

APPLICATION REPORT – FUL/356274/26
Planning Committee – 23rd September 2026

Registration Date: 22nd May 2026
Ward: Chadderton South

Application Reference: FUL/356274/26
Type of Application: Full

Proposal: Change of use of vacant takeaway unit (ground floor) and residential unit (first floor) into a 7 bedroom HMO.

Location: 121 Long Lane, Chadderton, OL9 8AY

Case Officer: Sophie Leech
Applicant: MWIJ Properties Ltd
Agent: Miss Victoria Allan – Trivantage Ltd

1. INTRODUCTION

- 1.1 The application is referred to Planning Committee for determination by the Assistant Director for Planning & Development following the request of Councillor Rob Jackson and Councillor Graham Shuttleworth due to their concerns over various relevant planning matters specific to 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 for Planning & Development shall be authorised to issue the decision.

3. SITE DESCRIPTION

- 3.1 The application site relates to a semi-detached property located at 121 Long Lane, Chadderton. The site occupies a position within a small terrace of mixed commercial and residential uses fronting Long Lane. Immediately adjacent to the east is The New Play Alma Mater Day Nursery at 123 Long Lane, whilst the wider area is predominantly residential in character.
- 3.2 The site is in close proximity to the Broadway/M60 Junction 21 where other retail and fast food uses exist such as Burger Eats, Subway, Boat and Horses Public House and Costco.
- 3.3 The surrounding properties comprise a variety of uses including:
- 131A Long Lane - The Ink Shack – Class E Use;
- 129-131 Long Lane - Go Local Convenience Store – Class E Use;

127 Long Lane - Received planning permission (ref: FUL/348237/21) for the change of use of ground floor shop (A1) to residential (C3) comprising one apartment, removal of existing shopfront, erection of external stairs and alterations to upper floor level window to form access door;

125 Long Lane – Planning permission (ref: PA/026974/91) for a change of use part of ground floor from office and store into bedrooms. Online records show that this property has been paying Band A Council Tax since 1st April 1993 as a single residential unit;

123 Long Lane – Received planning permission ref: PA/058407/10 for the change of use from florist to children's private day nursery with ground and first floor extensions;

(121 Long Lane – Application Site);

119 Long Lane – Hair studio – Class E Use – No further permissions;

117 Long Lane – Mixed Use. Planning history includes:

- Change of use to first floor from sun bed shop into residential (Use class C3), and erection of a two storey rear extension (FUL/350614/23);
- FUL/351087/23 - Change of use to first floor from sun bed shop into residential (Use class C3), and erection of a two storey rear extension and a single storey side and rear extension; and,
- FUL/355441/25 - Change of use from Sunbed Shop (Class E) to Launderette (Sui Generis).

3.4 As the above planning uses above show, the application site is located within a small parade containing a mix of commercial and residential properties. The prevailing character of the surrounding area is residential, with the site sharing a boundary with an established children's day nursery.

3.5 The site is unallocated by the Local Plan Proposals Map.

4. THE PROPOSAL

4.1 The proposal seeks planning permission for the change of use of a vacant takeaway unit at ground floor level and the existing residential unit at first floor level to form a 7-bedroom House in Multiple Occupation (HMO) (Sui Generis).

4.2 The proposed accommodation would comprise:

Ground Floor:

Bedroom 1 – 8.4sqm single occupancy (ensuite at additional 1.7sqm);
Bedroom 2 – 8.7sqm single occupancy (ensuite at additional 1.9sqm);
Bedroom 3 – 7.7sqm single occupancy (ensuite at additional 1.9sqm);
Communal kitchen – 12.3sqm; and,
Communal living/dining area – 17.8sqm.

First Floor:

Bedroom 4 – 11.1sqm single occupancy (ensuite at additional 1.7sqm);
Bedroom 5 – 12.5sqm single occupancy (ensuite at additional 1.9sqm);
Bedroom 6 – 11.5sqm single occupancy (ensuite at additional 1.7sqm); and,
Bedroom 7 – 9.2sqm single occupancy (ensuite at additional 1.7sqm).

- 4.3 The property has a rear garden that measures 89.5sqm.
- 4.4 Bin storage is proposed to be standard wheeled bins that will be stored within the curtilage of the site.

5. PLANNING HISTORY

- 5.1 None. However, there was a historic planning application recorded on the Council's system for 121 Long Lane (PA/028681/92) for a change of use from shop with living accommodation to residential which was refused. However, on further inspection this actually relates to 125 Long Lane so is not relevant to the application site.

6. RELEVANT PLANNING POLICIES

- 6.1 The adopted Development Plan is the Joint Core Strategy and Development Management Policies Development Plan Document (referred to as the Local Plan) which formed part of the Local Development Framework for Oldham when it was adopted in 2011. In addition, the Places for Everyone (PfE) Joint Plan was adopted in March 2024 is part of the adopted Development Plan, and so must inform the basis of any decision in the assessment of planning proposals.
- 6.2 The following policies are considered relevant to the determination of this application:
- Local Plan Policy 1 – Climate Change and Sustainable Development;
 - Local Plan Policy 3 – An Address of Choice;
 - Local Plan Policy 9 – Local Environment;
 - Local Plan Policy 11 – Housing;
 - Places for Everyone Policy JP-S2 - Carbon and Energy;
 - Places for Everyone Policy JP-P1 - Sustainable Places; and,
 - Places for Everyone Policy JP-G8 - A Net Gain to Biodiversity and Geodiversity.

National Planning Policy Framework (August 2026)

7. CONSULTATIONS

CONSULTEE	FORMAL RESPONSE
Environmental Health	Formal response received. No objections to the proposal. Conditions required for soundproofing and acoustic recommendations within the Noise Impact Assessment
Highways	Formal response received. No objections, subject to cycle storage condition.

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 neighbour notification letters.
- 8.2 In response, at the time of writing this report, 64 objections have been received along with 1 neutral representation. An objection has also been received from Jim McMahon MP. The main points of concern raised by representations are summarised below:

Impact on the Adjacent Children's Nursery: (discussed at paragraph 13.3 onwards)

The most frequently raised concern relates to the site's immediate adjacency to The New Play Alma Mater Day Nursery. Objectors consider that a HMO is an inappropriate use alongside a childcare facility and express concerns regarding:

- The safety and wellbeing of children attending the nursery.
- Potential overlooking of the nursery's outdoor play areas from the proposed HMO.
- Loss of privacy for nursery users.
- Concerns regarding safeguarding arising from unrelated adult occupants living immediately adjacent to the nursery.
- Potential impacts on parents' confidence in the nursery, which some respondents consider could affect the viability of the business.

Traffic, Parking and Highway Safety: (discussed at Section 14)

Numerous representations raise concerns regarding existing traffic conditions on Long Lane and surrounding streets. In particular, objectors refer to:

- Existing traffic congestion, especially during peak periods.
- Parking pressures associated with nearby businesses and the nursery.
- The absence of dedicated parking provision for the proposed development.
- Potential overspill parking generated by HMO occupants and visitors.
- Highway and pedestrian safety concerns during nursery drop-off and collection times.

