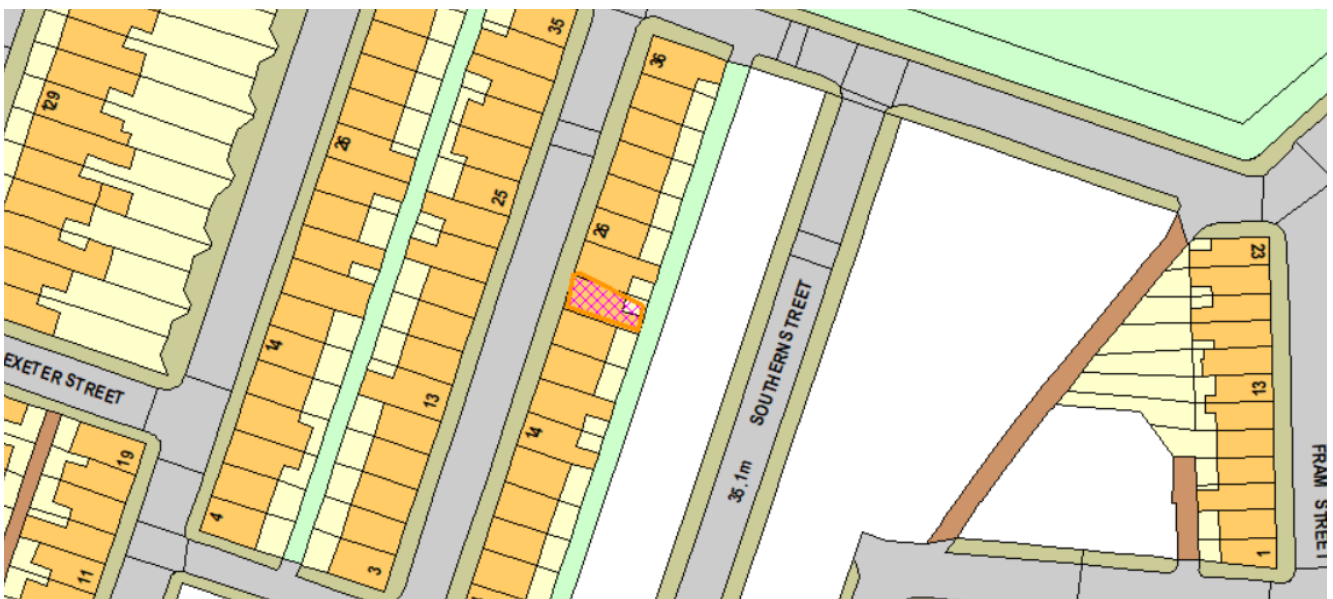


**APPLICATION No:** 22/81030/COU  
**APPLICANT:** Lakhel  
**LOCATION:** 22 Goulden Street, Salford, M6 5PY,  
**PROPOSAL:** Conversion of residential dwelling (Use Class C3) into a four bedroom HMO (Use Class C4).  
**WARD:** Weaste And Seedley

**REASON FOR PANEL DECISION:** Objections received from more than 5 separate premises.



### **Description of Site and Surrounding Area**

The application relates to a terraced residential dwelling (Use Class C3) on Goulden Street, Salford. The property sits within a long terrace of dwellings that are set on the back edge of the pavement. The property is two storeys in height, with 3 bedrooms and is constructed out of brick with a tiled roof. The wider area is predominantly residential in character, mostly comprising 1900s terraced and semi-detached housing.

There are no parking restrictions directly to the front of the application site. The rear of the site is accessed via an access passageway off Alexander Street. Beyond the access passage way is a housing development site currently under construction called 'Neighbourhood'.

### **Background**

Typically, the change use of a typical C3 dwellinghouse, to a property used as a 'small' HMO that is shared by between three and six unrelated people in use class C4, can be undertaken without the need for planning permission under permitted development rights. However, on Tuesday 14 November 2017 the City Council issued an Article 4 direction for all of the Central Wards, determining that an application for planning permission would be required for the change of use of dwellinghouses to small HMOs. This Direction was extended to the wards of Barton and Eccles from 25 November 2018.

This application is a result of the implementation of that Article 4 direction.

