

APPLICATION REPORT - FUL/345796/20
Development Control Delegation

Registration Date: 11th November 2020
Ward: Shaw

Application Reference: FUL/345796/20
Type of Application: Full Application

Proposal: Change of use from public house to temporary emergency sheltered accommodation (18 bedrooms) including hip to gable roof; front and rear dormers and alterations to windows/doors
Location: 70 - 74 Milnrow Road, Shaw, Oldham, OL2 8ER,
Case Officer: Sophie Leech
Applicant: Ms Mehtab Shaukat
Agent : Mr Belal Rashid

RELEVANT PLANNING HISTORY :

Planning Applications History (if any):

Reference No.	Status	Decision Date	Proposal
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Planning Appeals history (if any):

Reference No.	Status	Decision Date	Proposal
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RELEVANT PLANNING POLICIES

In this case the 'Development Plan' is the Joint Development Plan Document (DPD) which forms part of the Local Development Framework for Oldham.

The following policies are relevant to the determination of this application.

Joint Development Plan Document

Policy 05 - Promoting Accessibility and Sustainable Transport
Policy 09 - Local Environment
Policy 11 - Housing
Policy 20 - Design
National Planning Policy Framework

Statutory and Internal Consultees:

Shaw And Crompton Parish Council Recommend refusal - unacceptable visual amenity; oversized dormers leading to effectively a third floor which could lead to visual intrusion to neighbours; potential noise/disturbance; density of layout not acceptable.

Highways Engineer No objections.

Environmental Health No suggested conditions for the application. The building will create a licensable HMO. The applicant is advised to contact the Neighbourhood Enforcement Team to submit an application.

REPRESENTATIONS

3 **support** comments have been received.

0 **neutral** comments have been received

103 **objection** comments have been received

SUMMARY OF OBJECTIONS

- ☐ The building is not big enough;
- ☐ Social issues will cause problems for existing residents;
- ☐ Parking is an issue in the area already;
- ☐ Anti-social behaviour will be a problem.

THE SITE

The application site is located on Milnrow Road, Shaw and is the former Weavers Answer public house. The building sits in a prominent corner position and is built of traditional stone with a slate roof. The area is mixed use with commercial uses along Milnrow Road and surrounding residential uses which lead off Milnrow Road. The area comprises traditional housing, therefore there is limited on street parking. There is a bus stop outside the site and the site is approximately 0.3 miles from the Metrolink stop at Shaw & Crompton.

THE PROPOSAL

This application seeks planning permission from a change of use of public house to temporary sheltered accommodation, providing 18 single bedrooms. To facilitate this there would also be the provision of a hip to gable roof extension to allow two large dormers (one to the front and one to the rear) along with alterations to windows and doors.

PLANNING CONSIDERATIONS

Principle of Development

The site lies within the sustainable settlement of Shaw; therefore, the principle of residential development is accepted, subject to compliance with relevant policies.

Housing Provision

At present the Local Planning Authority is not able to demonstrate a 5-year housing land supply and the Housing Delivery Test indicates that the delivery of housing has been substantially below the housing requirement for the past 3 years.

Therefore the 'tilted balance' provided by paragraph 11 (c) (d) of the NPPF applies to the consideration of this application. Once the tilted balance is engaged, it means that the Authority cannot rely on giving its relevant adopted development plan policies full weight and planning permission should be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies in the NPPF when taken as a whole or where specific policies in the NPPF indicate development should be restricted.

Design & Appearance

The building occupies a prominent position on Milnrow Road and is sited within a street scene of buildings which vary in design and appearance. There are a small number of

dormers seen in the immediate street scene, however they are small and fit comfortably within the roof slopes.

It is proposed to install two large dormers onto the building. The dormers will extend across the entire front and rear roof slopes by the provision of a hip to gable roof extension. Due to the siting of the building on the corner of Chancery Lane and Milnrow Road, the proposed roof additions would be clearly visible from the street scene. The additions by virtue of the scale and massing would have a significant, adverse impact on the character and appearance of the street scene.

The roof additions would also diminish the traditional features of the building such as the slate roof and traditional shallow hipped end of the building. As a result, the proposal would not comply with Local Plan Policies 9 (Local Environment) and 20 (Design) which seek to ensure development does not have a significant, adverse impact on the visual amenity of the surrounding area and to ensure proposals reflect the character of an area.

Residential Amenity

Local Plan Policy 9 (Local Environment) sets out that the Council will protect and improve local environmental quality and amenity by: ensuring development does not cause significant harm to the amenity of the occupants and future occupants; by ensuring there is no significant harm on neighbouring privacy and outlook, and lastly by ensuring there is no significant loss of light.

The front and rear dormers would serve habitable bedrooms and the existing first floor windows would also serve new habitable bedrooms. The rear dormer would overlook surrounding gardens; however, this situation would be no different if properties on Chancery Lane, Gordon Street or Buckley Street installed rear dormers under permitted development rights. As a result, it is considered that there would be limited impact on overlooking and privacy of surrounding residents.

In respect of activity associated with the proposal, given the previous use as a public house and the mixed commercial/residential character of the area, it is not considered that the proposal would harm local amenity.

With regard to concerns of potential anti-social behaviour and social problems, whilst such considerations can represent material planning considerations, it is necessary for such concerns to be based on definitive evidence, and in the absence of such, refusal of the application on such grounds cannot be justified.

Highways & Parking

Local Plan Policy 5 (Promoting Accessibility and Sustainable Transport Choices) states that the Council will guide development in the most sustainable locations and will encourage the use of public transport, Metrolink, walking and cycling. The policy seeks to ensure that all development has access to public transport.

The Policy also seeks to ensure that development does not increase traffic levels and does not harm the safety of road users. Furthermore, Paragraph 109 of the NPPF also states that development should be refused if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Highways Engineer has raised no objections to the proposal. The site is in a sustainable location close to public transport and a wide range of local amenities. It is considered there would not be any significant increase in traffic or demand for on street parking in the area resulting from the development. As a result, the proposal would support Policy 5 and 9.

CONCLUSION

Whilst there is a need for temporary accommodation in the borough, the roof alterations, by virtue of the hip to gable extension and dormer size would create over dominant and incongruous features which would cause significant, adverse harm on the character and appearance of the building and street scene. As a result, the proposal creates substantial harm which would not significantly and demonstrably outweigh the benefits of the scheme.

RECOMMENDATION:

Refuse Permission, for the following reason:

1 The proposed roof alterations, by virtue of the hip to gable extension and extensive dormer sizes would create over-dominant and incongruous features which would cause significant, adverse harm on the character and appearance of the building and street scene. The proposed development is therefore contrary to Policies 9 and 20 of the Oldham Local Plan.