



## DELEGATION

- 1.1 The application is referred to the Planning and Licensing Committee in accordance with the scheme of delegation, as the application has been called up by Councillor Sara Rowbotham due to concerns over local highway conditions and lack of parking.

## PROPOSAL SUMMARY

- 2.1 The application proposes a change of use from a Public House (Use Class Sui Generis) to an eight bedroom House in Multiple Occupation (HMO) (Use Class Sui Generis).

## RECOMMENDATION

- 3.1 That planning permission be **GRANTED** subject to conditions.

## REASON FOR RECOMMENDATION

- 4.1 The proposed change of use of the public house to an eight bedroom HMO would be acceptable in principle and would provide a suitable standard of residential amenity for future occupiers of the development and would not harm the amenity of surrounding occupiers. The proposals are considered acceptable in terms of access, highways and parking. As such, the proposal complies with the development plan.

## **SITE**

This application relates to No.14 Cheapside, known as the Friendship Inn, a detached two-storey Public House with additional basement level located within a predominantly residential area to the north of Middleton town centre. The site is currently vacant and has been since circa 2018. The property sits on a corner plot at the eastern side of the junction between Cheapside and High Street, facing north towards the highway opposite nos.25-29 Cheapside. The property is adjacent to North End Club, currently in use as an indoor play centre. The former car park of the pub is sited immediately south of the property, although this has been sold separately and no longer forms part of the site.

## **PROPOSAL**

Full planning permission is sought for the change of use of the Public House (Use Class Sui Generis) to a House of Multiple Occupation (HMO) containing 8 no. bedrooms (Use Class Sui Generis).

To accommodate the change of use to a HMO, the internal layout of the building will be revised to include four bedrooms and a communal kitchen to the ground floor and four additional rooms to the first floor. Each individual bedroom is to contain an ensuite bathroom. Cycle storage and a shared amenity space is provided at basement level and bin storage is included to the rear yard.

## **AMENDMENTS**

It is noted that the previous scheme proposed under planning application 20/01311/FUL was not considered to comprise a HMO by the Local Planning Authority due to an absence of shared amenities (as set out under the Housing Act, 2004). Similar concerns were shared with the original plans submitted with this application which included kitchenettes for the exclusive use of each individual unit. The plans were amended to include remove each kitchenette and provide a dedicated kitchen facility for shared use by the occupiers. The proposal has subsequently been considered to fulfil the definition of a HMO.

## **DEVELOPMENT PLAN**

Adopted Rochdale Core Strategy (RCS):

<b>SD1</b>	Delivering sustainable development
<b>DM1</b>	General development requirements
<b>SO2</b>	<b>Creating successful and healthy communities</b>
<b>C1</b>	Delivering the right amount of housing in the right places
<b>C3</b>	Delivering the right type of housing

<b>SO3</b>	<b>Improving design, image and quality of place</b>
<b>P3</b>	Improving design of new development
<b>SO4</b>	<b>Promoting a Greener Environment</b>
<b>G8</b>	Managing water resources and flood risk
<b>G9</b>	Reducing the impact of pollution, contamination and land instability
<b>SO5</b>	<b>Improving accessibility and delivering sustainable transport</b>
<b>T2</b>	Improving accessibility

Unitary Development Plan (UDP):

**G/D/1** Defined Urban Area

Supplementary Planning Documents (SPD): Guidelines and Standards for Residential Development (June 2016)

**NATIONAL PLANNING POLICY AND GUIDANCE**

National Planning Policy Framework (NPPF) – July 2021  
National Planning Practice Guidance (NPPG)

**RELEVANT HISTORY**

20/01311/FUL Change of use to eleven bed House in Multiple Occupation (HMO) (sui generis) with minor external alterations - Refused 19<sup>th</sup> February 2021

- Reasons:
- 1 By virtue of its internal arrangements and the proposed quantum of development, the proposal would provide inadequate internal space for the occupiers and, in respect of Unit 11, an unsatisfactory standard of light and outlook. The proposal would therefore result in an unacceptable standard of accommodation for future occupiers, to the detriment of their residential amenity. The proposal therefore fails to accord with policy DM1 of the adopted Rochdale Core Strategy, the Council's 'Standards and Guidelines for Residential Development' SPD and the National Planning Policy Framework.
  - 2 The proposed development would result in an increase in on-street parking and would increase the risk to the safety of pedestrians and highway users. The proposal is therefore detrimental to highway safety, contrary to policies DM1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

## **CONSULTATION RESPONSES**

**Highways and Engineering** - We do not support this application but we offer no sustainable objection to these proposals.

