

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132659/FO/2022

Date registered valid: 7 February 2022

Proposal: Conversion of dwellinghouse into 4 self-contained flats and formation of balcony to second floor front elevation

Address: 34 Milton Grove, Manchester, M16 0BP

Ward(s): Whalley Range Ward

Applicant: Mr D. Jordan C/o Agent

Agent (if any): Mr Mohamed Muse Muse Architects 14 Gerry Wheale Square, Manchester, M14 4UY

Case officer: Dave Morris
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Recommendation: Refuse

Date of recommendation: 29.03.2022

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 11 February 2022

Standard consultations:

Printed: 7 February 2022 Expired: 28 February 2022

Neighbour notifications

Printed: 7 February 2022 Expired: 28 February 2022

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

This application relates to a two storey mid terraces property with a second floor accommodated in the roof void with a gable on the front elevation containing a window. There is a two storey bay window with a hipped roof on the front elevation and a small front garden. At the rear there is a two storey outrigger with a mono pitch roof contiguous with the roof slope on the main part of the building.

There is a yard at the rear. The property has not been extended.



Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

This is a predominantly residential area. The application site is in the middle of a terrace of seven houses on the south side of Milton Grove. To the rear separated by an alley is a terrace of properties on Bury Avenue. There are larger semi detached houses facing the site across Milton Grove.

Description of development

Consent is sought to convert the property into four one bed self contained flats. On the ground floor would be a 35 square metre one bed flat and part of a 37 square metre one bed duplex flat. The first floor would comprise a 37 square metre one bed flat and the remainder of the duplex whilst the roof void would accommodate a 37 square metre one bed flat.

All the flats would be accessed from the front of the property and the duplex would have access to the rear yard. Four bins are shown in the rear yard and eight in the front garden. It is also proposed the replace the second floor front window with a door and to create a terrace with a balustrade on the top of the bay.

In support of the application the applicant has indicated that a number of properties have been converted to flats.

Consultations & Notification Responses

Local Residents

No representations received.

Environmental Protection

The waste management strategy is unacceptable. Each flat would require its own bins

Highways

No on-site car or cycle parking is being offered, and Highways have concerns that the conversion will lead to an increased demand for on-street parking which is already high in this area.

Given the lack of waste management information provided, it is not clear how many bins will be required nor how they will be presented for collection.

Pedestrian access arrangements are acceptable from a highway perspective.

Policy

Core Strategy

The relevant Core Strategy policies are SP1, H1, H6, H11 and DM1

Policy SP1 sets down the spatial principles that will guide development in the City, including the creation of neighbourhoods of choice.

Policy H1 Identifies the need for family housing in the south of the City.

Policy H6 prioritises housing that meets identified shortfalls, including family housing.

Policy H11 says that there will be a presumption against changing family houses into HMO's in areas where there is a shortage of family housing.

Policy DM1 seeks to protect the amenity of an area from the adverse impact of development.

Issues

Principle

The proposed development involves the conversion of a C3 dwelling into four one bed self contained flats and therefore involves the loss of a family dwelling. The principle of the proposed development is therefore considered to be unacceptable.

Loss of a family dwelling

Core Strategy policies H1 and H6 and the supporting text to the housing policies identifies a shortage of family housing in the south of the City. As a family dwelling the property would have good access to local facilities, including shops, healthcare, schools, parks and public transport. Further its retention as a dwellinghouse would help to maintain the diversity of accommodation available in the area that is important in ensuring that communities remain sustainable. The proposed development would therefore be contrary to policies H1 and H6.

The applicant has referred to the number of existing flat conversions in the area and suggests that for this reason consent should be granted. Council tax records suggest that of the seven houses in the terrace four have been converted into three flats. Of these only one has planning permission which was granted in April 1983 reference 019019. The high number of existing , serves to justify the Council's approach in not granting further consents for conversions to flats in order to retain the mix of housing available in the area.

Standard of accommodation.

Of the flats proposed The ground floor flat is substandard in terms of floorspace, as is the duplex flat. The remaining two flats are the minimum floorspace for one bed one person flats with a shower.

The other properties that have been converted to flats in the terrace have a maximum of three units, this would appear to suggest that this is an overdevelopment of the site.

