

APPLICATION REPORT – FUL/351324/23
Planning Committee 18th October 2023

Registration Date: 17.07.2023
Ward: Coldhurst

Application Reference: FUL/351324/23
Type of Application: Full Application

Proposal: Change of use from Community Centre (Sui Generis) to 8 bed unit House in Multiple Occupation.

Location: 6 Hunters Lane, Oldham, OL1 1QU

Case Officer: Matthew Taylor
Applicant: Mr T Mushtaq
Agent: Mr Lee Hollinworth

1. INTRODUCTION

- 1.1 The application is a minor development for a change of use of a community centre to a House in Multiple Occupation. The application has been referred to Planning Committee for determination in accordance with the Constitution and Scheme of Delegation since the applicant is a relative of Councillor Shaid Mushtaq (Deputy Leader/Cabinet Member and Councillor for Alexandra Ward).

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved subject to the imposition of the conditions set out in this report.

3. SITE DESCRIPTION

- 3.1 The application site comprises a two-storey building of brick construction with a slate roof located on the western side of Hunters Lane approximately 40m to the south of its junction with Yorkshire Street. The site fronts a car park located between Queen Street and Hunters Lane and is located within the Oldham Town Centre Conservation Area (albeit just outside of the Central Shopping Core).

4. THE PROPOSAL

- 4.1 The application seeks planning permission for the proposed change of use of the building to accommodate a House of Multiple Occupation (HMO) with eight bedrooms. The proposed floor plans show that the bedrooms would be equally split with four on each floor. A cycle store is proposed at ground floor level and a communal kitchen/dining area is proposed at first floor level.
- 4.2 The proposed external alterations to the building are limited to bricking up a rear elevation window at first floor level (which currently serves an office and would become

a bedroom) and the installation of a window in the side elevation at first floor level providing the principal source of light and outlook to that proposed bedroom.

5. PLANNING HISTORY

- 5.1 FUL/350940/23 - Change of use from community centre (sui generis) to place of worship (Use Class F1(f)) – Granted 22.08.2023

6. RELEVANT PLANNING POLICIES

- 6.1 The 'Development Plan' is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The following policies are relevant to the determination of this application:

- Policy 1 - Climate Change and Sustainable Development;
- Policy 3 - An Address of Choice;
- Policy 5 - Promoting Accessibility and Sustainable Transport Choices;
- Policy 9 - Local Environment;
- Policy 11 – Housing;
- Policy 20 – Design; and,
- Policy 24 – Historic Environment

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	No objection, subject to an informative note outlining that the applicant should ensure that the development complies with the Council's HMO standards.
Highways	No objection, subject to the imposition of a cycle storage condition.

8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

- 8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised as a minor development that could impact the character of the Conservation Area by means of neighbour notification letters, display of a site notice, and publication of a press notice.

- 8.2 In response, at the time of publication of this report no responses have been received.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

- 9.1 Policy 1 promotes development which supports the vitality and viability of designated Centres such as Oldham and residential uses in these areas can help support the shops and services they host. Furthermore, Policies 3 and 5 require that residential uses are in highly sustainable locations in respect of access to key services and public transport options. In this regard, the site is within the Town Centre, and for the purposes of Policy 5 the site is 'very highly accessible'.
- 9.2 Policy 11 states that Houses in Multiple Occupancy, hereinafter referred to as HMOs, will not be permitted unless it can be demonstrated that the proposal does not adversely affect:
1. the local character of the area;
 2. the residential and workplace amenity of current, future and neighbouring occupants; and,
 3. traffic levels and the safety of road users.
- 9.3 Consideration of these matters is provided below.

