

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132868/FO/2022

Date registered valid: 14 February 2022

Proposal: Change of use to form a Childrens Home (Class C2) to 4 no. self contained flats with associated parking and landscaping

Address: 1 Borwell Street, Manchester, M18 8AQ

Ward(s): Gorton & Abbey Hey Ward

Applicant: Grace Services (Manchester) Ltd 27 Cronkeyshaw Avenue,
Rochdale, OL12 6SQ

Agent (if any): David Ormesher Holborow & Ormesher 15 Overton Close, Middlewich,
CW10 0PZ

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23 March 2022

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit:

Standard consultations:

Printed: 15 February 2022 Expired: 8 March 2022

Neighbour notifications

Printed: 15 February 2022 Expired: 8 March 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 is a two storey detached property which is located at the junction of Borwell Street and Gorton Lane . The property has been used for the care of children and fronts onto Borwell Street.

The property has a pitched roof with a flat roofed porch to the front façade . To the south of property is a parking area to serve properties in the vicinity , but this is not demarcated . To the north west of the property are two off street parking spaces access from Gorton Lane , but which lie out of the ownership of this property . There is a small detached store in the rear garden area. The rear garden is boundary by a mix of high brick walls, concrete post and panel fencing, and wooden panel and concrete post fencing , with anti-climb treatment on top, with a gated access from the rear garden to the footway to the south . The property at present has no boundary treatment to the back of the foot way to either Borwell Street or Gorton Lane, but there is a low wooden panel and concrete post fence set behind the landscaping at the back of pavement to Gorton Lane.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The building is located on the west corner of Borwell Street and Gorton Lane opposite the Gardeners Arms Public House. With the exception of the public house , the local area is primarily residential in nature .

Description of development

The proposal is to convert the existing 2-storey building into 4no 1-bed self-contained flats. External alterations would be limited to the removal of a door at ground level in the rear elevation and replaced with a window to serve a proposed bathroom .

The planning agent has confirmed that the proposed accommodation would not be used for supported living.

There is no off street parking within the curtilage of the property.

Refuse storage would be located within the rear garden area in proximity to the gated access to the footway to the south, with the existing single storey store being retained for the storage of garden equipment . Four cycle spaces are also shown within the rear garden .

A low boundary wall is proposed at the back of pavement to Gorton Lane and Borwell Street, to enclose the existing landscaped areas to the frontage of the property.

Consultations & Notification Responses

Local residents and local businesses – No comments received.

Highways Services -the submitted documents note that two on-site car parking spaces are to be retained and provided to the occupants. Access to the spaces is via an existing dropped kerb to the side of the property on Gorton Lane. Highways records indicate that the suggested car parking spaces do not fall under the applicant's ownership, therefore verification is required. The applicant should confirm that they have a formal written agreement to guarantee rights of access over any land which falls outside of the site's red line.

Secure and sheltered cycle storage is to be provided on-site for 4 cycles, this is acceptable to Highways.

There are no boundary treatments noted.

Bins are shown stored on-site at the rear of the property. All waste is to be transferred by the resident for kerbside collection under the local MCC collection service which is acceptable.

Detail should be sought from the applicant in relation to any proposed construction or fit-out arrangements, where there is an impact on the highway. The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email -highwaylicenses@manchester.gov.uk

Environmental Health - recommend that conditions are attached to any approval relating to the limitation of construction hours and implementation of the scheme in accordance with the submitted waste management strategy.

Issues

NPPF (July 2021)

The NPPF sets out the Government's planning policies and how these are expected to be applied. At Paragraph 7 it confirms that the purpose of the planning system is to contribute to sustainable development.

At Paragraph 8, it identifies three overarching objectives to sustainable development:

- Economic: building a strong, responsive and competitive economy;
- Social: supporting strong, vibrant and healthy communities; and
- Environmental: protecting and enhancing the natural environment and built and historic environment.

Paragraph 10 confirms that a presumption in favour of sustainable development lies at the heart of the Framework.

Paragraph 11 states that for decision-making, this presumption in favour of sustainable development means "approving development proposals that accord with an up-to-date development plan without delay."

Of particular relevance to this application is Section 5 of the NPPF –

'Delivering a sufficient supply of new homes' states that in order to support the Government's objective of significantly boosting the supply of homes, 'it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'. The development accords with this section of the NPPF as it would lead to the provision of 4 flats.

