

Planning Applications Report

**Planning Committee
5th January 2023**

**Bolton
Council**

Bolton Council has approved a Guide to Good Practice for Members and Officers Involved in the Planning Process. Appendix 1 of the Guide sets down guidance on what should be included in Officer Reports to Committee on planning applications. This Report is written in accordance with that guidance. Copies of the Guide to Good Practice are available at www.bolton.gov.uk

Bolton Council also has a Statement of Community Involvement. As part of this statement, neighbour notification letters will have been sent to all owners and occupiers whose premises adjoin the site of these applications. In residential areas, or in areas where there are dwellings in the vicinity of these sites, letters will also have been sent to all owners and occupiers of residential land or premises, which directly overlook a proposed development. Copies of the Statement of Community Involvement are available at www.bolton.gov.uk

The plans in the report are for location only and are not to scale. The application site will generally be in the centre of the plan edged with a bold line.

The following abbreviations are used within this report: -

CS	The adopted Core Strategy 2011
AP	The adopted Allocations Plan 2014
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guidance
PCPN	A Bolton Council Planning Control Policy Note
PPG	Department of Communities and Local Government Planning Policy Guidance Note
MPG	Department of Communities and Local Government Minerals Planning Guidance Note
SPG	Bolton Council Supplementary Planning Guidance
SPD	Bolton Council Supplementary Planning Document
PPS	Department of Communities and Local Government Planning Policy Statement
TPO	Tree Preservation Order
EA	Environment Agency
SBI	Site of Biological Importance
SSSI	Site of Special Scientific Interest
GMEU	The Greater Manchester Ecology Unit

The background documents for this Report are the respective planning application documents which can be found at:-

www.bolton.gov.uk/planapps

Application Number 13911/22

Directorate of Place
Development Management Section

Town Hall, Bolton, Lancashire, BL1 1RU
Telephone (01204) 333 333



Bolton
Council

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Date of Meeting: 5 January 2023

Application Reference: 13911/22

Type Of Application	Full Planning Permission
Registration Date	31 May 2022
Decision Due Date	12 July 2022
Responsible Officer	John Dupre
Authorising Officer	

Location	140 LOWER RAWSON STREET FARNWORTH BOLTON BL4 7RT
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Proposal	CONVERSION OF EXISTING DWELLINGHOUSE INTO A 7 BEDROOMED HOUSE OF MULTIPLE OCCUPANCY (HMO) TOGETHER WITH THE ERECTION OF A SINGLE STOREY EXTENSION TO REAR.
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Ward	Farnworth
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Applicant: Mr M Mogradioa

Agent: HAD n Co Property Consultants Ltd

OFFICER'S REPORT

Recommendation: Approve subject to conditions

Executive Summary

- * The proposal is for the conversion of an existing dwellinghouse into a 7no. bedroom House of Multiple Occupancy (HMO).
- * The proposal includes internal alterations to provide 4no. ensuite bedrooms and 3no. bedrooms served by a shared bathroom.
- * Minor external alterations are proposed including windows, a cycle store and a bin store.
- * The proposal meets the council's minimum room size and amenity space standards for HMOs. It also meets the minimum floor space standard for a 7-person 2-storey dwelling as set out by the *Technical housing standards - nationally described space standards 2015*.
- * Officers are satisfied that the proposal provides future occupiers with an acceptable level of amenity and that the proposal will not have an undue impact on the amenity of existing residents.
- * The council's highways officers have been consulted and raise no objection to the proposals. No objections have been raised from any of the other consultees.
- * A total of 17 objections have been received plus a petition from a total of 58 residents.
- * Cllr. Nadeem Ayub has requested that the application be heard before Committee.
- * Officers are recommending that the application be approved.

Proposal

1. The proposal is for the conversion of an existing 4no. bedroom dwelling house into a 7no. bedroom House of Multiple Occupancy (HMO) on Rawson Street in Farnworth.
2. The proposal includes internal alterations to create 4no. ensuite bedrooms and 3 bedrooms with a shared bathroom facility. The existing kitchen is proposed to be enlarged to create a shared kitchen / dining area.
3. Exterior alterations include a bike storage unit at the rear of the property, an increase in height to the boundary treatment at the rear, new windows in the side elevation of the property and a bin storage unit at the front.