Noise and Disturbance: (discussed at paragraph 13.10)

Objectors consider that the proposed HMO could result in increased levels of activity compared with the previous uses and raise concerns regarding:

- Noise generated by multiple occupants.
- Late night arrivals and departures.
- Increased comings and goings from residents and visitors.
- Potential disturbance to future neighbouring residents and nursery operations.

Character of the Area and Concentration of HMOs: (discussed at Section 11 and 13.18 onwards)

A number of representations state that the proposal would be out of keeping with the character of the locality. Concerns include:

- The perceived over-concentration of HMOs within the wider Chadderton area.

- The introduction of a high-density residential use within a mixed-use area.
- The belief that the proposal would adversely affect the character and appearance of the local area.
- Concerns that the proposal would replace a former commercial use with a use perceived to make a lesser contribution to the local community.

Anti-Social Behaviour and Crime: (discussed at paragraph 13.22)

A significant number of objections reference experiences associated with other HMOs elsewhere in the area and express concerns that the proposal could lead to:

- Anti-social behaviour.
- Alcohol and drug-related activity.
- Increased police involvement.
- Increased crime and feelings of insecurity amongst residents.

Several representations cite concerns based on experiences at other HMO properties within the borough and fear similar issues occurring at the application site.

Residential Amenity: (discussed at Section 13)

Objections also raise concerns regarding the impact on neighbouring residents through:

- Increased activity associated with seven occupants.
- Loss of privacy.
- General disturbance and reduced enjoyment of neighbouring properties.
- Perceived overdevelopment of the site and concerns regarding living conditions for future occupants.

Waste and Refuse Storage: (discussed at paragraph 13.29)

Comments have been received regarding:

- The volume of refuse likely to be generated by seven occupants.
- Potential littering.
- Adequacy of bin storage arrangements.
- Concerns regarding cleanliness and pest infestation.

Impact on Local Businesses: (discussed at Section 17)

Some representations consider that the proposal could have an adverse impact on nearby businesses, particularly the adjacent nursery, through:

- Concerns regarding customer perceptions.
- Potential loss of nursery enrolments.
- Reduced attractiveness of the area for family-oriented businesses.

Property Values: (discussed at Section 17)

A small number of objectors express concern that the development could adversely affect local property values.

Management and Occupancy of the HMO: (discussed at paragraph 17.6)

Several representations question the proposed management arrangements and express concerns regarding:

- The future occupants of the property.
- Whether residents would be appropriately managed.
- Whether assumptions regarding low levels of car ownership are realistic.
- The ability of the Council to monitor compliance with any management commitments made by the applicant.

8.3 The main points of Jim McMahon MP's objection are as follows:

- Over intensive development causing harm to the character of the area.
- Unacceptable impact on neighbouring amenity.
- Highway safety and parking impacts.
- Failure to provide satisfactory living conditions for future occupiers.
- Failure to demonstrate that the proposal would not contribute to harmful concentrations of HMOs.
- Insufficient justification for the loss of an active commercial use.

8.4 Matters raised above will be covered in subsequent sections of this report.

ASSESSMENT OF THE PROPOSAL

9. PRINCIPLE OF DEVELOPMENT

9.1 The revised National Planning Policy Framework (NPPF) (August 2026) contains a suite of National Decision-Making Policies (NDMPs) which form a material consideration in the determination of planning applications. Central to these policies is the presumption in favour of sustainable development, which seeks to support development proposals that accord with the Development Plan and the relevant NDMPs.

9.2 Policy S3 (Presumption in favour of sustainable development) establishes that planning permission should be granted without delay where proposals comply with both the Development Plan and the decision-making policies of the Framework.

9.3 Section 1a of Policy S3 states that Policy S4 in the Framework should be applied when considering development proposals within settlements. Policy S4 (Principle of development within settlements) states that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

9.4 In applying Policy S4, the circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include (but are not restricted to) situations where the development proposal would:

a) Have a substantial adverse impact in relation to:

- i) The allocation or safeguarding of land or buildings for particular uses in the development plan, unless there is no reasonable prospect of an application coming forward for the allocated use, or there is evidence that the safeguarding is no longer appropriate; or

- ii) The application of the policies in this Framework for existing recreational land and facilities (HC7), Local Green Space (HC8), areas of particular importance for biodiversity and geodiversity (N6), Protected Landscapes (N4) and development within residential curtilages (L2(1)(d)).
 - b) Involve the whole or partial loss of undeveloped land which is used for a cemetery or burial ground; or for water storage and/or flood risk management (unless suitable compensatory provision is made that does not increase the risk of flooding either on or off-site); or,
 - c) Fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.
- 9.5 The application site has operated as a takeaway use for a number of decades and forms part of a small parade of commercial premises along Long Lane. Whilst the proposal would result in the loss of a commercial unit, the premises was vacant and then marketed for sale since April 2024, according to the marketing assessment. The site is situated within a mixed-use row where commercial and residential uses co-exist. The principle of the loss of the takeaway use and its conversion to residential accommodation is therefore considered acceptable, subject to compliance with the relevant development plan policies.
- 9.6 The first floor of the building has historically been used for residential purposes, although there is no recorded planning history detailing the original formation of the residential accommodation. This residential accommodation has 4 bedrooms at first floor, a lounge and a bathroom.
- 9.7 The proposal seeks to utilise both the ground and first floors to create a 7-bedroom House in Multiple Occupation (*sui generis*). The reuse of the vacant building for residential accommodation would bring the property back into active use as it has remained vacant for some time.
- 9.8 The site occupies a sustainable location on Long Lane, within easy walking distance of local shops, services, employment opportunities and public transport links. The site is therefore considered to be in an accessible and sustainable location, having regard to the requirements of Local Plan Policies 3 and 5 and Places for Everyone Policy JP-P1.
- 9.9 Overall, the proposed development is considered acceptable in principle, subject to detailed consideration of its impacts on residential amenity, the character of the area, highway safety, the living conditions of future occupiers, and all other relevant local and national planning policies, which are assessed in the following sections of this report.

10. MARKETING ASSESSMENT

- 10.1 Policy 14 of the DPD sets out that it is important Oldham has a range of sites to support the local economy. Development proposals which would result in the loss of a site currently or most recently used for employment purposes should include measures to outweigh the loss of the site and support Oldham's economy and the regeneration plans of the borough.