A previous application 22/80347/COU for the “conversion of residential dwelling (Use Class C3) into a four bedroom HMO (Use Class C4)” was refused by the Local Planning Authority under delegated powers on the 07<sup>th</sup> December 2022 for the following reason:-

*The proposed development would offer a cramped and rudimentary form of accommodation, and would not include an appropriately sized dining room and bedroom (room 2) which it is considered would not support strong, vibrant and healthy communities and would not achieve a high-standard of amenity for its occupants. Consequently, the development is contrary to Policies H1 and DES7 of the City of Salford Unitary Development Plan, emerging policies D5 and F3 of the Publication Salford Local Plan, and the NPPF.*

This current proposal seeks to address the reason for refusal.

### **Current Proposal**

Planning permission is again sought for the conversion of the residential dwelling (Use Class C3) into a four bedroom HMO (Use Class C4).

The accommodation would be split over two levels with two bedrooms located on the ground floor and two bedrooms located on the first floor. Communal space is provided on the ground floor by way of a combined dining/kitchen area. A small area of amenity space for the occupiers of the property is available in the rear yard area.

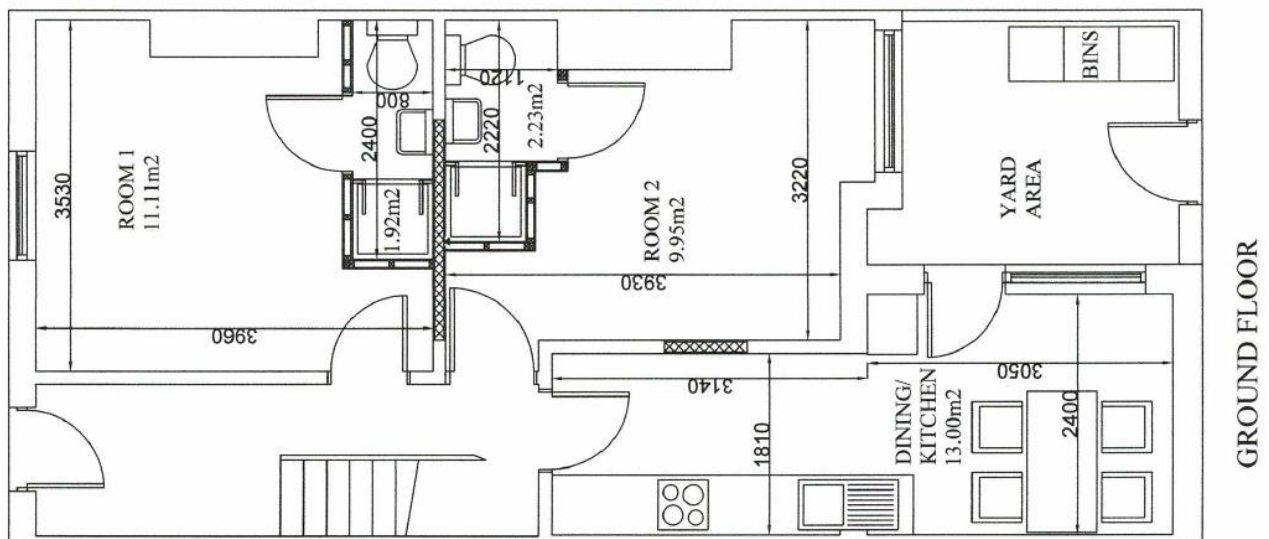
The schedule of accommodation is as follows (approx.):-

