

APPLICATION REPORT – FUL/354577/25
Planning Committee – 10th September 2025

Registration Date: 21st May 2025
Ward: Shaw

Application Reference: FUL/354098/25

Type of Application: Full

Proposal: Change of use from health centre (Use Class E) to House in Multiple Occupation (HMO) - 22 units (Sui Generis)

Location: Former Crompton Health Centre, High Street, Shaw, Oldham, OL2 8ST

Case Officer: Stephen Gill
Applicant: Safina Ghaus and Mehtab Shaukat
Agent: Mr. Alan Chorlton

1. INTRODUCTION

- 1.1 The application is referred to Planning Committee for determination at the request of the Assistant Director Planning, Transport & Housing Delivery because of the high level of concern surrounding this application in the local community.
- 1.2 The application site comprises the former Crompton Health Centre, a now-vacant, low-profile flat-roofed building of simple design, with an associated car park. The site is located within Shaw Town Centre and benefits from a prominent position, with High Street a key arterial route into and out of Shaw forming its northern boundary.
- 1.3 To the south, southwest, and southeast, the site is bordered by established residential properties, contributing to a mixed-use context. The site's town centre designation and accessible location make it a sustainable location.

2. THE PROPOSAL & BACKGROUND

- 2.1 The application seeks planning permission for the change of use of the former Crompton Health Centre from its previous use as a health centre (Use Class E) to a House in Multiple Occupation (HMO) comprising 20 units (Sui Generis). This is a resubmission of application reference FUL/354098/25, which proposed 22 HMO units and was refused on the basis that the accommodation was considered substandard.
- 2.2 The proposal also includes minor external alterations, primarily involving changes to the window and door configuration. These alterations are modest and are described in

more detail later in this report. The proposed Schedule of Accommodation is set out below:

SCHEDULE OF ACCOMMODATION	
Flat No.	Area (sqm)
1	28.5
2	26
3	16.5
4	19.5
5	16.5
6	25
7	20
8	20
9	19.5
10	19.5
11	20.5
12	23
13	20
14	19.5
15	19.5
16	20
17	26
18	24
19	31.5
20	15

NB: All new rooflights are to be openable for natural ventilation

Corridors 76.5sqm
Communal Areas 184.5sqm

2.3 Following an initial review, the Local Planning Authority (LPA) and Environmental Health raised concerns about whether the development met the legal definition of a House in Multiple Occupation (HMO), as set out in the Housing Act 2004. Specifically, the question was whether it satisfied the standard test under Section 254(2) of the Act, which requires (in summary):

- a) The property contains living accommodation that is not self-contained flats;
- b) It is occupied by two or more households who do not form a single household;
- c) Occupants use the accommodation as their only or main residence;
- d) The accommodation is used solely for residential purposes;
- e) At least one occupant pays rent or other consideration; and,
- f) Two or more households share (or lack) one or more basic amenities (defined as a toilet, personal washing facilities, or cooking facilities).

2.4 The initial layout suggested that the units were largely self-contained, with individual bathroom and kitchen facilities. Although some communal areas were included, such as a recreational room and dining area, these did not meet the definition of 'basic amenities' under the Act.

2.5 In response, the applicant submitted amended plans introducing two shared kitchen areas (i.e. shared cooking facilities), in addition to the communal recreational space. As a result, the proposal is now being assessed as a HMO.

3. PLANNING HISTORY

- FUL/354098/25 - Change of use from health centre (Use Class E) to House in Multiple Occupation (HMO) - 22 units (Sui Generis). Refused - 04/04/2025

- PA/342266/18 - Reconfiguration of the car-park, access and service areas. Granted - 17/12/2025
- PA/332934/12 - Extension of time relating to PA/056672/09 Demolition of existing health centre and formation of car park and public open space. Granted - 29.11.2012
- PA/056672/09 - Demolition of existing health centre and formation of car park and public open space – Granted - 24/08/2009

4. RELEVANT PLANNING POLICIES

- 4.1 The Places for Everyone (PfE) Joint Plan and related documentation took effect and became part of the statutory development plan on 21 March 2024.
- 4.2 The PfE Plan must now be considered in the determination of planning applications, alongside the retained policies in Oldham's Joint Core Strategy and Development Management Development Plan Document (Local Plan), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF).
- 4.3 The following policies are relevant to the determination of this application.

