Applicant: Mr Ben Taylor-Smith

Location: 193 Walmersley Road, Bury, BL9 5DF

Proposal: Change of use from dwelling (Class C3) to 8 bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis), loft conversion with front and rear dormers, car parking provision, and associated works

Application Ref:70439/FullTarget Date:18/03/2024

Recommendation: Approve with Conditions

Description

The application relates to a mid-terraced property, currently a 3 bed residential dwelling which is located on Walmersley Road . Similar to the existing row of properties, the site has a small front garden and low boundary wall and at the rear is a detached flat roof garage/store with an up and over door which opens directly onto the back street.

The application seeks the change of use to an 8 bed (single occupancy) House in Multiple Occupation (HMO).

Internally it is proposed to provide two bedrooms and a communal kitchen/dining room at ground floor, four bedrooms at first floor and two bedrooms in the roofspace within dormers at the front and rear which are also proposed in this application. A utility room and additional communal living room would be located in the basement with an escape route provided to the existing basement lightwell.

The garage would be demolished and 2 parking spaces would be provided with a cycle store and bin store also provided in the rear yard along with seated amenity areas.

The application is a resubmission for a scheme which was refused for a 9 bed HMO in December 2023 for sub-standard accommodation and facilities and lack of any on-site parking.

This application has sought to address the reasons for refusal and now proposes an HMO for 8 no occupiers, increased shared communal facilities, provision of two parking spaces (revised from one parking space during the application process) and better external amenity area and bin store provision.

Relevant Planning History

70187 - Change of use from residential dwelling(Class C3) to 9 bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis), loft conversion with front/rear dormers, enlargement of existing basement lightwell and external works - Refused 13/12/2023 - Refused for sub-standard accommodation and shared facilities and lack of parking.

Publicity

Letters sent to 38 properties on 26/1/24.

Five objections received with the following comments -

- Object due to the current number of HMOs in our area and the unsavoury characters they sometimes attract. Anti social issues
- Walmersley Road and the surrounding area has more than enough HMOs. Our schools

are full, GPs and dentists are scarce. Children are being housed in HMOs and there are no school places which is unfair. Traffic is already congested and we have another 300+ houses currently being built.

- Even though there is planned parking in the plans it probably won't be enough leading to congested back streets. Even so it means potentially another 8 cars.
- What is going to happen to all the household rubbish as council aren't reliably collecting so there will be more bins and rubbish all over the streets.
- Unfortunately current HMOs have 999 services in regular attendance and it is bringing the safety of our neighbourhood down. These HMOs aren't being looked after and are eyesores in our once sought after community.
- Abundance of properties of this type, most of which are often advertising for rooms to rent. If these rooms can't be filled, is there need for more?
- Spoiling community and family oriented area, housing individuals who show no interest in the area.
- Properties are unkempt. No investment by those seeking planning to maintain their properties and gardens.
- Individuals renting the rooms are often convicted criminals, drug users and those with mental health issues. Do say this isn't true because it is!
- A house with 8 rooms is unspeakable. How inhumane is it to put people in such small living spaces for financial gain? 8 bedrooms with potential extra 16 people is to much
- Genuine concerns about coming and going of people
- How involved will the owners be if there are any issues given how far away they live
- Concerns about impacts on the value of the area
- Genuine concern regarding living space standards and the amount of potential inhabitants. Given the poor layout and lack of amenity space, such gives rise to propensity for negative impact on proposed residential amenity.
- The established building line of the property makes up a prominent building within the street scene. Both the change of use and the operational development by way of dormers would result in an unacceptable impact on the neighbouring area and should be firmly refused.

Those who have made representations have been informed of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Adult Care Services - No response

Traffic Section - No objection subject to condition.

