

Planning, Design and Access Statement

External Alterations and Change of Use to a Large House in Multiple Occupation

12A Whittaker Lane, Prestwich M25 1FX



Courtesy of Google Earth

Prepared by

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Introduction

- 1.1. This statement provides the supporting information to justify the application for full planning permission for the alteration and change of use of 12A Whittaker Lane to provide a large House in Multiple Occupation (HMO).
- 1.2. The proposal is considered to be an appropriate residential use of a partly vacant commercial building in a highly sustainable urban location. The layout is designed as a response to the site and surroundings, the previous planning history and the current and emerging planning policies.
- 1.3. The accommodation will be a sustainable windfall addition to the housing stock, contributing to the Council's housing land supply at a time of acute national shortage and an identified need for a step change change in housing provision.

2. History, Site and Surroundings

- 2.1. The site is located at the corner of Whittaker Lane and Stores Street, Prestwich, within a mixed residential and commercial area.
- 2.2. In the late 19th century the property became the first outlying branch of the Prestwich Co-operative Society, allowing local residents to reduce reliance on the travelling delivery carts from the central store at Warwick Street, see images below, courtesy of [Prestwich People and Places](#).





2.3. The property is currently an Indian Restaurant known as The Prachee as shown below.



Hyde Estate & Letting Agents

- 2.4. The restaurant occupies the ground floor and basement, with the first floor currently being vacant.
- 2.5. The property is a substantial end-terrace building attached to three terraced houses on Stores Street and has a rear yard accessed off a passageway to the rear of 18 Whittaker Lane, an upholsterer's workshop. The property has a slate roof over white painted elevations with much altered fenestration. Access into the building is off the corner of Whittaker Lane and Stores Street as well as via side and rear entrance doors.
- 2.6. On the opposite corner of Whittaker Lane and Stores Street is a convenience store and on the south side of Whittaker Lane on the corner of Infant Street is a public house and opposite is a small public car park. The application property forms part of a commercial frontage which exists along this section of Whittaker Lane
- 2.7. At the junction of Bury Old Road, 50m to the east along Whittaker Lane is Heaton Park Metrolink station and beyond is Heaton Park a major public open space recreational asset.
- 2.8. Whittaker lane is a 5.7m wide carriageway providing two-way traffic flow and has footways on both sides of varying width. Parking restrictions are in force to prevent on-street parking along Whittaker Lane, with some limited parking permissible between 7pm – 7am as well as some residents' parking at weekends.

3. Relevant Planning History

- 3.1. An application for change of use of the first floor only, to form a 4 bedroom/4 person house in multiple occupation (HMO) (Class C4) was granted permission on 1/3/2021 (ref: 66348). This permission ran in addition to the ground floor restaurant and was not taken up so has now lapsed.

4. Proposals

- 4.1. The application is for a change of use to a 13 bedroom HMO with en-suite accommodation at ground and first floor levels and communal facilities within the basement area. The basement will accessed internally from the rooms,

by a new centrally located staircase and will include a kitchen/diner, cinema room, games room, study and laundry for residents. The development also includes the following features:

- External alterations to the building fenestration including new windows
- Creation of a rear light well providing outdoor seating, tiered planting and access between the basement facilities and rear yard.
- Cycle and waste storage within the yard accessed via a new double timber gate

4.2. The property will be managed in accordance with the Co-living Management Plan which is attached to the application.

5. Relevant Planning Policies

5.1. The following section explains the main planning policies which provide the context for consideration of the application.

5.2. National Planning Policy Framework (NPPF) December 2023

5.2.1. The NPPF (which is currently under review) sets out the Government's over-arching planning policies for England and how these are expected to be applied and is therefore a material consideration. It reaffirms the legal principle that planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise.

5.2.2. The NPPF sets out the approach to decision taking at paragraph 11:

*For **decision-taking** this means:*

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

**This includes, for applications involving the provision of housing, situations where: (a) the local planning authority cannot demonstrate a five year supply (or a four year supply, if applicable, as set out in paragraph 226) of deliverable housing sites (with a buffer, if applicable, as set out in paragraph 77) and does not benefit from the provisions of paragraph 76; or (b) where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years.*

5.2.3. Section 11 deals with **Making Effective Use of Land** and paragraph 124 states that:

Planning policies and decisions should:

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively....

