

Variation of condition

- Location: 31 Hilton Crescent, M25 9NQ
- Planning application – 71449
- Proposal description: Change of use from 5 bed/ 6 person House in Multiple Occupation (Class C4) to 7 bed/ 7 person House in Multiple Occupation (HMO) (Sui Generis) and loft conversion with rear dormer

Condition to be varied - Condition 2

Condition 2 states;

“This decision relates to drawings - Red edge location plan dated 16 Dec-2024; Site - existing and proposed 502 rev 2; Proposed plans and elevations 003 rev 5; Existing plans and elevations 002 rev 1; Cycle shelter details dwg 1.0 revision 00, and the development shall not be carried out except in accordance with the drawings hereby approved

Reason: For the avoidance of doubt.”

Planning History

Application Ref. No: 71449 – Planning application was submitted on 17/12/24 and permission was granted on 07/01/25.

Permission was contingent on adherence to conditions.

1. Development to begin within 3 years of permission granted
2. Development to be carried out in full accordance with the approved plans – as stated above.
3. The bin and bike storage facilities indicated on the approved plans shall be made available prior to the use hereby approved commencing and maintained thereafter.
4. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the order, without the submission and approval of a relevant planning application.

Location description

The site is a semi-detached property located on Hilton Crescent, Prestwich in Bury Council. The site comprises of an existing 5 Bedroom HMO and planning permission was granted to change it to a 7 bedroom HMO by way of a loft conversion and rear dormer.

Proposal

Regarding Condition 2, we have currently submitted the following drawing, which have been approved - GSS24129 - 31 Hilton Crescent - 003.5 - Proposed Plans and Elevations

We would however request to vary this condition and submit GSS24129.3 - 31 Hilton Crescent - 003 - Proposed Plans and Elevations, for consideration.

These new drawings remove the basement conversion element, which was detailed on the original drawings as extra communal living space.

Justification

This application had to go to committee due the amount of objections it received from the neighbours. It was subsequently granted permission at the committee meeting and the plans were approved.

Since this application had to go through the committee meeting stage, the planning officer advised us to be extra cautious regarding matters which the committee are very particular and stringent on. One of the things which the committee are extra stringent about, is additional living spaces.

The bedrooms in this HMO are big enough to qualify as both bedroom with included living space, as specified in the HMO Space Standards. They are all able to facilitate bedroom and living space as one. (They are not small bedrooms which would require additional communal living space.)

However the advice we received was that since this is going to committee, we should go above and beyond and demonstrate extra living space, although not required. We thus converted the basement into additional living space.

However, now that we have consulted with builders and they have advised that since the ceiling height is insufficient to allow for comfortable living space in the basement, the cost of the works to achieve the necessary height would not be feasible as it would be a large and costly job, which would not be environmentally friendly, nor advisable being that the house is already compliant with HMO standards without the basement living space.

Conclusion

The applicant initially included basement living space due to planning officer advice, aiming to mitigate potential committee concerns about adequate living space.

However, the applicant has determined that this additional space is unnecessary, costly, and environmentally unsound, as the property already meets HMO space standards without it. The inclusion of the basement living space was not a requirement of the HMO space standards.