Site Characteristics

4. The application site relates to a large end terrace period property on Rawson Street in Farnworth. The dwelling is currently arranged over two floors with a small walled amenity space to the rear.
5. The surrounding area is residential in character.

Policy

6. The Development Plan

Core Strategy: RA2 Farnworth; P5 Transport and Accessibility; CG1 Cleaner and Greener; CG2 Sustainable Design and Construction; CG3 Built Environment; CG4 Compatible Uses; SC1 Housing; S1 Safe Bolton and Appendix 3 - Parking Standards.

7. Other material considerations

National Planning Policy Framework (NPPF).

SPD General Design Principles

SPD Accessibility, Transport and Road Safety

SPD House extensions

Houses in Multiple Occupation – Guidance and Amenity Standards (Bolton Council) September 2018

Waste and Recycling Storage, Planning and Collection Guidance (Bolton Council) May 2018

Technical housing standards - nationally described space standards 2015.

Analysis

8. Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission. Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission. It is therefore necessary to decide whether this proposal is in accordance with the Development Plan and then take account of other material considerations.
9. The main impacts of the proposal are:
 - * principle of development
 - * impact on the character and appearance of the building and the surrounding area
 - * impact on the amenity of existing residents and future occupiers
 - * impact on highway safety
 - * other matters

Principle of the development

10. Policies SO14, SO15 and SO16 are strategic objectives within the "Strong and Confident Bolton" section of Bolton's Core Strategy.
11. The purpose of these strategic objectives is to ensure that housing provision meets the needs of everybody, reflecting the needs of an ageing population and a growth in the number of households, by focussing new housing in the existing urban area, council-owned housing areas and in mixed-use developments on existing older industrial sites, to develop mixed communities which encourage community cohesion and ensure access for all to community and cultural facilities.
12. The proposal is for the conversion of an existing dwelling house into a 7-bedroom HMO. It is noted that the conversion of a dwelling house into a 6no. bedroom HMO would be allowable

under permitted development. The proposal will increase the supply of single and dual occupancy housing units, thereby making a small but positive contribution to the number and mix of household units in Bolton.

13. Provided the proposal accords with the development plan as a whole, it is considered that the principle of development is acceptable.

Impact on character and appearance of the surrounding area

14. Policy CG3 of the Core Strategy states that the Council will expect development proposals to contribute to good urban design, conserve and enhance local distinctiveness and be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment.
15. Policy RA2 of the Core Strategy states that the Council will make efficient use of land in Farnworth due to existing higher levels of development density, requiring development to provide adequate privacy and amenity space and conform to the overall spatial approach.
16. The proposal includes some minor alterations to the exterior of the building, including the provision of additional bathroom windows at the side and rear of the building. A cycle store is proposed at the rear and a bin store is proposed at the front of the property. A small section of fencing is proposed on top of the existing boundary wall at the rear to provide additional screening to the rear amenity space. It is not considered that any of these amendments will have an undue impact on the character and appearance of the building.
17. Officers have had regard to concerns raised by interested parties relating to the proliferation of HMOs in the area and the potential this may have to increase issues of neglect.
18. According to the planning record, there is only one other HMO on Lower Rawson Street. For this reason, officers are satisfied that there is not a proliferation of HMOs in the immediate area. Officers have also not seen any substantive evidence to demonstrate that there are significant existing issues of neglect in the immediate area, or that any such issues could be directly attributed to the use of a property as a 7 bed HMO as opposed to the occupants of another type of dwelling.
19. Officers therefore have no reason to conclude that the proposal would have significant implications for the character of the area with regard to the maintenance of the site and building.
20. It is therefore considered that the proposal complies with Policies CG3 and RA2 of the Core Strategy.

Impact on residential amenity

21. Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security and should not generate unacceptable nuisance, odours, fumes, noise or light pollution.

