

**APPLICATION REPORT - FUL/346233/21**  
Planning Committee 9<sup>th</sup> June 2021

**Registration Date:** 9th February 2021  
**Ward:** Shaw

**Application Reference:** FUL/346233/21  
**Type of Application:** Full Application

**Proposal:** Change of use from public house to supported accommodation  
**Location:** Former Weavers Answer, 70-74 Milnrow Road, Shaw, Oldham, OL2 8ER,  
**Case Officer:** Sophie Leech  
**Applicant:** Ms Mehtab Shaukat  
**Agent :** Mr Belal Rashid

### **ADDITIONAL INFORMATION**

Consideration of this application was deferred by members at the Planning Committee on 21st April 2021 to allow for additional information in relation to the management plan, including access arrangements to the premises and external facilities, to be provided, and for bedroom 7 to be improved.

#### Management of the Unit

The applicant has provided the following information.

The operators already have several similar premises operating in Oldham borough and the Milnrow Road site will add to the numbers. The unit will provide supported housing where residents will receive the required support and life skills to live more independently in the community.

Residents will have their own keys and access to their rooms at all times. However, staff will be on site on a 24 hour basis and will have the assistance of CCTV.

#### Entrance Door

Members were concerned that the main entrance door to the building would be directly behind the bus stop on the footway leading to the potential for occupants of the building to congregate around the door and bus stop and potentially the use of outdoor smoking in this area. Members were concerned this would pose an uncomfortable situation for members of the public passing and using the bus stop.

The agent has advised that the relocation of the door has been considered. However, this would have caused difficulty in regard to the layout required inside. It has been suggested that the moving the door would have a severe detrimental impact to the layout and functioning of the building.

No amendments have therefore been made and it is still the intention of the door behind the bus stop to be used as the main entrance for staff and residents. A small waiting room will then have direct access to the upper floor residential units. A separate access will lead directly to the ground floor administration and training rooms. This separation is important in order to

allow quiet areas on the ground floor where staff and residents can discuss issues and receive support and training without interruption.

Another separate staircase within the building allows residents access from the upper floor directly to the rear yard without passing through the ground floor meeting/training area. This is essential for the smooth running of the unit and will not be possible if the entrance door is moved to the other door opening.

The plans show a 1.6m separation distance between the rear of the bus shelter and the wall of the building. The agent is of the view that this is adequate for passing pedestrian use which is not heavy along this road. The access to the bus shelter is from the roadside and residents and staff entering and leaving the building will not interfere with the operating bus shelter or passing pedestrians.

In addition, a new smoking area and waste bin storage unit have been positioned in the rear yard area. This area has its own access door as described above.

### Bedroom 7

The layout of bedroom 7 has now been amended along with the positioning of the window to ensure that there is adequate day light received into the room. This is now acceptable.

## **RECOMMENDATION**

As previously, it is recommended that Committee resolves to grant permission subject to the conditions set out below.

## **THE SITE**

The application site is located on Milnrow Road, Shaw and is the former Weavers Answer public house. The building sits in a prominent corner position and is built of traditional stone with a slate roof. The area is mixed use with commercial uses along Milnrow Road and surrounding residential uses which lead off Milnrow Road. The area comprises traditional housing, therefore there is limited on street parking. There is a bus stop outside the site and the site is approximately 0.3 miles from the Metrolink stop at Shaw & Crompton.

## **THE PROPOSAL**

This application seeks planning permission from a change of use of public house to temporary sheltered accommodation, providing 9 single bedrooms.

The applicant provides care and emergency temporary accommodation to homeless and vulnerable individuals working with support agencies.

No changes to the roof are proposed. A number of new windows will be installed comprising the replacement of the existing front door with a matching window; new rear window to serve bedrooms 8 and 9.

## **RELEVANT PLANNING HISTORY :**

FUL/345796/20 - Change of use from public house to temporary emergency sheltered accommodation (18 bedrooms) including hip to gable roof; front and rear dormers and alterations to windows/doors. Refused 29/01/2021 on grounds of visual amenity impact due to the proposed roof additions.

## **RELEVANT PLANNING POLICIES**

The 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham. The site is unallocated.

The following policies are relevant to the determination of this application.

Policy 5 - Promoting Accessibility and Sustainable Transport

Policy 9 - Local Environment

Policy 11 - Housing

Policy 20 - Design

## **CONSULTATIONS**

Highway Officer – No objections

Environmental Health - No objections. The property will be a licensable HMO and an application for a licence must be made before the property is occupied.

Greater Manchester Police Design for Security – No objections, but has recommended a number of measures to be installed

## **REPRESENTATIONS**

Councillor Chris Gloster has requested that the application should be determined by Planning Committee citing inadequate internal arrangements, fear of crime and anti-social behaviour, siting of the entrance next to a bus shelter, inadequate parking, and visual amenity.