NB. The recently elected Labour Government has announced its intention to revise the NPPF with the purpose of dramatically boosting housing provision, which will have significant implications for Bury's future housing land requirements.

5.3. Bury's Local Planning Framework

5.3.1. The planning framework for Bury comprises a number of documents which guide development and includes the following:

- **Places for Everyone (PfE) Joint Development Plan 2022 to 2039 Adopted with effect from 21 March 2024.**
- **Extant (remaining) Bury Unitary Development Plan** policies, originally adopted 1997. The most important of these policies related to housing (**Policies H1 Housing Land Allocations, H2 Housing Environment and Design and H4 Housing Needs**) have been superseded by the relevant policies of PfE. A new local plan for Bury is in the early stages of preparation to provide detailed planning policies.

- It is proposed that the Council's existing Supplementary Planning Guidance (SPG) will be replaced by new Supplementary Planning Documents (SPDs) that will be aligned to policies within the Local Plan once these are adopted. These provide further detail on the policies in development plan documents. The relevant existing supplementary planning document to this application is **DEVELOPMENT CONTROL POLICY GUIDANCE NOTE 13 Conversion of Buildings to Houses In Multiple Occupation** adopted May 2007.
- The **Prestwich Village Neighbourhood Forum** has been constituted to bring forward a **Neighbourhood Plan** but this is at an early stage of preparation and therefore has no relevance to this application.

5.3.2. The relevance of these documents to this application is explained below.

**5.3.3. Places for Everyone Joint Development Plan 2022 to 2039
Adopted with effect from 21 March 2024**

5.3.4. The PfE Plan is the strategic spatial plan for Manchester and 8 other districts of Greater Manchester, which sets out the planning policy framework and provides "strategic policies". More detailed policies are being developed by the Council, through the Local Plan. Being the most up-to-date policy document, this represents the starting point and primary consideration in assessing the application.

5.3.5. The plan incorporates at its heart a **Brownfield Preference** for development and explains this at paragraph 1.41, as follows:

1.41 Districts have looked to maximise the contribution of brownfield land by applying higher densities in the most accessible locations, reviewing the employment land supply and seeking to identify more opportunities in our town centres. By working together the nine districts have been able to maximise the supply of the brownfield land at the core of the conurbation and limit the need extent of Green Belt release.

1.42 The majority of development between 2022 and 2039 (the "plan period") will be on land within the urban area, most of which is brownfield land. Within the plan period around 90% of housing, 98% of offices and 51% of industrial and warehousing development is within the urban area.

1.43 National planning policy does not support an explicit 'brownfield first' approach, as Local Authorities are required to be able to provide a 5 year

supply of housing sites which are available and deliverable. If we cannot demonstrate that our brownfield land is available, then we are required to identify other land which may be Protected Open Land or Green Belt. We are however adopting a 'brownfield preference' policy – we will do all that we can to make sure that our brownfield sites come forward in the early part of the plan period however to do this we need to continue to press Government for support to remediate contaminated land, to provide funding for infrastructure and to support alternative models of housing delivery.

5.3.6. The plan deals with **Places for Homes** at section 7 and the following extracts are of relevance, starting with **Housing Land Supply**:

7.8 There is a strong focus in this Plan on directing new housing towards previously-developed sites within the existing urban area. This will help to address existing dereliction and poorly used sites, as well as reducing the need to release greenfield and Green Belt land for development. Previously developed sites are often in relatively sustainable locations, close to facilities and served by existing infrastructure, and hence their reuse for housing can support wider objectives. Policy JP-H4 'Density of New Housing' will ensure that the most is made of such sites, particularly in more accessible locations, further reducing the need for additional land release.

7.9 A large number of previously-developed sites suitable for housing have been identified by districts in their Brownfield Registers, Strategic Housing Land Availability Assessments and Local Plans. A further source of housing land supply will be small sites, which are typically not identified comprehensively in brownfield registers and strategic housing land availability assessments. It has been assumed that the supply of new dwellings on small sites will continue at the same rate in each district as has been seen over the last five years.

