

DELEGATED REPORT

Report by Claire Booth	Date of report: 18/07/2024	Ref: 70742/FUL
Registration: 23/05/2024	LDfC: 25/06/2024	Expiry Date: 18/07/2024
Site Visit: 03/06/2024	Site Notice: 03/06/2024	Press Date: N/A
Objections: 64	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: COUS

Proposal: Change of use from dwelling (Class C3) and Swim School building (Class E(d)) to 10 no. bed House of Multiple Occupancy (HMO) (Class Sui Generis) to include changes to the fenestration of the pool building; Loft conversion with 2 no. rear dormers to dwelling

Location: 31 Grosvenor Street, Prestwich, Manchester, M25 1ES

Description

The application relates to a detached 4 bedroom property called Ivy Bank, at 39 Grosvenor Street and a single storey outbuilding, previously used as Swimming Pool to give lessons - Ivy Bank Swim School.

The property is a large, detached property located on the corner of Grosvenor Street and Randlesham Street. Its principal elevation faces westwards over what historically would have been the front garden area. This front area contains a single storey building, with a partly glazed frontage. The property has a small yard area to the south, which contains a shed. There is a low red brick capped wall to the yard area, which borders a narrow walkway adjacent to this and the garden area of No. 29 Grosvenor Street. There is a private path between the application site and No. 29 Grosvenor Street, which is approximately 1.0 metre wide.

To the north of the dwelling exists the gable of 39 Randlesham Street, a semi-detached property, separated by Grosvenor Street. The portion of the application site containing the red brick outbuilding, borders the curtilage of 36 Randlesham Street, located to the north-west of the application site. The principal elevation of this neighbouring dwelling faces south-east-east and the occupiers look out on to part of the former Swim School building.

To the south of the application site exists no. 74 Whittaker Lane and is a detached property.

Permission is sought to change the use of both the main dwelling and the single storey building to the front of the building to create a 10 bedroom House in Multiple Occupation (HMO), the erection of two dormers on the rear elevation of the main dwelling and elevation changes to the single storey former swimming school building.

Within the main house, 2 en suite bedrooms and a kitchen-diner is proposed at ground floor level. At first floor level, 3 double en suite bedrooms, and 2 shower bathrooms are proposed. Within the loft space, at second floor level, two bedrooms are proposed. The proposal seeks to erect two pitched roof dormers on the rear roof slope of the main house to serve the two second floor bedrooms that are proposed. The dormers seek to extend of the ridge of the main roof.

Within the single storey outbuilding/ former swimming pool building, an entrance way, a small kitchenette and 3 double bedrooms are proposed, two of which seek to be en suite rooms, two bathrooms containing showers are also proposed.

Within the existing yard area, parking for 10 bicycles and 4 refuse bins is proposed.

Relevant Planning History

26594 - Change of use of ground floor to children's nursery (Class D1) and Toilet extension at rear - Approved, 28/11/1991

27174 - Erection of swimming pool building - Approved, 28/05/1992

29646 - Conservatory extension to proposed swimming school building - Approved, 03/05/1994

Publicity

A Site Notice was erected on Monday, 3rd June 2024.

Neighbouring properties were notified about the proposals on the 29 May 2024..

67 representations have been received which include 64 letters of objection, 2 letters of support and 1 comment.

Two letters of support, only one comment made have been received supporting the proposed development on the following grounds:

- The site is close to Heaton Park
- Affordable house share
- Sited close to public transport

The 64 letters of objection raise the following concerns:

Character of locality

- Tenants of HMO'S are often short term residents and usually have no intention to be part of the community, which means an increase in noise, pollution and litter, and unfortunately, crime. "Controls and measures" aren't good enough.
- Proposal causing distress and affecting well-being of neighbours. Local community are mostly living long term occupying own homes. A more transient population will make it harder to hold residents accountable and resolve issues or grievances.
- Asserts a HMO would not be in keeping with the area which is home to families and elderly residents.

Future Occupants

- Raise concern that the proposal will attract transient residents rather than a family. detracting from the family character of the locality.
- Raise concern with transitional nature of occupants would result in limited investment into local community.
- Raise concerns that ten occupants will cause noise pollution issues, to the detriment of existing residential amenity.
- Asserts the number of proposed occupants would increase noise levels in the immediate vicinity and has the strong potential for anti-social behaviour.