10. IMPACT ON LOCAL CHARACTER (AND CONSERVATION AREA)

- 10.1 Policy 1 states that the Council will ensure that development proposals respect Oldham's built environment. This is also reflected in Policy 20, which requires proposals to respond positively to the environment, contribute to a distinctive sense of place, and make a positive contribution to the street scene.
- 10.2 The existing character of the area is defined by the large number of businesses operating along Yorkshire Street, Queen Street, Hunters Street, and Greaves Street, which are all located within the Oldham Town Centre boundary, and which mainly fall within Use Class E (Commercial, Business and Services) owing to the Town Centre location. The building itself forms part of a terrace of properties that has clearly been extended previously, evident by the facing materials. The application site previously formed three separate buildings evident from the two arched openings on the front elevation where doors have been replaced with windows (all of which are upvc double glazed units).
- 10.3 Although the application site faces a car park located between Hunters Lane and Queen Street this is at a much lower level, so views are obtained over vehicles towards the frontages of terraced properties on Queen Street. Surrounding buildings are predominantly of brick construction but some, including the HSBC Bank at the junction of Queen Street/Union Street, and the Union Street United Reform Church, are constructed in stone. There is also some use of render on nearby buildings.
- 10.4 Other than the minor changes proposed to the fenestration (blocking up of one window and creation of a new window at first floor level) there are no notable changes proposed to the exterior of the building which would cause physical impacts on the character of the area.

- 10.5 With regards the proposed use and its impact on the local character, a HMO is a residential use, and there are many residential properties in the town centre. Therefore, it is considered that the occupation of the building as a HMO would not result in material harm to the established character of the area. Furthermore, the occupation of the building for a residential use such as a HMO is not considered to result in harm to the continued operation of businesses in the vicinity of the site, nor to the occupiers of other residential uses that exist in the Town Centre, any more than any other residential use would be expected to have.
- 10.6 Policy 24 states that development within conservation areas must serve to preserve or enhance the character or appearance of the area. However, given the very limited extent of alterations required to the exterior of the building to accommodate the proposed use, it is not considered there would be any harm caused to the character of the Town Centre Conservation Area. In this context it is considered that the development accords with policies 20 and 24 of the Local Plan.

11. RESIDENTIAL AMENITY

- 11.1 Policy 9 states that the Council will seek to protect existing levels of amenity. As such, development proposals should not cause significant harm to neighbouring land uses through impacts including loss of privacy, safety and security, noise, pollution, access to daylight or other nuisances.
- 11.2 Having regard to the proposed use of existing window openings within the building in the main, it is considered that any outlook and potential for overlooking already exists between the adjoining property. In regards, the single new window it is clear the new window will overlook a car parking area. As such, it is not considered that the proposed residential use as a HMO would materially alter the level of amenity for the occupiers or users of surrounding properties.
- 11.3 When considering the suitability of the proposed accommodation for future occupiers it is noted that all the rooms within the proposed HMO comply with both the National Space Standards Document (DCLG, 2015) and the Council's adopted standards for Houses in Multiple Occupation document (Oldham Council, 2010). Therefore, the proposed accommodation is considered to provide suitably sized accommodation for the future occupiers having regard to the requirements of Policy 9.

12. HIGHWAY SAFETY

- 12.1 Policy 5 of the Local Plan requires that developments do not compromise pedestrian or highway safety and Policy 9 of the Local Plan states that the development will be permitted where it minimises traffic levels and does not harm the safety of road users.
- 12.2 The National Planning Policy Framework explains that planning applications should only be prevented or refused on highways grounds if there would be:
- An unacceptable impact on highway safety; or,
 - Where the residual cumulative impacts on the road network would be severe.
- 12.3 This therefore provides the key test for considering this (and other) proposal in relation to highway safety. The site is in a sustainable location with excellent links to public transport, opportunities for walking and cycling and access to a wide range of amenities. There will be no significant additional traffic generation or demand for

parking to the detriment of highway safety. The Council's Highway Engineer has been consulted and raised no objections on highway safety grounds.

