

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 14/12/2022	Ref: 68840/FUL
Registration: 22/09/2022	LDFC: 19/10/2022	Expiry Date: 17/11/2022
Site Visit: 28/10/2022	Site Notice: N/A	Press Date: N/A
Objections: 2	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIDW

Proposal: Conversion of 1 no. dwelling into 2 no. apartments

Location: 16 Hampson Street, Radcliffe, Manchester, M26 4TN

Description

The site relates to a single 4 bed dwelling which is attached to a social club on a cul de sac which comprises other residential dwellings. The property has been extended two storey at the side and rear with the main entrance on the side. There is an access down the side of the dwelling which leads to a small back yard where there is an external staircase which leads to the rear of the attached social club and which is understood to be a fire escape.

The application seeks the conversion of the dwelling into 2 no. x 2 bed flats at ground and first floor.

The external layout would remain the same, the only addition would be to provide 2 sheds in the rear yard area which would be shared between the occupiers.
The existing side entrance would be used by both occupiers.

Relevant Planning History

38653 - 2 storey extension at side and rear - Approved 2002.

Publicity

Letters sent on 27/9/22

Two objections received with the following comments:

- Am disgusted that I was not written to advise of this plan;
- Fully object to these plans as the street is oversubscribed as it is, most families here are a 2 car family minimum with only street parking available, this was made worse when 3 more dwellings were squeezed onto the tiny car park that used to belong to the Shirt club, at weekends and some nights during the week when the shirt club is open, cars get abandoned all over the street as there is no car park now for the shirt club.
- Added to this visitors to the club and the public house, The Royal Oak and take away shops on Water street also fill the top end of the street most nights so it is quite chaotic. There is already a fair bit of friction between neighbours over parking in the street and this would only exacerbate matters.
- Has the potential for four more cars (2 x 2 car families) for the street where there IS NO parking anyway.
- The property itself would also be devalued by splitting it up and would also have a knock on effect to the values of other properties in the area.
- There is also the issue of fire safety, as I understand, the fire escape for the Shirt club, lands in the rear garden of this property and would require another

Statutory/Non-Statutory Consultations

Traffic Section - No objection

Waste Management - No response received

Borough Engineer - Drainage Section - No response received

United Utilities (Water and waste) - No response received

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
H5/1	Area Improvement
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development

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 - UDP Policy H2/4 - Conversions seeks to ensure a dwelling's standards are maintained and that the development would not adversely affect the character or amenity of residential area or parking requirements.

Apart from the attached social club, the proposed flats would be located within a residential setting and as there would be no alterations to the externality of the build to facilitate the conversion, the property could still be perceived as a single habitable unit.

The conversion from a 3 bed single dwelling to 2 x 2 no bed flats is considered to be a relatively minor increase in number of occupiers and as such intensification of use of the building is considered not to be significant to adversely impact on the character of the locality.

The proposed development would also offer an alternative type of accommodation to the current mix of housing in the area.

It is therefore considered in principle the proposed development would be acceptable and comply with H2/4.

Layout - The layout of the site would fundamentally remain unchanged, the only alteration being to the rear yard which would become a shared outside space with bin store facilities and the addition of a shed to each of the flats for cycle storage and other household items.

The access to the adjacent building via the existing external staircase would not be affected.

As such the proposed development would comply with H2/2.

Impact on amenity - The development does not propose any alterations which would affect outlook or privacy of neighbours.

The increase in occupation for two flats would not be significant to cause noise or nuisance comparative to a single dwelling.

In terms of compliance with space standards for the proposed flats, the 2nd bedroom to the ground floor flat would fall short as this should be 7.5m² but 6.5m² has been provided.

As the bedroom would not be significantly less than the prescribed standards and as a 'buyer' or 'occupier' beware, it is considered the proposed accommodation would be acceptable in this instance.

As such the proposed development is considered to be acceptable and comply with H2/1 and H2/4.

Visual amenity - There would be no external changes to the building and as such there would not be a detrimental impact on the visual amenity of the area or streetscape.

Parking - There is no dedicated parking for the dwelling and none is proposed. The property is located on a cul de sac where there is on street parking on both sides.

The proposed development to form 2 separate units would not increase occupation of the building to put significant pressure on parking in the area and as such the proposed development is considered acceptable and comply with H2/2 and HT2/4.

Response to objections

- The fire escape to the adjacent social club would be unaffected by the proposed development.
- Issues of parking have been covered in the above report.

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- Property valuation is not a material consideration.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. 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 numbered Location plan 3980.3; as existing 3980.1 rev A; as proposed 3980.2 rev A 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 communal bin storage facilities indicated on the approved plans shall be made available to the satisfaction of the Local Planning Authority prior to the use hereby approved commencing and maintained thereafter.
Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway pursuant to Bury Unitary development Plan Policies H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	14/12/22		