Joint Development Plan Document (Oldham Core Strategy)

- Policy 03 - An Address of Choice (Partial)
- Policy 09 - Local Environment
- Policy 11 - Housing
- Policy 15 – Centres

Places for Everyone

- Policy JP-H1 - Scale, Distribution and Phasing of New Housing Development;
- Policy JP-H2 - Affordability of New Housing;
- Policy JP-H3 - Type, Size and Design of New Housing;
- Policy JP-P1 – Sustainable Places;
- Policy JP-C8 - Transport Requirements of New Development

National Planning Policy Framework (NPPF)

- Chapter 5 – Delivering a Sufficient Supply of Homes
- Chapter 12 – Achieving Well Designed Places

5. CONSULTATIONS

Shaw And Crompton Parish Council	The Parish Council has recommended refusal of the application FUL/354577/25 for the following reasons (in summary):
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	<p>Overdevelopment: The development is considered excessive for the building's size and footprint, compromising living standards and resident well-being.</p> <p>Impact on Local Character: The development is seen as out of keeping with the surrounding family housing and nearby retirement bungalows, with concerns over impacts on privacy, health, and neighbourhood character.</p> <p>Noise and Disturbance: The scale of the HMO is likely to generate increased noise and activity, detrimentally affecting neighbouring residents.</p> <p>Safety and Fear of Crime: Concerns were raised that the HMO could attract problematic occupants unless tightly controlled, impacting local perceptions of safety.</p> <p>Loss of Business Infrastructure: The site is considered more suitable for continued commercial use, particularly due to its layout, parking provision, and previous use, and its conversion would result in the loss of valuable business premises</p>
Environmental Health	No objections subject to conditions
Highway Engineer	No objection

6. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

- 6.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, and the Council's adopted Statement of Community Involvement, the application has been advertised by neighbour notification letters.
- 6.2 In response 132 individual representations have been received, which includes 131 that object to the development and 1 that support the application. In addition, a petition has also been submitted, which contains over 100 signatures. It should be noted that it is only the nature of the planning concerns raised in the petition that can be considered in the assessment of this application, not how many signatories there were on the petition.
- 6.3 Councillor Sykes (ward councillor for Shaw) has also submitted an objection to the development, which raises the following concerns:
- The proposal for a 20-bed HMO is excessive and wholly inappropriate in a residential context.

- Excessive number of occupants proposed, disproportionate to the size and setting of the site.
- No provision for off-road parking despite expected vehicle ownership.
- Significant concern about impact on local traffic and highway safety.
- Unmanaged occupancy raises concerns about anti-social behaviour and neighbour relations.
- Loss of valued community facility (former health centre) without adequate replacement.
- Urges refusal of the planning application on grounds of overdevelopment, highways impact, and harm to residential amenity.

6.4 In relation to the public representations and petition and the grounds for supporting and objecting, these are summarised below:

6.5 **Support Comments (summary)**

- Support for housing development and reuse of vacant buildings.

6.6 **Objection Comments (summary)**

1. Principle of Development: (comments addressed in principle of development section)
 - Strong objection to the principle and siting of an intensive HMO use in a predominantly residential area.

These comments are addressed in Section 7 of this report

2. Design, Scale, and Character
 - The proposal is out of keeping with the character and appearance of Shaw.
 - Negative visual impact at a key gateway into Shaw.
 - No local precedent for HMOs of this scale in the area.

These comments are addressed in Section 9 of this report

3. Highways, Parking, and Traffic
 - Insufficient on-site parking, likely leading to overspill parking on surrounding streets.
 - Increased traffic and congestion, exacerbating existing highway safety issues.
 - Inadequate local road infrastructure to accommodate additional demand.