- 10.2 The Applicant's marketing statement was submitted at the start of the application and states that the property was most recently used as a takeaway with residential accommodation above and has been actively marketed for sale. They state the marketing evidence demonstrates that the site has been exposed to the open market through recognised commercial property channels, including Rightmove and the agent's website, attracting approximately 35 enquiries, 25 viewings and 9 offers.
- 10.3 The Applicant's marketing statement states that whilst there was a level of interest in the property, none of the initial offers resulted in a completed transaction. The reasons provided included insufficient offer values, withdrawal by prospective purchasers and inability to secure the necessary funding. Importantly, prospective purchasers considered a range of commercial and employment-generating uses, including offices and takeaway uses, but did not proceed due to concerns regarding the building's layout, condition and asking price.
- 10.4 The evidence therefore indicates that there has been an adequate period of marketing and genuine attempts to secure a continuation of employment-related uses. Despite this, no viable commercial operator was secured.
- 10.5 Furthermore, the site is not allocated as a retail or employment designation within the adopted Local Plan Proposals Map (adopted November 2011). Whilst this does not remove the need to consider Policy 14, it reduces the strategic importance of the site in maintaining the Borough's employment land supply.
- 10.6 Policy 14 requires proposals resulting in the loss of employment premises to include measures which outweigh that loss and support Oldham's economy and regeneration objectives. In this case, the proposal would bring a long-marketed and constrained property back into beneficial use. The marketing evidence demonstrates that the premises have failed to secure a viable employment occupier despite extensive marketing and numerous enquiries. The proposed residential use would ensure the continued occupation and maintenance of this vacant building, secure investment in the property, improve the appearance and condition of the site, and contribute towards housing delivery within the borough.
- 10.7 Policy L2: Making effective use of land of the NPPF (August 2026) states that substantial weight should be given to the benefits where a development proposal would achieve one or more of the following:
- a. Remediating despoiled, degraded, derelict, contaminated or unstable land;
 - b. Making better use of vacant and underutilised land and buildings (such as by bringing back into residential use empty homes and other suitable buildings; converting space above shops; redeveloping underutilised retail and business sites; and building on or above service yards, lock-ups, car parks and other transport infrastructure which are no longer required);
- 10.8 The policy also states that new development should:
- a. be consistent with the overall street scene, other than where: it is appropriate to have larger buildings (such as at street corners, or where building upwards would not cause substantial harm to the character of a building and its surroundings); the development would not be visible from the street frontage; or where specific changes are provided for through a design code which forms part of the development plan;

- b. Maintain safe access and egress for occupiers and users, and acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space; and
 - c. Where the development would involve the use of residential curtilages, not occupy more than twice the footprint of all the existing buildings on the site, and, following development, would retain at least 50% of the non-developed area within the curtilage of the existing buildings unless additional development can be accommodated without harm to the overall character of the area, and taking into account the availability of infrastructure and the importance of locating development in sustainable locations (in accordance with Policy TR3).
- 10.9 The proposal would comply with the above points and would also support the local economy through construction activity associated with the conversion works and by increasing the resident population within the area, thereby supporting nearby businesses and services. Given the limited scale of the employment use previously operating from the site, together with the evidence demonstrating that continued commercial occupation is no longer viable, it is considered that the benefits of bringing the property back into productive use outweigh the loss of the former employment use. The proposal is therefore considered to accord with the aims of Policy 14 of the DPD and Policy L2 of the NPPF.

11. HOUSES IN MULTIPLE OCCUPATION ASSESSMENT

- 11.1 Policy 11 of the Oldham Local Plan (2011) states that Houses in Multiple Occupation (HMOs) will only be permitted where it can be demonstrated that the proposal would not have an adverse impact on:
- the character of the local area;
 - the residential amenity of existing and future occupants, or the amenity of nearby workplaces; and,
 - traffic levels or highway safety.
- 11.2 The policy further requires all residential development to be appropriate to its surroundings, accessible to public transport and key services, and aligned with the Council's wider objectives for the area.
- 11.3 The Council's Publication Plan Housing Topic Paper published January 2026 states that, as of the most recently available data, in July 2025 there was estimated to be 384 HMOs in Oldham. This represents a 25% increase from 2020 (306 estimated HMOs). Whilst the increase is not sharp, there has been a consistent increase between 2020 and 2025.
- 11.4 In assessing whether the introduction of an additional HMO would harm the character of the area, it is useful to utilise the policy tool proposed within the draft policy within the Publication version of the council's new Oldham Local Plan (approved by the council for submission for examination in March 2026). The draft policy supports HMOs where they do not result in an undue concentration of such uses and advises that planning permission may be resisted where HMOs would account for 10% or more of properties within a 50m radius of the application site, measured from its centre point. Whilst limited material weight can currently be attributed to the emerging policy (as the examination has only recently commenced and no hearings have taken place yet) the 50m radius assessment is a useful indicator when considering whether the proposal

would contribute to an unacceptable concentration of HMOs in the immediate locality under the current adopted policy.

- 11.5 As is set out in the Publication Plan policy H6, the evidence and the proposed 50m policy relate to all HMOs, including those licenced and unlicensed. The Council have collated the data on all HMOs using a variety of sources including licensing (i.e. licenced HMOs or those pending a licence), council tax, Local Land and Property Gazetteer (LLPG), planning and building control data.
- 11.6 Council monitoring data identifies no existing HMOs within 50 metres of the application site, with the nearest recorded HMO located approximately 74 metres away on Sycamore Avenue. As a result, HMOs currently represent 0% of properties within the 50-metre assessment area, indicating that the proposal would not contribute to an undue concentration of HMOs in the immediate locality.
- 11.7 The proposed layout and accommodation of the proposed 7-bed HMO would provide an acceptable standard of living for future residents and complies with the Council's HMO Standards document (October 2010) which is confirmed by Officer's and the Environmental Health department. There is no substantive evidence to suggest that the use would give rise to unacceptable levels of noise, disturbance, traffic generation, or other impacts detrimental to the character and appearance of the area, compared to the existing use as a takeaway with a residential unit above. The proposal would also make effective use of the existing building stock and contribute towards meeting local housing needs through the provision of flexible and affordable accommodation.

Yew Tree House, Sycamore Avenue, Chadderton:

- 11.8 Several objections have raised concerns with a building known as Yew Tree House, Sycamore Avenue, Chadderton which is approximately 135 metres away. Objectors state issues relating to anti-social behaviour, criminal behaviour and general disturbance from this building. This property has the following relevant planning history:

PA/337269/15 - 1) Change of use of care home to house of multiple occupancy 2) Single storey rear extension 3) Rear dormer (resubmission of PA/335769/14). Recommended for approval, however Planning Committee overturned the decision and refused the application on highway safety grounds. The decision was appealed to the Planning Inspectorate and was allowed on appeal.

PA/337911/15 - Change of use from a nursing home for the elderly to a residential institution for adult supported living accommodation – Refused on highway safety grounds. Recommended for approval, however Planning Committee overturned the decision and refused the application on highway safety grounds.

PA/335769/14 - 1) Change of use of care home to house of multiple occupancy 2) Single storey rear extension 3) Rear dormer. Recommended for approval, however Planning Committee overturned the decision and refused the application on highway safety grounds.

CL/337621/15 - Certificate of Lawfulness for proposed use of the premises as a Residential Institution (Class C2) – Withdrawn

- 11.9 The Council's Community Safety Team have been contacted about the claims of anti-social behaviour, criminal behaviour and disturbance and the team have confirmed that no reports or complaints of anti-social behaviour relating to either Long Lane or

Sycamore Avenue have occurred to date, either specifically directed at this address or more generally within those locations.

- 11.10 In addition to this, the Council's Temporary Accommodation team have stated that the building is currently used for temporary accommodation and residents are placed here through the Council's Homeless Register.
- 11.11 Consequently, the existing temporary accommodation use at Yew Tree House is not the same form of accommodation as proposed in this application, has not been the subject of reported anti-social behaviour, criminal behaviour and general disturbance, and a comparison between the two properties carries limited relevance when considering the potential concentration and impact of HMOs in the area. It is an important central tenet of the English Planning system that each application must be assessed on its own planning merits, and so alleged disturbance related to a separate property in the area is not relevant to the application at hand.

