

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 21/02/2022	Ref: 67933/FUL
Registration: 23/12/2021	LDFC: 02/02/2022	Expiry Date: 17/02/2022
Site Visit: 14/01/2022	Site Notice: 14/01/2022	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIDW

Proposal: Conversion of existing lower ground floor garages to 4 no. flats

Location: Singleton Court, Bury Old Road, Prestwich, Manchester, M25 8FX

Description

The application relates to an existing flatted development which is located on the boundary with Salford. The flats front directly onto Bury Old Road. To the north is a local shopping centre and row of shops, to the south are two storey residential flats which directly face the rear of the development site and are within the Salford Borough. The access to the site is from the south east, on the corner of Bury New Road and Singleton Road which leads to the rear of the site and an existing car park.

The flats themselves comprise of 3 no separate buildings. They are arranged in a split level formation, being two storey along the frontage and three storey at the rear where the level drops one storey lower. There are 16 existing flats in a mix of one and two bed. At the lower ground floor there are 2 no flats with the remaining floor area used as garages/storage with the rest of the residential accommodation above.

Planning permission was granted 2/9/21 for conversion of roof space to create 5 no. 1 bed self-contained flats with front and rear dormers and new enclosed external stairwells. Associated refuse and bike storage.

This application seeks the conversion of the existing 14 lower ground floor garages to create No 4 x 1 bed flats.

Each flat would have a kitchen/lounge, 1 no. bedroom and a bathroom. The entrance to the flats would lead directly out onto the car park and it is proposed to provide a footway from the site access to the flats.

The existing roller shutters would be removed and replaced with a doorway and window openings similar to that of the 2 existing lower ground floor flats.

The existing car park is not formally laid out and it is proposed to formally demarcate the car park and provide 27 no. spaces.

Relevant Planning History

65638 - Conversion of roof space to create 5 no. 2 bed 3 person self-contained units with front and rear dormers and new enclosed external stairwells; Associated refuse and bike storage - Withdrawn - Invalid 23/07/2020

65846 - Conversion of roof space to create 5no 2 bed 3 person self-contained units with front and rear dormers and new enclosed external stairwells. Associated refuse and bike storage. - Refused 18/01/2021

67168 - Conversion of roof space to create 5 no. 1 bed self-contained flats with front and rear dormers and new enclosed external stairwells. Associated refuse and bike storage. - Approve with Conditions 02/09/2021

Publicity

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Letters sent on 11/1/22 to 50 nearby properties.
Site notice posted 14/1/22.
No responses received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions.

Environmental Health - Pollution Control - No response received

Waste Management - No response received

Salford City Council - No objection - Request attention is paid to any representations received from Ainsdale Avenue, surface water drainage and appropriate parking

Borough Engineer - Drainage Section - No response received

United Utilities (Water and waste) - No response received.

Pre-start Conditions - Applicant/Agent has agreed with pre-start conditions

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
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
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
H1/2	Further Housing Development
EN1/5	Crime Prevention

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Principle - The existing flats are located within a sustainable urban area and mix of commercial and residential properties. There is existing infrastructure in place to facilitate the development and the use would be compatible with the character of the area.

In terms of providing additional residential accommodation in the building, the proposed development would be acceptable in principle and comply with UDP Policies H1/2 and the principle of sustainable development in the NPPF.

Issues of layout, impacts on the area and parking and access are covered below.

Layout - The proposed development would not significantly change the existing layout arrangements, revolving mainly around the layout of the car park and access and arrangements to the proposed flats.

The parking area would be re-configured and therefore able to provide 27 accessible spaces in total with the access to the site unaffected by this re-arrangement. The cycle store would continue to be located adjacent to the northern boundary and there would be adequate capacity in the existing bin stores to serve the proposed development.

The other alteration would be to provide a pedestrian footway into the sites which would lead to the entrance to the new flats and this would also better the pedestrian arrangements within the site.

The existing flat development does not provide any private amenity space and there is none proposed. Due to the site's limitations and constraints, it is not possible to provide any areas of amenity space and given the lack of existing provision, in these circumstances this is considered acceptable.

