



SUPPORTING STATEMENT

07th March 2022

PLANNING APPLICATION FOR CHANGE OF USE FROM GROUND FLOOR SHOP TO RESIDENTIAL UNIT



131 - 133 WHALLEY ROAD, SHUTTLEWORTH, BURY, BL0 0DG

Prepared by MacMarshalls Rural Chartered Surveyors & Planning Consultants.

On behalf of Mr and Mrs Maudsley

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1. INSTRUCTIONS

- 1.1. MacMarshalls are instructed on behalf of Mr and Mrs Maudsley, herein referred to as the Applicants, to submit a retrospective planning application for the change of use of the ground floor of their premises from A1 (retail) to residential.
- 1.2. This planning statement accompanies a submission to Bury Metropolitan Council.
- 1.3. No pre-application advice has been sought.

2. INTRODUCTION & BACKGROUND

- 2.1. The application relates to a 3 storey end terraced property on Whalley Road, Shuttleworth on the ground floor has been used for A1 retail shop. The first floor is laid out with 3 bedrooms and bathroom with the lower ground floor a utility room and lounge. The property fronts Whalley Road, a main road leading to Bury/Ramsbottom and Edenfield and is within a predominantly residential setting. It is not allocated within a shopping area. The property is double fronted and has been used as a local convenience shop for the past 50 years. The applicants use the side street to park however, there is ample parking to the front of the shop.
- 2.2. The application seeks the change of use of the ground floor to residential accommodation so that the property would become a single 3 bedroomed dwelling. The existing access and parking would be retained as currently exists. Internally the shop area accessed from the main road would become a lounge area, the rest of the property would remain in its existing residential use. The shop briefly would comprise, lounge and utility room on lower ground floor, lounge and kitchen ground floor, three bedrooms and bathroom on first floor (Existing)..
- 2.3. The property already pays council tax and following a search on the council website, the reference number is 000M8482131009 the property is listed in council tax band B. Furthermore, the property is registered for none domestic rates and listed on the VOA website as: Gnd Flr Front 131-133, Whalley Road, Ramsbottom, Bury, Lancs, BL0 0DG with the most recent rateable value of £4,059.00.
- 2.4. There is no relevant planning history.
- 2.5. The applicants have over the past few years marketed the property for sale as a business and home (As they have run it) it was advertised in 2018, 2019 and again in 2021 with three different estate agents, proof can be provided if required. Unfortunately they have been unable to find a purchaser who would buy the property with the feedback being that all interested parties would want a residential unit only and not a shop. The difficult decision in January 2022 was taken to close the shop, the applicants have now taken jobs elsewhere and they now seek to change the use of the shop. They have begun this by removing the outside shop front and internal counters as many people were still visiting the shop. The application is therefore part retrospective.
- 2.6. The opening hours of the shop were previously:
Monday-Friday - 6am-3pm
Sat: 6am-2pm
Sunday: Closed
- 2.7. This has been a very tough decision as the family have run the shop for over 35 years, they have brought up their children here, it is with regret they have taken the decision to close the shop but they have been

unable to sell despite numerous marketing attempts, the isolated location means there is simply no demand for it.

3. THE PROPOSAL

3.1. The proposal seeks to change the use of the ground floor to residential. This will include the removal of all the shop front signage etc, the removal of all the counters (See photo below). The room will then be plasterboarded, rewired and painted.