7.12 Table 7.1 illustrates that, in numerical terms, the existing supply of potential housing sites identified in the districts' strategic housing land availability assessments and small sites is adequate to meet the overall identified need, and demonstrates that brownfield land will be the predominant source of land over the plan period. However, meeting the numerical needs alone, is not enough. We must be able to demonstrate that its land supply has sufficient flexibility within it to demonstrate that it represents a deliverable, viable and robust land supply and will deliver a balanced and inclusive growth, thereby achieving the overall spatial strategy. In light of this and the need to ensure the Green Belt boundary can endure beyond the plan period it has been necessary to identify

additional new sites across the city-region, over and above those in the existing land supply. Having considered a number of spatial options, it has been concluded that in order to achieve this, it has been necessary to remove some land from the Green Belt and to allocate this land within this Plan for residential development.

5.3.7. The approach to the **Distribution of New Housing** is explained as follows:

7.14 The population of the PfE plan area is projected to increase in population by 165,600 (6.4%) from 2022 to 2039. The highest levels of population growth across Greater Manchester are projected to be in the two cities Manchester (34,000 increase in residents) and Salford (31,700).

7.15 .In order to help address these issues, higher levels of housing growth will be focused in the central and northern districts of Greater Manchester. Manchester and Salford will continue to be an appropriate location for the highest levels of new housing due to their central location, good public transport connections, proximity to the main concentrations of employment and leisure opportunities, and ability to deliver very high density developments. Supporting higher levels of new housing in the northern districts will assist in achieving a more balanced pattern of growth across Greater Manchester and a better distribution of skilled workers to support local economies, helping to reduce disparities. The proposed distribution of housing development also reflects the availability of suitable sites in each of the districts.

5.3.8. Policy **JP-H1** sets out the **Scale, Distribution and Phasing of New Housing Development** with delivery rates for the minimum number of net additional dwellings each district is expected to identify for a sufficient supply of sites through their local plans. For Bury, this means scaling up from 246 dwellings annually for the period 2022-25 to 520 dwellings per annum 2030-39 to provide a total provision over the period of 7,678 dwellings.

5.3.9. This represents a significant challenge in the light of the Council's failure to meet its housing delivery targets over recent years.

5.3.10. On the **Type, Size and Design of New Housing** the plan includes the following:

7.26 Increasing the supply of affordable homes is an essential component of the overall strategy, but it will be important to ensure that a

diverse mix of values and tenures of new housing comes forward so that all households can meet their needs and aspirations.

7.30 A key part of the overall strategy is to maximise the amount of development on brownfield sites in the most accessible locations and minimise the loss of greenfield and Green Belt land as far as possible. In order to deliver the necessary densities, an increasing proportion of new dwellings will be in the form of apartments and town houses, continuing recent trends.

- 5.3.11. **Policy JP-H3: Type, Size and Design of New Housing** replaces **Bury UDP Policy H2** which previously set out criteria for the assessment of conversions and on which the **DEVELOPMENT CONTROL POLICY GUIDANCE NOTE 13 Conversion of Buildings to Houses In Multiple Occupation** relied (see explanation below).

Policy JP-H3 explains that:

Development across the plan area should seek to incorporate a range of dwelling types and sizes including for self-build and community led building projects to meet local needs and deliver more inclusive neighbourhoods. Where appropriate, this should include incorporating specialist housing for older households and vulnerable people. Residential developments should provide an appropriate mix of dwelling types and sizes reflecting local plan policies, and having regard to masterplans, guidance and relevant local evidence.

Housing provision to accommodate specific groups, such as students and travelling people, will be addressed through district local plans. All new dwellings must:

- 1. Comply with the nationally described space standards; and*
- 2. Be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable. Innovation in housing development will be supported where it is consistent with the principles of good design and contributes to local distinctiveness, including the use of modern methods of manufacturing that can help to improve the speed of delivery and increase building standards.*

5.3.12. The proposed space standards for the property, which has single only occupancy are as follows:

Nationally described space standard table – HMO Development

Proposed Bedroom within HMO - 1, 2, 3...etc)	Applicable overall floor space standard (m2) – see National Space Standards for definition of what floor space is applicable	Number of occupants per bedroom	Principle double bedroom floor space (m2)	Minimum Principle double bedroom width	Single occupancy bedroom floor space (m2)	Minimum Bedroom width	Applicable overall built-in storage standard space (m2)	Overall built-in storage space (m2)
1	12.1sqm	1			12.1sqm	2435mm	1sqm	
2	13.9sqm	1			13.9sqm	2155mm	1sqm	
3	14.3sqm	1			14.3sqm	2520mm	1sqm	
4	10.5sqm	1			10.5sqm	2315mm	1sqm	
5	10.5sqm	1			10.5sqm	2325mm	1sqm	
6	10.2sqm	1			10.2sqm	2200mm	1sqm	
7	12.8sqm	1			12.8sqm	2140mm	1sqm	
8	10.2sqm	1			10.2sqm	2360mm	1sqm	
9	10.8sqm	1			10.8sqm	2195mm	1sqm	
10	10.3sqm	1			10.3sqm	2100mm	1sqm	
11	11.4sqm	1			11.4sqm	2845mm	1sqm	
12	11.5sqm	1			11.5sqm	3120mm	1sqm	
13	11.6sqm	1			11.6sqm	2515mm	1sqm	

5.3.13. and on **Housing Densities**:

7.34 Increasing the average density of new housing developments in the most accessible locations is an important part of our overall strategy, providing a number of benefits. It will reduce the amount of land that needs to be used for development, thereby assisting the protection of greenfield and Green Belt land. It will help to minimise the need to travel, enabling more people to live close to shops and services, and increasing the local population necessary to support local facilities and support regeneration. It will also maximise the number of people living in the most accessible places, helping to increase the proportion of trips made by walking, cycling and public transport, and reducing the demand for car-based travel. The approach to housing densities directly supports the objectives of the Mayor's Town Centre Challenge.

7.35 The following definitions and interpretation apply to Policy JP-H4:

- Where more than one density applies to the same part of the site, the highest density should be used.*
- Different densities may apply to different parts of a site. Distances should be measured from the boundary of the designated centre or GMAL area.⁷⁶*
- All distances are measured in a straight line. The designated centres are as defined in district local plans.*

5.3.14. **Policy JP-H4: Density of New Housing** states that:

development should be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high-quality design.

5.3.15. The policy requires that **regard should be had** to the minimum densities set out according to location. Having regard to the densities, therefore does not mean that they are slavishly applied. Of the specified densities, the fact that the property is within 400m of a metrolink stop means that the relevant minimum density for consideration is 120 dwellings per hectare.

5.3.16. The difficulty with this application is that it is an HMO and not a single dwelling to which the table relates and as such the proposal does not directly translate. However, going off the number of bedrooms/individual occupiers (equivalent to a household) the property has 13 units within a building plot footprint of 220 sqm or 0.022ha which equated to 590 units per hectare. As such the proposal more than meets the policy requirement.

5.3.17. Moreover, that fact is that the application is a conversion of a building and not new build to which the table is clearly aimed. Notwithstanding this, the proposals clearly optimise the use of the building which meets the aims of the policy.

5.3.18. **Policy JP-S2: Carbon and Energy** states that..

The aim of delivering a carbon neutral Greater Manchester no later than 2038, with a dramatic reduction in greenhouse gas emissions, will be supported through a range of measures...

5.3.19. Within the constraints of the building fabric, the conversion will optimise energy efficiency and will comply with the 2022 Part L Building regulations as set out in the following checklist.

Conversion To HMO Energy Efficiency Checklist

Measure	Required for	(Estimated) Cost £	If not undertaking the measure please say why not
Cavity Wall Insulation	Any dwelling that has empty cavity walls, subject to a check for suitability from an accredited installer and approval by local authority building control.	£6400	50mm rigid PIR insulation to all external walls.
Loft Insulation (250 mm)	Any dwelling with an accessible loft and less than 100mm depth existing insulation.	£3060	230mm roll out insulation to loft area
Floor Insulation	Dwellings with uninsulated suspended timber floors only, where easily accessible from underneath (e.g. basements)	£2873	75mm rigid PIR insulation to converted basement floors.
Replacement condensing boiler	Any dwelling with a wet central heating system with a non condensing gas or oil boiler more than 15 years old.	£2400	New gas boiler and water tank. Spec tbc
Heating controls upgrade	Any dwelling with central heating that lacks a programmable timer, room thermostat or thermostatic radiator valves.	£300	Hive system
Hot water insulation package	Any dwelling that has an uninsulated hot water tank or a tank that has an existing insulating jacket that is in poor repair as judged by a building surveyor.	£1800	new water tank
Draught proofing	Any dwelling that has excessive air leakage as judged by a building surveyor.		check on completion
Energy efficient lighting	Any dwelling where 75% of light fittings in commonly used areas are not classed as energy efficient (A rated under the EU energy efficiency label system)	£350	LED bulbs to all light fittings

5.3.20. **JP-C2: Digital Connectivity** requires..

all new development to have full fibre to premises connections, unless technically infeasible and/or unviable, and to incorporate multiple ducting compliant with telecoms standards, to facilitate future-proof gigabit capable network connections. It is expected that internet connections will be operational and immediately accessible to network providers when occupiers move into new properties

5.3.21. The property will be provided with full fibre broadband supplied by Vodafone (Pro II Full Fibre 1.6) which includes:

- Ultra Hub router for the best in-home experience
- Super WiFi Booster for the fastest WiFi in every room
- Dedicated WiFi Xperts for daily support
- Automatic 4G Broadband Back-up
- Check 4G coverage in your area
- Secure Net Home: Hassle-free security and family controls

5.3.22. Overall the policies of the Places for People Joint Development Plan set out above are very strongly supportive of this application.

5.3.23. The remaining **Bury Unitary Development Plan** policy of relevance to this application is **HT2/4 - Car Parking and New Development** which sets out the following:

The Council will require all applications for development to make adequate provision for their car parking and servicing requirements in accordance with the Council's car parking standards.

***Justification:** The Borough's car parking standards for development control are set out in Appendix 4 of the Plan and are for the assistance of applicants in the submission of planning applications. Car parking provision and adequate servicing arrangements are needed to ensure the efficient operation of all new developments and to ensure that the car parking and servicing needs arising from a particular development do not adversely affect the safe and efficient operation of the highway network or the local environment. The standards reflect the Council's support for a balanced transportation strategy and guidance in PPG13 "Transport". Car parking provision must also relate to the availability of*

public transport and should be set at a level which encourages the use of public transport. In accordance with PPG13 "Transport", local authorities "should adopt reduced requirements for parking for locations which have good access to other means of travel than the private car". This relates particularly to the Borough's main bus and Metrolink corridors and to the town and district centres, which are well served by public transport.

5.3.24. The Council's **Local Development Scheme** explains that the existing Supplementary Planning Guidance (SPG) which in this case is the **DEVELOPMENT CONTROL POLICY GUIDANCE NOTE 13 Conversion of Buildings to Houses In Multiple Occupation** will be replaced by a new Supplementary Planning Documents (SPD) that will be aligned to policies within the Local Plan once these are adopted. The PfE now provides the up-to-date policies for conversions, but the SPG has not been updated and without this foundation, along with the age of the existing document, the weight to be given to it is very limited.

5.3.25. However, the SPG has been considered for completeness along with all the above policies which have been taken into account in the formulation of this application and the resulting issues and assessment are explained below.

6. Planning Considerations

6.1. The Principle of the Development

6.1.1. The proposed HMO meets the test of sustainable development as set out in the **NPPF** as follows:

Economic role – the accommodation will provide an economic benefit by sustaining local employment in construction, providing an efficient use of an otherwise partly vacant building without having to provide new infrastructure.

Social role – the proposal will provide a quality addition to the housing stock helping to meet a local demand for small dwellings, identified in the Places for Everyone Plan.

Environmental role – the renovation and conversion of the building will greatly improve the local environment and will meet the

environmental standards set out in the Building Regulations. The proposals reuse and regenerate a partly vacant property within the urban area for an appropriate residential use. This will help to protect more important open land elsewhere. The site is located in a highly sustainable location with excellent transport links and adequate on-site cycle storage.

6.1.2. Following the adoption of the PfE DPD in March 2024, the Council states that it is now able to demonstrate a five-year supply of deliverable housing sites with a 20% buffer. Nonetheless, by virtue of the latest Housing Delivery Test, the Council accepts that paragraph 11 d ii) of the Framework is engaged, creating a “tilted balance” in favour of sustainable development such as this.

6.1.3. In accordance with the NPPF, the proposal represents a sustainable development of an under-utilised site which will help to meet an identified need for housing where land supply is constrained, as is the case in Bury due to its under-delivery of housing.

6.1.4. The **Places for Everyone Plan**, prioritises accessible locations for new high density residential development, particularly on brownfield sites. The application meets these policy requirements as it is highly accessible, close to a wide range of shopping facilities, educational establishments and employment opportunities with very good public transport connections.

6.1.5. The provision of windfall housing will therefore assist in the achievement of the council’s strategic objective of providing for the needs of its growing population in a sustainable location.

6.1.6. The impending changes to the NPPF are likely to dramatically increase the housing land requirements in Bury, which emphasises the need to make the best use of available land and buildings within the urban area and minimise the use of the green belt. The application is fully in accordance with the direction of travel of the government’s impending gear change in housing delivery.

6.2. **Assessment against POLICY GUIDANCE NOTE 13 Conversion of Buildings to Houses In Multiple Occupation**

6.2.1. The background to the guidance is explained as follows:

2.1 The conversion of large houses and the change of use of other buildings into flats or bed-sits can often make an important contribution to the local housing stock, providing small dwellings often for rent and without the requirement for additional land up-take. Such conversions are also often the best way to utilise vacant or underused space, including space above shops.

2.2 However, it is recognised that the conversion of buildings to HMO can raise privacy issues, parking problems, put demand on services and can have an adverse effect on residential amenity. Some conversions also seek to change the external appearance of buildings which can sometimes harm the fabric of a particular building or even the whole character of an area.

2.3 Due to these concerns it is important that any conversions to HMO that do take place provide satisfactory standards of accommodation for future and existing residents and that any harmful impact on their amenity is minimised.

6.2.2. The guidance sets out 5 specific topic areas for consideration of the application which are assessed and explained below.

1. the effect on the amenity of neighbouring property through noise, visual intrusion, the position of entrances, impact of parking areas, extensions and fire escapes

6.2.3. The property is a substantial building with a commercial history, currently in use for a ground floor/basement restaurant. Falling within Class E of the Town & Country Planning Use Classes Order, it can be used for a wide variety of business activities without further permission. This wide range of uses is also unrestricted by any time limitations from a planning perspective.

6.2.4. These provisions provide a fall-back position against which the proposal has to be assessed. The lawful use in its current form as a restaurant attracts significant numbers of visitors, including groups of diners, 6 evenings a week. This level of activity generates significant comings and goings, with consequent increase in noise levels around the premises during opening hours. Another operator could operate more extensive hours of use with even greater impact.

6.2.5. The property could also be converted to residential use (C3) through a prior approval process under Class MA of The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021.

6.2.6. In addition, the Council has previously approved a 4 bed HMO on the first floor, which demonstrates the acceptability of the use in principle, as well providing a further level of base line activity for the building, against which the details of this application has to be judged.

6.2.7. By comparison to the fall-back level of activity, the proposed HMO is a residential use and a home for up to 13 people. Coming and going by residents will be predominantly through the main entrance on the corner of Whittaker Lane, with its traffic and commercial activity, including the Royal Oak Public House opposite, meaning that the level of activity will not be out of keeping with the location. The entrance door is set away from residential property, the nearest being the three houses on Stores Street, which are set back from the street frontage and relatively secluded.

6.2.8. The majority of activity within the property will be contained within the building. To the rear, the yard will be used for waste/recycling and bike storage. Access to these facilities will be sporadic and will create minimal noise. Similarly, the use of the sunken patio will be by individuals or small groups and being below ground level any noise will be largely contained within the site.

6.2.9. The level of activity from the HMO is therefore unlikely to be any more intrusive or onerous than the lawful fall-back use and will have no material adverse impact on nearby residents or neighbouring commercial property along Whittaker Lane.

2. the general character of an area and respect for the street scene

6.2.10. The surrounding area is of mixed commercial and residential use, with the property occupying a corner frontage position of transition between commercial and residential uses. The conversion to a HMO is entirely consistent with the mixed character of the area. The alterations to the external building fabric respect its character and the removal of the large rear steel flue, security shutters and signage along with its general renovation, will significantly improve its appearance within the street scene.

6.2.11. The addition of 13 residents will also support the economy of the local shops and hospitality establishments.

3. respect for the building's exterior and particular characteristics;

6.2.12. The limited alterations to the external fabric are sympathetically designed and will respect and enhance its character.

4. the standard of accommodation for occupants

6.2.13. The accommodation exceeds the HMO licencing standards, with good sized en-suite bedrooms and a generous range of communal facilities within the basement.

5. car parking and servicing requirements

6.2.14. The Council's Policy Guidance explains the following

3.21 Parking issues will be a major consideration when assessing a planning application for HMO, as parking will impact significantly on the character of an area/building and on the general amenity of residents. Any proposal that is considered to have a detrimental impact on highway safety or harm to amenity will not be permitted.