In terms of accommodation, each flat would provide a kitchen/lounge, 1 no bedroom and bathroom facilities with habitable room windows provided on the one elevation to serve the living and bedroom areas.

It is therefore considered that the proposed layout would be acceptable and comply with H2/1 and H2/2.

Design and appearance - The existing garage doors would be removed and replaced with an entrance door with a window either side for each flat. Openings and fenestration patterns would not be dissimilar to the existing rear elevation and as such considered acceptable and would comply with EN1/2 and H2/1. .

Impact on the surrounding area - The nearest properties would be the dwellings to the

south of the site on Ainsdale Avenue. These properties are 2 storey in height and there is a minimum distance of 19.6m from the flats to these houses.

The development would be for conversion only with no extensions and would be located at the lower ground floor. There is an intervening boundary wall between the rear elevation of the flats and houses to the rear of the site. It is therefore considered that impacts would not be significant.

As such the proposed development would comply with H2/2, EN1/2 and SPD6.

Impact on future occupiers - For the occupiers of the proposed development, light would be provided by 2 windows which would serve the habitable rooms and as such considered to provide adequate living standards.

A new pedestrian footpath would be formed to the entrance to the flats which would provide a direct route for future occupiers.

As such the proposed development is considered acceptable.

Highways - SPD11 provides guidance on parking standards. For the existing flats, a maximum of 21.5 spaces would be required but as the car park is not formally arranged, cars tend to park in a more haphazard fashion and therefore the car park does not perform to potential.

The previous application for the proposed dormer/roof conversion development for 5 flats (therefore 21 flats in total) proposed to provide 23 no. demarcated spaces which was considered acceptable given the formal arrangement would better the existing layout and as the site is also located in a relatively sustainable area won a bus route.

This development for 4 additional flats at the lower ground floor proposes an additional 4 parking spaces, totalling 27 parking spaces if both developments were to be implemented. In the event that the loft conversion was not implemented and the basement conversion was, 27 spaces would still be provided which would be a positive gain for the site. In addition, it is proposed to provide a pedestrian footway along the car park, again bettering the current situation.

As such, it is considered the proposed development would be acceptable and comply with H2/2, HT2/4 and HT6/2.

Salford Council - Salford City Council raises no formal objection to the proposed development. It is requested that -

- Particular attention is paid to any representation from occupiers of properties on Ainsdale Avenue
- Appropriate surface water drainage is facilitated so that the risk of flooding is not increased off-site within Salford's boundary
- The application consider off-street parking provision and the likelihood of overspill parking on Singleton Road.

In response to this, the existing drainage services would be utilised (private consent may be needed from UU for connections to their systems), and it is considered adequate parking provided. No representations have been received.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were

incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 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 Town & Country Planning Act 1990.
- 2 This decision relates to drawings - Project number GGS20007.2: Site - location 001B; Site - Block plan 001A; Parking plan 001C rev 4; Existing plans 1 002; Existing plans 2 003; Existing elevations 004; Proposed plans 1 005 rev 2; Proposed plans 2 006; Proposed Elevations 007 rev 2; 3D Existing and proposed - 008, 009, 010 rev 2, 011 rev 2. - and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
- 4 No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:
 - Photographic dilapidation survey of the footways and carriageways abutting the site access in the event that subsequent remedial works are required following construction of the development;
 - Hours of operation and number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - Parking on site (or on land under the applicant's control) of operatives' and construction vehicles together with storage on site of construction materials, including any requisite phasing of the development to accommodate this, including the retention of adequate parking facilities for existing residents of Singleton Court;
 - Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the parking of vehicles and storage of construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented prior to the development hereby approved being occupied.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that

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the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

- 5 The car parking alterations and pedestrian access improvements indicated on approved plan reference GGS20007.2 001C Revision 4, incorporating the clearance of all vegetation, laying of a new permeable asphalt surface (including the proposed parking space areas) and demarcation of 2.4m x 5.0m (minimum) spaces, shall be implemented prior to the development hereby approved being occupied and thereafter maintained available for use at all times.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	21/2/22		