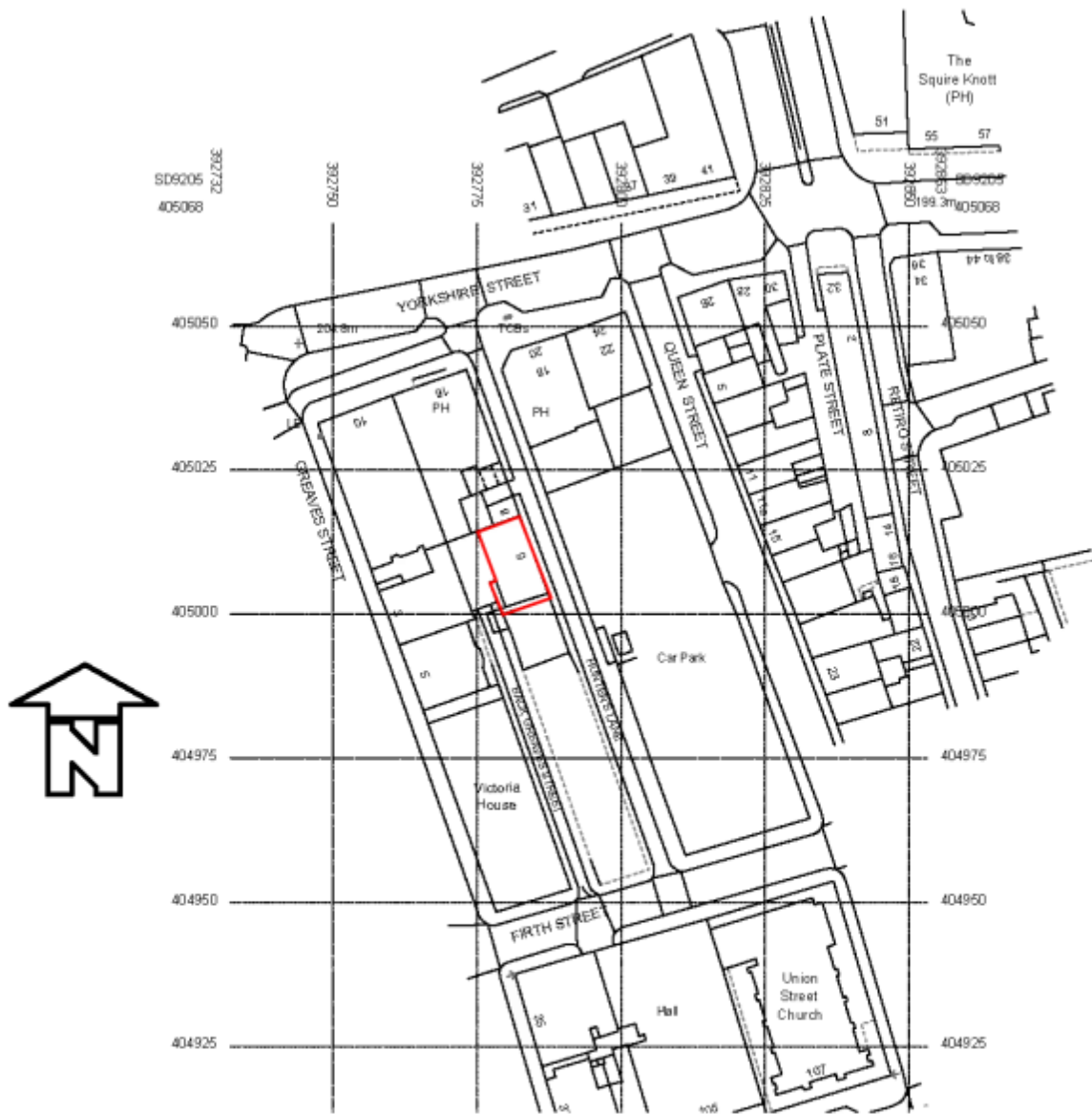
13. CONCLUSION

- 13.1 The proposal is considered compliant with Development Management Policies 1, 9, 20 and 24 of the Oldham Local Plan, and guidance within the revised National Planning Policy Framework. It is therefore recommended that the application be approved, subject to the imposition of the conditions provided below.

14. RECOMMENDED CONDITIONS

1. The development must be begun not later than the expiry of THREE years beginning with the date of this permission. REASON - To comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be fully implemented in accordance with the Approved Details Schedule list on this decision notice. REASON - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.
3. The use of the development hereby approved shall not be brought into use unless and until secure cycle parking has been implemented in accordance with the approved plan (Dwg No. 4014.5) and shall remain available for users of the development thereafter. Reason – In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.

SITE LOCATION PLAN (NOT TO SCALE):



LOCATION PLAN - 1:1250

