

APPLICATION REPORT – FUL/355367/25
Planning Committee – 11 February 2026

Registration Date: 25 November 2025
Ward: Royton South

Application Reference: FUL/355367/25
Type of Application: Full Application

Proposal: Change of use to a 6 bed house in multiple occupation (HMO) and a first floor extension over garage.

Location: 3 Kevin Avenue, Royton, Oldham, OL2 6AH

Case Officer: Simon Lake
Applicant: Footlong (UK) Ltd
Agent: Miss Rachel Webber (DNA Design Group)

1. INTRODUCTION

- 1.1 The application has been referred to Planning Committee for determination in accordance with the Scheme of Delegation because the Applicants are known to be directly related to Councillor Abdul Jabbar. As such, for the purposes of transparency, a planning committee decision is required for this application.

2. RECOMMENDATION

- 2.1 It is recommended that the application be approved subject to the conditions set out in this report and that the Assistant Director of Planning, Transport and Housing Delivery shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 The site relates to an existing dwellinghouse (Class C3) located at No. 3 Kevin Avenue, sited in proximity to the corner of Kevin Avenue and Mildred Avenue.
- 3.2 The two storey, semi-detached property is finished in brickwork, under a tiled hipped roof. No. 3 benefits from a single storey garage occupying much of the side elevation, with a section of hardstanding providing off-street parking to the front of the property and a sizable private garden to the rear. The immediate vicinity is residential, albeit the site is located close to Rochdale Road, with the surrounding properties featuring a similar age and character.

4. THE PROPOSAL

- 4.1 This application seeks planning permission to change the use of the property from the existing dwellinghouse (Class C3) to a 6-bedroom, 6 person House in Multiple Occupation (Class C4).

4.2 Permission is also sought for a first-floor side extension to facilitate additional internal space, located above the garage. The first-floor scheme will be set back from the front elevation, featuring a hipped roof, with matching materials used throughout.

4.3 The schedule of accommodation is as follows (excluding ensuite facilities):

Bed 1 (single person): 11.5m²
 Bed 2 (single person): 10.5m²
 Bed 3 (single person): 12.6m²
 Bed 4 (single person): 10.5m²
 Bed 5 (single person): 11.0m²
 Bed 6 (single person): 10.8m²

4.4 A single kitchen/dining area is proposed to be shared between 6 residents, measuring 20.4m².

4.5 A cycle shelter will be installed within the rear garden, providing space for 6 bicycles for the residents.

5. PLANNING HISTORY

5.1 There is no relevant planning history.

6. RELEVANT PLANNING POLICIES

6.1 The Places for Everyone (PfE) Plan and related documentation took effect and became part of the statutory development plan on 21 March 2024.

6.2 The PfE Plan must now be considered in the determination of planning applications, alongside Oldham's Joint Core Strategy and Development Management Development Plan Document (Joint DPD), adopted November 2011, in accordance with the National Planning Policy Framework (NPPF).

6.3 As such, the following policies are considered relevant to the determination of this application:

- Places for Everyone Policy JP-P1 (Sustainable Places);
- Places for Everyone Policy JP-G8 (A Net Enhancement of Biodiversity and Geodiversity)
- Local Plan Development Management Policy 3 (An Address of Choice)
- Local Plan Development Management Policy 5 (Promoting Accessibility and Sustainable Transport Choices)
- Local Plan Development Management Policy 9 (Local Environment).
- Local Plan Development Management Policy 11 (Housing)

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	No objections

Highways	No objections
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8. PUBLICITY AND THIRD-PARTY REPRESENTATIONS

8.1 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 means of neighbour notification letters.