Amenity of future occupants

- Raises concerns about the lack of communal space within the proposed development and the resultant impact of this on future tenants and the type of tenants.
- Raises concerns that the house is not big enough to accommodate the needs of ten occupants stating only space for 1 washing machine and 1 tumble dryer are proposed.
- Raise concern that no increase in refuse provision is proposed despite the proposed increase in occupants.
- Raise concerns that aside from the kitchen no communal space is proposed.
- Raise concern that no outside amenity space is proposed to meet the needs of 10

occupants

- Asserts that the scheme proposes to cram as many small bedrooms in the property as possible, with limited shared space both indoor and outdoor. It will offer low quality accommodation only attractive to transient groups who have little choice of where to live.
- Notes that there is no outside space proposed for occupants - for seating and drying clothes for example.
- Assets the property is far too small to house 10 individuals and all that goes with that.
- Raises concerns about the lack of communal space within the proposed development and the resultant impact of this on future tenants and the type of tenants.
- Raise concern that no increase in refuse provision is proposed despite the proposed increase in occupants.

Impact on existing neighbouring occupiers

- The number of proposed dwellers by virtue of the comings and goings of occupants, the harmful extensions, the kitchenette area in the Swimming School building being at the front of the house would adversely impact on the neighbourhood and existing residents quality of life.
- Proposed dormer additions will block light into 29 Grosvenor Street and also impact on privacy and outlook.
- Concerned about noise from HMO occupants
- Concerned about disturbance from 10 occupants
- Concerned about the number of occupants on a small, constrained plot
- Concerned about size and number of bins along with the 10 bike stand storage being positioned in close proximity to neighbouring boundaries.

Highway Safety Matters

- No parking provision proposed
- On-street car parking in the locality already at full capacity and is already problematic - Insufficient space to support additional cars from 10 or up to 10 occupants and 10, or even 6 more cars would impact the safe flow of traffic and add to parking congestion.
- Raises concern about how emergency service vehicles could access houses if more car parking takes place on the two streets.
- Parking is already congested, and the HMO will worsen it without sufficient off-street parking, risking pedestrian safety and hindering emergency vehicle access.
- Property located at a tight corner, particularly when cars are parked on-street - concerned that emergency vehicles would be able to access the application site and all existing houses as a result of the proposal. The application includes provisions for 10
- Questions how can cycle use be enforced as opposed to car ownership. Assets Parking spaces in the immediate area for cars are limited, and questions how the council could ensure that residents in these new flats don't acquire cars once they move in?
- States there is a worry that it will become difficult to park on the street and surrounding areas with 10+ extra bodies (as there may be couples/ families living in the building), in an already difficult to park area.
- States parking and road safety are a concern - As well as these streets being used as rat runs during commuting hours, most households in the vicinity already own at least one car. With parking at a premium, some members of the community are having to park dangerously, increasing risk of accidents to both pedestrians and cars. Parking is at maximum capacity and the addition of further cars, however few, only compounds this issue further.
- States the speculation that the HMO occupants will use bicycles over cars again is unfounded and unsubstantiated claim.
- Suggests flattening the existing swimming pool building and providing some off-road parking space in its place.

Refuse Storage Provision

- Concerned about waste collection as to not create a health and rodent infestation

- Concerned raised over whether there is sufficient storage space for the amount of refuse bins that will be needed.

Crime, Disorder and Community Cohesion

- Concerned the proposal will result in increased anti-social behaviour.
- States tenants of HMO'S are often short term residents and usually have no intention to be part of the community, which means an increase in noise, pollution and litter, and unfortunately, crime.
- State the open bike storage proposed is a magnet for crime.
- State one of the best ways to fight crime is to know your neighbours.
- States the transient nature of HMO's breaks this part of fighting against crime.
- Raises concern that the proposed occupants (who state student and migrant workers, amongst other people would occupy the HMO) would upset the nature of the area, which is as stated a residential family area, where there are children, there are schools close by which junior school aged children walk to, potentially allowing groups of unknown men and people to be grouped in large numbers would create an unsafe environment.
- States this area is not suited to HMO as it is predominantly families with young children and has a good community base. I feel this would have a negative effect on our small community, who will be managing the property and ensuring it's safe and does not impact on our community in a negative way. Other issues Include the transitory nature of these residents never knowing from one week to the next who is living there. Advises there have already been problems in the area with anti social behaviour and stating they don't want to worry that this will increase having further impact on the area.