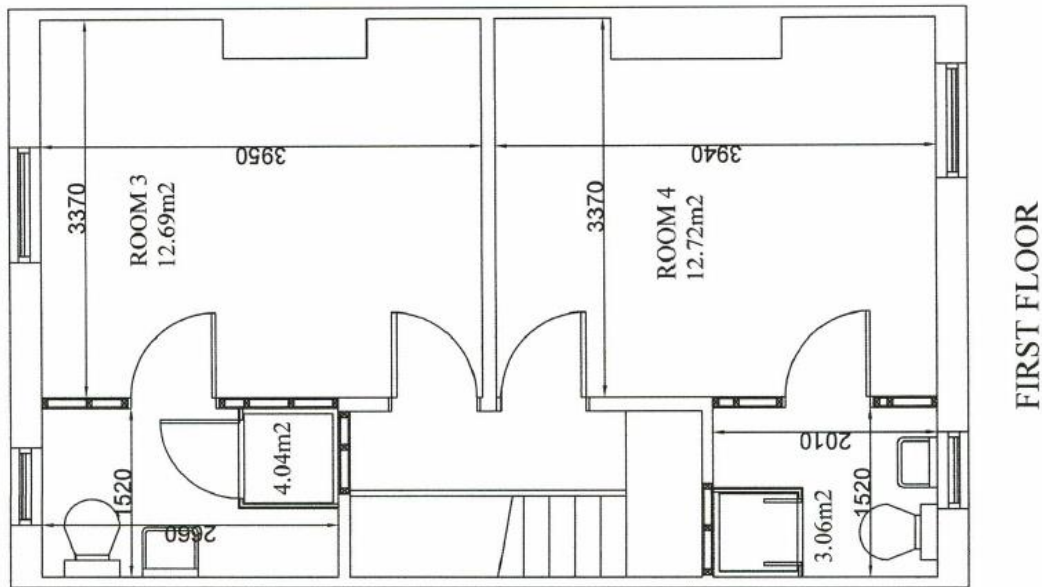
#### Ground Floor

- Bedroom 1 = 11.1m<sup>2</sup> (excluding en-suite)
- Bedroom 2 = 9.9m<sup>2</sup> (excluding en-suite)
- Dining/Kitchen = 13.0m<sup>2</sup>

#### First Floor

- Bedroom 3 = 12.7m<sup>2</sup> (excluding en-suite)
- Bedroom 4 = 12.7m<sup>2</sup> (excluding en-suite)





There would be no external alterations in order to accommodate the development.

There is no on-site parking provision within the curtilage of the dwelling. Bins would be stored in the rear yard area.

### **Relevant Site History**

**22/80347/COU** - Conversion of residential dwelling (Use Class C3) into a four bedroom HMO (Use Class C4). - Refused - 7 December 2022

### **Neighbour Notification**

Twenty Three (23) neighbouring occupiers have been notified of the application.

### **Representations**

43 letters of objection have been received in response to the application publicity. The representations received have raised the following issues:-

- This is a family orientated area and there are already a number of HMO's in the area, which is leading to an erosion of community spirit and cohesion due to the transient nature of the tenants.
- The turnover of residents is higher than for a single dwelling house.
- HMO's lead to an increase in anti-social behaviour and criminal behaviour.
- Increases in parking could restrict access for emergency vehicles and existing residents.
- The conversion into an HMO will result in the loss of a family dwelling when Salford needs family housing.

The above issues will be addressed in the appraisal.

- Internal alterations have already started prior to any planning application being approved.

*Case Officer Response - In this case internal alterations to a class C3 residential dwellings does not amount to development and therefore planning permission is not required.*

- The mess they have made in the street was unbelievable, throwing bricks and rubbish out of the bedroom windows onto the skip.  
*Case Officer Response – Whilst unfortunate, the behaviour of any builders would not fall within the jurisdiction of the Local Planning Authority. Any abusive behaviour can be reported to the appropriate authorities.*
- Disruption (including noise) due to building work.  
*Case Officer Response – As stated above the internal works that have been carried out do not require planning permission. Notwithstanding this any building work associated with the grant of planning permission would be for a temporary period and would not amount to a reason for refusal.*
- The developers are just interested in making a profit – not the community and these properties get sold to developers without even being put up sale to local people.

*Case Officer Response – The Local Planning Authority has no jurisdiction on the property market and who purchases a property.*

## **Consultations**

**HMO team** - The property meets the standards of a 4 bedroom HMO.

**Highways** - No objections.

**Air Quality, Noise, Contaminated Land** – No objections subject to condition that all noise generative construction works shall be restricted to the following hours.

o Monday to Friday: 08:00 ' 18:00

o Saturday: 09:00 ' 14:00

o Sunday and Public Holidays: No noise generative construction works.