12. DESIGN AND APPEARANCE

- 12.1 Policy JP-P1 Sustainable Places of the Places for Everyone Plan (2024) states that all development, wherever appropriate, should conserve and enhance the natural environment, landscape features, historic environment and local history and culture; enable a clear understanding of how the place has developed; and respect and acknowledge the character and identity of the locality in terms of design, siting, size, scale and materials used.
- 12.2 The proposed alterations to remove the shop front with a bricked elevation with new windows will enhance the appearance of the site and will match similarly to existing residential properties along the road. In addition, the removal of the roller shutters will promote an active street presence.
- 12.3 Minor alterations are proposed to the side elevation with a new entrance door to be installed, the removal of a ground floor side facing window and the replacement of 2 rear ground floor windows with one singular window.
- 12.4 Overall, based on these limited changes, the proposed development is considered acceptable and complies with Policy JP-P1.

13. RESIDENTIAL AMENITY

- 13.1 Policy 9 of the DPD 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.
- 13.2 Policy 11 of the Oldham Local Plan (2011) states that new residential development, including 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.

Impact on the Adjacent Children's Nursery:

- 13.3 A significant number of representations raise concerns regarding the site's proximity to The New Play Alma Mater Day Nursery next door, including issues relating to safeguarding, child welfare, privacy, overlooking and the potential impact on the nursery's operation.
- 13.4 These concerns have been carefully considered. However, there is no policy within either the Oldham Local Plan (2011) or Places for Everyone (2024) that restricts the siting of a House in Multiple Occupation adjacent to a nursery or childcare facility. This is because there is no substantive evidence to demonstrate that HMOs, as a planning use, inherently give rise to safeguarding, security or child welfare concerns.
- 13.5 Furthermore, the planning system assesses the acceptability of the use rather than the personal characteristics of potential occupants. As such, assumptions regarding who may reside within the proposed HMO, or the perceived implications arising from this, are not material planning considerations.
- 13.6 In addition, it is relevant that the application property has had a residential use at first floor level for many years, and so the change from this to another form of residential use (an HMO) cannot be said to be increasing the opportunities to overlook the nursery property simply because it is proposed to be in a residential use.
- 13.7 The proposal does not involve the insertion of new rear-facing windows, therefore there is no increase in opportunities for overlooking of the adjoining nursery or its outdoor play areas. The relationship between the two sites would therefore remain broadly unchanged from the existing situation, and it is not considered that the development would give rise to a harmful loss of privacy for nursery users.
- 13.8 Concerns regarding potential impacts on parental confidence in the nursery and the consequent effect on the viability of the business are acknowledged. However, such concerns are speculative in nature and have not been substantiated by evidence. Planning decisions must be based on demonstrable impacts rather than perceptions of future occupiers or assumptions regarding the operation of neighbouring uses.
- 13.9 Overall, having regard to the nature of the proposed use, the absence of any material changes to the existing relationship between the sites, and no policy restriction on residential use adjacent to Class E uses, it is considered that the proposal would not result in unacceptable harm to the amenities of the adjoining nursery or prejudice its continued operation.

Noise and Disturbance:

- 13.10 Several objections raise concerns that the proposed HMO could result in increased noise and disturbance arising from multiple occupants, including increased comings and goings, visitor activity and late-night arrivals and departures. Concerns have been raised vice versa of nursery children causing excess noise to future residents.
- 13.11 These concerns are acknowledged. The proposal relates to a proposed HMO within an existing mixed use commercial and residential area and the level of activity associated with the use is not considered likely to differ significantly from that which could reasonably be expected from a dwellinghouse occupied by a family or the existing residential accommodation with 4 bedrooms. Whilst some limited increase in comings

and goings from the HMO compared to the current residential unit may occur, there is insufficient evidence to conclude that the proposal would result in unacceptable noise, disturbance or harm to the amenities of neighbouring occupiers or the adjacent nursery, especially when the removal of the takeaway use is factored into this (businesses which do see far more coming and goings than a residential property and typically in the evening). Furthermore, it is recognised that a nursery itself can generate a degree of noise and activity, particularly from outdoor play areas, which is characteristic of the established use of the site.

- 13.12 A submitted Noise Impact Assessment (NIA) by Peak Acoustics, has been undertaken at 121 Long Lane, in relation to the proposed change of use of the building to a 7-bed HMO. Environmental noise monitoring was carried out at the site between Monday 2nd and Tuesday 3rd March 2026 to establish the existing acoustic environment. The assessment identified road traffic associated with the nearby M60 motorway as the dominant noise source affecting the development, together with additional contributions from local commercial uses, including the adjacent day nursery.
- 13.13 The NIA states that *“on the basis of the Stage 1 ProPG assessment, the site is considered to fall within the Medium Risk category and has therefore been subject to a detailed Stage 2 assessment. That assessment has considered the prevailing acoustic environment, the constraints of the existing building, and the scope for good acoustic design. Whilst opportunities for mitigation through site layout and room orientation are limited, appropriate acoustic design measures have been identified through the specification of the building envelope, glazing and ventilation strategy”*.
- 13.14 The NIA sets out that subject to the implementation of the sound insulation scheme as set out in their report, the proposed habitable rooms are considered capable of achieving the relevant BS 8233 internal guideline values for daytime and night-time periods. In addition, whilst the rear external amenity area would remain affected by transportation noise and would not provide a tranquil environment, it is considered to offer an acceptable standard of amenity in the context of the site and the wider mixed-use locality.
- 13.15 The assessment of nursery outdoor play noise indicates that activity associated with the adjoining day nursery would form an intermittent and localised component of the prevailing daytime acoustic environment, rather than the dominant source of noise affecting the development. On that basis, nursery activity is not considered likely to give rise to a significant adverse effect on the amenity of future occupiers or to render the proposed residential use unsuitable in planning terms.
- 13.16 The NIA states *“given the shared party wall with the adjoining day nursery/commercial unit, enhanced airborne sound insulation is likely to be required in order to protect future occupiers from noise associated with the adjacent unrestricted Class E use. At this stage, however, the precise nature and extent of any upgrade works cannot be confirmed until details of the existing wall construction have been provided. Upon receipt of this information, the suitability of the existing separating construction will be reviewed and, where necessary, additional acoustic treatment will be specified in order to secure an appropriate standard of internal amenity”*.
- 13.17 In order to secure the above matters in relation to the NIA, relevant planning conditions are proposed to ensure that the level of sound insulation is acceptable. The Council's Environmental Health department have not raised objection to this.

Character of the Area and Concentration of HMOs:

- 13.18 Several representations also object to the proposal on the grounds that it would be out of character with the area and would contribute to an over-concentration of HMOs within Chadderton.
- 13.19 These concerns have been considered. However, as referenced in Section 11 of this report, Council data demonstrates that there is not an existing over-concentration of HMOs within the 50m locality, therefore maintaining the character of the area. In addition, the proposal would not result in significant external alterations to the building and would therefore have a limited visual impact on the character and appearance of the area.
- 13.20 Whilst concerns have been raised regarding the loss of the former commercial use, the planning system does not seek to retain such uses in all circumstances, and the acceptability of the proposal must be assessed against relevant planning policy and material planning considerations.
- 13.21 Having regard to the scale and nature of the proposal, it is considered that the development would not adversely affect the character of the area or result in an unacceptable concentration of HMOs.

