

APPLICATION REPORT – FUL/347331/21
Planning Committee 8th December 2021

Registration Date: 29 July 2021
Ward: Failsworth East

Application Reference: FUL/347331/21
Type of Application: Full Application

Proposal: Change of use from residential (Class C3) to an 8 bedroom/10 person HMO (sui generis), including external alterations.

Location: 228 Ashton Road West, Failsworth, Oldham, M35 9QB

Case Officer: Stephen Gill
Applicant: Riverside Solutions NW Ltd
Agent: Miss Rachel Webber

INTRODUCTION

The application is referred to Planning Committee at the request of Councillor Hindle who has raised concerns about the impact of the HMO on residential amenity and the cumulative effect given there are already two such uses within close proximity.

RECOMMENDATION

It is recommended that the Committee resolves to grant planning permission, subject to the conditions set out in this report.

THE SITE

The site subject of the application is an end terraced property, brick built, with garden spaces to the front and rear, with no parking provision within the curtilage of the dwelling. The site fronts onto Ashton Road West, with Partington Street running down the side of the property.

The immediate surroundings are characterised by other residential properties, similar in character, massing and design, with a medical centre opposite. The property sits very close to Failsworth centre, in a sustainable location, with Tesco a short walk from the property, bus stops, with services going to both Oldham and Manchester and various other shops and amenities, very close to the premises.

THE PROPOSAL

The proposal is a full application seeking planning permission to change the use of the residential property to an 8-bedroom House of Multiple Occupation (HMO) for 10 persons, along with building work to accommodate the use, including a dormer extension at the rear, along with the demolition of an existing conservatory, and erection of a single storey rear extension.

Outbuilding

The original description of development included the conversion of an existing storage unit in the rear garden to a self-contained apartment. This element of the proposal was not considered to be acceptable, and, on that basis, the applicant has removed this from the scheme, and with that considered, it will not be considered any further in this report.

RELEVANT PLANNING HISTORY

There is no planning history relevant to this application.

RELEVANT PLANNING POLICIES

The 'Development Plan' is the Joint Development Plan Document (Local Plan) which forms part of the Local Development Framework for Oldham. The site is designated in the Local Plan as being in a Business Employment Area.

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 11 – Housing; and,
Policy 20 – Design.

National Planning Policy Framework (NPPF).

CONSULTATIONS

Highways Engineer: No objections subject to a condition relating to the provision of cycle parking

Environmental Health: No objection

REPRESENTATIONS

The application has been publicised by means of neighbour notification letters and a site notice. In response, 23no. representations have been received in objection to the proposals raising the following (summarised) comments:

- The proposal will weaken community cohesion, as long-term residents move out of the area and are replaced by individuals looking for short term accommodation.
- The proposed development is inappropriate and unnecessary and there is not enough demand for these types of properties.
- The overdevelopment of the site will be difficult to reverse, and the area will lose another family home.
- The approval of too many HMO developments results in a scenario contrary to the aims of local policy and the NPPF.

- The proposal will cause a strain on existing community facilities in the area, including GP and dentist availability.
- Parking in the area is at a premium, with many residents being forced to park on the Tesco carpark.
- There are too many HMO's in Failsworth.
- Detailed plans on how Oldham council will monitor and act on any related anti-social behaviour should be submitted before, yet another HMO is considered.
- HMOs are unhealthy in terms of hygiene and sanitation and this has been proven to affect physical and mental health.
- On average HMO properties have a 16% higher crime rate than standard rented properties.
- The proposal is not in keeping with the area.
- The proposal will impact on the value of the existing properties that surround the site.
- The proposal will cause nuisance, anti-social behaviour and noise issues.
- The intensification of the property for an HMO will cause issues for drainage and overdevelopment.

PLANNING CONSIDERATIONS

Principle of development

Policy 1 promotes development which supports the vitality and viability of designated Centres such as Failsworth and residential uses in these areas can help support the shops and services they host. Furthermore, Policies 3 and 5 aim to ensure residential uses are located in highly sustainable locations in respect of access to key services and public transport options. In this regard, the site is located in close proximity to the Metrolink and bus services operating between Oldham Town Centre and Manchester City Centre and, for the purposes of Policy 5, the site is considered to be 'very highly accessible'.

Policy 11 states that houses in multiple occupancy will not be permitted unless it can be demonstrated that the proposal does not adversely affect the local character of the area, the residential and workplace amenity of current, future and neighbouring occupants, and traffic levels and the safety of road users. Consideration of these matters is provided below. However, having regard to the requirements of policies 1, 3 and 5, the principle of the proposed development is considered to be acceptable.