8.2 In response, a total of 41 representations have been received to the application raising the following (summarised) planning-related concerns:

- Increased pressure on local resources (refer to section 9 of report)
- Concerns over the nature of the use being inappropriate and not in keeping within a residential area (refer to sections 9 and 10 of report)
- Impact on residential amenity through increased noise and frequency of use (refer to section 10 of report)
- Impact on parking due to additional vehicles (refer to section 11 of report)
- Impact on highway safety and access due to highway arrangement (refer to section 11 of report)
- Not suitable for future occupiers (refer to section 10 of report)
- Loss of light (refer to section 10 of report)
- Contrary to Article 4 Direction
- Concentration of private rented properties in the area
- Concerns about anti-social behaviour

8.3 A petition in objection to the proposal containing 59 signatures has also been received.

8.4 Other issues raised by objectors have included matters which are not material planning considerations, including the impact of the proposal on the value of existing properties in the area, suitability of the future occupiers, displacement of the current occupiers and fears that the property will not be maintained. As these are not material planning considerations, they will not be addressed in this report.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

9.1 The application site is unallocated within the Local Plan.

9.2 Policy 3 of the Oldham Local Plan (2011) requires that minor residential developments be located within a ten-minute walk of at least two 'key services'. Policy 5 of the Oldham Local Plan (2011) requires that all minor residential development should achieve 'Low Accessibility' as a minimum which is defined as being within approximately 400 metres of a bus route.

9.3 The application site is located within 400m of Royal Oldham Hospital and is adjacent to Rochdale Road close to a number of small convenience shops, food outlets and other commercial premises accessible within a ten-minute walk. Furthermore, the site is within 100m of a bus stop on Rochdale Road which offers frequent service towards

Oldham Town Centre and beyond. As such it is considered that the site is sustainably located in respect of nearby services and public transport options.

- 9.4 It is therefore considered that the principle of the proposal is acceptable against the requirements of these policies.

10. RESIDENTIAL AMENITY

- 10.1 Having regard to the requirements of Policy 9 of the Oldham Local Plan the impact of the development on surrounding residents needs to be considered alongside ensuring that the proposals provide suitable accommodation and amenity for future occupiers.
- 10.2 Policy 11 of the Oldham Local Plan (2011) states that houses in multiple occupancy shall not be permitted unless it can be demonstrated that the proposal does not adversely affect:
 - the local character of the area;
 - the level of residential and workplace amenity of future and neighbouring occupants; and,
 - traffic levels and the safety of road users.
- 10.3 The property is located within a predominantly residential area of Royton and the proposed HMO would house six unrelated individuals living together as a single household. Many of the nearby dwellings have been significantly extended and could conceivably be occupied by an equal number of residents. As such, the intensity of the use of the property, including the number of comings and goings, would not be anticipated to be significantly over and above what might be expected from a large dwellinghouse in Class C3 use.
- 10.4 The Council's register of Property and HMO licenses does not show any existing properties on Kevin Avenue (or the adjoining Mildred Avenue and Angela Avenue) as being occupied as HMOs. The proposal is not therefore considered to result in a proliferation of such uses in the area which might otherwise erode its character.
- 10.5 In assessing any impacts of the proposals, the closest properties that might be directly affected by the proposed use and/or proposed extensions are those which adjoin the application site – i.e. numbers 1 and 5 Kevin Avenue.
- 10.6 Local Plan Policy 9 explains that development should avoid causing 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 and security, noise, pollution, the visual appearance of an area, access to daylight or other nuisances.
- 10.7 No.1 Kevin Avenue occupies the same semi-detached pair as No. 3, with the proposed extension positioned on the opposite side of the property. As such, there will be no notable impacts in terms of overshadowing, outlook and privacy.
- 10.8 In respect of no. 5 Kevin Avenue, the proposed side extension will project towards the shared boundary with this property, which occupies the adjacent semi-detached pair. Whilst the property has two windows on its facing side elevation, one is obscure glazed, whilst the other serves a non-habitable room. As such, it is considered that the proposed extensions and alterations will not cause any significant loss of light or

outlook, at least to the extent that they would justify refusal of the application. Furthermore, the proposal does not include any side facing windows, maintaining privacy.