Environmental Health - Pollution Control - No comments to make

Greater Manchester Police - designforsecurity - Advise potential noise, parking and security issues are addressed

Waste Management - No response received

Housing - Public Protection - No objection in principle subject to compliance with HMO licensing standards

Planning & Building Regs consultation Fire Protection Dept Bury Fire Station (Part B) - No response received.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

- NPPF National Planning Policy Framework
- H1/2 Further Housing Development
- H2/1 The Form of New Residential Development
- H2/2 The Layout of New Residential Development
- H2/4 Conversions
- EN1/2 Townscape and Built Design
- EN1/5 Crime Prevention
- EN7/2 Noise Pollution
- HT2/4 Car Parking and New Development

HT6/2 Pedestrian/Vehicular Conflict

SPD11 Parking Standards in Bury

SPD13 Conversion of Buildings to Houses in Multiple Occupation

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations, including relevant policies in the emerging Places for Everyone Joint Development Plan.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Places for Everyone

The Places for Everyone Joint Development Plan Document (PfE) is a joint plan covering nine of the ten Greater Manchester districts, including Bury, and is intended to provide the overarching framework to strategically manage growth across the boroughs.

PfE was submitted to the Government for examination in February 2022 and this marked the start of the independent examination into the plan, the final stage in the plan making process.

The Inspectors have now concluded their examination of the plan and have issued their findings and recommendations in their Inspectors' Report which was received on 14 February 2024. In that report the Inspectors conclude that all legal requirements have been met and that with the recommended main modifications set out in the Appendix of their report, the Places for Everyone Joint Development Plan Document satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

The next step is for all nine PfE Councils to consider the Inspectors' recommendations and adoption of the Plan. Currently it is anticipated that these Council meetings will be held between 28 February and 20 March 2024, with Bury Council due to consider this on 20 March.

If it is agreed by all nine Council's, Places for Everyone will become a key part of Bury's statutory development plan.

Given the advanced stage in the preparation of PfE, it is already considered reasonable that the Plan (as proposed to be modified) should be given significant weight in the decision-making process in line with paragraph 48 of the National Planning Policy Framework and full weight will be given to the policies once the Plan is adopted.

Consequently, the principle of this application has been considered against PfE (as proposed to be modified). However, the principle of this proposal does not give rise to any conflict with PfE policies.

Principle

The National Planning Policy Framework (NPPF), should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. The conversion of houses to HMO's can often make an important contribution to local housing stock to meet local housing needs and can utilise vacant or underused space more

efficiently.

The proposed development would continue to provide residential accommodation and as such the use would not conflict with the character of the surrounding area in principle. As a material consideration, the property could also operate under permitted development as an HMO for up to 6 persons under Class C4. The site is located in an urban and sustainable area within a residential setting and is well served by public transport and close to local amenities, facilities and services.

As such the principle of the development is considered acceptable subject to consideration of UDP Policy H2/4 - Conversions which has specific regard to effects on amenity of neighbouring properties, general character of the area, amenity of occupants, effects from external changes on the street scene and car parking and servicing requirements.

Character of the area - Policy H2/4 takes into consideration the concentration of building conversions for multiple occupation and the impact this can have to the character of an area. This is an issue which has been raised by a number of objectors.

According to the current Bury Council Register of licensed Houses in Multiple Occupation, there are 10 licensed HMO's on Walmersley Road. (A property requires an HMO license if there are 5 or more occupiers which share amenities. Planning approval is required for more than 6 occupiers).

The nearest registered HMO is approx 80m away to the south with the other HMO's located beyond this to the south on Walmersley Road. It is therefore considered that due to the dispersed locations, the proposed development would not result in an over concentration of multiple occupied development in the area or affect the character of the area in terms of maintaining a good mix of housing and as such would comply with Policy H2/4.

Layout

There would be 8 no bedrooms provided over the 3 floors, a communal kitchen/dining room at the ground floor and further communal living/cinema space and utility room at the basement level.

All of the bedrooms would have bathroom facilities and would comply with the nationally prescribed space standards. The two communal rooms would provide satisfactory standards of living space where future occupiers could relax, cook and dine away from their bedrooms. In the rear yard there would be a seating area to provide residents with an outdoor space in the good weather.

The rear yard would also make provision for clothes drying, refuse and bike storage whilst also providing space for two cars to park.

The HMO Licensing Section have no issues regarding the layout and overall it is considered that the layout and facilities provided would provide an acceptable and reasonable level of accommodation for future occupiers.

It is therefore considered that the proposed development would comply with the requirements of Policy H2/4 and EN1/2.

Design and appearance

It is proposed to add dormers to both the front and rear roofs and provide an escape route from the front lightwell to the basement.