These comments are addressed in Section 10 of this report

4. Residential Amenity
 - Loss of privacy for adjacent homes, including care homes, dementia

units, and bungalows occupied by elderly residents.

- Noise and disturbance during both construction and occupation.
- Harm to the peaceful setting of nearby vulnerable residents.
- Overdevelopment
- Claims the proposal conflicts with Oldham Local Plan Policy 9, Places for Everyone Policy JP-P1, and NPPF Chapter 12 by failing to provide a high standard of amenity and protect local character

These comments are addressed in Section 8 of this report

5. Community Infrastructure

- Additional strain on already overstretched local services (GPs, dentists, schools, and policing).
- Cumulative impact of HMOs harming community balance and cohesion.

These comments are addressed in Section 12 of this report

6. Crime and Safety

- Fears of increased crime and anti-social behaviour due to lack of on-site supervision and management.
- Design concerns, including poor natural surveillance and potential for secluded areas.
- The transient nature of large HMOs, with a high turnover tends to lead to a rise in anti-social behaviour

These comments are addressed in Section 12 of this report

7. Heritage and Setting

- Detrimental impact on the setting and significance of the Crompton War Memorial and memorial gardens.

These comments are addressed in Section 12 of this report

8. Lack of Management Details

- Absence of information about ongoing site supervision or support for residents.
- Fear of unmanaged occupation leading to community disruption

These comments are addressed in Section 12 of this report

9. Fire Risk

- Insufficient escape routes proposed (corridors are too long)
- No evidence of fire rated doors, walls or protected corridors
- High occupancy combined with shared kitchen facilities will lead to increased fire risks

These comments are addressed in Section 8 of this report

Non-Material (Non-Planning) Considerations

Some objections raise concerns which, while sincerely expressed, are not planning matters, and cannot be considered further in this report:

- Perceived negative effect on property values.
- General opposition to HMOs and concerns about potential occupiers.
- Allegations about applicant motivations or lack of community respect.
- Alternative use suggestions (e.g. housing for the elderly, police station, green space, community facility).

These comments are addressed in Section 12 of this report

ASSESSMENT OF THE PROPOSAL

7. PRINCIPLE OF DEVELOPMENT

- 7.1 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 NPPF.
- 7.2 Chapter 5 of the NPPF emphasises the Government's objective to significantly boost housing supply by ensuring a sufficient amount and variety of land is available where needed.
- 7.3 PfE was adopted on 21 March 2024. JP-H1 of PfE sets out Oldham's housing requirement for 2022 to 2039 (the PfE plan period).
- 7.4 Paragraph 78 of the NPPF sets out that LPAs should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
- 7.5 Given PfE is less than five years old, JP-H1 continues to set out Oldham's housing requirement until 2029, and there is currently a five-year supply of deliverable housing sites in Oldham to meet the PfE housing requirement.
- 7.6 PfE also highlights rising demand for smaller dwellings, with over half of household growth expected from smaller households, increasing demand for apartments.
- 7.7 Oldham Core Strategy Policy 15 states (in summary) that proposals for uses in centres including retail, leisure, and office will be assessed in line with national policy, with a

focus on directing development to existing centres or edge-of-centre locations.

- 7.8 The development would re-use a vacant site, and would contribute to the local housing supply, which supports the Government's objective to re-use previously developed sites, and to increase housing provision nationwide. Its specific nature would help address the needs of individuals seeking this type of accommodation.
- 7.9 Furthermore, given the modest scale of the site, the development is likely to be delivered quickly, facilitating a more immediate addition to the housing stock. This aligns with the principles of Policy JP-H1 regarding housing delivery, and with Chapter 5 of the NPPF, particularly in relation to the site's contribution to housing supply and its potential for swift build-out as a medium-sized site.
- 7.10 The site is located within Shaw Centre. Core Strategy Policy 15 does not specifically refer to the acceptability of HMO uses within town centres; such uses are nevertheless common in centres. In this case, the site is adjacent to existing residential properties to the immediate south, south-west, and south-east.
- 7.11 The site previously operated as a health centre rather than a commercial or retail facility, meaning its redevelopment would not result in the loss of any existing commercial, employment, or retail uses. The community facility which previously occupied the premises continues to operate from modern replacement premises nearby. Therefore, the building is no longer required for a continuation of that service. As such, the proposal would not undermine the vitality or viability of Shaw Centre. On that basis, it is considered that the principle of development is acceptable.