This proposal will not generate any great volume of traffic. The applicant proposes no off street parking for this development. Whilst we accept that there will be a low car ownership level and we understand the sustainable location of this proposal we do not accept that there will be no vehicles associated with this proposal. The close proximity of the car park adjacent may see this being used by residents until it changes use or another development comes forward. Once this Car Park Changes use vehicles will park upon the surrounding highways. On Street parking is prevalent in this area and the addition of the cars associated with this proposal may not create a severe issue.

**Strategic Housing** - No comments received to date.

## **TOWNSHIP PLANNING PANEL**

None.

## **MEMBER REPRESENTATIONS**

None.

## **PUBLIC REPRESENTATIONS**

<b>Objection Reps</b>	23	<b>Support Reps</b>	8	<b>Neutral Reps</b>	0
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Letters of notification were sent by the LPA to surrounding properties and a notice was posted in the vicinity of the site. 23 letters of objection and 8 letters of support were received.

The contents of the letters raised concerns over:

- Inadequate Parking and impact on the highway network
- Increase in noise and disturbance
- The area is saturated with HMOs
- Unsuitable location near to elderly residents
- Issues relating to noise, disturbance and anti-social behaviour from the assumed occupants.

- Other HMOs in the area are subject to criminal activity
- The site is adjacent to a child's play centre and therefore inappropriate

**Officer's response:** The concerns relating to highway safety are addressed in the 'Highways' section of the report, and the issues relating to the general noise and disturbance are addressed in the 'Amenity' section. However, it would be unreasonable to make assumptions in relation to the potential behaviour of any future occupants.

The letters of support received stated a need for this type of accommodation in the area with respect to its affordability.

## **ANALYSIS**

### **Principle of Development**

1. Policy C1 of the adopted Core Strategy seeks to provide the right amount of homes in the right places, with a specific focus on regenerating inner areas and town centres.
2. The principle of a HMO at this location is considered to be acceptable as the site is located in a residential area within the Defined Urban Area and is sustainably located close to Middleton town centre. The development may be considered acceptable in principle, subject to compliance with other development management requirements, assessed below.

### **Accommodation Standards, Impact on Residential Amenity and Noise**

3. Core Strategy policy DM1 requires all development proposals to demonstrate that they will not have a negative impact upon the amenity of future residents and occupiers. Policy G9 requires that sensitive new developments such as housing are not adversely affected by existing sources of pollution, including noise, from certain types of industry. Paragraph 130 of the National Planning Policy Framework advises that planning decisions should result in places with a high standard of amenity for existing and future users.
4. Whilst not forming part of the Development Plan, the proposals have been considered in respect to the Council's '*Accommodation with facilities shared by occupiers*' standards, a document produced by the Council's Private Rented Sector which details the space standards which new HMOs are expected to comply with. In respect of this document, bedroom and kitchen floor areas would exceed the described standards and are considered suitable for occupation.

5. The omission of any formal provision of outdoor amenity space can be accepted where the proposed units are not considered to constitute a family residence, and suitable opportunities exist within the vicinity of the site to provide suitable access to outdoor public amenity space at West Street to the northeast and from Parsons Drive to the west.
6. The site has a lawful use as a public house. Although vacant, the public house could reopen at any point without permission. The acceptability of the change of use would be considered in this context. Given the application property is detached, there are no concerns over noise transmission through shared party walls.
7. In respect of the bungalows opposite to the north, the layout of the bungalows is such that a bathroom is located to the front of the dwelling, the window of which is obscure glazed. The orientation of habitable room windows towards the front facing fenestration of the bungalow would not result in an unacceptable loss of privacy for the existing occupiers. It is noted that the privacy of the occupants of these dwellings is relatively compromised at present through an absence of defensible space to the front, especially so when the existing lawful use of the site as a Public House is considered.
8. In light of the above, the proposal would not unduly impact on the amenity of the occupants of neighbouring properties and would provide an acceptable level of amenity for future occupiers in accordance with policy DM1 of the adopted Rochdale Core Strategy, the SPD and the NPPF.