The front dormer would have a pitched roof and would be located above the main front window. The dormer would be similar in scale and proportion to other dormers which have been added to this row of properties and that of other terraced houses which characterise the area and as such is considered to be an acceptable addition.

At the rear, a dormer is proposed to extend the full length of the rear roof plane but would

be set in from the side elevations, below the ridge height and above eaves level. Located on the rear it would not be highly visible to the streetscene or public views. Whilst there are no other dormers to the rear of houses on this row, the dormer works could be carried out under permitted development on a residential property.

The lightwell at the basement would provide an escape route from this lower level and the changes would not be perceptible or highly visible from the streetscene and considered to have little if any visual impact.

As such it is considered the design and appearance of the proposed external alterations would not have a detrimental impact on the visual amenity of the area and would comply with H2/1 and SPD6.

Impact on residential amenity

The area is predominantly residential, characterised by similar sized terraced houses which could comfortably accommodate a fairly large family, especially if the properties were extended. There is also the fallback position that the premises could be occupied as a 6 bed HMO without the need for planning permission.

Occupiers would likely have different patterns and timetables to their day, where comings and goings would be staggered throughout the day and evening and therefore it is considered that the increased occupancy or any additional activity would not be significantly greater than the existing family house.

In terms of the proposed use and associated neighbour and noise issues, the Environmental Health Pollution Control Section have raised no objection to the proposed development.

The external works to provide dormers would not cause issues of overlooking or affect outlook to neighbouring properties.

It is therefore considered that the proposed development would therefore not have an adverse impact upon the residential amenity of the neighbouring properties and would be in accordance with UDP Policy EN2/4.

Highway issues

There is no specific car parking standard for HMO's in SPD11 Parking Standards in Bury. SPD 13 The Conversion of Buildings to Houses in Multiple Occupation gives some general advice. It states that parking and road safety issues will be important considerations when assessing a planning application and any proposal that is considered to have a detrimental impact on highway safety or harm to amenity will not be permitted.

The property currently has a single garage in the rear yard and it is proposed to improve parking availability by demolishing the garage to make space for 2 cars to park. There would also be a secure cycle store with space for eight bikes (100% provision). The site is also considered to be in a sustainable area and benefits from good transport links and frequent bus services to and from the town centre and the Metrolink and Bus Interchange with local shops and facilities within walking distance 200m to the south.

It is generally recognised that car ownership tends to be lower for those who occupy HMO compared to other households and there are alternative modes of transport available to residents given the sustainable location.

The property could lawfully be occupied by 6 residents without the need to provide any parking and as such it is considered that the proposal to provide 2 spaces for the additional 2 occupiers would be acceptable for the character of development proposed in this location. It is therefore considered that give the benefits of the contribution towards providing additional housing to residents in the Borough, the access to good transport systems and proximity to local shops and services it is considered that the proposed development would

be acceptable and would accord with UDP policies H2/4, HT2/4 and SPD13 with regard to HMO development.

Design for security (DfS)

The police have made some comments to the application proposals as follows -

- Possible that the total occupants to be high and could cause significant noise disturbance for neighbouring properties, which should be considered when determining the application. A robust management plan should be in place to limit disturbance to the local residents and to address issues before they escalate.
- Parking and generally comings/goings of residents and visitors can be problematic in areas which rely on street parking. Most issues typically occur when local residents come back from work to a lack of parking near their house.
- The garage dimensions should be checked to see if it is large enough to accommodate a car.
- Access into the buildings should be controlled by a video entry phone system so that residents can vet visitors before allowing them access into the building. There should be no unrestricted trade access into the building.
- Secure mail delivery system should be provided to the apartments.
- The alterations to the building should be to the Secured By Design standards.