- 10.9 When assessing residential amenity it is also important to consider whether the proposed accommodation would be suitable for the future occupiers. The Council's House in Multiple Occupation Standards document (2011) requires all rooms to be a minimum of 10m² if no shared living room is provided, as is the case in this application. The proposed plans demonstrate that all bedrooms meet this required standard for single occupiers along with compliance with the required living/kitchen area room size of 19.5m². It is also noted that the property benefits from substantial outdoor amenity space. It is also noted that no objections have been raised to the proposals by the Council's Environmental Health department (who are responsible for issuing HMO licences).
- 10.10 In considering the potential for additional noise impacts from the proposed use there is no justifiable basis or substantive evidence upon which to assume that six unrelated individuals would cause materially more noise compared to that caused by, for example, a dwelling occupied by a family.

11. PARKING AND HIGHWAY SAFETY CONSIDERATIONS

- 11.1 Policy 9 of the Oldham Local Plan (2011) requires that development (which includes a change of use) does not harm the safety of road users.
- 11.2 NPPF paragraph 116 requires that, in considering planning applications, "*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 would be severe.*" This therefore provides the key test for considering proposals in relation to highway safety.
- 11.3 The site benefits from existing off-street parking, has good public transport links and HMOs are generally considered to attract occupants who do not own vehicles. Further, the Council does not have parking standards for residential development. Considering the factors above, the proposal is not considered to have any severe impact on the highway network and the Council's Highways Engineer has raised no objections. Bicycle storage will be implemented as shown on the proposed plans.
- 11.4 There are no parking standards for residential development although it is considered that the likelihood of an occupier of an HMO having a private vehicle is generally anticipated to be lower than a regular dwellinghouse. Irrespective of this, the property benefits from existing off-street parking, and it must be recognised that alternative transport options are available in the form of good public transport links as well as bicycle storage being proposed as part of this application.
- 11.5 Furthermore, no objections have been received from the Council's Highway Engineer.

12. DESIGN AND APPEARANCE

- 12.1 PfE Policy JP-P1 (Sustainable Places) requires that all development should respect and acknowledge the character and identity of the locality in terms of design, siting, size, scale and materials used and enable a clear understanding of how the place has developed.

- 12.2 The first-floor side extension will be finished in materials to match the existing dwelling, namely a brickwork exterior and tiled roof. Similarly, the extension will feature a hipped roof, allowing for an in keeping appearance. Furthermore, the side extension will be set back from the front elevation, with the roof set below the ridge of the existing, creating a subservient addition which also lessens the potential terracing impact with the adjacent semi-detached dwelling.
- 12.3 Similar two storey side extensions are present on Kevin Avenue, along with other significant additions to properties in the vicinity. As a result, it is considered that the design and appearance of the proposed exterior alterations and extensions to the property are in accordance with the requirements of PfE Policy JP-P1.

13. BIODIVERSITY NET GAIN

- 13.1 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:
 - a. a Biodiversity Gain Plan has been submitted to the planning authority, and
 - b. the planning authority has approved the plan.
- 13.2 However, there are exemptions to the legislation which apply in some certain cases. The proposed extension will occupy a small footprint and be sited above the existing garage.
- 13.3 Based on this, the development is exempt from Biodiversity Net Gain requirements because it is below the *de minimis* threshold, being development which does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
- 13.4 However, having regard to PfE Policy JP-G8 it is considered reasonable to require that a bat/bird box is installed on the building prior to first occupation as an HMO, and this will be secured through the imposition of a condition attached to the recommendation.

14. CONCLUSION AND RECOMMENDATION

- 14.1 The proposed change of use, facilitated by the proposed extension to the property, is considered to comply with the relevant development plan policies, Places for Everyone Plan and the NPPF. The application is therefore recommended for approval, 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 of the existing building. REASON - To ensure that the appearance of the development is acceptable having regard to Policy JP-P1 Sustainable Places of the Places for Everyone Plan (2024).
4. Prior to first occupation of the dwelling hereby approved, a bat/bird box shall be installed on the building. REASON - To ensure a gain to biodiversity and geodiversity on site having regard to Policy JP-G8 (A Net Gain to Biodiversity and Geodiversity) of the Places for Everyone Plan (2024).

SITE LOCATION PLAN (NOT TO SCALE):