8. AMENITY

- 8.1 Policy 9 of the Local Plan states that development must not cause significant harm to the amenity of existing or future occupants, including impacts on privacy, safety, noise, security, visual appearance, and access to daylight. Paragraph 135 of the NPPF also requires development to secure a high standard of amenity for both existing and future users.

Amenities for future occupiers:

- 8.2 Environmental Health has reviewed the updated floor plan and confirmed that all proposed rooms comply with Oldham Council's HMO standards and benefit from natural light, ensuring a satisfactory living environment. The development includes two shared kitchens and a communal living area, supporting a balanced communal living arrangement with adequate cooking and dining facilities. The site is also located in a well-connected and sustainable location, with good access to local shops, schools, public transport, and recreational space.
- 8.3 Environmental Health have requested a condition is attached that requires a scheme for soundproofing between the units, to ensure that the amenity of future residents is maintained to an acceptable standard.

- 8.4 In relation to fire safety, Environmental Health have confirmed that occupants would have an acceptable means of escape. In addition, under the HMO license regime, the licence holder is required to take general fire precautions in line with the Regulatory Reform (Fire Safety) Order 2005, including carrying out a fire risk assessment. In addition, appropriate smoke alarms must be installed and maintained.

Amenities for neighbouring occupiers:

- 8.5 While the surrounding area is densely developed, the site is occupied by a single-storey building. Due to the building's modest height and existing separation distances, the proposal would not lead to unacceptable overlooking or a loss of privacy for neighbouring residents. The level of separation and scale of development are considered appropriate to the context.

Conclusion on Amenity:

- 8.6 Overall, the proposal is considered acceptable in terms of its impact on residential amenity. It would provide a good standard of accommodation for future occupiers while safeguarding the living conditions of neighbouring residents, in accordance with Policy 9 of the Local Plan and Paragraph 135 of the NPPF.

9. DESIGN

- 9.1 NPPF paragraph 135 as well as Local Plan Policy 9 and PfE Policy JP-P1 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.
- 9.2 The development does not propose any extensions or increases in the scale of the building. External alterations are modest and primarily comprise fenestration changes, including new windows, the application of obscure film for privacy, and the blocking up of certain windows with cladding to match existing materials.
- 9.3 There are no objections to the principle of the proposed design changes. They are minor in scope and, from a design perspective, would not harm the character or appearance of the surrounding area. While concerns have been raised regarding the scale of the development and the lack of precedent for this type of scheme locally, each application must be assessed on its own merits. The absence of similar developments in the vicinity does not provide a reasonable basis for refusal in planning terms.
- 9.4 Accordingly, the alterations are considered compliant with Local Plan Policy 9 and PfE Policy JP-P1.

10. HIGHWAYS

- 10.1 PfE Policy JP-C8 requires new development to be designed and located in a way that promotes walking, cycling, and public transport use, reducing reliance on private cars and supporting the creation of sustainable, accessible, and attractive communities. Developments must provide safe, direct, and inclusive access for all users, prioritising pedestrians, cyclists, and public transport in line with the user hierarchy. Proposals should also ensure strong connectivity to local facilities and transport links. Adequate and well-integrated parking should be provided, including for disabled users, alongside secure and convenient cycle parking.
- 10.2 NPPF paragraph 116 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 10.3 The Highway Engineer raises no objections to the proposal. Although parking provision is limited, HMOs generally generate lower levels of car ownership. The site benefits from good access to public transport, including nearby bus stops and Shaw and Crompton Metrolink Station (approximately 700m away), as well as local shops and amenities within walking distance of Shaw town centre.
- 10.4 As with the previous submission, a bin store is identified on the site plan, but no design details have been provided. Additionally, no cycle storage is shown. However, both matters could be addressed via condition, as advised by the Highway Engineer.
- 10.5 Subject to suitable conditions, the proposal is considered consistent with the aims of PfE Policy JP-C8 and Chapter 9 of the NPPF.