Future Occupants

22. Proposal is for the conversion of an existing 4 bedroom dwelling with study into a 7no. bedroom HMO. Internal alterations are proposed to create 4no. ensuite bedrooms and 3 bedrooms served by a shared bathroom. The existing kitchen is proposed to be enlarged to create a kitchen / dining area approx. 27sqm in area. The existing amenity area at the rear of the property will be retained with an additional section of fence added to the existing boundary wall to provide privacy. A bike storage area is proposed at the rear and a bin store is proposed at the front.
23. The proposal comfortably meets the minimum bedroom size and shared amenity space size standards as set out in Bolton Council's guidance document "Houses in Multiple Occupation Guidance and Amenity Standards". It also meets the minimum floor space standard for a 7-person 2-storey dwelling as set out by "Technical housing standards - nationally described

space standards 2015". Indicative plans show that the kitchen diner is large enough to accommodate cooking facilities and a dining table for 7 adults. The amenity space at the rear is approximately 18sqm in area which meets the council's minimum standard for shared outdoor amenity space for apartments as set out by SPD General Design. The property is also 5-minute walk away from both Farnworth Central Park and Moses Gate Country Park. On this basis officers are satisfied that the proposal would provide an adequate level of amenity for future occupiers.

Existing Residents

24. It is acknowledged that when compared to a 6-person HMO - or a family dwelling - there may be some additional activity associated with 7 unrelated residents, such as the general coming and going of people and their visitors, to the house. However, officers are satisfied that the additional noise and disturbance associated with these movements would not be so great as to harm the living conditions of neighbouring residents.
25. Officers have also had regard to concerns raised by interested parties relating to the proliferation of HMOs in the area and the potential this may have to increase of crime or anti-social behaviour. According to the planning record, there is only one other HMO on Lower Rawson Street. For this reason, officers are satisfied that there is not a proliferation of HMOs in the immediate area. Furthermore, officers are unaware of any substantive evidence that shows that residents of HMOs are any more likely to engage in criminal activity or anti-social behaviour than residents of non-HMO dwellings.
26. The bike store at the rear of the property will not infringe on a 45 degree line drawn from any neighbouring main room windows or cause any reduction of interface distance to adjacent main room windows.
27. The additional windows in the side and rear elevation are to be obscure glazed and will not cause any overlooking or privacy issues. A condition has been added to ensure they are obscure glazed.
28. A bin storage area is proposed at the front of the property which is in line with the council's guidance on bin storage and should ensure that bins are properly managed. A condition has been added to secure this.
29. The council's housing standards team have been consulted and have raised no objection to the proposal subject to the applicant securing the required HMO licence.
30. The council's pollution control team have been consulted and have raised no objections to the proposal.
31. GMP Design for Security have been consulted and have recommended a number of security measures for the safety of residents. These have been added as a condition.
32. Subject to conditions it is considered that the proposal complies with Policy CG4 of the Core Strategy and the relevant guidance documents on space and amenity standards.

Impact on the highway network

33. Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility, servicing arrangements and parking. Policy S1.2 states that the Council will promote road safety in the design of new development.
34. The property does not currently benefit from any off-street parking. Due to the constraints on site, it is not possible to provide any additional parking.
35. The Council's Highways Engineers have been consulted and have noted that the proposal is reasonably accessible to sustainable transport provision. They also state that, in their

experience, the demographic that would utilise the HMO would have a low car ownership and on that basis any overspill parking at that location would potentially be minimal and should be accommodated with little additional detriment/severity to road safety and residential amenity within proximity to the property. Finally, they note that the submission benefits from a Travel Plan which reiterates the sites sustainability. This document reiterates measures to create that modal shift towards sustainable travel patterns which complies with current planning policy guidance (NPPF). On this basis Highways raise no objection to the proposal.

36. It therefore considered that the proposed development complies with Policies P5 and S1.2 of the Core Strategy.

Conclusion

37. It is considered that the proposal accords with Bolton's Development Plan and that planning permission should be granted.
38. Members are therefore recommended to approve this application subject to the recommended conditions.

Representation and Consultation Annex

Representations

Letters: 17 letters of objection have been received. The reasons for the objection are listed below.