## **Planning Policy**

### **Local Plan Policy**

F1 Inclusive development process  
F2 Social value and inclusion  
F3 Inclusive places  
F4 Fairness between generations  
H1 Type of housing  
H2 Size of dwellings

H10 Conversion and change of use of existing houses, and new build residential development of non-self contained units

A1 Supporting sustainable transport  
A3 Walking and cycling  
A6 Highway network  
WA4 Development and flood risk  
WA5 Surface water and sustainable drainage  
D5 Amenity  
D7 Housing design  
PH1 Pollution control  
WM1 Waste and development

## **Other Material Planning Considerations**

## **National Planning Policy**

National Planning Policy Framework

## **Local Planning Policy**

Supplementary Planning Document Design and Crime  
Planning Guidance - Housing

## **Emerging Planning Policy**

The National Planning Policy Framework (NPPF) paragraph 48 establishes that local planning authorities may give weight to relevant policies in emerging plans according to:

1. The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
2. The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
3. The degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The Places for Everyone Publication Plan, a joint Development Plan Document for nine districts in Greater Manchester, was published for consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 on 9 August 2021. Representations were invited until 3 October 2021; the plan was submitted to the Secretary of State for examination on 14 February 2022 and examination hearings commenced in November 2022 and are due to run until March 2023. The emerging policies which are relevant to this application are discussed where applicable in this report with appropriate weight being afforded in accordance with NPPF paragraph 48.

## **Appraisal**

### Principle

There is no planning policy requirement to demonstrate that there is a need for a House in Multiple Occupation (HMO).

The NPPF advocates a presumption in favour of sustainable development. It is the role of the planning system to support strong, vibrant and healthy communities by providing the supply of housing needed to meet the needs of present and future generations and by creating a high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural wellbeing.

As stated above, the site is located within an area where an Article 4 Direction has been introduced due to the existing concentration of HMOs. The Article 4 Direction was required in order to positively manage potential amenity and character impacts associated with HMOs and their concentrations, as well as to ensure that balanced communities are maintained within the City. Where there is a high proportion of HMOs clustered in one area, detrimental impacts associated with this housing type can occur. They can involve a more intense use of dwellings that may increase noise pollution or car parking demands, they can increase pressures on local services, and they can impact on social cohesion given that they often have a higher turnover of residents and therefore a more transient population.

The Case Officer has reviewed the number of HMOs along this section of Goulden Street and the immediate surrounding area. The Local Planning Authority can report that there is one other mandatory or additional HMO licence within the terrace row (which is currently under review at No.36 Goulden Street). The City Council does not have a 'threshold limit' on the allowable number of HMOs within a given area.

Policy H10 of the Publication Salford Local Plan sets out how conversions and changes of use from existing dwellings to HMOs and other uses will be controlled in order to ensure that a good supply of houses is maintained

within Salford and the positive character of neighbourhoods protected. Specifically, it advises that conversions to HMOs will not be permitted where they would result in any house that is in use as a single-family dwelling being immediately adjacent to more than one property that is in use as one of the following, student housing, HMOs, hotels and guesthouses, residential institutions, a hostel or children's home and similar uses and/or non-residential uses such as offices.

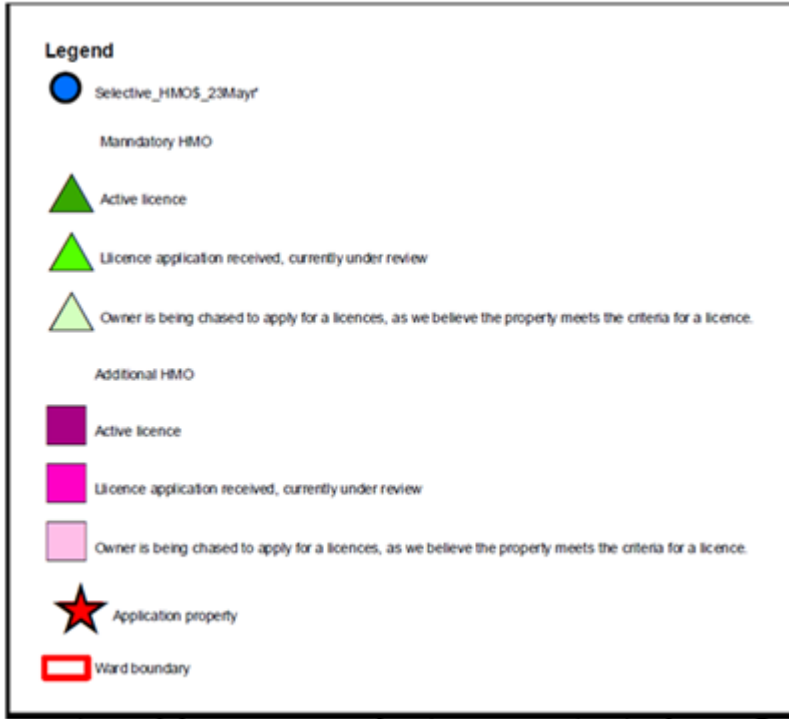


Image showing concentration of HMOs in the immediate area around the application site