11. BIODIVERSITY NET GAIN

- 11.1 Regarding Biodiversity Net Gain (BNG), the statutory requirement to deliver a 10% net gain under Article 7 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) does not apply in this case, as the application is below the de minimus threshold, meaning the development impacts less than 25 square metres of onsite habitat.

12. RESPONSE TO REPRESENTATIONS

- 12.1 Many of the concerns raised in public representations have been addressed in the main body of this report. For completeness, the issues not explicitly covered are considered below.
- 12.2 Concerns regarding potential anti-social behaviour and lack of management are not matters that can reasonably justify refusal on planning grounds. As Environmental Health note, the proposed HMO would be subject to separate licensing controls which

govern its management.

- 12.3 No significant external alterations are proposed that would affect the setting of the nearby Grade II* listed Crompton War Memorial. The minor window changes are considered negligible in heritage terms, and associated traffic movements would be less than the building's previous use as a health centre.
- 12.4 Concerns regarding property values are not material planning considerations. With respect to the potential occupiers, the LPAs must focus on whether the proposed land use is acceptable in planning terms. The presumed characteristics of future residents cannot be considered under planning policy or legislation. Suggestions that alternative forms of development should be pursued are also not material: the LPA is required to assess the acceptability of the application submitted and cannot require the applicant to consider an alternative use.
- 12.5 Finally, while concerns have been raised regarding pressure on local infrastructure and services, the scale of the proposal is not considered to result in unacceptable impacts, nor would it trigger requirements for financial contributions under planning policy. It is not considered that the development would result in unacceptable cumulative impacts.

13. CONCLUSION

- 13.1 The proposal would bring a vacant, previously developed site in a sustainable, town centre location back into active use, contributing to local housing needs through the provision of HMO accommodation. It aligns with PfE Policy JP-H1 and Chapter 5 of the NPPF, which promote the timely delivery of a diverse housing mix.
- 13.2 The site's former use as a health centre has ceased, and the service has been re-provided in nearby modern facilities. The proposal would not result in the loss of retail, employment, or community use and would therefore not undermine the vitality or viability of Shaw Town Centre.
- 13.3 In terms of design, the proposed external alterations are modest and in keeping with the character of the area. The scheme would provide a good standard of living accommodation for future occupiers and would safeguard the amenity of neighbouring residents, in accordance with Core Strategy Policy 9 and paragraph 135 of the NPPF.
- 13.4 There are no objections on highways grounds from the Highways Authority and, although parking provision is limited, this is acceptable given the site's sustainable location and the typically lower levels of car ownership associated with HMO uses. Matters relating to waste and cycle storage can be secured by condition.
- 13.5 Taking all relevant considerations into account, the proposal is considered to represent a sustainable form of development that complies with the development plan as a whole. There are no material considerations that indicate otherwise. The application is therefore recommended for approval, subject to appropriate planning conditions.

14. RECOMMENDATION

14.1 The application is therefore recommended for approval subject to the imposition of 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. No development shall take place until a scheme to soundproof the walls between the residential units has been submitted to and approved in writing by the Local Planning Authority. All such works that form part of the approved scheme shall be implemented prior to first occupation of the development and shall be retained at all times thereafter. REASON - To protect the amenity of future occupiers in accordance with Oldham Core Strategy Policy 9.
4. Prior to first use of the development a scheme for the provision of secure cycle parking and bin storage shall be submitted to and approved in writing by the local planning authority. The approved facilities shall remain available for users of the development thereafter. REASON – In order to ensure acceptable waste storage facilities and promote sustainable means of travel having regard to Oldham Core Strategy Policy 9.

SITE LOCATION PLAN (NOT TO SCALE)

