



Appeal Decision

Site visit made on 22 August 2025

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 September 2025

Appeal Ref: APP/G4240/W/25/3366323

232 Oldham Road, Ashton-under-Lyne, Tameside OL7 9AP

- 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 F Iqbal against the decision of Tameside Metropolitan Borough Council.
 - The application reference is 25/00125/FUL.
 - The development proposed is the conversion of 6 rooms 6 person HMO into 7 rooms 7 Person HMO (Resubmission of Application 24/00985/FUL).
-

Decision

1. The appeal is allowed, and planning permission is granted for the conversion of 6 rooms 6 person House in Multiple Occupation into 7 rooms 7 Person House in Multiple Occupation at 232 Oldham Road, Ashton-under-Lyne, Tameside OL7 9AP in accordance with the terms of the application, reference 25/00125/FUL, subject to the conditions set out in the schedule to this decision.

Procedural and preliminary matters

2. For clarity, the description of development in my decision refers to a 'House in Multiple Occupation' rather than the abbreviated version, HMO, as stated on the completed application form lodged with the Council. It also omits reference to a previous application, which is superfluous.
3. The Council has recently issued a certificate of lawful use or development to convert the appeal property to a HMO for occupation by up to 6 people. For brevity, this is referred to hereafter as the LDC scheme.
4. While the Council has referred to the existing use of the appeal property as a dwellinghouse, the application form states that it is a 6 person, 6 room HMO, which is also shown on the plans of the existing building. In the absence of any firm evidence to the contrary, I have proceeded on that basis.

Main Issues

5. The main issues are:
 - whether the proposal would provide satisfactory living conditions for future occupiers with particular regard to communal space; and
 - the effect of the proposed development on the living conditions of the occupiers of 230 Oldham Road with reference to potential noise and general disturbance.

Reasons

Living conditions – future occupiers

6. Each of the 7 bedsits within the new HMO would include a habitable room with an ensuite bathroom and space for a wardrobe. Several rooms would also include a tea station, comprising a sink and a small worktop with space for items such as a microwave, toaster or an air fryer. Some rooms would also be large enough to accommodate a sofa and a table.
7. There would be no separate living room within the new HMO. However, the kitchen and lounge would include a dining table with space for 7 chairs, 2 sofas and a television as well as cooking facilities. It would be open plan and large enough to allow all residents to cook, eat, drink, sit, socialise and watch television without feeling overly overcrowded or cramped. As such, the kitchen and lounge would function as an effective communal facility. Moreover, it would be conveniently located on the ground floor and accessible to all residents.
8. The occupiers of the larger bedsits would not necessarily have to rely on the shared kitchen and lounge given the opportunity to use the limited cooking facilities and the seating available within these rooms. This arrangement could reduce the opportunities for social interaction and a change of scenery for these residents. Equally, the proposal offers a choice for some residents in where and with whom they wish to dine that could be appealing. Furthermore, the new HMO would also include a storage area and utility room to wash clothes at basement level and a sizeable side and rear garden with outdoor seating that would be accessible to all residents. This garden would be suited to a range of activities such as sitting out or drying clothes, which could be undertaken individually or with others. There would, therefore, be opportunities for all residents to encounter and interact with each other irrespective of the bedsit that they would occupy.
9. Against that background, there is no substantive reason to conclude that the communal areas of the proposed HMO would be insufficient relative to the number of residents or that the proposal would constitute overdevelopment of the building.

Living conditions – No 230

10. Of the properties close to the site it is the occupiers of 230 Oldham Road, which is attached to No 232, that are most likely to be affected by the proposal. From what I saw, the main front entrances to both properties are situated side-by-side and these directly face a busy road with noise clearly evident from passing traffic.
11. Compared to the LDC scheme, the new HMO would include an extra bedroom and an additional resident. Therefore, the total number of people that could occupy the proposed HMO would increase that may generate some additional activity, such as the general coming and going of residents, visitors and deliveries. However, I am not persuaded that the extra noise and general disturbance from such activity would necessarily be greater than from a group of up to 6 unrelated occupiers under the LDC scheme or from a domestic family residence.