The applicant has responded to the above comments as follows -

- The existing property has a residential use and the property will remain in a residential use that will not result in any significantly greater noise generation. The lettings and management strategy will ensure that prospective tenants are subject to a referencing process. A management pack will be issued to all residents including rules for good neighbourliness, such as no congregating in outdoor areas after a certain time, keeping noise to a minimum after a certain time, and generally being considerate of neighbours. Policies for dealing with anti-social behaviour will also be included. The use would also be subject to compliance with an HMO license.
- One accessible on-site car parking space and 100% cycle storage provision is provided in the scheme which is in accordance with local planning policy. It is also noted that the site is in a highly sustainable and accessible location with bus stops in close proximity and services/amenities a short walk away. All tenants will be advised that the premises only comes with one off-road car parking space prior to letting rooms and will also be advised that there is limited parking within the surrounding streets. Occupants of HMOs are typically a demographic with low car ownership, and future occupiers are likely to value the sustainable location of the site more than car parking spaces. It is therefore envisaged that future users are unlikely to own a car. Notwithstanding, the applicant has confirmed that the management pack will include details on parking arrangements and guidelines for ensuring there is no unauthorised or inconsiderate parking on surrounding streets.
- The proposed plan illustrates that the garage is large enough to accommodate one car parking space and storage space for two bicycles.
- Any new fittings or alterations will be security rated.
- A video entry phone system will be provided and letters will be posted via the letter box at the front door which will be secure.

The applicant would require an HMO licence which includes compliance with security measures, fire regulations and management of and steps to deal with any nuisance related activity.

It is therefore considered the proposed development would be acceptable and comply with H2/4 and EN1/5.

Response to objectors

• The proposed development would continue to provide a type of residential accommodation. The number of occupiers proposed would not be significantly more

than could be accommodated in a larger family home or significantly more than provided under permitted development.

- The proposal is for a maximum of 8 occupiers.
- The proposed shared facilities would be commensurate with the number of proposed occupiers and compliant with HMO space standards.
- Impacts on house values are not material planning considerations.
- Issues of bin storage facilities, parking, security and management of the property have been covered in the above report.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

- The development must be begun not later than three years beginning with the date of this permission.
 <u>Reason</u>. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2. This decision relates to drawings numbered -Site location plan proposed site plan 193/WR/200/BR/C7; Existing plan layouts 193WR/201/BR; Proposed floor plan layouts MD-100133-PL-00D; Existing elevations and sections 193WR/202/BR; Proposed elevations and section 193WR/204/BR C4; Proposed basement escape well details 3BR/305/BR and the development shall not be carried out except in accordance with the drawings hereby approved. Beason For the avoidance of doubt and to ensure a satisfactory standard of

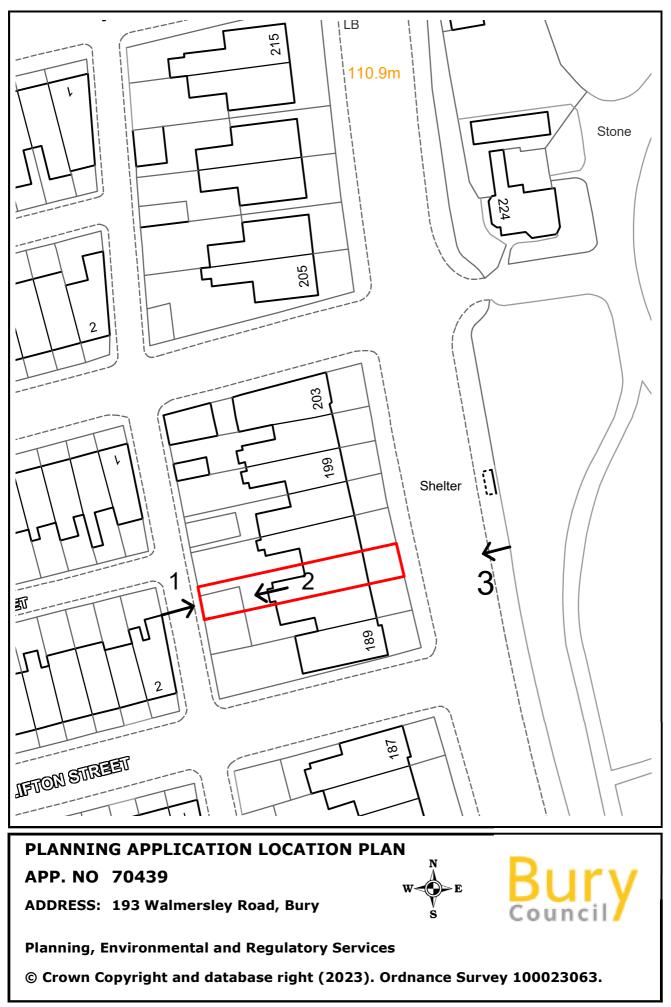
<u>Reason.</u> For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

