

APPLICATION REPORT - FUL/346227/21
Planning Committee 7th July 2021

Registration Date: 3rd February 2021
Ward: Medlock Vale

Application Reference: FUL/346227/21
Type of Application: Full Application

Proposal: Change of use from part fitness centre part beauty salon to 15 bed house in multiple occupation

Location: 910 Ashton Road, Oldham, OL8 3HT,
Case Officer: Abiola Labisi
Applicant: Mr P Awan
Agent : Mr Alan Doherty

INTRODUCTION

This application is presented to Planning Committee at the request of Councillor Ur-Rehman.

THE SITE

The site is located at 910 Ashton Road, Oldham, on the west side of the A627 Ashton Road and within a predominantly residential area. The site is bounded to the north by a Funeral Director's office and to the south by some residential properties fronting onto Danisher Lane. Across the road from the site are properties in residential use as well as a shop. On site is a two-storey building which was last used as a fitness centre/beauty salon.

THE PROPOSAL

The proposal relates to the change of use of the premises from fitness centre/beauty salon to a 15 bed house in multiple occupation. The main external alteration works to the building includes replacement of a couple of roller shutter doors on the ground floor with windows and the addition of a couple of windows on the rear elevation.

The rooms would be en-suite and would range in floor areas from 16.7 square metres to 27.5 square metres. Two sets of kitchen and dining facilities would be provided, one on ground floor and one on the first floor. A cycle storage area, bin storage area and occupiers' amenity area will be provided at ground level.

RELEVANT PLANNING HISTORY

None

RELEVANT PLANNING POLICIES

The 'Development Plan' is the Joint Development Plan Document (DPD) 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

Policy 9 - Local Environment
Policy 20 - Design
Policy 11 - Housing

CONSULTATIONS

Highways Engineer - No objection subject to submission of details of secured cycle storage facilities.

Environmental Health - No objections, however, the applicant is advised that the proposal will create a licensable House in Multiple Occupation and an application to the Neighbourhood Enforcement Team should be submitted.

REPRESENTATIONS

A total of 212 objections were received during the period of public consultation and the material planning issues raised in the objections include:

- inadequate parking and highway safety issues
- proliferation of HMOs in the area
- impact on the character of the area
- increased crime and anti-social behaviour
- inadequate amenities for the future occupiers of the HMO
- loss of privacy

PLANNING CONSIDERATIONS

Principle of the development

In the interest of sustainable development, the National Planning Policy Framework specifically requires that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. Accordingly, paragraph 118 of the NPPF provides that planning policies and decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing, amongst other requirements.

The proposed development would bring this under-utilised building back into active use to provide additional housing to meet the specific accommodation needs of groups of persons with a requirement for this type of accommodation. In this regard, the proposal would be in accordance with the above referenced requirements of the NPPF.

Paragraph 59 of the NPPF also highlights the Government's aim of significantly increasing supply of homes across the country and states that in order to support this aim, it is important that a sufficient amount and variety of land can come forward where it is needed, and that the needs of groups with specific housing requirements are addressed.

The proposal would boost housing supply in the area thereby contributing towards meeting the Government's housing targets. The site is located in a sustainable location with easy access to public transport and essential daily needs. As such, in addition to being in accordance with relevant national policies, the proposal is considered acceptable in principle.

Impact on Amenity

NPPF paragraph 127 requires that new development should ensure a high standard of amenity for existing and future users, whilst Oldham Local Plan Policy 9 provides that development should not cause significant harm to the amenity of the occupants and future occupants of the development, or to existing and future neighbouring occupants or users through impacts on privacy, safety, security, noise, visual appearance of an area and access to daylight amongst others.

The proposal includes an amenity/communal area for the future occupiers. In addition, the site is in close proximity to public open spaces and as such, it is considered that the amenity requirement of future occupiers would not be compromised to a significant degree.

Furthermore, the Ministry of Housing, Communities and Local Government's 2018 publication 'Houses in Multiple Occupation and Residential property Licencing Reform – Guidance for Local Housing Authorities' sets out minimum sleeping room sizes for HMOs and provides that the minimum sleeping room size for a two person room (where the persons are over the age of 10) is 10.22 square metres.

It is noted that the rooms would meet the minimum size requirement set out in the Government's Guidance for Local Authorities. In addition, each room would have a separate toilet/bathroom. In this regard, it is considered that the proposal would provide adequately for the residential amenity of future occupiers.

With regard to potential impact on the residential amenity of the occupiers of neighbouring properties, it is considered that as there would be no significant external alterations to the building, and there would be no significant overbearing or overshadowing impact on the occupiers of neighbouring properties.

Furthermore, it is noted that the new windows to be inserted, as well as existing ones, would not directly overlook any neighbouring private amenity areas and as such, the proposal would not lead to any significant overlooking impact.

Crime Prevention

A significant number of representations have been received in respect of potential crime and anti-social behaviour and a claimed proliferation of HMO accommodation in the area.

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.

Records kept by the Environment Health team have indicated that there are approximately 23 known HMOs in the Medlock Vale ward, out of a total population area of around 14000.

Therefore, there is no evidence to suggest that the number of HMOs in the local area is of such magnitude that it has resulted in a material change in the character of the local area which will continue to contain a mix of properties to meet a range of accommodation needs. Consequently, such general concerns would not justify refusal of the application.

Furthermore, there is no Local Plan policy restricting the number of HMOs in a particular area and therefore no policy justification to refuse permission for the proposal. Moreover, the proposed use is residential, which is in keeping with the predominant land use in the area.

It is noted that in response to some of the issues raised in the letters of objection, the applicant commissioned and submitted a Crime Impact Statement prepared by the Greater Manchester Police as well as a Management Plan.

The Crime Impact Statement concludes that the proposed development appears well-considered from a crime prevention perspective and therefore, the scheme is supported subject to the developer implementing the recommendations set out in section 3.3 of the report.

Whilst most of the recommendations of the Crime Impact Statement are targeted at protecting the occupiers of the development, it is also noted that the report recommends that a Landlord Anti-Social Behaviour Management Plan should be prepared. It is considered that such plan would help in reducing anti-social behaviour as well as its impact on occupiers and neighbours.

Highway Issues

The application relates to an existing building which was formerly in commercial use. It must be recognised that any re-use of the building is likely to result in some degree of traffic generation and parking demand. Given the scale and type of accommodation occupied by single persons to be provided, residents are unlikely to own a private vehicle, leading to less demand than many alternative uses. In addition, the site is close to public transport options and local services which leads to a tendency to reduce dependence on the private car.

Whilst the proposal does not include the provision of car parking spaces, it is however noted that secured cycle storage facilities would be provided for the future occupiers.

Furthermore, the Council's Highway Engineer has not raised an objection on highway safety/network capacity grounds. As such, it is considered that the proposal would not lead to a severe detrimental highway safety/capacity issue.

Design and Impact on the character of the area

NPPF paragraph 127 as well as Oldham Local Plan Policies 9 and 20 require that developments are visually attractive as a result of good architecture, layout and are sympathetic to local character and history, including the surrounding built environment.

Apart from the formation of window openings, the proposal does not include any significant external alteration to the building and as such, it is considered that there would be no significant adverse impact on the character of the area as a result of the development.

In terms of the nature of the proposed use, it is noted that the area is characterised by predominantly residential use and as such, the proposed use would be in keeping with the predominant land use in the area.

CONCLUSION

The above assessment indicates that the proposal would not lead to any adverse impact that significantly and demonstrably outweighs the benefits of the scheme.

In addition, the proposal would bring an under-utilised site back into active use, in accordance with the principle of sustainable development. The scheme would therefore be in accordance with relevant provisions of Oldham Local Plan Policies 5, 9 and 20, as well as relevant provisions of Sections 5, 11 and 12 of the National Planning Policy Framework.

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 building hereby approved shall not commence until the secure cycle parking has been implemented in accordance with details shown on approved Drawing No. 3873.5 Rev A. The approved cycle storage facility shall remain available for users of the development at all times thereafter. REASON - In order to promote sustainable means of travel having regard to Policies 5 and 9 of the Oldham Local Plan.
- 4 The development shall be implemented and operated in accordance with the recommendations set out within the Crime Impact Statement prepared by Greater Manchester Police (Reference 2021/0059/CIS/01 - Version A) and submitted with the application. REASON - In order to ensure the safety of the occupiers of the development as well as occupiers of neighbouring properties having regard to Policy 9 of the Oldham Local Plan.
- 5 Prior to the first occupation of any of the rooms within the HMO hereby approved, a detailed Management Plan setting out how the property would be managed, including details relating to the cleaning and maintenance, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be operated in accordance with the approved scheme thereafter. REASON - To ensure that the amenity of future occupiers as well as that of neighbours is protected, having regard to Policy 9 of the Oldham Local Plan.

LOCATION PLAN