Refuse

The provision of the refuse storage in the front garden is not necessarily unacceptable subject to there being a suitable enclosure and adequate bins. However, concern is expressed that whilst some bins could be stored at the rear of the property these could only be used by the duplex flat which is the only one to have access to the yard, this would entail there being 9 bins in the front garden which could impact on amenity.

The standard of accommodation is therefore considered to be unacceptable.

Parking

The proposed development makes no provision for off street parking, the normal requirement being one space per dwelling. Whilst this is a sustainable location with good access to local facilities and public transport there is a parking issue in the area as highlighted by Highways

Residential amenity

This type of small self contained accommodation, which lacks the flexibility of larger flats, tends to attract transient populations who do not put down roots in an area and integrate into the local community. Often the accommodation is used by students resulting in them being vacant for large parts of the year during holidays making it difficult to provide services and for local businesses to survive.

Concern is also expressed that the additional activity associated with this small property accommodating four individual households in particular the comings and goings of residents and the demand for on street parking, in an area where on street parking has been identified as an issue by Highways would have a detrimental impact on the amenity of existing residents and also the character of the area.

The lack of affinity for an area attributable to a transient population is often reflected in the appearance of the property, a lack of consideration for the long term residents of the area and the appearance of the area. The proposed development would therefore conflict with Core Strategy policy DM1

Terrace

The proposed terrace above the bay window would not be dissimilar to ones that have been created on other properties on the terrace. In view of the width of the street it is not considered that it would give rise to any significant issues.

Conclusion

The conversion of the property into self contained flats would have a negative impact on the area and be contrary to the Council's policies.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights

posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Refuse

Article 35 Declaration

The proposal would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The conversion of 34 Milton Grove into four, one bed self contained flats would result in the loss of family accommodation, thereby reducing the availability of family housing, and undermine the formation of sustainable communities. The proposal would therefore be contrary to the provision of policies SP1, H1, H6, and DM1 of the Manchester Core Strategy (2012), the Guide to Development in Manchester Supplementary Planning Document (2007) and the National Planning Policy Framework (2019).

2) The proposal would result in an overly intensive use of the property resulting in additional comings and goings and increase the demand for car parking in the area. The proposed development would therefore be contrary to the provision of policies SP1, H1, H5, and DM1 of the Manchester Core Strategy (2012), saved policy DC5 of the Unitary Development Plan for the City of Manchester (1995), the Manchester Residential Quality Guidance (2017), the Guide to Development in Manchester (2007).

3) The floorspace for the proposed ground floor flat and the duplex flat and below the City Councils published spaced standards for residential accommodation. The proposed development would therefore result in the provision of substandard living accommodation contrary to the provisions of Core Strategy policy DM1, and saved Unitary Development Plan policy DC 5

4) The proposed development fails to make adequate provision for the storage of waste and material for recycling both in terms of the number of bins proposed and the impact that a large number of bins stored in what was the front garden would have on the character and visual amenity of the area. The proposed development is therefore contrary to the provisions of Core Strategy policy DM1 and saved Unitary Development Plan policy DC5

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

7 Bury Avenue, Manchester, M16 0AT
17 Milton Grove, Manchester, M16 0BP
11 Bury Avenue, Manchester, M16 0AT
Flat 2, 38 Milton Grove, Manchester, M16 0BP
Flat 3, 30 Milton Grove, Manchester, M16 0BP
38 Milton Grove, Manchester, M16 0BP
Flat 3, 38 Milton Grove, Manchester, M16 0BP
Flat 1, 38 Milton Grove, Manchester, M16 0BP
32 Milton Grove, Manchester, M16 0BP
Flat 3, 36 Milton Grove, Manchester, M16 0BP
Flat 2, 36 Milton Grove, Manchester, M16 0BP
Flat 2, 30 Milton Grove, Manchester, M16 0BP
Flat 1, 36 Milton Grove, Manchester, M16 0BP
Flat 1, 30 Milton Grove, Manchester, M16 0BP
19 Milton Grove, Manchester, M16 0BP
9 Bury Avenue, Manchester, M16 0AT
5 Bury Avenue, Manchester, M16 0AT
3 Bury Avenue, Manchester, M16 0AT
1 Bury Avenue, Manchester, M16 0AT

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Area Team Boundary - Name: SOUTH