

APPLICATION REPORT - PA/342751/19

Planning Committee, 5 June, 2019

Registration Date: 12/03/2019
Ward: Failsworth East

Application Reference: PA/342751/19
Type of Application: Full Planning Permission

Proposal: Retrospective application for change of use from dwelling (Class C3) to 7 bedroom House in Multiple Occupation (sui generis use), including retention of conservatory lounge to side.

Location: 1 Wesley Street, Failsworth, Manchester, M35 9EB

Case Officer: Matthew Taylor

Applicant Clifford Properties Ltd.
Agent : Ashton Planning

THE SITE

The application relates to a two storey end terrace property located on the corner of Wesley Street and Shepley Street and includes a small side/rear garden. The property appears to have been subject to previous rear extensions.

The property is located in a mixed use area with the south of the site being characterised by residential uses whilst to the north is Oldham Road (A62) which is the main road link between Oldham town centre and Manchester city centre. Directly behind the application site is a car park that serves a short terrace of retail units that front onto Oldham Road which contributes to the local shopping parade.

THE PROPOSAL

Retrospective planning permission is sought for the change of use from a dwelling (Class C3) to 7 bedroom HMO (sui generis use), including retention of conservatory to side and the erection of a 1.7m high boundary wall.

More specifically the configuration of the building would be as follows:

- Ground floor - Entrance, hallway, staircase to first floor, kitchen, lounge (within side conservatory), Bathroom and 3no. bedrooms.
- First Floor - Landing, 4no. bedrooms and bathroom.

The conservatory to be retained is positioned to the side of the property fronting onto Shepley Street and has a tiled roof.

The proposed 1.7m high boundary wall is to replace the existing waney lap fencing that will match the brickwork of the existing property.

RELEVANT HISTORY OF THE SITE:

No relevant planning history.

CONSULTATIONS

Highway Engineer

Recommended a condition to require the provision of cycle parking on site.

Environmental Health	Raised no objection, but noted that the property is subject to HMO licensing requirements.
Greater Manchester Police Architectural Liaison Unit	Advice provided on security measures.

REPRESENTATIONS

This application has been referred to the Planning Committee for determination on the request of Councillor Briggs.

The application has been advertised by means of neighbour notification letter and site notice. However, no representations have been received as a result of this publicity.

PLANNING CONSIDERATIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, to the extent that development plan policies are material, planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. This requirement is reiterated in Paragraph 2 of the National Planning Policy Framework (NPPF).

In this case the 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham. The application site is unallocated by the Proposals Map associated with this document.

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

The principle of the development

DPD Policy 1, in the context of this application, seeks to ensure the effective and efficient use of land and buildings, meet Oldham's housing needs and demands in sustainable locations, and to promote high quality and sustainable design. DPD Policies 3, 5 and 11 reflect this approach and encourage residential development on previously developed land.

Policy 3 requires that minor residential developments be located within a ten-minute walk of at least two 'key services', whilst Policy 5 requires that all minor residential development should achieve 'Low Accessibility' as a minimum which is defined as being within approximately 400 metres of a bus route.

In this respect, the site is located within a ten-minute walk of the local shopping parade on Oldham Road, Higher Failsworth Primary School and Higher Memorial Park. These are regarded as 'key services' for the purposes of Policy 3.

In addition, the site is on the fringe of the allocated Failsworth (District) Centre and this weighs heavily in support of the proposal's highly sustainable location.

Insofar as public transport options are concerned the site is located within 400m of bus routes on Oldham Road, providing links to Oldham town centre and Manchester city centre, and a ten-minute walk from the Hollinwood Metrolink stop.

DPD Policy 11 states that houses in multiple occupancy shall not be permitted unless it can

be demonstrated that the proposal does not adversely affect:

- (a) the local character of the area;
- (b) the level of residential and workplace amenity of future and neighbouring occupants;
- and
- (c) traffic levels and the safety of road users.

(a) Local character of the area:

DPD Policy 1 states that the Council will ensure that development proposals respect Oldham's built environment. This is also reflected in Policy 20 as it requires proposals to respond positively to the environment, contribute to a distinctive sense of place, and make a positive contribution to the street scene.

The application property is located in a prominent position on the corner of Wesley Street and Shepley Street.

The change of use to a HMO has resulted in the erection of the side conservatory, as the inhabitants require an additional living room and this addition to the host dwelling is clearly visible from the public domain and as such has an impact on the street scene as a whole.

However, having regard to the proposed 1.7m high boundary wall, to be constructed in brick to match the host dwelling, it is considered the development does not significantly detract from the area as the majority of the glazing will be screened from the public domain by the wall and the roof is of tile construction. In addition, it is not considered the extension extends beyond a well-established building line along Shepley Street.

Whilst the proposal will result in the loss of a family house, such use is limited in attraction due to the restricted garden area. Furthermore, it should be noted that with a reduction of one bedroom, permission would not be required to operate as a small, 6 bedroom HMO.

It is therefore considered that the development complies with DPD Policies 1 and 20.

(b) Effect on amenity:

DPD 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.

Although this application is for a HMO it is considered the scheme is essentially still residential and similar to the current property use. It is therefore considered that any outlook and potential for overlooking from the property already exists and the proposed HMO would not materially alter the level of residential amenity for the surrounding properties. Similarly, the noise associated with the use is considered to be similar to that of a large family home.

It is important to consider the amenity of future occupiers of the proposed development. In this regard, all the rooms within the HMO comply with both the Technical housing standards – nationally described space standard and Oldham Council's Standards for Houses in Multiple Occupation document. Therefore, the proposed accommodation is considered to be of a suitable size to be considered acceptable for the future occupiers having regard to the requirements of Policy 9.