Section 9 of the NPPF concerns the promotion of sustainable transport. Paragraph 107 states that if setting local parking standards for residential and non-residential development, policies should take into account the accessibility of the development; the type, mix and use of development; the availability and opportunities for public transport; local car ownership levels; and the need to ensure provision for electric vehicles. Whilst not including the provision of off street car parking, four cycle spaces are proposed, which would facilitate sustainable transport options.

Paragraph 120 states that planning decisions should promote and support the development of under-utilised land and buildings. This property has been vacant 5 years and the proposed conversion of the building would enable it to be brought back into use.

Paragraph 126 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. In terms of decision making, the NPPF guides Local Planning Authorities to approve, where possible, proposals for sustainable developments.

Section 14 'Meeting the challenge of climate change, flooding and coastal change' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Paragraphs 10, 11, and 12, of the NPPF outline a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

The Development Plan

The Development Plan consists of:

- The Manchester Core Strategy (2012); and
- Saved policies of the Unitary Development Plan for the City of Manchester (1995)

The Core Strategy was adopted in July 2012 and is the key document in the Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) and sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved and accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents as directed by the National Planning Policy Framework (NPPF).

The NPPF requires application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The relevant policies within the Core Strategy are as follows:

Policy SP1 'Spatial Principles' ,Policy T1 'Sustainable Transport' , Policy EN1 'Design principles and strategic character areas', Policy H1 'Overall Housing Provision' , Policy H4 'East Manchester' , Policy EN8 Policy EN19 'Waste' and Policy DM1 'Development Management' For the reasons given below, it is considered that the proposal is consistent with the policies listed above.

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policies of the Unitary Development Plan are also considered relevant: Policy DC5 states that in determining planning applications to convert property to flats, the Council will have regard to:

- a) The standard of accommodation for the intended occupiers of the premises;
- b) Effects on adjoining houses as a result of noise from flats passing through party walls and affecting adjoining houses;
- c) Adequacy of car parking, off-street car parking being normally required where practicable, and essential where there is so severe an existing on-street parking problems that unacceptable additional pressures would be created;
- d) General effects on the character of the neighbourhood, including the extent to which flat conversion schemes are a new or an established features of the immediate area, avoiding the loss of front gardens and the retention of existing trees and shrubs;
- e) Adequate private outdoor amenity space;
- f) The desirability of achieving easy access for all, including disabled people;
- g) Satisfactory provision of refuse storage and collection facilities.

The policy goes on to state that the Council will normally refuse permission for any developments in this category which:

- a) Do not provide accommodation to the Council's current approved standards;
- b) Are in tightly packed residential streets where there is no scope for off-street car parking and where there is already an acknowledged problem of on street congestion;
- c) Involve conversion schemes without adequate private external amenity space;
- d) Are schemes without satisfactory refuse storage and collection facilities.

Policy DC26 states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise.

Planning Practice Guidance (PPG)

The relevant sections of the PPG are as follows:

Noise states that Local planning authorities' should take account of the acoustic environment and in doing so consider:

- o whether or not a significant adverse effect is occurring or likely to occur;
- o whether or not an adverse effect is occurring or likely to occur; and
- o whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- o engineering: reducing the noise generated at source and/or containing the noise generated;
- o layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- o using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- o mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design states that where appropriate the following should be considered:

- o layout - the way in which buildings and spaces relate to each other
- o form - the shape of buildings
- o scale - the size of buildings
- o detailing - the important smaller elements of building and spaces
- o materials - what a building is made from

Other material policy considerations

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (Adopted 2007)

This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people (in accordance with Design for Access 2), pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures and environmental sustainability. Sections of relevance are:

Chapter 2 'Design' - outlines the City Council's expectations that all new developments should have a high standard of design making a positive contribution to the City's environment;

Paragraph 2.7 states that encouragement for "the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified form which blends in with, and links to, adjacent areas.

Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will

be important to ensure that the development of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contribute to the creation of a positive identity.

Paragraph 2.14 advises that new development should have an appropriate height having regard to the location, character of the area and specific site circumstances. Although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations.