3.22 When assessing planning applications, the Council will seek to ensure that the proposals provide adequate levels of car parking to meet the future requirements of the likely occupants. Where possible, the car parking should be provided off street.

3.23 However, the Council recognises that it is difficult to set actual car parking standards for HMO as this will often depend on the end user and the location of the property. Accordingly, the level of parking provision will be considered depending on the specific circumstances involved and location of the proposal.

3.24 Nevertheless, as a general principle, off-street car parking facilities should be provided for future occupants where this is possible. The type of resident to be accommodated, together with visitor demand and any requirements for staff parking should be considered when determining parking provision. 3.25 Where no off-street parking can be provided then the effect of the development upon parking in the vicinity of the site will be carefully considered to ensure that there will be no significant adverse impact upon residential amenity or highway safety.

6.2.15. The property does not have any dedicated parking facilities and its existing fall-back use relies on customers walking or using public transport. The highly accessible location close to the Metro-link station and high frequency bus services along the A665 Bury Old Road as well as the absence of dedicated parking mitigates against the need to use

the private car. This is supported by the provision of secure cycle for all residents.

6.2.16. Should visitors to the property use the car, there is a public car park across the road and anyone residing at the property wishing to own a car may apply for a resident's parking permit for on-street parking.

6.2.17. This approach to parking provision in such a highly accessible area is supported by PfE policies and the acknowledgment that HMOs create low demand for parking. Comparison to the potentially greater demand for parking generated by the restaurant also favours zero provision for the HMO use. With no dedicated parking, there cannot be any adverse effect on highway safety and therefore the proposal is policy compliant in this respect.

6.2.18. Therefore although the Guidance Document is out of date and not linked to an extant policy, its requirements are satisfied by the application.

6.2.19. Landscaping, Ecology and Biodiversity Net Gain (BNG)

6.2.19.1. The images below shows the only outside space, which is a neglected hard surfaced rear yard. Other than some weed growth through the concrete floor, the site is devoid of any vegetation, apart from Common Ivy (Hedra Helix) which is colonising the walls from adjacent land.





6.2.19.2. Sites where impacts on biodiversity with less than 25 square metres of non-priority, on-site habitat, or five metres of non-priority, on-site linear habitats such as hedgerows are exempt from BNG assessment on a de minimis basis. The site therefore meets the de minimis exemption with regard to Biodiversity Net Gain assessment

6.2.19.3. The proposals do not involve any alterations which would have any impact on a protected species.

6.2.19.4. The design of the development incorporates both hard and soft landscaping to provide an attractive courtyard setting for the residents.

6.2.19.5. The proposals will therefore have no adverse impact on wildlife and can incorporate bird and bat boxes to enhance the biodiversity.

6.2.20. **Drainage and Services**

6.2.20.1. All utility service connections are available in the adjacent highway to serve the development.

6.2.20.2. The site is connected to the main drainage system, which will be utilised for surface water and foul sewage, as existing.

6.2.21. Flood Risk

6.2.21.1. The site is within the Environment Agency Flood Zone 1 where the risk of flooding is low and it is not affected by surface water flooding, so there is little probability of flooding affecting the development.

7. Overall Conclusion

The proposal is a sustainable form of development as set out in the NPPF, which will provide new residential accommodation in a highly accessible location. As the Council has failed to deliver adequate housing in recent years the application is subject to the “tilted balance”. There are no policies in the Framework that protect areas or assets of particular importance which provide a clear reason for refusing the development and no adverse impacts which would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies taken as a whole.

The development represents windfall housing at a time of acute housing shortage and is of a type with an identified need, set out in the Places for People Plan. The proposal must also be considered in the light of the impending changes to the planning system with the aim of boosting housing supply.

The principle of a residential development on this site is not only acceptable within the context of the planning framework, but represents an appropriate form of development which will avoid any adverse effects on the residential neighbours which can occur from the existing lawful commercial use.

The changes to the building will improve its appearance and positively affect the local environment and the new use will support the local economy.

The provision of cycle storage for all residents complements the accessible location with excellent public transport connections and will discourage undue use of the private car in accordance with PfE policies.

The assessment of the layout and design demonstrates the acceptability against the Council’s policy guidance. The proposal will provide good

quality en-suite accommodation with shared facilities including kitchen/dining accommodation, cinema, games and laundry rooms within the cellar.

The development is entirely in accord with the principles and detail of the development framework and should be granted permission.