(c) Parking and highway safety:

The Council's Highway Engineer has been consulted regarding the proposals and has raised no objections on highway safety grounds as the change of use is located in a sustainable location with excellent links to public transport and access to a wide range of amenities. The only available parking in the area is time restricted, but it is acknowledged that occupants of Houses of Multiple Occupation do not generally have access to their own

vehicles. Any future residents would have the responsibility of ensuring their ability to park safely and legally elsewhere. Therefore it is not expected there will be any significant impact on the local highway network to the detriment of highway safety.

However, It is noted that the scheme makes no provision for cycle storage. The developer has agreed to provide this on-site, and the details will be required by condition.

Conclusion.

It is considered that the conversion of the building to a HMO and retention of the side conservatory will not harm the character of the surrounding area and is acceptable in principle.

With all the above points in mind it is considered that the proposed development satisfies the requirements of all the relevant local and national planning policies, and that the proposal would therefore comprise a sustainable form of development by providing both residential accommodation in a highly sustainable location which would be compatible with the character of the local area.

RECOMMENDATION

It is recommended that Committee resolves to grant permission subject to the inclusion of the following conditions:

1. Within three months of the date of this permission, secure cycle parking facilities shall be provided within the site, in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall thereafter remain available for users of the development.

Reason - To ensure adequate cycle storage facilities are available to users of the development.

2. Within three months of the date of this permission the boundary wall, render panels and bin store hereby approved shall be fully implemented in accordance with the amended plans and specifications, which are referenced as follows:

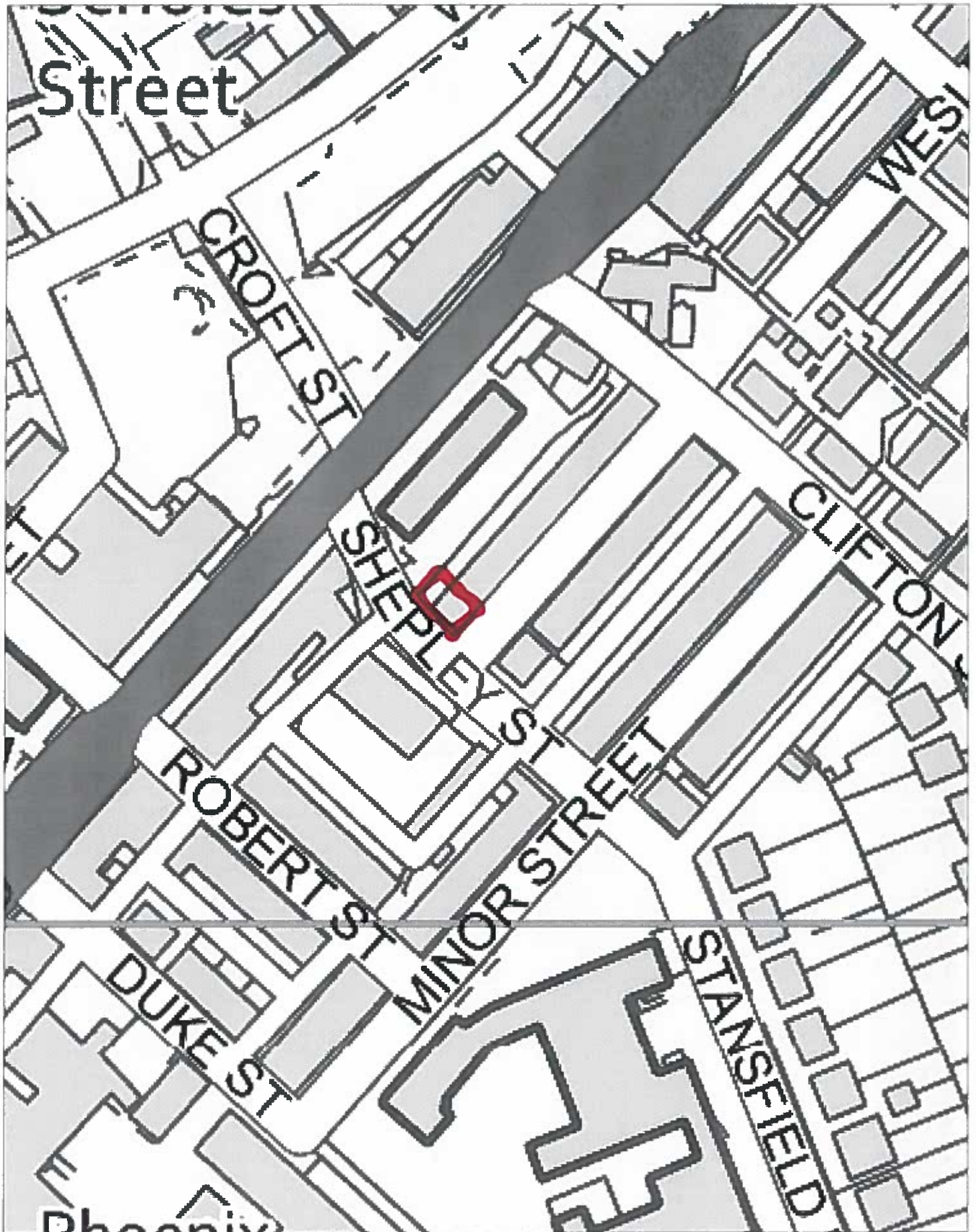
Drawing No: 19020-12, received on 22/03/2019.

Drawing No: Site Block Plan 2A, received on 20/02/2019.

Thereafter the accommodation hereby approved shall be retained as shown on Drawing No: Plan 6, received on 04/02/2019.

Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

Street



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Date: 24.05.19

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