planning Policy Framework 'Plan-making and national decision-making policies' which was issued by the Government for consultation in December 2025. As a draft document it may be subject to change. Furthermore, having considered its contents, there are no material implications in respect of the outcome of this appeal. For these reasons, it has limited weight as a material planning consideration in the determination of this appeal.

Main Issues

3. The main issues are:
 - whether the proposal would be an over intensive use of the property which would harm the character of the area, with particular regard to the effects of noise and disturbance on the living conditions of the occupiers of nearby residential properties; and
 - The effect of the proposal on the mix and balance of housing in the area, with particular regard to the supply of family housing.

Reasons

Living conditions

4. The appeal property is in a quiet residential area in north Manchester where the main parties agree, and as the evidence before me supports, there is a low prevalence of houses in multiple occupation (HMOs). It is a modest three-bedroom

mid-terraced house which could comfortably accommodate a family of four. The proposal would provide four bedrooms.

5. The occupiers of an HMO are likely to lead lives which are independent from one another, with different lifestyles and separate routines, whereas many day-to-day activities are carried out by families together as a household. Furthermore, the occupants of HMOs are usually adults and so the regularity of activity extending later into the evenings, and possibly at nighttime, when nearby residents reasonably expect peace and quiet, will be greater than a family dwelling. The number of occupants of the proposal would be similar to the existing use and could be controlled through a condition. Nonetheless, the proposal would result in an increase in noise and disturbance arising from the comings and goings of the occupants, in a location where background noise levels are low.
6. There is nothing before me that supports a conclusion that the occupants of HMOs are less considerate towards their neighbours than families and, as suggested by the appellant, a condition could be imposed to secure a management plan. However, in the absence of evidence to the contrary, the management of the HMO is unlikely to be effective in reducing noise arising from the increased activity at unsociable hours.
7. Accordingly, I conclude that the proposal would be detrimental to the living conditions of the occupiers of nearby residential properties due to noise and disturbance and would, thereby, be an over intensive use of the property that would harm the character of the area. It would therefore conflict with policies SP1, H3, H11 and DM1 of the Core Strategy (CS), adopted July 2012, and saved Policy DC26 of the Unitary Development Plan, adopted July 1995. Such policies require, amongst other things, that development makes a positive contribution to the health, safety and wellbeing of residents, is of a high standard, would not materially harm the character and appearance of the area, and has regard to effects on amenity.

Housing mix and balance

8. CS Policy SP1 sets out the spatial principles which will guide the strategic development of Manchester and requires development to make a positive contribution to neighbourhoods.
9. CS Policy H3 sets out that in North Manchester, priority will be given to family housing and other high value, high quality development. This reflects the findings of the Housing Need and Demand Assessment 2010 which showed a need for 3-4 bed family housing. Although this assessment is now somewhat dated, information from the Manchester Housing Register (the Register), dated 16 June 2025, shows that there are a high number of applicants waiting for a 3-bedroom property. Such figures are based on the supply of social housing. Even so there will inevitably be a relationship between the availability of family homes for sale or rent in the private sector, and the demand for social housing.
10. The proposed loss of a 3-bedroom family home where there is an identified demand for such accommodation would not represent a prioritisation of family housing as specified by CS Policy H3. Nonetheless, the effect on the overall mix and balance of housing in the area would be minor and no robust evidence has been presented that supports a conclusion that the proposal would undermine a sustainable neighbourhood or a cohesive housing market. Furthermore, the

Register shows a high demand for one bedroom accommodation which the proposal would provide. Noting that Policy H3 does not preclude the loss of family homes, I find that the proposal would not be in clear conflict with it.

11. CS Policy H11 states that a change of use from a C3 dwellinghouse to a C4 HMO will not be permitted where there is a high concentration of HMOs within a short distance of the application site. The supporting text indicates that the Council will prepare a Development Plan Document to include thresholds which define 'high concentration', giving 10% or 20% as examples, and 'short distance', such as 100 metres of the application site. I have not been presented with such a document, however, as set out above there is a low prevalence of HMOs in the surrounding streets.
12. Changes of use of family homes to HMOs in areas of low concentration are also restricted by CS Policy H11. Nevertheless, the presumption against such changes of use only applies in areas 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. Nothing that has been presented suggests that the appeal site is within such an area. Consequently, this part of Policy H11 does not apply in this case and, therefore, the appellant is not required to demonstrate that there is no reasonable demand for the existing use of the property.
13. I conclude that the proposal would not harm the mix and balance of housing in the area with particular regard to the supply of family housing, and, for the reasons set out above, would not conflict with CS policies H3, H11 and SP1.

Other Matters

14. There is no robust evidence before me to suggest that the Council was incorrect to conclude that the proposal is acceptable with regard to parking, access to sustainable modes of transport and waste and recycling storage and management. Furthermore, I agree that any loss of privacy arising from the decking that has been introduced to the rear of the site could be addressed through the imposition of a planning condition. However, these are neutral factors which do not weigh in favour of, or against, the proposal.

Conclusion

15. Whilst I have found that the proposal would not harm the mix and balance of housing in the area, this does not outweigh the identified harm arising from the over intensive use of the property and the adverse effect this has on the living conditions of neighbouring occupants. The proposal therefore conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
16. Accordingly, the appeal is dismissed.

Elaine Moulton

INSPECTOR