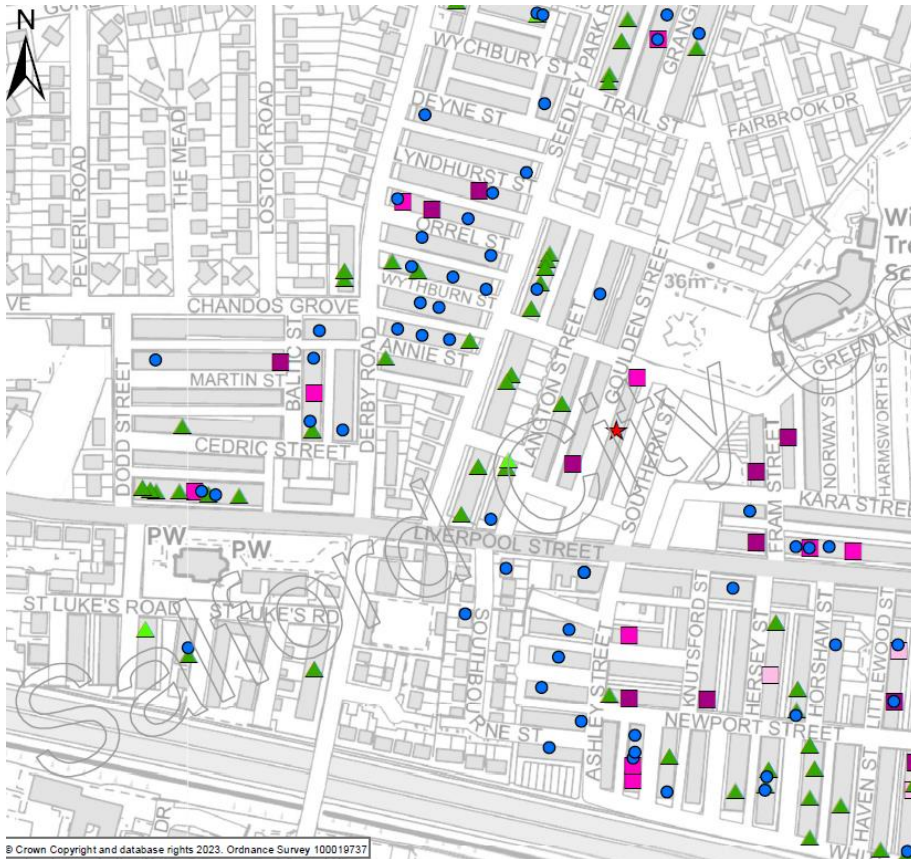


Image showing concentration of HMOs in the wider area

As can be determined from the above images there are only a small number of HMO within the streets immediately surrounding the application site. These are located at No.36 Goulden Street on the western side and No. 9 Goulden Street on the eastern side. A further HMO is located at 24 Langton Street. The concentration of HMOs along Goulden Street and Langton Street west of the site is therefore very modest. As such, the development would not result in an over concentration of HMOs in the immediate area. As a result, the proposed change of use would not adversely affect community balance and the availability of family housing.

Given the above the development will not result in C3 dwelling being immediately adjacent to more than one property that is in use as an HMO. As such it is considered to be in accordance to emerging Policy H10 in this respect.

#### Design/Visual Amenity

There would be no external alterations made to the building in order to accommodate the proposal. Therefore there would be no detrimental impact in respect of visual amenity on the host dwelling or the wider area.

#### Residential Amenity

As the property is set within a terrace, it shares party walls with the adjacent houses. It is not anticipated that the use of the property for a four-bed HMO will generate noise and disturbance over and beyond what would normally be anticipated for a family dwelling of this size in C3 use.

#### *Future Occupiers*

The purpose of the planning system is to contribute to the achievement of sustainable development (Para 7, NPPF). Sustainable development is expected to support strong, vibrant and healthy communities by fostering, inter alia, well designed, beautiful and safe places that support communities' health, social and cultural well-being (para 8b, NPPF). The NPPF also requires developments to achieve a 'high-standard' of amenity for existing and future users (para 130). Local Plan Policy D5, together with Policy F3, seeks to deliver a diverse mix of decent and adaptable homes.