3.2. The room will then be used as a lounge with the kitchen remaining at the back of the house.



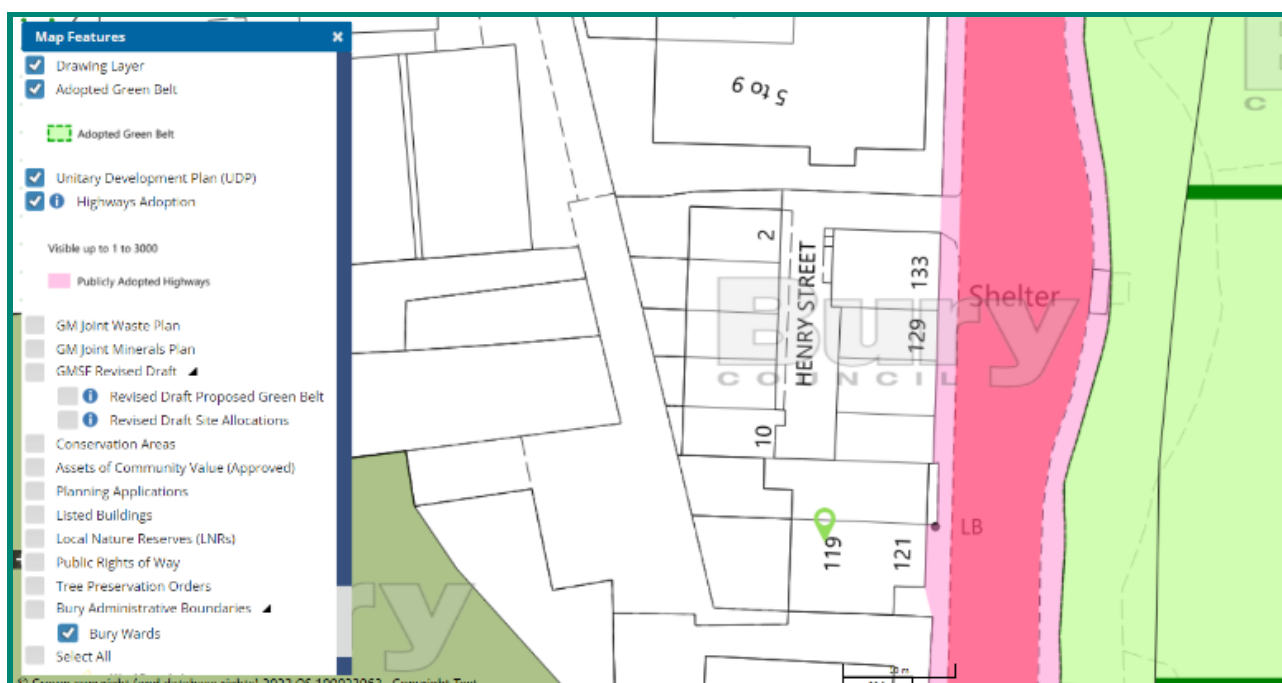
3.3. Proposed use - The site is located within a predominantly residential area, the property being the only one in a shop use. The site is not within an allocated shopping area and the property already has residential accommodation at first floor and lower ground floor.

3.5. Layout - The main change to the property is the removal of the shop frontage only, internally, the shop cabinets and shelves will be removed and the room reinstated back to a lounge, this would be similar to the frontages of the adjacent houses and therefore should be deemed acceptable within the street scene.

3.6. Impact on residential amenity - None of the works affect the neighbours property and would cause any detrimental impact on their outlook or amenity. We feel the changes would actually enhance their property and make the row of houses purely residential. There would be minor external modifications to include the removal of the signage and a new front door but these would not be positioned to overlook or impact on amenity or privacy than current arrangements. As such, we feel that there would not be a detrimental impact on the amenity of adjacent occupiers.

4. PLANNING POLICY AND JUSTIFICATION

- 4.1 The site is designated in the settlement area according to Bury Mbc local plan map as shown below. The property has been a shop for over 50 years with the former lounge/front room being used for this. The property is within an area solely used as residential, with a small number of other businesses operating on Whalley road including an estate agent and hair dressers. Given the site has been advertised for sale three times in the past 5 years with three different agents and no sales have been agreed, the applicants have made the decision to shut the shop. This should mean that the property will sell well on the open market as a purely residential property. The property has most recently been marketed since 9th September 2021. Although 4 viewings have been undertaken, none of the viewers proceeded due to the shop, it has been advertised as residential and commercial on rightmove, copies of the details are included.



