

APPLICATION REPORT - PA/344251/19

Planning Committee, 28 January, 2020

Registration Date: 03/12/2019
Ward: Chadderton South

Application Reference: PA/344251/19
Type of Application: Full Planning Permission

Proposal: Change of use from dwelling to House in Multiple Occupation (HMO), including garage conversion and side extension
Location: 285 Hollinwood Avenue, Chadderton, OL9 9NG
Case Officer: Sophie Leech

Applicant Agent : Mr Mijares
R.A.Fisk and Associates

This application is being reported to Planning Committee due to significant local objection to the proposal.

THE SITE

The application relates to a semi-detached property located on the southern side of Hollinwood Avenue, Chadderton, in a primarily residential area. The property is situated on a dual carriageway and is in close proximity to the crossroads with Broadway. The property has existing off road parking for two vehicles and has an existing dropped kerb onto Hollinwood Avenue.

THE PROPOSAL

Planning permission has recently been granted for a two storey side and rear extension to the existing dwelling (HH/343661/19), and that development remains capable of implementation.

The present application seeks planning permission for the change of use from a dwelling to a house in multiple occupation, incorporating the above extensions.

The proposal will create 7no. bedrooms. 3no. en-suite bedrooms and a kitchen/dining room would be provided at ground floor level and 4no. en suite bedrooms would be provided at first floor. Cycle storage would be provided and 2no. existing car parking spaces would be retained on the driveway. An area would be set aside for refuse and recycling storage.

RELEVANT HISTORY OF THE SITE

HH/343661/19 - Demolition of existing garage and erection of two storey side and rear extension - Approved 15/11/19

PA/023781/89 - Bedroom extension - Approved 26/04/89

RELEVANT PLANNING POLICY

The 'Development Plan' is the Joint Core Strategy & Development Management Policies Development Plan Document (DPD) which forms part of the Local Plan for Oldham. The site is unallocated on the Proposals Map pertaining to the Local Plan.

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 - Sustainable transport choices
Policy 9 - Local environment
Policy 11 - Housing
Policy 20 - Design

CONSULTATIONS

Highway Engineer	No objection.
Environmental Health	No objection providing the property is built to standard and correct fire warning systems and protections are installed.
Greater Manchester Police Architectural Liaison Unit	No objection subject to various security measures.

REPRESENTATIONS

The application has been advertised by neighbour notification letter and site notice displayed outside the property. 157 objections have been received raising the following issues:

- Lack of off-road parking;
- Loss of character of area and of a family home;
- HMOs are not suitable in family areas;
- Lack of knowledge of what type of people will live there;
- Increase in noise, anti social behaviour and crime;
- No provision for bins has been identified.

PLANNING CONSIDERATIONS

Impact on the character of the area

DPD Policy 11 states that houses in multiple occupation will not be permitted unless it can be demonstrated that the proposal would not adversely affect the local character of the area; the residential and workplace amenity of current, future and neighbouring residents, traffic levels, and the safety of road users.

The proposal will result in the loss of a family dwelling. However, the proposed use will continue as residential occupation of the property. Both Policy 11 and the NPPF seek to ensure the provision of accommodation to meet the needs for all different groups in the community.

Furthermore, permitted development rights allow the conversion of a single dwelling into a 6 bed house in multiple occupation without the need for planning permission, and as such recognise that such uses are appropriate in principle through such changes of use. In this instance, the proposed use would involve the introduction of one additional resident above that permitted change. Therefore, in assessing the impact of the proposal, it is necessary to consider whether the increase from 6 to 7 residents would itself result in an adverse material impact on the property and the wider area.

The property is located close to a busy road junction in an area that attracts a high level of general activity. There is no evidence to suggest that in this context, the activity associated with the proposed use would be particularly noticeable or impact on the area's character.

Members may recall an application approximately 12 months ago at a property at Pole Lane, Failsworth (PA/341496/18), also for a 7 bed HMO, which was refused on the grounds of loss of a family dwelling and impact on the character of the area. Whilst each application must be assessed on its own merits, the Planning Inspector, in allowing a subsequent appeal, concluded that the property would provide accommodation for a different housing sector and would support a housing mix in a street where there is not a large proportion of HMO. It

would therefore help to create a sustainable and inclusive community with future occupants benefiting from the property's sustainable location.

It is considered that in this instance, a similar conclusion would apply, and there is no substantive evidence to justify refusal of the application on the grounds of loss of a family dwelling, or that the use would adversely impact on the character of the surrounding area.