Other Matters

- Concerned about residents trespassing through neighbouring property to access bus stops on Whittaker Lane.
- Raises concern about the adequacy of the drains to serve 10 occupants (new kitchen drains, showers/ bathrooms advising a neighbouring property had to move out of their property for two years whilst United Utilities undertook repair to the existing drainage network
- Health and Safety concerns - pressure on services - waste (vermin) and access for emergency vehicles.
- Questions how single occupancy of the rooms would be enforced.
- Questions how occupants with no cars would be enforced.
- States the swim school building was not built to be lived in and should not be lived in due to close proximity of building to neighbouring properties.
- Asserts the applicant undertook poor due diligence in purchasing this property for use as a HMO.

Christian Wakeford MP has objected to the proposal on the following grounds:

- Generally supportive of new housing however considers the proposal is the wrong type of development in the wrong area.
- States many residents have been in touch with them to raise their concerns regarding the additional traffic this development could generate as well as the insufficiency of parking in the area.
- States that although the development is within walking distance of the Metrolink, 10 additional rooms with the potential for many more occupants, raises the serious concern of additional cars with the commensurate need for parking.
- Considers the addition of dormers to the top floor isn't in keeping with the surrounding housing style and would be detrimental to the character of the area.
- Considers the plans for the conversion of the pool house to three dwelling spaces poses serious issues, not least on the grounds of safety in the event of a fire with the entry and exit point to the pool house accommodation is through the small kitchenette.

Statutory/Non-Statutory Consultations

Traffic Section - Raises concerns regarding the lack of off-street parking provision and that the application appears to provide insufficient bin storage provision and detail where the bins would be sited for collection.

Environmental Health - Pollution Control - No comments or observations received.

Adult Care Services - No comments or observations received.

Housing - Public Protection - Raises the following concerns:

1. It is not acceptable to have a kitchen in a separate building from where your bedroom is located.
2. Bedroom 1 in the swimming pool building is smaller than the 10m² required for a bedroom without a separate living room. The kitchen living area in the main house is not an acceptable alternative due to it being in a separate building.
3. The layout of the pool house conversion is poor as the escape route is via a higher risk room namely, the kitchenette.
4. The pool house needs to be a self-contained unit and not reliant on the main house for additional amenities.
5. In the main house it is difficult to assess the window size to the attic conversion and these need to be in the region of 1/10th the floor area for natural light and 1/20th the floor area for natural ventilation.
6. The attic rooms must be over 2.0m in height for 50% of the rooms. Any part of the room below 1.5m cannot be considered as usable space.
7. The proposed allocation of 4 bins as shown for 10 people is insufficient.

Planning & Building Regs Consultation Fire Protection Dept - Advise Hydrant number 59070006 is approximately 115m away from this proposal, and that it is the developer's responsibility to ensure that this hydrant will supply appropriate water for firefighting purposes.

Greater Manchester Police - designforsecurity - No comments or observations received.

Prestwich Village Neighbourhood Forum - Objects to the proposal on the following grounds:

- The application site is restricted and located within a tightly developed area where there is a problem with off-street parking. The lack of car parking would impact seriously on the surrounding neighbourhood.
- The applicant states that there would be permitted development for a HMO of up to 4 beds. A change of use for 4 beds is very different in scale to one of 10 bed spaces.
- The proposed development would have limited shared amenity space within the property for 10 bedrooms and it would not be an attractive place to live. There would be a real risk of an increase in anti-social behaviour
- The application proposes an over-intensification of a residential property (and pool room) that would have a significant detrimental impact upon the surrounding neighbourhood.

Pre-start Conditions - Not applicable.

Development Plan and Policies

JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
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
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
JP-S2	Carbon and Energy
JP-C2	Digital Connectivity

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

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 and PfE Policies 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.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

- The elimination of discrimination, harassment and victimisation;
- The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;
- The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the

exercise of its functions.

Analysis

Principle of Development - The property could be converted to a six bed HMO without the need for planning permission under Class L of Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (the GPDO).

The conversion of houses to HMO's can often make an important contribution to local housing stock. However, it is recognised that such conversions can put pressures on the amount of accommodation provided, put demands on parking and have an adverse effect on residential amenity and the character of an area.

Paragraph 62 of the NPPF confirms that "the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)" however no direct reference is made to HMO's.

UDP Policy H2/4 - Conversions specifically has 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. This is supported by SPD 13 - The Conversion of Buildings to Houses in Multiple Occupation that seeks to ensure that properties are of a sufficient size to accommodate the proposals and are large enough to offer satisfactory levels of accommodation for future residents. This document also seeks to ensure that HMOs are located in suitable locations.

UDP Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development, provide the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finish materials.

The main issue in relation to this proposal is the consideration of what impact the additional accommodation above that which could be implemented without planning permission would have in planning terms and in relation to the suitability of the site and location, impacts on amenity, nature of the local environment, surrounding land uses and highway issues.

These issues are discussed in more detail below and in light of UDP policies H1/2, H2/1, H2/2 and H2/4.

Visual Amenity - In addition to the policies set out above UDP Policies EN1/1 and EN1/2 seek to ensure that development proposals would not have a detrimental effect on the visual amenity and character of a particular area.

The application site and surrounding properties include large detached and semi-detached villas and traditional terraced housing.

National policy attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

The proposal seeks to erect two pitched roof dormers on the rear roofslope of the main dwelling. Part of the main dwelling projects past the frontage of the adjacent semi-detached dwellings on Grosvenor Avenue. The proposed rear dormers would therefore be partly

visible within the street scene and would be visible from the garden areas of neighbouring properties.

The proposed dormers would be 2.6 metres in width and would occupy a disproportionately large portion of the roof. The existing windows on the rear elevation all have a vertical emphasis, whereas the proposed dormer windows would be square. As such, the proposed dormer would not match the style and proportions of the existing windows and would not line up vertically. There are no other dormers within the immediate vicinity and as such, the proposed dormers would be a highly discordant and prominent feature in the streetscene and would conflict with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Noise and disturbance - The application property is in a densely populated location characterised primarily by terraced housing, detached and semi-detached traditional residential properties.

Occupiers of HMO's would be generally unrelated and there would be a higher propensity for more independent living by the residents of the HMO. This could lead to greater comparable levels of comings and goings as occupiers go about their individual daily business, shopping trips or recreational pastimes. Increased activity may also stem from potentially higher cumulative visitor numbers attending to meet those individual occupiers. Notwithstanding the previous use of the property as a dwellinghouse with the outbuilding used as a children's Swim School, the noise and disturbance associated with the proposed use of the property, over and above what is allowable under permitted development, would be markedly different to the effects of the levels of activities, associated with a dwelling. In addition, the swim school use in the outbuilding closed during the covid lockdown and has no re-opened since.

Moreover, occupants of the proposed swimming school building would have to enter and leave that building to access cooking facilities in the main house and to use the refuse storage area, which would generate more noise. Given the number of people (10) would be significantly higher than a large family living in a dwelling, this would increase the noise level to an unacceptable level. Therefore, the proposal would have an unacceptably harmful effect on the living conditions of the occupiers of neighbouring dwellings in respect

Therefore, the proposal would have an unacceptably harmful effect on the living conditions of the occupiers of neighbouring dwellings in respect of noise and disturbance. The proposal therefore conflicts with Policy EN7/2 and EN1/2 of the Unitary Development Plan. The proposal also fails to meet the expectations of Chapters 12 and 15 of the National Planning Policy Framework (the Framework) in respect of ensuring developments create places with a high standard of amenity for existing users and that they avoid noise giving rise to significant adverse impacts on quality of life.

The existing rear yard would be used as a service yard and would store 4 eurobins with a capacity of 1100 litres each. The rear yard is immediately adjacent to Nos 29 Grosvenor Street and 74 Whittaker Lane.

The Waste Management Section state that to serve the refuse disposal needs of 10 occupants, the property would need to accommodate, as a minimum, 4 x 1100 litre eurobins. The proposed site plan shows the position of 4 wheelie bins in the rear yard, which would not be sufficient for a HMO of 10 people. In addition, this area would not be large enough to store the 4 eurobins required. As such, it is not clear whether the 4 eurobins could be accommodated within the rear yard area, which is the only private amenity space. Secondly, the only alternative would be to store the eurobins against the boundary with either No. 29 Grosvenor Street or 74 Whittaker Lane, which could have an adverse impact upon the amenity of these occupiers.

The proposal would intensify the use of the premises in a manner that would not be typical

of the family accommodation found elsewhere in the immediate locality.

To conclude, the proposal would have an unacceptably harmful effect on the living conditions of the occupiers of neighbouring dwellings in respect of noise and disturbance. The proposal therefore conflicts with Policy EN7/2 and EN1/2 of the Unitary Development Plan. The proposal also fails to meet the expectations of Chapters 12 and 15 of the National Planning Policy Framework (the Framework) in respect of ensuring developments create places with a high standard of amenity for existing users and that they avoid noise giving rise to significant adverse impacts on quality of life. Consequently, the proposal would introduce a significant change that would be unacceptably harmful to the living conditions of the adjoining neighbouring occupiers on Grosvenor Street, Randlesham Street and Whittaker Lane.

Impact upon residential amenity - SPD6 provides guidance on aspect standards between residential properties and as such, would be relevant to this case. The aspect standards states that there should be a minimum of 20 metres between directly facing habitable windows, 13 metres between a habitable room window and a two storey blank wall and 6.5 metres between a habitable room window and a single storey blank wall.

There is a window at first floor on the gable of No. 29 Grosvenor Street, which would relate to a staircase and landing. As such, this is not a habitable room window and the aspect standards would not apply.

There would be over 15 metres from the front elevation of the proposed outbuilding to the blank gable of No. 39 Randlesham Street, which would comply with the aspect standards.

On the rear elevation of the proposed main dwelling (facing the blank elevation of No. 29 Grosvenor Street), there would be two kitchen windows at ground floor level and a window relating to an en-suite at first floor level. These would not be habitable room windows and as such, the aspect standards would not apply.

There would be no windows in the rear elevation of the proposed outbuilding or the gable of the proposed main dwelling and as such, there would be no adverse impact upon the amenity of the occupiers of No. 74 Whittaker Lane.

The proposed conversion of the outbuilding would provide 3 bedrooms. Bedroom 3 would have a window that would be 3 metres from the boundary with No. 36 Randlesham Street and could overlook into the rear garden of this property. However, this would be a secondary window with the main window looking onto Grosvenor Street. If the application was to be approved, a condition would be included requiring this window to be obscure glazed.

There would be 2 metres between the proposed rear dormers and the blank gable of No. 29 Grosvenor Street, which would be below the aspect standard of 6.5 metres. In addition the aspect standards state that there should be a minimum of 10 metres from a bedroom window to the boundary of the site. There would be 0.6 metres, which would conflict with the aspect standards. As such, there would not be acceptable level of light in the rooms on the second floor of the proposed HMO.

Impact upon residential amenity of future occupants - The proposed development would provide 10 no. bedrooms and 1 kitchen/dining space in the main dwelling. Bike storage is shown within the rear yard.

The Private Rented Sector Environmental Health Section has raised concerns about a number of things. It would not be acceptable for the kitchen to be located in a separate building to 3 of the occupants. The proposed layout shows that bedroom 1 in the swimming pool building would be smaller than the 10m² required for a bedroom without a separate living room. The kitchen living area in the main house would not be an acceptable

alternative due to it being in a separate building. The pool house should be a self-contained unit and not reliant on the main house for additional amenities. The layout of the pool house conversion is poor as the escape route is via a higher risk room namely, the kitchenette.

In the main house, there is insufficient information to assess whether the window size to the room on the second floor would be large enough as these would need to be 1/10th of the floor area for natural light and 1/20th of the floor area for natural ventilation. It is not possible to assess from the plans what the headheight of the rooms would be. As such, it is not possible to assess whether the height of the room would be over 2 metres for over 50% of the floorspace and it should be noted that any part of the room below 1.5m cannot be considered as usable space.

The issue relating to loss of light to the rooms in the second floor and the allocation of 4 wheelie bins for 10 people being inadequate has been discussed above.

As such, it is considered the proposed development would be significantly detrimental to the amenity of future occupiers and would be contrary to Policies H2/1 and H2/4.

Highway Safety and Parking

There are no specific car parking standards for HMO's in SPD11, but SPD 13 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. Car parking provision should meet the requirements of the likely occupants and, where possible, should be provided off-street.

The proposed development would provide 10 cycle spaces but would not provide any off-road parking. The proposed development would be located at the junction of Grosvenor Street and Randlesham Street, which contains densely packed semi-detached and terraced properties. None of these properties have any off-road parking and on-street parking appeared to be at capacity when the case officer visited the site.

Whilst it is acknowledged that occupiers of HMO's tend to have lower car ownership, there is no information within the supporting information to explain what measures would be put into place to deter the occupiers from owning a car.

It is noted that the site is in a highly sustainable location and is located within close proximity of the metrolink which would reduce the need for car ownership however as the proposal would result in the significant intensification of the use of a building with no off-street parking facilities within the curtilage of the site (as defined by the red edge) it is considered highly likely that the proposal would lead to vehicles parking and carrying out manoeuvres on the surrounding residential streets and classified roads where on-street parking facilities are at a premium at all times of day. This would have a significant impact on existing parking facilities for existing residents and be detrimental to the free flow of traffic and road safety contrary to the policies set out above.

The bin storage provision has been set out above however the proposal also fails to provide sufficient information to show how this storage provision can be adequately accessed and similarly to the outdoor amenity space, to ensure that the adjacent adopted highways are not used for refuse collection purposes or the storage of communal bins.

The Traffic Section confirmed that there were concerns relating to a lack of parking provision and insufficient bin storage.

Therefore, the proposed development would be detrimental to highway safety and would conflict with Policies EN1/2, H2/1, H2/2 and HT2/4 of the Bury Unitary Development Plan.

Carbon and energy

The applicant has stated that measures would be incorporated to where possible to achieve part L of Building Regulations to improve the thermal value of the building and reduce the energy demands. As such the proposed development would comply with PfE JP-S2: Carbon and Energy.

Digital connectivity

The applicant states that there would be full ultra fast broadband connections to the site which would comply with PfE Policy JP-C2: Digital Connectivity to improve digital connectivity.

Response to objectors

- All material planning considerations have been addressed in the main body of the report.
- HMO licenses are required for HMO buildings and the number of occupiers would be monitored through the licence process.
- The due diligence of the purchase process is not a material planning consideration.
- There is no evidence to suggest that the proposed development would result in or contribute to anti-social behaviour or unlawful activities in the area. The Design for Security Team have been consulted but have made no comments to the application.

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

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed rear dormers would result in an uncharacteristic, incongruous, and overly prominent features that would result in harm to the immediate character of the area and the street scene. The proposal would be a highly discordant feature in the area that would cause significant harm to visual amenity in the immediate locality. Therefore, the proposal is considered contrary to Policies EN1/2 - Townscape and Built Design, H2/1 - The Form of New Residential Development, and H2/4 - Conversions of the Unitary Development Plan and the National Planning Policy Framework.
- 2 The development would by virtue of the scale and density of the development proposed be seriously detrimental to the residential amenities of nearby occupiers, by reason of the noise, disturbance and general activity associated with the proposed use, contrary to policies H1/2 - Further Housing Development. H2/1 - The Form of New residential development and H2/4 - Conversions, Supplementary Planning Document 13 - Conversion of Buildings to Houses in Multiple Occupation and the National Planning Policy Framework.
- 3 The application and submitted plans contain insufficient information to ensure that adequate off-highway bin storage arrangements can be provided for within the curtilage of the site in order to ensure that the adjacent adopted highways are not

used for refuse collection purposes. The proposed development would therefore be contrary to Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, and H2/4 - Conversions of the Bury Unitary Development Plan, SPG 13: 'Conversion of Buildings to Houses In Multiple Occupation' and the National Planning Policy Framework and the National Design Guide.

- 4 The application and submitted information contains insufficient and conflicting information over whether the rear yard area can accommodate the refuse storage requirements for the proposed development and the necessary storage requirements without causing harm to the amenity of neighbouring occupiers. The proposal is therefore contrary to Policies H2/4 - Conversions EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, and the requirements of the National Planning Policy Framework.
- 5 The proposed dormers would be seriously detrimental to the residential amenities currently enjoyed by the future occupier(s) of the proposed development, by reason of its size and position. The proposed development therefore conflicts with the following policy(ies) of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design,
Policy H2/1 - The Form of New Residential Development
Policy H2/4 - Conversions
- 6 The proposed development, by virtue of the proposed density and layout as shown would lead to a poor arrangement of individual and shared accommodation available for the future occupiers of the property and as such would have a detrimental impact on residential amenity of the occupiers. The proposed development therefore conflicts with policies H1/2 - Further Housing Development, H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, H2/4 - Conversions of the Bury Unitary Development Plan, Supplementary Planning Document 13 - Conversion of Buildings to Houses in Multiple Occupation and the National Planning Policy Framework.
- 7 The proposal would result in the significant intensification of the use of a building with no off-street parking facilities within the curtilage of the site, which is highly likely to lead to vehicles parking and carrying out manoeuvres on the surrounding residential streets and classified roads where on-street parking facilities are at a premium at all times of day, which would have a significant impact on existing parking facilities for existing residents and be detrimental to the free flow of traffic and road safety. The proposed development therefore conflicts with policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, H2/4 - Conversions, HT6/2 - Pedestrian/Vehicular Conflict, HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan, and Supplementary Planning Document 13 - Conversion of Buildings to Houses in Multiple Occupation.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Claire Booth	18/7/24	HL	19/07/2024