Paragraph 2.17 states that vistas enable people to locate key buildings and to move confidently between different parts of the neighbourhood or from one area to another. The primary face of buildings should lead the eye along important vistas. Views to important buildings, spaces and landmarks, should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises.

Chapter 8 'Community Safety and Crime Prevention' - The aim of this chapter is to ensure that developments design out crime and adopt the standards of Secured by Design;

Chapter 11 'The City's Character Areas' - the aim of this chapter is to ensure that new developments fit comfortably into, and enhance the character of an area of the City, particularly adding to and enhancing the sense of place.

Manchester Residential Quality Guidance (2016)

The City Council's Executive has recently endorsed the Manchester Residential Quality Guidance. As such, the document is now a material planning consideration in the determination of planning applications and weight should be given to this document in decision making.

The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a City of high quality residential neighbourhood and a place for everyone to live.

The document outlines nine components that combine to deliver high quality residential development, and through safe, inviting neighbourhoods where people want to live. These nine components are as follows:

- Make it Manchester;
- Make it bring people together;
- Make it animate street and spaces;
- Make it easy to get around;
- Make it work with the landscape;
- Make it practical;
- Make it future proof;
- Make it a home; and
- Make it happen.

Principle

Policy H1 outlines the strategic approach to housing growth in the City, and goes on to state that the Regional Centre is a priority area for residential schemes in order to support regeneration and drive regional growth.

Policies SP1 and H1 also seek to encourage development on previously developed land and the conversion and re-use of vacant buildings including the renewal of areas characterised by poor quality housing.

The proposed development would involve the redevelopment of a redundant children's home. The application is viewed in terms of the conversion of a building which has previously been in a residential use. Although, the use of the property for family housing would be the preferred option, due to the large size of the former children's home accommodation, it is considered that the conversion to flats would be acceptable in principle.

The proposal also complies with Saved policy DC5 of the UDP which relates to flat conversions, as it is considered that a satisfactory level of accommodation can be provided without any significant undue effects upon prospective or nearby occupiers, or the general character of the neighbourhood.

Given the above, the proposed development is considered acceptable and would lead to the reuse of vacant floorspace in order to provide 4 flats in a residential development which accords with the aspiration for residential growth in this area.

Having regard to the existing planning policy framework, City Council policy and national planning guidance, the principle of the development is considered acceptable.

Residential space standards

In this case, each of the apartments would exceed the guidance in Manchester Residential Quality Guidance (2016) in regard to the floorspace which is proposed. Flat 1 would cover 48sq.m, flat 2 would cover 41 sq.m, flat 3 would cover 42 sq.m, and flat 4 would cover 42 sq.m. The proposal therefore accords with the relevant standards and provides an appropriate standard of accommodation.

Visual Amenity

External alterations would be limited to the removal of a door at ground level in the rear elevation and replaced with a window to serve a proposed bathroom. This, elevational revision, however, would be screened for the most part due to the high boundary treatment to the curtilage of the rear garden area, which is to be retained. It is not considered that the proposed elevational changes would lead to any significant impacts to visual or residential amenity.

Residential Amenity

This detached property has been used previously as a children's home, it is therefore not considered that the conversion of the property into 4 no. one bedroom flats would significantly affect the current levels of activity and create any associated noise and disturbance to such a degree that the amenity of nearby occupiers will be adversely affected. Moreover, given the former use of the floorspace, it is considered that the proposed use will have a lesser impact upon residential amenity.

The property also benefits from a private side and rear garden area, which would provide private usable amenity space for the future occupiers of the property.

Sustainability

Policy EN8 of the Core Strategy relates to adaption to climate change. The proposal is to convert the existing 2-storey building into 4no 1-bed self-contained flats, which the planning agent has confirmed would to comply with Code 4 sustainability requirements with up-grading the building to comply with current Building Regulation requirements. The retention of soft landscaping will also contribute to slowing surface water flow into the drainage system and the retention of the existing trees to the Gorton Lane frontage will contribute to reductions in CO2.

Parking

Policies T2, DM1 and SP1 of the Core Strategy and saved policy DC5 of the UDP require that adequate car parking is provided for new developments.

Policy T2 in particular states that the Council will take the circumstances of each proposal into account to establish what level of parking is appropriate. There are no existing car park spaces on the site and 4no new cycle stores will be included in the development.