- 3. The revised access arrangements indicated on approved plan reference 193WR/200/BR Revision C7, incorporating the provision of a footway crossing in a position to be agreed with the Highway Authority, removal the ramp/fillet in the channel of the back street, demarcation of the limits of the adopted highway, 5.0m minimum long hardstanding in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway and all highway remedial works required to reinstate the adopted highway to its condition prior to commencement of the development and following demolition of the garage, shall be implemented prior to the use hereby approved commencing. <u>Reason</u>. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/4 - Conversions, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.
- 4. The car and cycle parking indicated on the approved plans shall be made available for use prior to the use hereby approved commencing and thereafter maintained at all times. <u>Reason</u>. To ensure adequate off street car and cycle parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 5. The bin storage facilities indicated on the approved plans shall be made available prior to the use hereby approved commencing and maintained thereafter. <u>Reason</u>. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway pursuant to Bury Unitary Development Plan Policies H2/4 Conversions and EN1/2 Townscape and Built Design.
- The external finishing materials for the dormer extensions hereby approved shall be carried out in accordance with the materials detailed on the proposed elevations and sections plan 193WR/204/BR C4.
 <u>Reason</u>. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

For further information on the application please contact **Jennie Townsend** on **0161 253-5320**

Viewpoints



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Photo 1



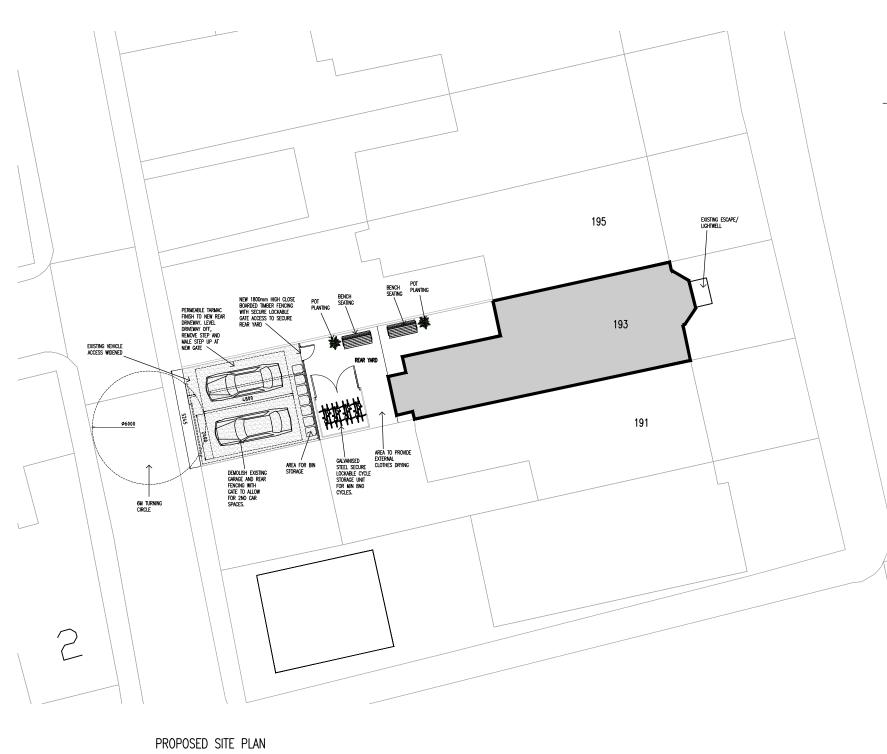
Photo 2



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Photo 3





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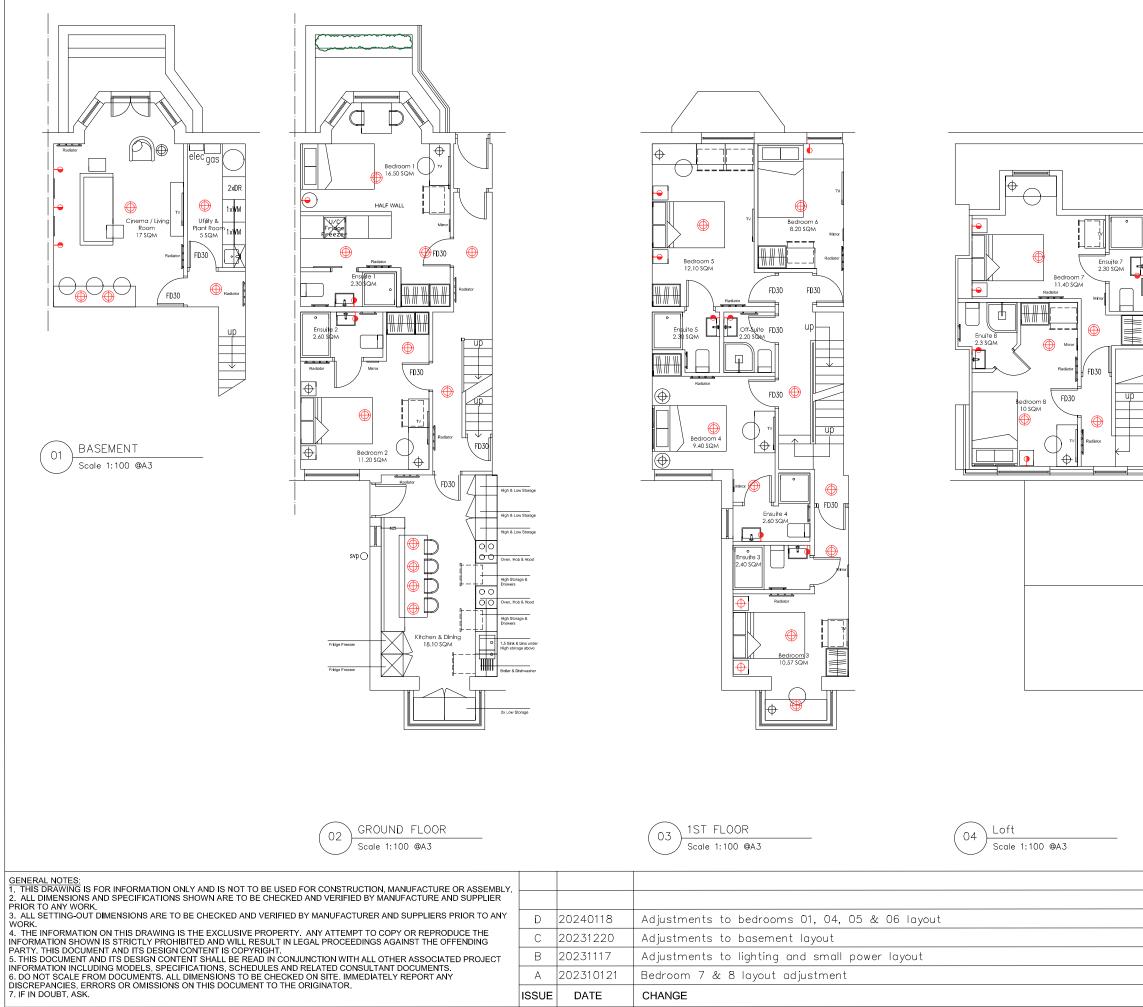
GALVANISED STEEL FRAMED CYCLE STORAGE SHELTER, FOR 8 CYCLES, 2 2600mm WIDE x 2200mm HIGH, GATED FRAMES TO RECEIVE PERFORATE PROVIDE 4no SHEFFIELD STANDS, FIXED TO TO HARD STANDING.