Anti-Social Behaviour and Crime:

- 13.22 Several objections raise concerns that the proposed HMO could lead to anti-social behaviour, alcohol or drug-related activity, increased crime, and a greater demand on police resources. Several representations also cite experiences associated with other HMOs elsewhere in the borough.
- 13.23 These concerns are acknowledged. However, the planning system assesses the land-use impacts of a proposal rather than the behaviour of potential occupants. There is no evidence before the Local Planning Authority to demonstrate that the proposed HMO would, by virtue of its use alone, result in anti-social behaviour, criminal activity, or increased demands on police services. Furthermore, concerns based on experiences at other properties cannot reasonably be attributed to this proposal and carry limited weight in the assessment of the application.
- 13.24 Any instances of anti-social behaviour or criminal activity would be matters for the police and other regulatory bodies and are not, in themselves, grounds to resist a planning application. As such, these concerns do not indicate that the proposed development would result in unacceptable planning harm. Furthermore, the Council's Community Safety Team have stated that no reports of anti-social behaviour have been received on Long Lane, Sycamore Avenue or within the immediate vicinity.

Impact on Residential Amenity:

- 13.25 Several objections raise concerns regarding the potential impact of the proposed HMO on neighbouring residents, including increased activity associated with up to seven occupants, loss of privacy, general disturbance, and the perceived overdevelopment of the site.
- 13.26 These concerns have been carefully considered. The proposal would utilise an existing building and does not involve extensions or alterations that would materially increase

opportunities for overlooking neighbouring properties. As such, it is not considered that the development would result in a harmful loss of privacy.

- 13.27 Whilst the occupation of the property by multiple residents may result in an increase in day-to-day comings and goings compared to the existing residential unit, it is unlikely that it would be in excess of the coming and goings of a takeaway (as currently permitted at this property), especially in the evening. The level of activity generated is not considered likely to result in unacceptable noise, disturbance, or loss of amenity to neighbouring occupiers. The proposed accommodation has also been assessed in respect of the living conditions of future residents and is considered capable of providing an acceptable standard of residential amenity.
- 13.28 Accordingly, the proposal is not considered to represent an overdevelopment of the site and would not result in unacceptable harm to the amenities of neighbouring occupiers or future residents.

Waste and Refuse Storage:

- 13.29 Several objections raise concerns regarding the volume of refuse likely to be generated by up to seven occupants, the potential for littering, the adequacy of bin storage arrangements, and the risk of cleanliness issues or pest infestation.
- 13.30 These concerns are acknowledged. However, waste generation is an expected consequence of residential occupation and can be appropriately managed through the provision of suitable refuse and recycling storage facilities. The application includes designated bin storage arrangements and there is no evidence to indicate that the scale of the proposed HMO would generate waste that could not be accommodated within the site. The Applicant states that it is intended to seek Council waste storage such as wheeled bins or further commercial bins. This can be reserved to condition for further details to be approved.
- 13.31 Concerns relating to littering, property maintenance, cleanliness, and potential pest infestation are largely management issues rather than matters arising directly from the proposed use. Such matters can be addressed through environmental health and waste management legislation where necessary and do not, in themselves, justify the refusal of planning permission.
- 13.32 Accordingly, it is considered that the proposal can provide adequate waste storage arrangements and would not result in unacceptable impacts on the amenity of neighbouring occupiers in respect of refuse or waste management.
- 13.33 Given the above assessment, it is considered that the proposed development complies with Policy 9.

14. PARKING AND HIGHWAY SAFETY

- 14.1 Policy 9 (Local Environment) of the Oldham Local Plan states that the Council will ensure development minimises traffic levels and does not harm the safety of road users. Policy JP-C8 (Transport Requirements of New Development) of the PfE Plan states new development is required to be located and designed to enable and encourage walking, cycling and public transport use, to reduce the negative effects of car dependency, and help deliver high quality, attractive, liveable and sustainable environments. Lastly, Policy TR4 (Street Design, Access and Parking) of the NPPF (2026) states that proposals should give priority first to walking, wheeling and cycle

movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating easy access to high-quality public transport, with layouts and densities which maximise the catchments for bus or other public transport services.

- 14.2 Several representations raise concerns regarding existing traffic conditions in the area, including congestion, on-street parking pressures, the absence of dedicated parking provision, potential overspill parking from residents and visitors, and highway safety during nursery drop-off and collection periods.
- 14.3 These concerns have been carefully considered. However, the proposal relates to the change of use of an existing building with a lawful use as a hot-food takeaway with residential above and is not considered likely to generate a significant increase in traffic movements when compared with the lawful use of the site as a takeaway or the adjacent children's nursery and its own generation of drop off and pick up. Whilst some demand for on-street parking may arise, there is no evidence to demonstrate that the proposal would result in severe residual impacts on the local highway network or give rise to unacceptable highway safety concerns.
- 14.4 The development site does not benefit from any off-road parking; however, the site is located within an established urban area with access to local services, facilities and public transport options, reducing reliance on private car travel. Furthermore, concerns regarding existing parking pressures and congestion associated with surrounding uses, including the adjoining nursery and nearby businesses, are existing conditions that cannot reasonably be attributed to the proposed development.
- 14.5 Having regard to the scale and nature of the proposal, the Council's Highways Engineer has raised no objections to the proposal, subject to a condition for secure cycle storage details. As such, the development would not result in unacceptable impacts on highway safety or result in significant demand for parking or traffic generation, therefore complying with Policy 9.

15. BIODIVERSITY NET GAIN

- 15.1 Policy JP-G8 (A Net Gain to Biodiversity and Geodiversity) of the PfE Plan and Policy N2 (Improving the natural environment) of the NPPF (2026) require new development to enhance biodiversity and the natural environment.
- 15.2 In addition, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the condition that development may not begin unless a Biodiversity Gain Plan has been submitted to the planning authority, and the planning authority has approved the plan. However, there are exemptions to the legislation which apply in some certain cases.
- 15.3 This development is exempt from the requirements of Biodiversity Net Gain as the proposed development does not result in any extensions or new hard surfacing covering more than 25sqm. To achieve a gain to biodiversity, a condition for a bat and bird box are to be recommended. As such, it is considered that the proposal complies with Local Plan Policy 21 and PfE Policy JP-G8.

16. ENERGY AND SUSTAINABILITY

- 16.1 Policy JP-S2 (Carbon and Energy) requires new development to promote the retrofitting of existing buildings with measures to improve energy efficiency and generate renewable and low carbon energy, heating and cooling. The policy states that development proposals should set out how this has been achieved in an energy statement in accordance with the energy hierarchy.
- 16.2 A condition is included within the recommendation for an energy statement to be provided prior to occupation of the HMO. This will ensure that the development has sought to maximise reductions in carbon emissions in line with relevant policy targets within the Greater Manchester Net Zero Guidance.