Residential Amenity

The effect on amenity is considered under Policy 9. This policy states that development should not adversely affect neighbouring land uses or cause significant harm to the amenity of occupants and future occupants through impacts including loss of privacy, safety and security, noise, pollution, access to daylight or other nuisances. Furthermore, the development should not have a detrimental impact on the visual appearance of an area.

Considering the units as HMOs, there are 6 units proposed for 1 single person, and 2 units are proposed for 2 persons. The sizes of the rooms are in excess of the Council's minimum standards for Houses in Multiple Occupation (October 2010), which sets out that a room for a single bedroom with no shared living room provided should demonstrate a room size of no less than 10m² and for two persons no less than 15m². The room sizes are as follows (excluding en suites):

Bedroom 1 – 14.3m²

Bedroom 2 – 12.7m²

Bedroom 3 – 10.7m²
Bedroom 4 – 16.1m² (2 bed)
Bedroom 5 – 13.3m²
Bedroom 6 – 15.5m² (2 bed)
Bedroom 7 – 12.5m²
Bedroom 8 – 10.4m²

The Council's HMO standards also set out that dining / kitchen areas to be used by 6 – 10 persons should be at least 19.5m². The kitchen / dining area proposed in this instance exceeds this requirement at 21.1m². The Council's Environmental Health section has been consulted on the application who have confirmed they have no objection on amenity grounds. Therefore, the proposal is considered to comply with policy 9.

Design

Considering design, the proposal does include some additions to the property, such as a dormer extension and a single storey addition to the rear. Turning to the dormer proposal first, this would be situated at the rear of the property and is a large addition, with three window openings, and an inset at eaves level. The design looks to be a fairly standard approach to a dormer proposal, although, it should be noted, that Partington Street runs down the side of property and passed the rear, which would make the dormer addition a very visible addition to the street scene.

Given that the dormer is situated at the rear, and does not form part of the principal elevation, permitted development rights need consideration in this case. Under the General Permitted Development Order 2015 (As Amended) Schedule 2 Part 1 Class B (extensions to a roof), an occupant can expand the roof space by up to 40m³ in the case of a terraced property, including any previous enlargements of the roof space. The dormer at the closest point to the eaves must not be less than 0.2m and must not extend beyond the original house and the materials must closely match the existing. In this case, the dormer is under 40m³, with a total volume of 22.84m³. In addition, the distance from the eaves measures 0.3m and the applicant has confirmed that the materials will closely match. Therefore, significant weight must be attached to the fact the applicant could undertake these works without planning permission, and therefore, considering all matters together including the design and permitted development rights, the dormer is acceptable.

The application also proposes the demolition of a conservatory and the erection of a single storey rear addition, with a hipped roof design. The hipped roof design is supported and lessens the appearance of the massing. The plans state that the brick and roof materials will match the existing, which is considered acceptable.

The depth of the extension still allows for garden space at the rear and is not considered to dominant the curtilage to an unacceptable extent. The extension would only be visible from the street scene above the boundary fence in the same way the conservatory is now. Therefore, the single storey rear extension is considered to meet the requirements of Policy 20.

The remaining changes are internal to reconfigure the layout to accommodate the proposed use and these do not require planning permission.

Impact on local character

In relation to impacts on local character, these are not considered to be adverse. The external changes proposed at the property are at the rear, with the dormer considered to be permitted development and the replacement rear extension, largely shielded from the street scene. The

site sits in an area characterised by residential properties and it is considered that the appearance of the property and the use proposed are appropriate for to the surrounding area. Given that the use is in line with a residential type of use, it is not considered that neighbours amenity will be impacted to an unacceptable extent. Therefore, it is considered that the proposal complies with Policy 11.

Highways

The Highways Engineer has reviewed the application and does not object to the proposal. In terms of car parking, HMOs are notable for having low car ownership amongst occupants and this view is shared by the Highways Engineer. With that considered, high levels of car parking provision are not required for these developments. In addition to this, the site sits in a very sustainable location, with strong links to public transport options, and a wide range of local amenities and opportunities for walking and cycling. Therefore, considering the use and the highly sustainable location, no objection is raised on the grounds of car parking provision.

Overall, the Highways Engineer does not envisage any additional significant increase in traffic generation to the detriment of highway safety, and the proposal complies with Policy 5.

RECOMMENDATION:

It is recommended that the application is approved 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 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall be consistent in terms of colour, size and texture with those used in the existing building. REASON - To ensure that the appearance of the existing building is acceptable having regard to Policy 20 of the Oldham Local Plan.
4. Prior to first occupation of the unit hereby approved, a scheme for the provision of secure cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The approved facility 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.

LOCATION PLAN (NOT TO SCALE)