Conclusion on the main issues

12. On the main issues, I conclude that the proposed development would provide satisfactory living conditions for future occupiers. It would not materially reduce the living conditions of the occupiers of No 230. As such, the proposal does not conflict

with Policy H10 of The Tameside Unitary Development Plan insofar as it aims to safeguard residential amenity. It would also comply with the National Planning Policy Framework (the Framework), which states that developments should create places with a high standard of amenity for existing and future users.

Other matters

13. I have no reason to doubt that existing residents experience parking problems and traffic congestion, which, in my experience, is a common feature of many urban areas with major roads such as this. As secure cycle parking would be provided on site and No 232 is accessible to public transport, it does not necessarily follow that occupiers of the new HMO would be regular car users. Consequently, the appeal scheme may not generate extra vehicle movements or demand for on-street parking than if No 232 were to be occupied as a 6-bedroom HMO or used as a single dwelling. Even if it did, that increase would be modest and there is no firm evidence that existing parking problems or traffic congestion would worsen to the extent that planning permission should be withheld on this basis.
14. I acknowledge that HMOs can sometimes have a disruptive effect on a settled community and the character of an area because the lifestyle and values of some tenants can differ to those of others. Occupiers of HMOs are also more likely to be transient, with less interest in the well-being of the area. In this case, ample garden space is available to store waste, so that litter and rubbish does not accumulate. Similarly, I am not persuaded that the proposal would lead to an increase in anti-social behaviour, crime or drug related activities. No significant change is sought to the external appearance of the building. For all these reasons, the proposed HMO would be in keeping with the mixed character of the local area.
15. To minimise the potential for noise and disturbance to others during the conversion process, a condition could be imposed to cover the arrangements for construction and deliveries. As each application should be assessed on its own merits, a decision in this case would not necessarily set a precedent. There is no firm evidence before me that the proposal would place undue pressure on emergency services or local infrastructure. As the property could come forward as a HMO in any event, the proposal would not in itself lead to a loss of family housing nor alter the proportion of such uses in the area. The frequency and arrangements to inspect the HMO is a matter that would be covered by other legislation.
16. I note that the development has attracted strong local opposition. However, the level of objection is not a reasonable ground for resisting development. To carry significant weight, opposition should be founded on valid planning reasons, which are supported by substantial evidence. Having considered all the submitted representations, and all evidence before me, I am not persuaded that the objections raised outweigh my findings in relation to the main issues.

Conditions

17. I have considered the conditions suggested by the Council against the advice within the Framework and the Planning Practice Guidance. Where necessary, I have amended the conditions suggested by the Council for clarity and precision.
18. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. A condition requiring details of the arrangements for

construction and deliveries is necessary to ensure that the living conditions of others are not adversely affected.

19. To promote sustainable travel choices, a condition is imposed to require that cycle storage is provided before the HMO is occupied. A condition requiring the provision and retention of refuse storage is necessary to ensure that these facilities are available to future occupiers. To safeguard the living conditions of the occupiers of No 230, a condition is imposed to require that the party wall with the appeal property is sound proofed to an appropriate standard.

Conclusion

20. There are no material considerations that indicate the development should be determined other than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be allowed.

Gary Deane

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin no 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 plans: Refs DWG001 Rev C01, DWG002 Rev C01, DWG003 Rev C01 and the Project Visualisations.
- 3) Construction or conversion works, including deliveries, loading and unloading, shall take place only between 0730 and 1800 on Monday to Fridays, 0800 to 1300 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.
- 4) The development hereby permitted shall not be occupied until bin storage has been provided within the site in accordance with drawing no DWG001 Rev C01 and that storage facility shall thereafter be retained for this purpose.
- 5) The development hereby permitted shall not be occupied until space has been laid out within the site in accordance with drawing no DWG001 Rev C01 for seven bicycles to be stored and that space shall thereafter be kept available for the storage of bicycles.
- 6) The development hereby permitted shall not be occupied until the party wall between 230 and 232 Oldham Road, Ashton Under Lyne OL7 9AP has been sound proofed in accordance with a scheme that has previously been submitted to and approved in writing by the local planning authority. The approved sound proofing measures shall be permanently retained thereafter.