17. OTHER MATTERS

- 17.1 The objections raise several other matters that are considered below:

Impact on Local Businesses:

- 17.2 Several representations raise concerns that the proposed HMO could adversely affect nearby businesses, particularly the adjoining nursery, through impacts on customer perception, potential reductions in enrolment levels, and a perceived reduction in the attractiveness of the area for family-oriented businesses.
- 17.3 These concerns are acknowledged; however, there is no substantive evidence to demonstrate that the proposed use would adversely affect the operation, viability or patronage of neighbouring businesses. The proposal relates to a residential use within an existing building and would not introduce activities that are inherently incompatible with the surrounding mix of uses, considering the immediate area is predominantly residential.
- 17.4 Concerns regarding how the presence of an HMO may be perceived by customers or service users are inherently subjective and speculative in nature. Planning decisions must be based on demonstrable proposed use impacts rather than assumptions regarding future occupiers or perceptions of a particular form of residential accommodation. Accordingly, there is insufficient evidence to conclude that the proposal would have an adverse impact on the operation or viability of nearby businesses, including the adjoining nursery, and the objection is afforded limited weight.

Property Values:

- 17.5 A small number of representations raise concerns that the proposed HMO could have a negative effect on local property values. Whilst these concerns are noted, the impact of a development on private property values is not a material planning consideration and cannot be considered in the determination of a planning application. Planning decisions must be based on relevant planning policies and impacts of a proposal rather than its potential effect on the value of neighbouring properties. As such, this matter carries no weight in the assessment of the planning application.

Management and Occupancy of the HMO:

- 17.6 Several representations raise concerns regarding the management of the proposed HMO, including the nature of future occupiers, the effectiveness of management

arrangements, assumptions relating to car ownership levels, and the Council's ability to monitor compliance with any commitments made by the Applicant.

- 17.7 These concerns are acknowledged. However, the planning system considers the acceptability of the proposed land use rather than the personal characteristics of future occupants. It would therefore be unreasonable to make assumptions regarding the behaviour, lifestyle or vehicle ownership of prospective residents.
- 17.8 The application must be assessed based on the proposed use and the information submitted. Should planning permission be granted, any conditions attached to the consent would be enforceable by the Local Planning Authority where they meet the relevant legal tests. Separate licensing regimes may also apply to the operation and management of HMOs, providing additional oversight where required.
- 17.9 Concerns regarding the future management of the property and compliance with management commitments are therefore afforded limited weight in the planning balance. There is no evidence before the Local Planning Authority to indicate that the proposed use could not be satisfactorily managed or that it would give rise to unacceptable planning harm.
- 17.10 The Applicant has provided a draft Management Plan setting out the measures that would be implemented to ensure the effective operation and management of the HMO. This includes arrangements for landlord contact details, property maintenance, waste management, reporting procedures for nuisance or anti-social behaviour, and regular inspections of the property.
- 17.11 Whilst a Management Plan cannot control the personal characteristics or behaviour of individual occupants, it demonstrates that appropriate measures would be in place to support the day-to-day management of the property and minimise potential impacts on neighbouring occupiers. Furthermore, the operation of the HMO would be subject to separate licensing and regulatory controls where applicable.
- 17.12 On this basis, it is considered that there is no substantive evidence to suggest that the proposed HMO could not be satisfactorily managed or that it would give rise to unacceptable planning harm. As such, the concerns raised are afforded limited weight. Given the above assessment, it is considered that the proposed development complies with Policy 9.

18. Jim McMahon MP – Objection Letter

- 18.1 An objection has been received from local Member of Parliament Jim McMahon (hereafter referred to as the MP) expressing concern about the cumulative impact of HMOs on neighbourhood character, residential amenity and the quality of the built environment. Reference is made to the increasing number of HMOs within the borough, the recently introduced Article 4 Direction, the Housing Delivery Interim Planning Position Paper (2025), relevant policies within the Places for Everyone Plan (2024), and the National Planning Policy Framework. The representation contends that the proposal has not demonstrated compliance with policy requirements relating to local character, amenity and highway impacts and therefore considers that planning permission should be refused. The objection has been broken down into 6 points:

Over-intensive development causing harm to the character of the area:

- 18.2 The MP states that the proposal represents an over-intensive form of residential development that would be out of keeping with the scale, character and function of the surrounding area. Concerns are raised that the proposed seven-bedroom HMO would result in a greater intensity of occupation and activity than the existing use and surrounding properties, adversely affecting local character and residential amenity.
- 18.3 The representation also contends that, unlike previous residential conversion schemes within the parade, the proposed front elevation fails to respect the proportions, fenestration and architectural appearance of adjoining properties, resulting in a design that does not positively contribute to the street scene. It is argued that the proposal would further erode the architectural cohesion of the parade and contribute to the incremental loss of its original character.
- 18.4 Reference is made to Policy 11 of the Oldham Local Plan, relevant provisions of the National Planning Policy Framework relating to well-designed places, and Policies JP-P1, JP-D1 and JP-S1 of the Places for Everyone Plan. The MP considers that the proposal conflicts with these policies and should therefore be refused.

LPA Comments:

The concerns raised are noted. However, as noted in previous sections in this report, it is considered that the proposal would not result in an over-intensive form of development that would cause unacceptable harm to the character of the area. The proposed change of use would take place within an existing building envelope and would not materially alter the scale, massing or footprint of the property. Whilst the occupation levels associated with a seven-bedroom HMO are likely to differ from those of the existing use, the site is located within a mixed-use neighbourhood parade where a degree of activity and comings and goings is already characteristic of the area.

With regard to design, limited external alterations are proposed. Whilst the introduction of a residential frontage would alter the appearance of the unit, the changes are not considered so significant as to result in unacceptable harm to the character or visual amenity of the parade when viewed within the context of previous changes that have occurred within the locality. The proposal would retain the overall form and appearance of the existing building and is not considered to appear incongruous within the street scene.

The impact of the proposal on the character of the area, residential amenity and design quality has been assessed against the relevant Development Plan policies and material considerations elsewhere within this report. Subject to that assessment, the proposal is not considered to cause demonstrable harm that would warrant refusal on the grounds identified by the representation.

Unacceptable impact on neighbouring amenity:

The MP states that the proposal would have an unacceptable impact on neighbouring amenity. It is argued that the proposed seven-bedroom HMO would result in a significantly greater intensity of occupation than the existing use, leading to increased comings and goings, noise, refuse generation and general disturbance affecting nearby residents and the adjoining nursery.

Particular concern is raised regarding the relationship with the neighbouring children's nursery, including the potential for overlooking of outdoor play areas, conflicts between

residential occupiers and the established operation of the nursery, and the absence of an assessment of the impact of the intensified residential use on this adjacent community facility.

The representation also raises concerns regarding refuse storage and servicing arrangements and considers that the proposal has failed to demonstrate that it would not adversely affect neighbouring amenity. Reference is made to Policy 11 of the Oldham Local Plan, relevant provisions of the National Planning Policy Framework relating to healthy and safe communities and residential amenity, and Policies JP-P1 and JP-D1 of the Places for Everyone Plan. The MP considers that the proposal conflicts with these policies and should therefore be refused.

LPA Comments:

The concerns raised are noted. However, it is not considered that the proposal would give rise to an unacceptable impact on neighbouring amenity sufficient to warrant refusal of planning permission.

Whilst a seven-bedroom HMO is likely to generate a greater level of activity than a single dwellinghouse, the site is located within an established mixed-use area comprising residential properties, commercial premises and a children's nursery. As such, a degree of activity, visitor movement and associated noise is already characteristic of the locality. There is no substantive evidence that the proposed use would generate levels of noise, disturbance or activity significantly beyond those typically associated with an HMO of this scale.