- Inadequate parking provision
- Out of keeping with character of area
- Close to adjoining properties
- General dislike of proposal
- Increase in traffic
- Increase of pollution
- Loss of privacy
- Noise nuisance
- Strain on existing community facilities
- More open space needed on development
- Inadequate access
- Loss of light
- Not enough info given on application
- Information missing from plans
- Loss of family dwelling
- Affect local ecology
- Bin storage
- Concentration of HMOs in area
- Anti social behaviour (Officer comment: this is not a material planning consideration)

The reasons for objection have been discussed in the report.

Petitions: One petition has been submitted signed by a total of 58 residents. The reasons for objection in the petition are broadly similar to those listed in the representations.

Elected Members:

- * Cllr Nadeem Ayub has requested that the application be heard by the Planning Committee. The reasons put forward are as follows:
- * Intensive use of the area will result in noise, increased activity and disturbance to neighbouring owner/occupiers this would not comply with section CG4 of Bolton Councils Core Strategy document.
- * The application has indicated the provision of 0 car parking spaces, however up to 7 people could reside in the building at any one time, there are major problems with on street parking in the area currently and this development will add to this problem.
- * The proposed change would result in a proliferation of a smaller unit type residential accommodation within the local area to the detriment of the character and appearance of the area.

These issues have been addressed within the report.

Consultations

Advice was sought from the following consultees:

- * BMBC Highways Authority, BMBC Environmental Health, GMP Design for Security, BMBC Housing Standards.

No objections have been received.

Planning History

None

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

Subject to the following conditions, which have been imposed for the reasons stated:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in complete accordance with the following approved plans:

Proposed Plans - Drwg. No. HAD3416-04 Rev b - dated 02-12-22
Proposed Elevations - Drwg. No. HAD3416-05 Rev a - dated 29-09-22
Proposed Site plan - Drwg. No. HAD3416-06 Rev b - dated 02-12-22
Proposed Bin Store - Drwg. No. HAD3416-07 - dated 29-09-22
Proposed Fire Safety and Sound Protection Plans - Drwg. No. HAD3416-08 Rev a - dated 02-12-22

Reason

For the avoidance of doubt and in the interests of proper planning.

- 3 Before first occupation of the HMO hereby approved the following secure by design measures shall be installed and retained thereafter:
 - The main entrance to the building should be certified to BS PAS 24, or LPS 1175 SR2, including a lock capable of being operated via an electronic access control system controlled by an audio intercom linked to each bedroom, so that residents can vet callers to the building before allowing them access.
 - Any new external fittings (i.e. shutters, windows or doors) should be certified to Secured by Design standards.
 - Doors to the new individual rooms with the HMO should ideally be certified to BS PAS 24, door viewers within these doors should be provided.
 - If a postal lobby is not created it is essential that through-the-wall mailboxes are provided for individual residents.
 - Secure storage for bicycles and other property must be certified to LPS 1175.
 - Any external bin store should be a secure, lockable and fire resistant enclosure.
 - Dusk till dawn lighting should be installed to all external doors and to the side elevations illuminating the path the rear of the property.

Reason

To protect the security and amenity of future occupiers in accordance with Core Strategy Policy CG4.

- 4 Notwithstanding the submitted details, the en-suite and bathroom windows in the side elevation of the property hereby approved shall be either non opening or with openings more than 1.7 metres above the finished floor level and fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely) of the Pilkington Glass scale (or equivalent) and shall be permanently retained in that condition thereafter.

Reason

To protect the privacy, outlook and living conditions of neighbouring occupiers and in order to comply with Core Strategy policy CG4.

- 5 No more than 7 [seven] persons shall reside at the premises at any time.

Reason

To prevent the over-intensive use of the premises and to comply with policies CG3 and CG4 of Bolton's Core Strategy.