The Council's handbook "Salford City Council's standards for houses in multiple occupation" (SFHMO) offers guidance to landlords on the physical standards that are required for licensing purposes including minimum room sizes, bathroom and kitchen facilities and fire safety provision. Whilst this document does not form part of the development plan for the area, it does nonetheless provide useful Council guidance in respect of acceptable room sizes.

The previously refused application proposed a separate lounge and kitchen that measured 5.19m<sup>2</sup> and 7.32m<sup>2</sup> respectively. The layout of the ground floor had merely removed the internal door between the two communal rooms and as such they could not be treated as a combined kitchen/lounge for the purpose of the SFHMO standards.

This current proposal has now created a combined communal kitchen/dining area of 13.0m<sup>2</sup> at ground floor level which exceeds the SFHMO standards by 2m<sup>2</sup>. As a result, these communal facilities are now considered to be acceptable for four occupants. In respect of bedroom sizes, it is noted that three out of the four bedrooms (1, 3 and 4) exceed the 10m<sup>2</sup> sought in the SFHMO, however, bedroom 2 is 9.95m<sup>2</sup> which is 5cm<sup>2</sup> short of the standards. Notwithstanding this the LPA is of the opinion that given the sizes of the other bedrooms, and the combined kitchen / diner, that the proposed layout would offer an acceptable level of amenity for its occupants and would support strong, vibrant and healthy communities.

The proposal would retain the rear yard for the storage of waste bins and a small amenity area for future occupiers of the development. In addition, the location of the development is within a 5 -10 minute walking distance of both Buile Hill Park & Langworthy Park, which would provide occupiers of the development with ample space for recreation.

#### Highways and Parking

The applicant seeks approval for change of use from a 3 bed Dwelling (C3) to a 4 bed House of Multiple Occupancy (C4).

The application site is located within a residential neighbourhood and is nearby to local amenities. The nearest bus stops are located 170m from the site on Liverpool Street, which provide regular connections to Pendleton, Eccles, The Trafford Centre, Manchester city Centre and many more destinations. Additionally, there is the Langworthy Tram stop located within 750m walk off site which provides regular connections to Eccles, Media City, Manchester City Centre and many more destinations therefore, the development is considered to be located in a sustainable area.

There are no parking restrictions directly outside of the site on Goulden Street. Therefore, it is anticipated that any parking associated to the property is likely to take place directly in front of the property or on the other roads close to the site, as per the existing C3 dwelling where there are sufficient on-street parking opportunities.

Due to the minor scale and sustainable location of the development it is considered to be in accordance with NPPF, it would not be considered to have a "severe" impact on local highway network and therefore the LPA has raised no objection to the planning application.

#### Waste/Refuse

At present, the property's refuse bins are located in the rear yard and this will continue to be the case. There is sufficient remaining space within the rear yard area to store the required number of refuse bins clear of the highway prior to their collection dates.

#### Other Issues

In terms of anti-social behaviour, no evidence has been provided to the Council that levels on Goulden Street and surrounding residential roads are high therefore the LPA find there is insufficient evidence to substantiate the local residents' concerns that the proposed development would increase noise, disturbance and other forms of anti-social behaviour. If such behaviour did occur, as with any residents in the community, the local authority and police have powers to deal with it.



## **Recommendation**

### **Approve**

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. The development hereby permitted shall be carried out in accordance with the following plans:

Location Plan dated December 2021

Drawing Nr. 002A Proposed Floor Plans dated 20/12/2022

Drawing Nr 001 Existing Floor Plans dated December 2021

*Reason: For the avoidance of doubt and in the interest in proper planning.*

3. The development hereby permitted shall not be occupied by more than four (4) residents.

*Reason: To safeguard the amenity of the future occupants of the development in accordance with policy D5 of the Local Plan.*

### **Statement of conformity with Article 35 of The Town and Country Planning (Development Management Procedure) (England) Order 2015**

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.

### **Notes to Applicant**

1. All drainage works must be carried out in line with the relevant building regulations.
  2. The applicant's attention is drawn to Building Regulations Approved Document E (Resistance to the Passage of Sound). Internal floor/ceilings and party walls designed for a single household will require additional sound insulation to be added to ensure future occupants have satisfactory accommodation.
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