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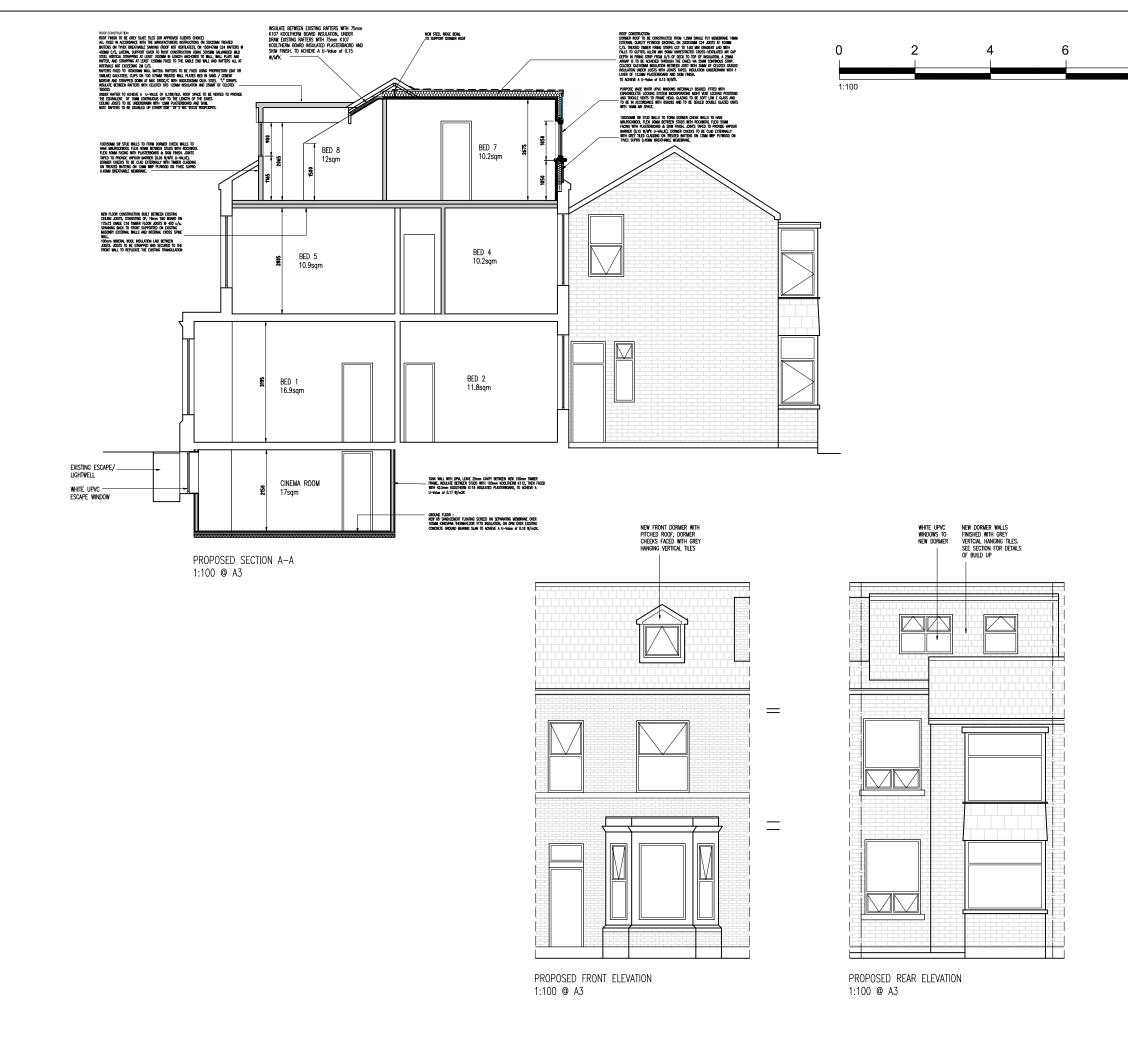
SITE LOCATION PLAN (170sqm) 1:1250@A3

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А 202310121 Bedroom 7 & 8 layout adjustment ISSUE CHANGE DATE

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DWG CAT	
	Floor Plan Layouts
	ment, GF, 1st FL & Loft
	DRAWING NUMBER PAPER SIZE
1:100	MD-100133-PL-00D A3



Rev Amendments		Date	Ints			
Mark G Design + A						
Project						
193 WALMERSLEY ROAD, BURY, BL9 5DF						
Drowing Title PROPOSED ELEVATIONS AND SECTION						
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Date SEP 2023	Scale@A3 1 : 1	00				
Drawing No. 193WR/	204/BR	Rev C	4			

Existing basement escape/lightwell reinstated

C1

comments

Amendments after planning consultant 06.10.23 MG

19.01.24 MG

5.01.24 MG

20.11.23 MG