55 letters of objections have been received on the following grounds

- The building is not big enough;
- Social issues will cause problems for existing residents;
- Parking is an issue in the area already;
- Anti-social behaviour will be a problem.

## **PLANNING CONSIDERATIONS**

### **Principle of Development**

The site lies within the sustainable settlement of Shaw; therefore, the principle of residential development is accepted, subject to compliance with relevant policies.

### **Design & Appearance**

The building occupies a prominent position on Milnrow Road and is sited within a street scene of buildings which vary in design and appearance. No alterations are proposed to the roof of the building, however there will be three new windows installed on the building. Two windows will match in design to the existing and a third window will be installed at a higher level and will be a square shape.

The replacement of a door with a window and the addition of two new windows are considered small scale changes which would not have a significant, adverse impact on the visual amenity of the building or surrounding area. As a result, the proposal complies with Policy 20.

### **Residential Amenity**

Local Plan Policy 9 (Local Environment) sets out that the Council will protect and improve local environmental quality and amenity by: ensuring development does not cause significant harm to the amenity of the occupants and future occupants; by ensuring there is no significant harm on neighbouring privacy and outlook, and lastly by ensuring there is no significant loss of light.

The Council's adopted 'Standards for Houses in Multiple Occupation' document dated October 2010 provides standards for all new HMO's in order to assist landlords and managing agents in the management and maintenance of houses in multiple occupation to ensure that tenants are provided with safe and suitable accommodation.

These standards are subject to change as legislation, standards and guidance are constantly updated but useful contacts and links to information sources are provided within this document. The Council's Environmental Health Department have advised that should the application be granted; the building would be a licensable HMO.

The proposed rooms have been measured in accordance with the standards.

The HMO standard for a kitchen diner where no separate lounge is provided is 19.5m<sup>2</sup>. the proposed kitchen measures 29.7m<sup>2</sup>, and therefore complies.

Bedrooms should be to a minimum of 10m<sup>2</sup> if no living room is provided. The bedroom dimensions range between 20.6 and 13.9m<sup>2</sup> and therefore also comply.

Following the concerns raised regarding the amount of adequate natural light which would be received to bedroom 7, the layout of the room has been amended to secure a satisfactory arrangement.

There will be two new first floor windows located on the rear elevation to serve two new bedrooms. These windows will have the same outlook as existing windows which will be across the rear gardens of properties on Chancery Lane and Gordon Street. The situation is no different to existing windows along Milnrow Road adjacent to the site which overlook other properties. As a result, there is considered to be no further harm in terms of overlooking.

The main entrance is to be sited at the front of the site, with two fire exits at the rear. The residents of the building would therefore access via the front entrance which is no different to the previous use of a public house. As a result, there is considered to be no further harm in terms of noise and disturbance.

In respect of activity associated with the proposal, given the previous use as a public house and the mixed commercial/residential character of the area, it is not considered that the proposal would harm local amenity.

### **Anti-Social Behaviour**

With regard to concerns of potential anti-social behaviour and social problems, whilst such considerations can represent material planning considerations, it is necessary for such concerns to be based on definitive evidence, and in the absence of such, refusal of the application on such grounds cannot be justified.

The Council's Community Safety Team and the Oldham Borough Local Policing Team have identified anti-social behaviour complaints. However, the information provided is for youths under the age of 18. There was one report of anti-social behaviour outside 82-84 Milnrow Road (HMO) in January 2021 and two further reports on Milnrow Road, however no address

has been logged. A report of anti-social behaviour was also logged outside the application site in September 2020.

## **Highways & Parking**

Local Plan Policy 5 (Promoting Accessibility and Sustainable Transport Choices) states that the Council will guide development in the most sustainable locations and will encourage the use of public transport, Metrolink, walking and cycling. The policy seeks to ensure that all development has access to public transport.

The Policy also seeks to ensure that development does not increase traffic levels and does not harm the safety of road users. Furthermore, Paragraph 109 of the NPPF also states that development should be refused if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Highways Engineer has raised no objections to the proposal. The site is in a sustainable location close to public transport and a wide range of local amenities. It is considered there would not be any significant increase in traffic or demand for on street parking in the area resulting from the development. As a result, the proposal would support Policy 5 and 9.

## **CONCLUSION**

The proposed development would result in an economic and social benefit from providing 9 temporary accommodation bedrooms. In terms of the environmental objective, the proposal would not harm any protected landscape features or habitats.

Given the above, there would be no adverse impacts of approving the development that would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as whole and there are no specific policies that indicate that development should be restricted. In these terms, the NPPF advises that permission should be approved.

## **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. Prior to first occupation of the building for the use hereby approved, a scheme of crime prevention measures shall be implemented in accordance with details which shall have previously been submitted to and approved in writing by the Local Planning Authority. The measures shall be retained thereafter. REASON – In order to secure a safe environment having regard to Policy 9 of the Oldham Local Plan.

## **SITE LOCATION PLAN**