Regarding the relationship with the neighbouring nursery, the proposal does not involve significant alterations to the building envelope or the introduction of new window openings that would result in unacceptable overlooking of the nursery's outdoor areas. Furthermore, the nursery operates within an established mixed-use environment and there is no evidence to suggest that the proposed use would prejudice its continued operation.

Details of refuse storage have been submitted as part of the application and can be secured and managed through appropriate planning conditions where necessary. Environmental Health Officers have been consulted on the proposal and any potential impacts arising from noise, refuse or general disturbance have been assessed as part of the application process.

Having regard to the site's context and the nature of the proposed use, it is not considered that the development would result in unacceptable harm to the amenities of adjoining occupiers or nearby community facilities. The proposal is therefore considered to accord with the relevant requirements of Policy 11 of the Oldham Local Plan, Policies JP-P1 and JP-D1 of the Places for Everyone Plan, and the amenity objectives of the National Planning Policy Framework.

Highway safety and parking impacts:

The MP states the proposal would intensify occupation without adequately demonstrating that existing parking provision and highway capacity can safely accommodate the additional demand. A seven-bedroom HMO, together with visitors, servicing and deliveries is capable of generating significantly greater parking demand than the existing lawful use. The application proposes no off-street parking provision and provides no evidence to demonstrate that this absence of parking would not adversely affect the surrounding highway network.

The MP states the application contains no Parking Survey, Transport Assessment or assessment of existing parking demand to demonstrate that the proposal would not adversely affect highway safety or traffic conditions, as required by Policy 11 of the Oldham Joint Core Strategy.

Furthermore, the MP states that the applicant has failed to demonstrate, as required by paragraph 115(b) of the National Planning Policy Framework that safe and suitable access can be achieved for all users. Paragraph 116 requires decision makers to ensure development does not result in unacceptable impacts on highway safety.

The application appears to assume that future occupants will rely primarily on walking, cycling and public transport. However, no evidence has been submitted regarding anticipated levels of car ownership, the availability of on-street parking or the cumulative impact on surrounding highway conditions. This is of particular concern given the existing demand for parking associated with the adjoining children's nursery, neighbouring commercial premises and existing residential properties, all of which rely upon the same limited on-street parking bays. In the absence of such evidence, the Local Planning Authority cannot reasonably conclude that the proposal complies with Policy 11 of the Joint Core Strategy or with paragraphs 115(b) and 116 of the National Planning Policy Framework. Places for Everyone Policy JP-T1 (Sustainable and Integrated Transport Network) reinforces the requirement for development to demonstrate safe access, appropriate parking and no adverse impact on the transport network.

LPA Comments:

The traffic generated by HMOs is considered to be low. Similarly, car ownership levels of HMO residents are considered to be low. Transport Assessments and parking surveys are only required where a significant amount of traffic is likely to be generated. The provision of a seven bedroomed HMO does not fall into this category. For reference, the submission of a Transport Assessment is generally considered necessary when a development exceeds 50 dwellings (or where there would otherwise be considered that a significant impact on the local or strategic highway network would occur).

The Highways Engineer has stated that it is acknowledged that local residents and business owners will have concerns about a perceived increase in the demand for on street parking. There are no national or local car parking standards and given that there will not be a significant or adverse impact on the network as a result of additional parking or traffic generation, future residents of the HMO would be required to find a safe and legal place to park, if required, in the same way as all other users of the highway in the area.

An assessment was made of the sustainability of the area. There is access to public transport within walking distance, along with access to a wide range of amenities within walking and cycling distance.

Failure to provide satisfactory living conditions for future occupiers:

The MP states that Oldham Council's report Update on Proposed Planning Policy for Houses in Multiple Occupation (November 2025) recognises the importance of ensuring that HMOs provide a decent standard of accommodation and do not contribute to overcrowding. The objective is particularly relevant to larger sui generis

HMOs, where the intensity of occupation has the potential to place significant pressure on shared facilities and communal living space.

The MP states the application identifies seven letting rooms together with some details on room sizes, but it provides limited information regarding the anticipated occupancy levels or whether the proposed communal facilities have been designed to accommodate the likely intensity of occupation. The adequacy of the communal living space and kitchen facilities in particular comes into question when reviewing the proposed floorplan, with the kitchen being a similar measured size to all four of the first-floor bedrooms, with Bedroom 5 exceeding the size of the kitchen. Similarly, no robust assessment has been made of the proposed refuse storage, cycle storage, external amenity space or other shared facilities necessary to support a development of this scale.

The MP states whilst planning permission is sought for a seven-bedroom HMO, it is increasingly common for HMOs within the Borough to accommodate couples and, in some cases, households placed in temporary accommodation, resulting in occupation levels that exceed the simple number of bedrooms. This is reflected in the proposed floorplan of the application, whereby three of the first-floor bedrooms exceed the minimum room size prescribed for two-person occupancy under the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018. The applicant has provided no evidence to demonstrate that the proposed accommodation would continue to provide an acceptable standard of living should rooms be occupied by more than one person, or that the communal facilities can support that level of occupation without creating overcrowded or substandard living conditions.

Lastly, the MP states that the proposal has not demonstrated that it would provide a high-quality residential environment for future occupiers. Insufficient evidence has been provided to show that the scale and nature of the HMO would contribute positively to a balanced and sustainable community. The Local Planning Authority cannot be satisfied that the development would avoid the creation of poor-quality accommodation or support the Council's objective of improving housing standards. Concerns are informed by local experience of similar forms of accommodation within the Borough. The proposal is considered inconsistent with the aims of Places for Everyone Policy JP-H1 and the National Planning Policy Framework, which seek to secure high-quality, healthy, safe and inclusive living environments with a high standard of amenity for future residents.

LPA Comments:

The concerns raised are noted and have been carefully considered. The proposed accommodation has been assessed against the Council's adopted development plan policies, relevant HMO housing standards and other material considerations.

The submitted plans identify seven bedrooms together with shared kitchen and communal facilities. Whilst concerns have been raised regarding potential occupancy levels, planning permission is sought for a seven-bedroom HMO and the application must be assessed on the basis of the use proposed. The number and size of the bedrooms, together with the communal accommodation provided, are considered sufficient to support the proposed level of occupation. Matters relating to HMO licensing, occupancy limits and compliance with licensing standards are subject to separate legislation and controls outside the planning system.

It is acknowledged that some bedrooms exceed the minimum standards for two-person occupation under HMO licensing legislation. However, there is no evidence before the Local Planning Authority that the property would operate at a significantly greater occupancy level than that reasonably associated with a seven-bedroom HMO. Furthermore, the proposal does not seek consent for a larger number of occupants, and it would be unreasonable to consider speculative assumptions regarding future occupation patterns.

The application also includes details of refuse and cycle storage provision. Having regard to the scale of the development and the site's sustainable location within the urban area, it is not considered that the proposal would result in an unacceptable standard of accommodation for future occupiers. The adequacy of living conditions has been assessed in the context of the accommodation proposed and the supporting facilities available within the development.