### **Impact on Character and Appearance**

9. The application proposes limited changes to the external appearance of the building to facilitate the conversion to a HMO. The replacement of fenestration would be minor in the context of the property and the changes to a small area of roofing to the rear are considered to be of extremely limited visibility. As such, the proposal would not unduly impact the character or appearance of the host property or surrounding street scene and would be in accordance with Core Strategy Policies DM1 and P3, and the National Planning Policy Framework.

### **Highways**

10. The site is in a relatively sustainable location, close to Middleton Town Centre. The A664 Long Street serves as a bus corridor, with existing bus

stops within 50m of the site providing access to regular services to Rochdale centre and Middleton town centre, from which it would be possible to alight to services to Manchester city centre and other points of interest within Greater Manchester. Accordingly, access to the site would be feasible by public transport as an alternative to private car use.

11. The proposals do not include any car parking provision. The Council's Highways Officer acknowledges the sustainable location of the site and that this proposal will not generate any great volume of traffic as there will be a low car ownership level, however they do not accept that there will be no vehicles associated with this proposal. The close proximity of the car park adjacent may result in this being used by residents until it changes use or another development comes forward, after which vehicles will park on the surrounding highways. On street parking is prevalent in this area and the addition of the cars associated with this proposal may not create a severe issue. As such, they conclude that they do not support this application but offer no sustainable objection.
12. It is noted that cycle storage is proposed in the basement and this may be difficult to access and egress with a bicycle. Nonetheless, the application would provide secure cycle storage that would allow future occupants to store their bicycles.
13. In the absence of any objection from the highway authority, on balance it is considered that the proposal would not unduly impact on the highway safety and would therefore accord with policies DM1 and T2 of the adopted Rochdale Core Strategy, the relevant requirements of the SPD and the NPPF.

### **Refuse Storage**

14. The application includes bin storage within the rear yard of the property and refuse containers would be transported to the highway for collection via an alleyway which runs along the east elevation of the property. It is noted that this is outside of the applicants' ownership boundary, however it is confirmed that there is a legal access right over the land which would ensure it remains open for the transporting of refuse in perpetuity.

### **Conclusion**

15. The proposed HMO would be acceptable in principle, would not harm the amenity of neighbouring occupiers, whilst providing a suitable standard of residential amenity for future occupiers of the development. The proposals are considered acceptable in terms of access, highways and

parking and the recommendation is therefore to grant planning permission.

## **RECOMMENDATION**

It is recommended that the Planning and Licensing Committee resolves to **GRANT planning permission** subject to the following conditions.

1. The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. This permission relates to the following plans:-
  - 1929-20-100 Rev. A– Existing Location Plan, Site Plan, Floor Plans and Elevations
  - 1929-20-101 Rev. F – Proposed Location Plan, Site Plan, Floor Plans and Elevations

and the development shall be carried out in accordance with these drawings hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework.

3. No part of the development shall be occupied until such time as full detail of the construction and design of the refuse/recycling bin store, as shown on approved plan ref. 1929-20-101 Rev. F, has been submitted to and approved in writing by the Local Planning Authority. No part of the building shall be occupied until such time as the duly approved facility has been constructed and made available for use; the bin store shall be retained as constructed for its intended use thereafter.

Reason: To ensure the provision of satisfactory and secure facilities for storage of refuse and in the interests of visual amenity in accordance with policy P3 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement: To ensure that appropriate bin storage provision is available upon first occupation.

4. No part of the development shall be occupied until such time as full detail of the construction and design of the bicycle store, as shown on approved plan ref. 1929-20-101 Rev. F, has been submitted to and approved in writing by the Local Planning Authority. No part of the building shall be occupied until such time as the duly approved facility has been constructed and made available for use; the bicycle store shall be retained as constructed for its intended use thereafter.

Reason: To ensure that adequate and satisfactory provision is made for bicycle parking and in order to encourage alternative modes of travel to the site apart from the motor car or other motorised vehicles, in accordance with policies DM1 and T2 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

Reason for pre-commencement: To ensure that appropriate cycle storage provision is available upon first occupation.

5. The maximum number of bedrooms within the House in Multiple Occupation hereby approved shall not exceed eight.

Reason: In the interest of highway safety and in the interests of the amenity of occupiers, in accordance with policies DM1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.