- 4.2 The principle of the development will therefore be determined under Local and National Policy. The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are expected to be applied, setting out the government's requirements for the planning system only to the extent that is relevant, proportionate and necessary to do so.
- 4.3 The Bury UDP was adopted in 1997 and a number of policies are relevant to this application these being:
- H2/1 The Form of New Residential Development
 - H2/2 The Layout of New Residential Development

- EN1/2 Townscape and Built Design
- HT2/4 Car Parking and New Development
- SPD11 Parking Standards in Bury

4.3 H2/1 The form of New Residential Development states:

H2/1 - The Form of New Residential Development All new residential development will be expected to make a positive contribution to the form and quality of the surrounding area. Factors to be considered when assessing proposals will include:

- the height and roof type of adjacent buildings;
- the impact of developments on residential amenity;
- the density and character of the surrounding area;
- the position and proximity of neighbouring properties;
- the materials to be used in proposed developments, especially their colour and texture.

4.4 H2/2 The Layout of New Residential Development states:

H2/2 - The Layout of New Residential Development New residential development will be required to demonstrate acceptable standards of layout. Factors to be considered when assessing proposals will include:

- car parking provision;
- access for both vehicles and pedestrians, and provision for public transport;
- the possible need for traffic calming measures;
- density;
- space about and between dwellings;
- Landscaping and screening;
- protection/provision of trees and hedgerows;
- open space/children's play areas;
- design for safety and security; access/facilities for the disabled;
- the existence of any public rights of way.

4.5 The proposed residential use is far more in keeping with the surrounding area, there is already parking available both down the side of the property and on the main road itself which residents already use. The closing of the shop will reduce traffic movements on the pavement etc as the shop is closed. A residential use is a far quieter use and therefore policy compliant, the majority of the property is already in a residential use.

4.6 EN1/2 Townscape and Built design

EN1/2 - Townscape and Built Design The Council will give favourable consideration to proposals which do not have an unacceptable adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements. Factors to be considered when assessing proposals will include:

- the external appearance and design of the proposal in relation to its height, scale, density and layout;
- the relationship of the proposal to the surrounding area;
- the choice and use of materials;
- access and other design features for the mobility impaired;
- the design and appearance of access, parking and service provision;
- landscaping, including the use of natural landscape features, and open space provision;
- the use of lighting

4.7 Again the external appearance is not being changed by the change of use, save as the removal of the signage, the building has been a shop for over 50 years. All external lighting will be removed, and the car parking is provided on the highway/down the side of the shop and therefore will not provide any conflict with neighbors.

4.8 *HT2/4 - Car Parking and New Development* The Council will require all applications for development to make adequate provision for their car parking and servicing requirements in accordance with the Council's car parking standards.

4.9 The applicant already parks down the side of the shop and at the front, the residential use will mean far less car movements as people are not stopping for supplies. Whalley Road is also available for parking as there are no double yellow lines on it, during day times (When the agent has visited) there is ample parking available on the street. Car parking standards are therefore deemed to have been met.

4.10 The area is predominantly residential and therefore, the proposals all meet the necessary local and national planning policy. The applicants have actively tried (3 times) over the last 6 years to sell the property as a shop and have been unable to sell it as a business. commercial use and therefore the policy will not be conflicted as it is not a residential use.

5. CONCLUSION

- 5.1. The site is located within a predominantly residential area, the property being the only one in a shop use. The site is not within an allocated shopping area and the property already has residential accommodation at first floor and lower ground floor. It is therefore considered the change of use to a single dwelling would be compatible with the character of the area and loss of a shop not be of a detrimental harm in this location.
- 5.2. This statement clearly demonstrates that the use is policy compliance in terms of the local and national policy, there is very little external work required and therefore no amenity or neighbour issues.
- 5.3. The use of the site will not increase traffic nor cause any potential parking issues on Whalley Road, the closure of the shop will mean that there will be less journeys to and from the property.
- 5.4. The Application therefore satisfies development plan policies (including those within the last decision notice) and guidance relevant to determining the application. Accordingly, we respectfully request that the LPA approves the application.
- 5.5 Signed:



07.03.2022

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