Whilst the emerging Update on Proposed Planning Policy for Houses in Multiple Occupation (November 2025) carries limited weight as a material consideration, the objectives of securing good quality accommodation and avoiding overcrowding have been taken into account. On balance, the Local Planning Authority is satisfied that the proposal would provide acceptable living conditions for future occupiers and there is insufficient evidence to conclude that it would result in overcrowded, substandard or poor-quality accommodation.

Accordingly, the proposal is not considered to conflict with the objectives of the National Planning Policy Framework or Places for Everyone Policies JP-H1 and JP-D1 in respect of securing a satisfactory standard of residential amenity for future residents.

Failure to demonstrate that the proposal would not contribute to harmful concentrations of HMOs:

The MP states that no assessment has been provided of the cumulative impact of the proposed HMO in the context of existing HMOs within the surrounding area. The applicant has failed to demonstrate that the development would not contribute to an over-concentration of HMOs or harm the character, amenity and social balance of the neighbourhood. Reference is made to Oldham Council's borough-wide Article 4 Direction, which reflects the Council's concerns regarding the cumulative impacts of HMO proliferation and the need for closer planning scrutiny. The application does not provide evidence on the number, location or distribution of existing HMOs in the locality, preventing a full assessment of the proposal's effect on community balance and sustainability. As a result, there is insufficient information to conclude that the development would support the creation of a balanced and sustainable community or accord with emerging Draft Policy H6, Places for Everyone Policy JP-S1, and the objectives of the National Planning Policy Framework.

LPA Comments:

The concerns raised are noted. However, there is currently no adopted local planning policy that establishes threshold limits or separation distances for HMOs within Oldham against which the proposal can be assessed. Whilst reference is made to the Council's Article 4 Direction and emerging Draft Policy H6, these measures primarily reflect the Council's intention to exercise greater control over future HMO development and carry limited weight at this time. Notwithstanding this, an assessment of HMOs within a 50m radius has been undertaken in previous sections of this report and concludes that, with zero HMOs in this radius, there would not be an over-concentration of HMOs as a result of this proposal.

Accordingly, having regard to the evidence available, the proposal is not considered to result in a harmful concentration of HMOs or conflict with the objectives of the National Planning Policy Framework or Places for Everyone Policy JP-S1. The weight that can be afforded to emerging Draft Policy H6 is limited, but even if it was given full weight, the conclusion would be the same, and it does not, in this instance, justify withholding planning permission.

Insufficient justification for the loss of an active commercial use:

The MP states that insufficient evidence has been provided to justify the loss of an active commercial unit within an established neighbourhood shopping parade. Although reference is made to a marketing exercise, no supporting evidence has been submitted to demonstrate that the premises is no longer viable or that alternative commercial uses have been fully explored.

Concerns are raised regarding the cumulative loss of commercial frontages, which is considered to erode the vitality, viability and original function of the neighbourhood shopping parade. Previous residential conversions have already reduced the continuity of active commercial uses, and the proposal would further weaken the local service offer.

The development is also considered likely to increase pressure on limited on-street parking and contribute to a fragmented appearance through the loss of a commercial frontage, to the detriment of the character and coherence of the parade.

LPA Comments:

The concerns raised are noted. The application has been assessed having regard to the relevant planning policies relating to the retention of employment and commercial uses, the vitality and viability of local centres, and the overall planning merits of the proposal.

A marketing assessment was submitted in support of the application and has been reviewed by the Local Planning Authority. Whilst this information has not been published in full due to its commercially sensitive nature, it has been taken into account in the assessment of the application. The submitted evidence indicates that the premises has been actively marketed and that there has been limited demand for its continued occupation in its existing form. On this basis, the Local Planning Authority is satisfied that reasonable steps have been taken to explore the retention of a commercial use.

It is acknowledged that the proposal would result in the loss of a commercial unit within the neighbourhood parade. However, the parade would continue to retain a number of active commercial and community uses, and it is not considered that the loss of this individual unit would undermine the overall vitality, viability or function of the local centre, given the parade has not been allocated for employment or retail purposes in the current local plan, adopted in 2011.

The potential cumulative effects arising from previous changes of use within the parade have been considered. Whilst there has been some reduction in commercial frontage over time, the parade continues to provide a range of local services and there is insufficient evidence to conclude that the proposal would result in unacceptable harm to its overall character or operation.

Parking impacts are considered elsewhere within this report. Having regard to the scale and nature of the proposal, it is not considered that the development would give rise to severe highway impacts or unacceptable pressure on parking provision. Similarly, whilst the proposal would alter the appearance of the unit from a commercial to a residential frontage, the external changes are relatively limited and are not considered to cause significant harm to the visual character or coherence of the parade.

Overall, the Local Planning Authority is satisfied that sufficient justification has been provided for the proposed change of use and that the development would not result in unacceptable harm to the vitality and viability of the local centre or the character of the surrounding area.

19. CONCLUSION

- 19.1 The proposal seeks to bring a long-vacant former takeaway and associated residential accommodation back into beneficial use through conversion to a 7-bedroom HMO in a sustainable location close to local services and public transport. The submitted marketing evidence demonstrates that reasonable efforts have been made to secure continued commercial use without success, and it is therefore considered that the benefits of reusing the building outweigh the loss of the former commercial premises.
- 19.2 The proposal would not result in an over-concentration of HMOs, with Council monitoring data confirming no existing HMOs within a 50m radius of the site, and the limited external alterations are not considered harmful to the character or appearance of the area. The development would provide an acceptable standard of accommodation for future occupiers and, subject to conditions relating to noise mitigation, cycle storage, waste storage, biodiversity enhancements and energy efficiency measures, would not result in unacceptable impacts on neighbouring amenity, the operation of the adjacent nursery, highway safety, parking provision or the vitality and viability of the local centre.
- 19.3 Having regard to relevant development plan policies within the Oldham Local Plan, the Places for Everyone Plan and the National Planning Policy Framework, the proposal is considered acceptable and is recommended for approval subject to conditions.

20. 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. Construction works associated with the development hereby permitted shall only take place between the hours of 08:00 and 17:00 Monday to Friday and between 09:00 and 13:00 on Saturdays. No construction works, including deliveries, plant operation or other activities associated with the development, shall take place on Sundays or Bank/Public Holidays. REASON - In the interests of the amenities of nearby occupiers and to minimise noise and disturbance arising from construction activities, in accordance with Policy 9 of the Oldham Local Plan.

4. The use of the house in multiple occupation shall not commence until a scheme for the provision of secure cycle parking has been implemented in accordance with details which shall have previously been 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.
5. Prior to occupation of the residential development hereby approved, an Energy Statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Energy Statement. REASON - To ensure the development contributes to the reduction of carbon emissions and promotes sustainable development, in accordance with Policy JP-S2 (Carbon & Energy) of the Places for Everyone Plan (2024).
6. The development hereby approved shall be carried out in full accordance with the glazing and ventilation specifications and mitigation measures as detailed within the submitted Noise Impact Assessment (Ref. 2002265), prepared by Peak Acoustics dated 31 March 2026. The mitigation measures shall thereafter remain for the life of the development. REASON - To ensure future occupiers are afforded an acceptable standard of residential amenity having regard to Policy 9 of the Oldham Local Plan.
7. Prior to first operation of the new use, one bat and one bird box shall be installed on each elevation of the building. REASON - To achieve a net gain to biodiversity 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):