In respect of the erection of extensions to the property, as noted above these have already been deemed accepted in terms of the relationship with the existing and neighbouring building and the appearance on the street scene. A number of other dwellings in the vicinity have already been extended in a similar manner and, as the proposed extension would replace the existing garage at the side, which was well-sited within the larger than average (for the immediate vicinity), it would not be particularly prominent.

Impact on amenity

Neighbouring residential amenity

It is considered that the level of activity and noise generated would therefore be no more significant than a regular residential dwelling.

A large number of representations have been received on the grounds of impact associated with future resident of the property, including noise, crime and anti-social behaviour. The fear of crime and disorder, and the perception of it, is a material planning consideration. However, in order to carry weight, it must be based on sound reasons and that there needs to be reasonable evidential basis for that fear. Houses in multiple occupation provide accommodation for a wide range of people, and it cannot therefore be concluded that such negative impacts would inevitably arise from multiple occupation. Greater Manchester Police Architectural Liaison has assessed the application, noting various measures to provide security for future residents of the property, and has raised no concerns regarding the use.

Consequently, it is not considered that these fears would constitute a reasons for refusal of the application.

Future occupiers' amenity

An assessment is also required in relation to the form of residential accommodation and the level of amenity it would deliver for future occupiers. The Oldham Council document 'Standards for Houses in Multiple Occupation' October 2010 advises that for shared houses/flats, a minimum of 10 square metres and 2.15m width should be provided for a single room if no shared living room is provided. Each bedroom would exceed the minimum single room requirement as set by the standards as the proposed bedroom sizes would range from a minimum of 10.1sqm to a maximum of 12.7sqm. All of the bedrooms would incorporate en-suite bathroom facilities. The Council's HMO standards also require dining kitchens for use by 6-10 persons to be a minimum of 19.5sqm. The proposed dining kitchen measures 20.5sqm therefore is above minimum standards.

Environmental Health is satisfied with the proposed layout and have advised that providing the property was built to standard and correct fire warning systems and protections were installed, the dwelling would be suitable to apply for a HMO licence. It is noted that the HMO licence would restrict the number of occupiers of the dwelling.

The submission indicates that there would be a dedicated area within the curtilage of the building for refuse and recycling storage and the private rear garden would still provide amenity space. Therefore, the proposal would adhere to Policy 9 and 11 in protecting the amenity of future occupants.

Traffic and highways

The Council's Highway Engineer has no objection on the basis that the site is in a sustainable location with good links to public transport, opportunities for walking and cycling

and access to a range of local amenities. It is considered that car ownership amongst occupiers of Houses of Multiple Occupation is generally expected to be low. It is recommended that secure cycle storage facilities are secured by condition.

CONCLUSION

The proposal would deliver much needed housing in the borough in a highly sustainable location without detriment to the character of the area, residential amenity, or highway safety. As such, the proposal would comply with the above policies of the Local Plan and the NPPF.

RECOMMENDATION

Approve subject to the following 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 the Town & Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be fully implemented in accordance with the amended plans and specifications, received on 17th January 2020 which are referenced as follows:

3408:01 Revision A
3408:07 Revision B

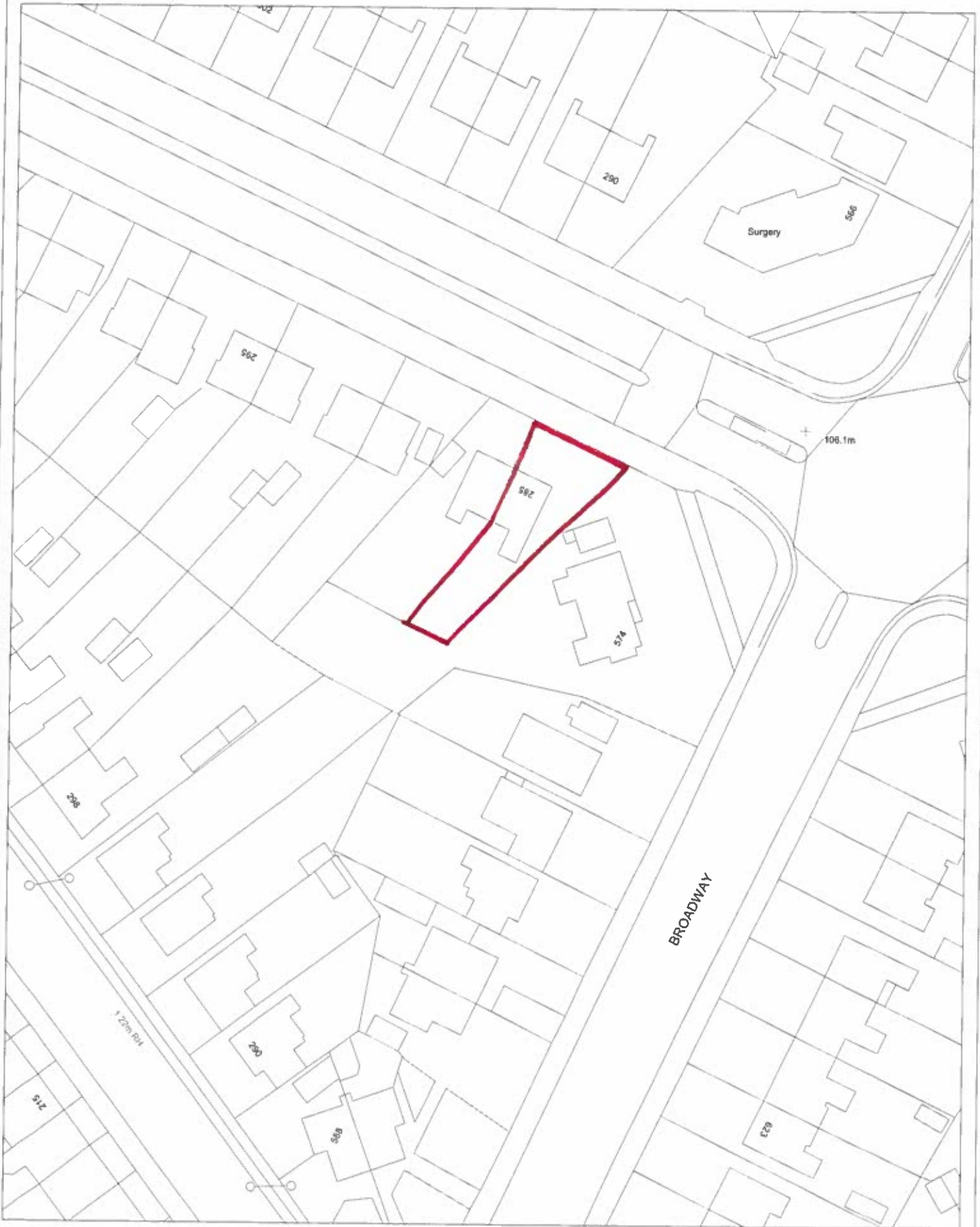
Reason - For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and specifications.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason - To ensure that the appearance of the existing building is not detrimentally affected by the proposed extension.

4. Secure cycle parking facilities shall be provided within the site prior to the first occupation of the development hereby permitted, 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 having regard to Policy 5 of the Oldham Local Plan.



PLANNING COMMITTEE - BACKGROUND PAPERS

REPORT OF THE HEAD OF PLANNING AND INFRASTRUCTURE

PLANNING AND ADVERTISEMENT APPLICATIONS

The following is a list of background papers on which this report is based in accordance with the requirements of Section 100D (1) of the Local Government Act 1972. It does not include documents, which would disclose exempt or confidential information defined by that Act.

THE BACKGROUND PAPERS

1. **The appropriate planning application file:** This is a file with the same reference number as that shown on the Agenda for the application. It may contain the following documents:
 - The application forms
 - Plans of the proposed development
 - Certificates relating to site ownership
 - A list of consultees and replies to and from statutory and other consultees and bodies
 - Letters and documents from interested parties
 - A list of OMBC Departments consulted and their replies.
2. **Any planning or advertisement applications:** this will include the following documents:
 - The application forms
 - Plans of the proposed development
 - Certificates relating to site ownership
 - The Executive Director, Environmental Services' report to the Planning Committee
 - The decision notice
3. Background papers additional to those specified in 1 or 2 above or set out below.

ADDITIONAL BACKGROUND PAPERS

1. The Adopted Oldham Unitary Development Plan.
2. Development Control Policy Guidelines approved by the Environmental Services (Plans) Sub-Committee.
3. Saddleworth Parish Council Planning Committee Minutes.
4. Shaw and Crompton Parish Council Planning Committee Minutes.

These documents may be inspected at the Access Oldham, Planning Reception, Level 4 (Ground Floor), Civic Centre, West Street, Oldham by making an appointment with the allocated officer during normal office hours, i.e. 8.40 am to 5.00 pm.

Any person wishing to inspect copies of background papers should contact Development Management telephone no. 0161 770 4105.

