



Appeal Decision

Site visit made on 7 July 2025

by **Andreea Spataru BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28th July 2025

Appeal Ref: APP/G4240/W/25/3361265

10 Newmarket Road, Ashton-under-Lyne, Tameside OL7 9LL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Akash Patel (Peach Property Ventures) against the decision of Tameside Metropolitan Borough Council.
 - The application Ref is 24/01084/FUL.
 - The development proposed is described as 'Proposed conversion of Lawfully Permitted 6-bedroom house of Multiple Occupancy (HMO) to a 7-bedroom 7 person Home of Multiple Occupancy (Sui Generis). The proposed works are to convert a lounge (first floor) to a seventh bedroom'.
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Decision

1. The appeal is allowed, and planning permission is granted for the proposed conversion of Lawfully Permitted 6-bedroom house of Multiple Occupancy (HMO) to a 7-bedroom 7 person Home of Multiple Occupancy (Sui Generis). The proposed works are to convert a lounge (first floor) to a seventh bedroom at 10 Newmarket Road, Ashton-under-Lyne, Tameside OL7 9LL in accordance with the terms of the application reference 24/01084/FUL subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: location plan (DR) A001 Rev A, proposed plans (DR) A101 Rev A, proposed site plan (DR)A102 Rev A, proposed elevations (DR)A103 Rev A, proposed elevations (DR)A104 Rev A.
 - 3) During construction / conversion no works (including vehicle and plant movements, deliveries, loading and unloading) shall take place outside the hours of 07:30 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays. No work shall take place on Sundays and Bank Holidays.
 - 4) The development hereby permitted shall not be occupied until a covered and secure cycle store that accommodates a minimum of one cycle for each bedroom has been sited at the rear of the property. The cycle store shall be retained thereafter.

Main Issue

2. The main issue is whether the proposal would provide acceptable living conditions for the future occupants with regard to the provision of internal space.

Reasons

3. The appeal property is a detached dwelling located in a predominantly residential area. The appellant, through the proposed change of use, is seeking to increase the number of bedrooms from 6 to 7 by converting an existing first-floor lounge into a bedroom, and to increase the occupancy from 6 to 7 people.
4. The Council is concerned that the appeal property could accommodate up to 9 people. However, the application form confirms that the proposal would be for 7 occupants and so any increase beyond this would require planning permission. I have considered the development accordingly.
5. The appellant's submitted plans indicate the floor area of each room, including a total floor area of approximately 143.33 square metres. The proposed internal shared area of kitchen/dining/living room is shown to have approximately 20 square metres. The ground floor plan outlines, amongst other things, the layout of the kitchen/dining/living room, and it demonstrates how the essential facilities in terms of kitchen furniture, appliances and dining space would be accommodated. Accordingly, there is no substantive evidence before me that the dwelling would not be capable of adequately accommodating 7 occupants.
6. In conclusion, the proposal would provide acceptable living conditions for the future occupants with regard to the provision of internal space. Therefore, it complies with the aims of Policy JP-P1 of the Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 to 2039 adopted 2024 and Policies 1.5 and H10(a) of the Tameside Unitary Development Plan 2004, which collectively require developments to meet the needs of the potential occupiers. The proposal also complies with the aims of the National Planning Policy Framework (the Framework), particularly paragraph 135, which requires developments to provide a high standard of amenity for existing and future users.

Conditions

7. In the interest of proper planning and to provide certainty I have imposed the standard time limit condition and specified that the development should be carried out in accordance with the approved plans.
8. The Council's Environmental Services has recommended a condition limiting the hours of work to protect the living conditions of the nearby residents. Given the proximity of the appeal site to other residential properties, I consider that such condition is reasonable and necessary.
9. The Local Highways Authority (LHA) has suggested a condition to secure a covered and secure cycle store that would accommodate a minimum of one cycle for each bedroom in order to ensure that safe and practical cycle parking facilities are provided. Whilst the appellant indicates that a bicycle stand has been provided in the rear yard, I have not been provided with full details in this regard. Accordingly, in the absence of off-street parking, and in the interests of promoting sustainable transport, a condition securing the cycle store is necessary.
10. The Council's Environmental Services stated that further information is required regarding waste management. Given that there are other mechanisms in place to secure HMO standards regarding waste management and having had regard to

the requirements of paragraph 57 of the Framework, which state that planning conditions should be kept to a minimum, a condition regarding this matter is not necessary to make the proposal acceptable in planning terms.

Conclusion

11. For the reasons set out above, I conclude that the appeal should be allowed subject to the conditions specified above.

Andreea Spataru

INSPECTOR