Notes:

All work is to be carried out to the latest current British Standards Codes of Practice and recognised working practices.
 All work and materials should comply with Health and Safety legislation.
 All dimensions are in millimetres unless where explicitly shown otherwise.
 The contractor should check and certify all dimensions as work proceeds and notify the agent of any discrepancies.
 Do not scale off the drawings, if in doubt ask.
 HAD are not liable for any work undertaken prior to Full Planning Consent and/or Building Regulations Approval.
 Any structural works should be checked and verified by a suitably qualified structural engineer before works commence.
 All drainage is assumed and should be clarified on site by the contractor.

CDM REGULATIONS 2015
 The client must abide by the Construction Design and Management Regulations 2015. The client must appoint a contractor, if more than one contractor is to be involved, the client will need to appoint (in writing) a principal designer (to plan, manage and coordinate the planning and design work) and a principal contractor (to plan, manage and coordinate the construction and ensure there are arrangements in place for managing and organising the project).

Domestic clients
 The domestic client is to appoint a principal designer and a principal contractor when there is more than one contractor, if not your duties will automatically transferred to the contractor or principal contractor.
 The designer can take on the duties, provided there is a written agreement between you and the designer to do so.

The Health and Safety Executive is to be notified as soon as possible before construction work starts if the works:
 (a) Last longer than 30 working days and has more than 20 workers working simultaneously at any point in the project.
 Or:
 (b) Exceeds 500 person days.

PARTY WALL ACT
 The owner, should they need to do so under the requirements of the Party Wall Act 1996, has a duty to serve a Party Structure Notice on any adjoining owner if building work on, to or near an existing Party Wall involves any of the following:
 • Support of beam
 • Insertion of DPC through wall
 • Raising a wall or cutting off projections
 • Demolition and rebuilding
 • Underpinning
 • Insertion of lead flashings
 • Excavations within 3 metres of an existing structure where the new foundations will go deeper than adjoining foundations, or within 6 metres of an existing structure where the new foundations are within a 45 degree line of the adjoining foundations.
 A Party Wall Agreement is to be in place prior to start of works on site.


THERMAL BRIDGING
 Care shall be taken to limit the occurrence of thermal bridging in the insulation layers caused by gaps within the thermal element, (i.e. around windows and door openings). Reasonable provision shall also be made to ensure the extension is constructed to minimise unwanted air leakage through the new building fabric.

MATERIALS AND WORKMANSHIP
 All works are to be carried out in a workmanlike manner. All materials and workmanship must comply with Regulation 7 of the Building Regulations, all relevant British Standards, European Standards, Agreement Certificates, Product Certification of Schemes (Kite Marks) etc. Products conforming to a European technical standard or harmonised European product should have a CE marking.

Revisions List:

a- Outdoor amenity area has been provided.
 - The refuse storage in the front and fencing have been clarified.

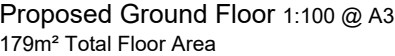
b- More communal space added to kitchen/diner.



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 0161 327 2529

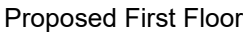
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 Farnworth,
 BL4 7RT

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Client: Adam	Checked: SH								
Date: 02-12-2022	Paper: A3								
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Revision:	<table border="1"> <tr> <td>a</td> <td>b</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>	a	b						
a	b								



HMO 7 Bedroom
1 Kitchen/ Dining
1 Bathroom
1 WC
4 En-suites

Tall brick wall with option to have additional timber fencing or trellis installed above for privacy



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THERMAL BRIDGING
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MATERIALS AND WORKMANSHIP
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Revisions List:

a- Kitchen Area and facilities have been provided to meet the Council's HMO standards.

- Bedroom sizes are shown excluding for the en-suite which is over the minimum bedroom size of 10m2.

- Bedroom 05 en-suite have been removed.

- New En-suite has been added to Bedroom 02.

- En-suites windows have been added.

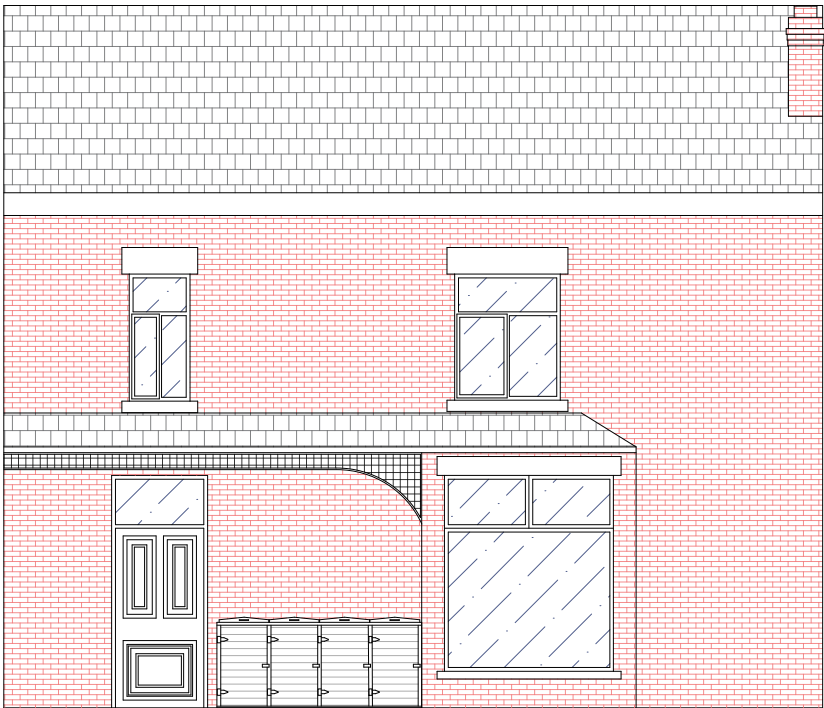
b- Extra communal space to kitchen/diner added



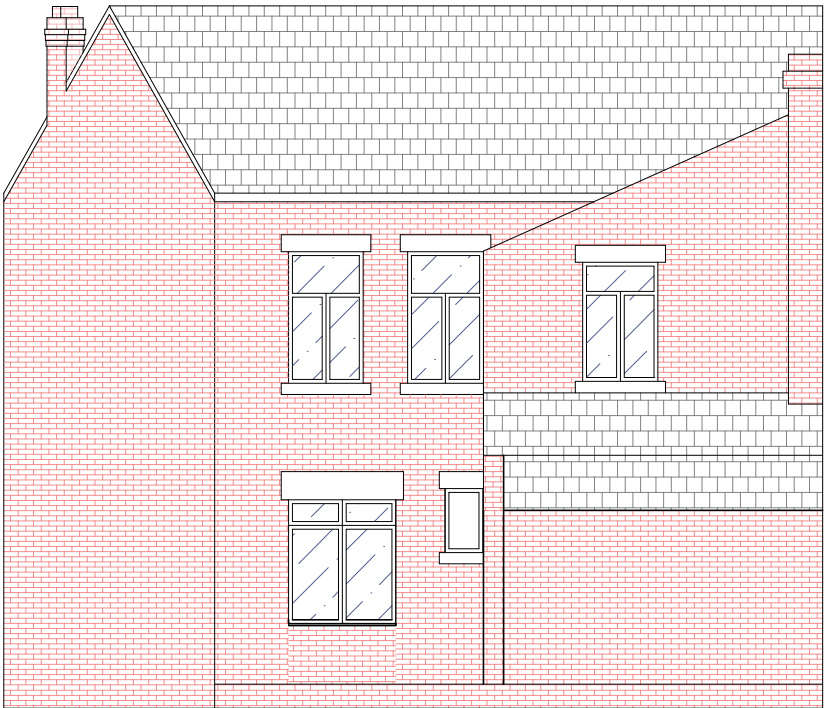
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Address: 140 Lower Rawson Street,
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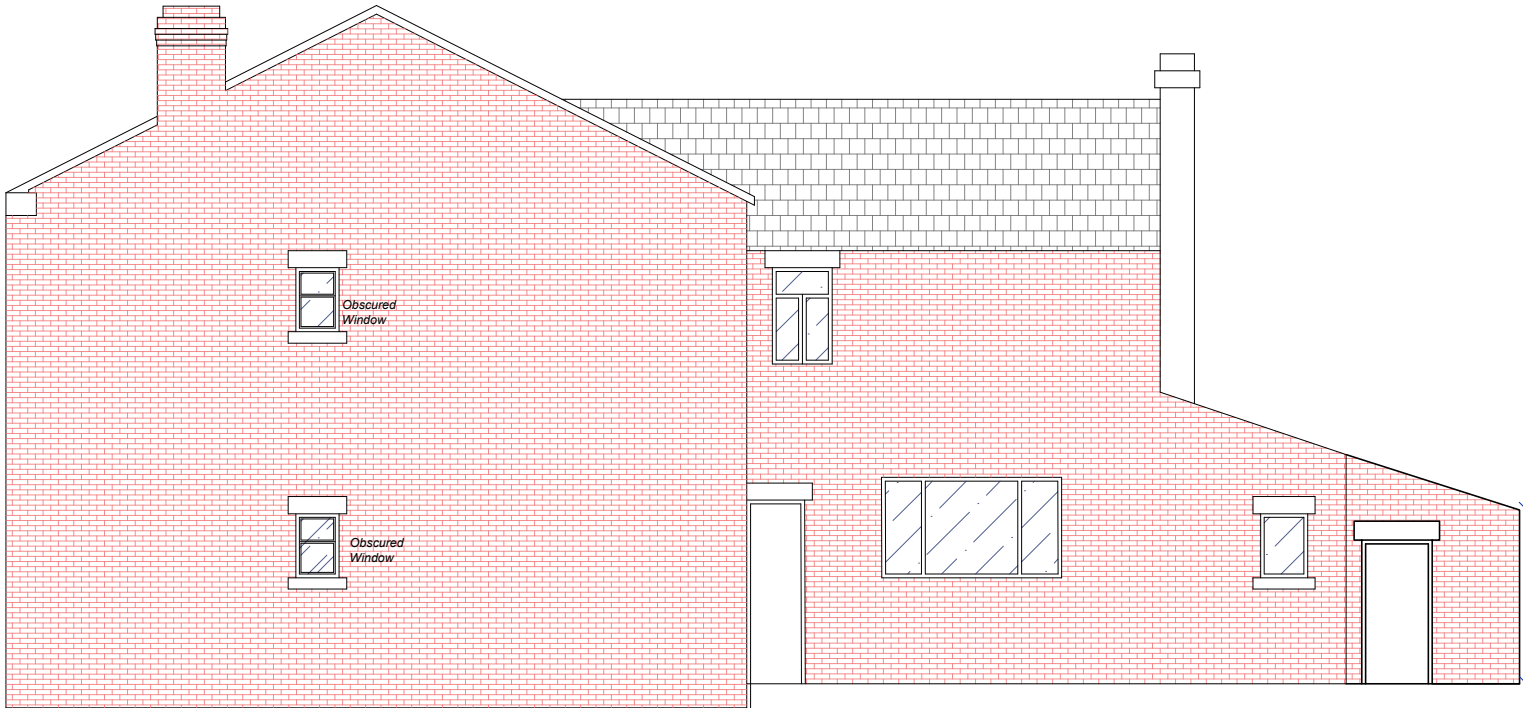
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Client: Adam				Checked: SH			
Date: 02-12-2022				Paper: A3			
Drawing No: HAD3416-04				Scale: 1:100			
Revision:	a	b					



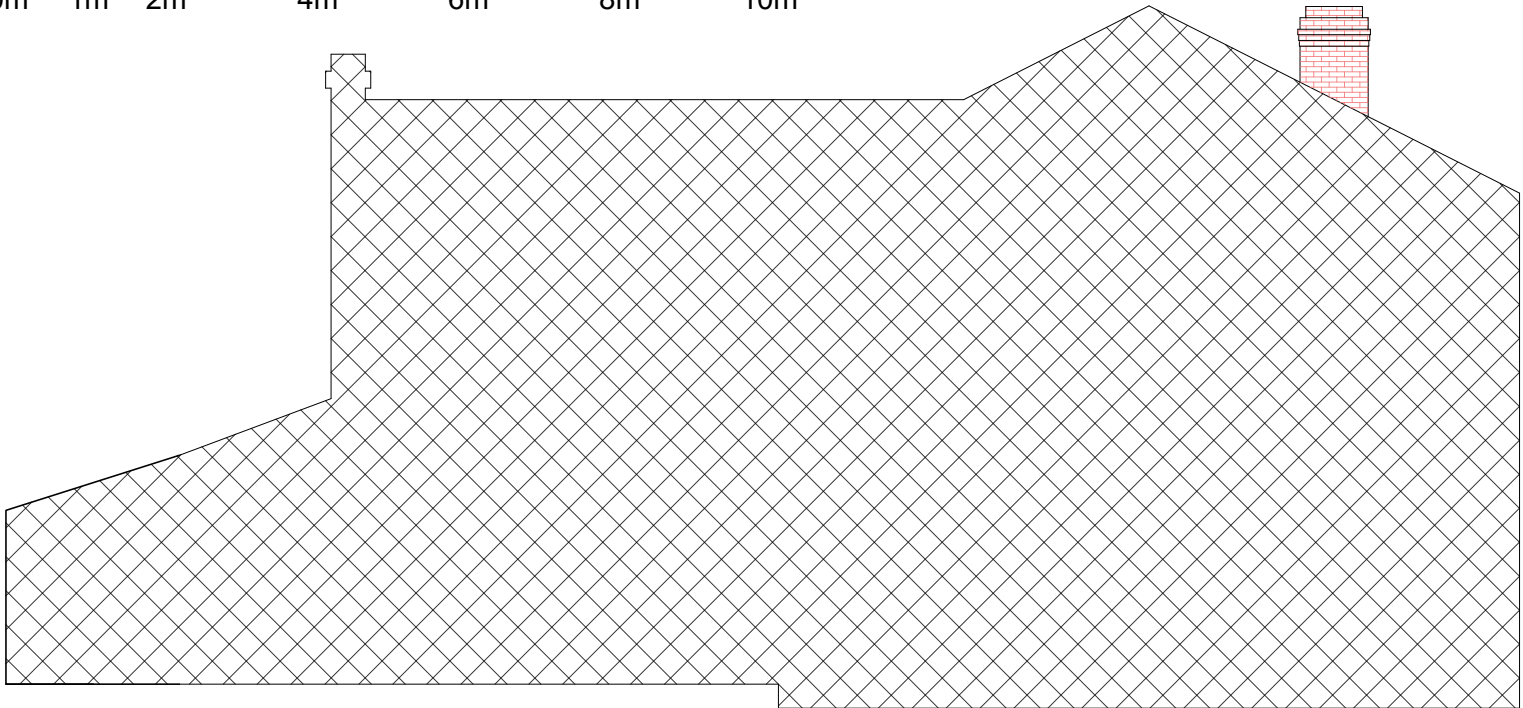
Proposed Front Elevation
No changes
1:100 @ A3



Proposed Rear Elevation



Proposed Side Elevation



Proposed Attached Side Elevation

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The Health and Safety Executive is to be notified as soon as possible before construction work starts if the works:
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A Party Wall Agreement is to be in place prior to start of works on site.

THERMAL BRIDGING
Care shall be taken to limit the occurrence of thermal bridging in the insulation layers caused by gaps within the thermal element, (i.e. around windows and door openings). Reasonable provision shall also be made to ensure the extension is constructed to minimise unwanted air leakage through the new building fabric.

MATERIALS AND WORKMANSHIP
All works are to be carried out in a workmanlike manner. All materials and workmanship must comply with Regulation 7 of the Building Regulations, all relevant British Standards, European Standards, Agreement Certificates, Product Certification of Schemes (Kite Marks) etc. Products conforming to a European technical standard or harmonised European product should have a CE marking.

Revisions List:

a- Updated elevations with the new obscured windows.



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Address: 140 Lower Rawson Street,
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BL4 7RT

Title: Proposed Elevations	Drawn: HN
Client: Adam	Checked: SH
Date: 29-09-2022	Paper: A3
Drawing No: HAD3416-05	Scale: 1:100
Revision:	a