In view of the car spaces located to the south of the property, and that Borwell Street is not subject to parking restrictions , it is not considered that the proposed development would give rise to significant on street parking and highway issues. The provision of secure cycles space in the rear garden area would enable access to a sustainable transport options. Furthermore, bus services are available on Gorton Lane , adjacent to the property . It is therefore recommended that a condition be attached to any approval to require the finalised details of the type of cycle storage, together with any canopies are submitted for consideration prior to the first occupation of the flats.

Disabled Access

The property benefits from ramped access to the front of the property which would be retained.

Security

The rear of the property is bounded by high boundary treatment topped with anti-climb measures, which are to be retained.

Refuse storage

The application is accompanied by a waste management strategy and a plan which shows the location of the refuse storage arrangements in the rear garden. The proposed arrangements are considered to be satisfactory . It is therefore proposed to attach a condition to require the sachem to be implemented in full accordance with the submitted plan and waste management strategy.

Landscaping and trees

The existing soft landscaping and trees are to be retained . In relation to the proposed low wall boundary treatment to the back of pavement on Borewell Street and Gorton Lane, it is proposed to attach a tree protection condition to safeguard the trees to the Groton Lane frontage, whilst the works are undertaken.

Boundary treatment

A low wall (600mm) is proposed to be erected to the back of pavement on Gorton Lane , and Borwell Street. A small wall detail has been included on the site plan showing a 600mm brick wall with a on edge brick detail , with confirmation that materials would match those used in the existing building .On the basis that these works are undertaken within the curtilage of the property , planning permission would not be required. It is therefore not proposed that a condition be attached to require the implementation of the wall.

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: Approve

Article 35 Declaration

In this case, officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, the applicant's agent was advised of concerns regarding: the provision for the storage of cycles, segregated waste and boundary treatment, these matters have been satisfactorily resolved and the appropriate conditions have been attached.

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

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the following drawings and documents:

Waste Management Strategy, received 3rd February 2022;

Email from agent dated 24th February 2022 confirming that the accommodation would not be used for supported living.

Block plan rev.A, and Revised Design and Access Statement received 13th March 2022.

Site plan rev.C received 15th March 2022.

Plans and elevation as existing ref: 2229/21/01 rev.A ;Plans and elevation as proposed ref: 2229/21/02 rev.A received 22nd March 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans., pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

3. The development hereby approved shall only be carried out in accordance with the refuse storage and collection scheme as detailed on the approved drawing numbered Site plan rev. C received on 15th March 2022, and waste management strategy received on 3rd February 2022, and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of visual amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012).

4. Prior to the first occupation of the flats hereby approved, finalised details of the type of cycle storage (including any canopies) shown on the approved drawing numbered Site plan rev. C received on 15th March 2022, shall be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy (2012).

5. In this condition "retained tree" means existing trees to the Gorton Lane frontage, which is shown as retained on drawing Site plan rev. C received on 15th March 2022,; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

Informatives

1.Any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email [-highwaylicenses@manchester.gov.uk](mailto:highwaylicenses@manchester.gov.uk) DEMOLITION/CONSTRUCTION HOURS

2.Construction/demolition works shall be confined to the following hours:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

To safeguard the amenities of nearby residents

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Commission For Social Care Inspection
Adult Social Care

538 Gorton Lane, Manchester, M18 8AN
22A Borwell Street, Manchester, M18 8FH
544 Gorton Lane, Manchester, M18 8AN
546 Gorton Lane, Manchester, M18 8AN
550 Gorton Lane, Manchester, M18 8EH
3 Heversham Walk, Manchester, M18 8AY
1 Heversham Walk, Manchester, M18 8AY
542 Gorton Lane, Manchester, M18 8AN
18 Oxenholme Walk, Manchester, M18 8AP
8 Robe Walk, Manchester, M18 8EB
6 Robe Walk, Manchester, M18 8EB
4 Robe Walk, Manchester, M18 8EB
2 Robe Walk, Manchester, M18 8EB
16 Robe Walk, Manchester, M18 8EB
14 Robe Walk, Manchester, M18 8EB
12 Robe Walk, Manchester, M18 8EB
10 Robe Walk, Manchester, M18 8EB
548 Gorton Lane, Manchester, M18 8EH
540 Gorton Lane, Manchester, M18 8AN

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH2