

Growth & Development

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Application no. 132351/FO/2021

Date registered valid: 13 January 2022

Proposal: Conversion of existing ground floor public house and associated living accommodation at first floor to form 13 bedroom house in multiple occupation (sui generis)

Address: Grosvenor Arms , 2 Eldridge Drive, Manchester, M40 2DF

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr. Adetunji Falekulo Revolving Doors Housing Trust 3-9 Hyde Road,
Manchester, M12 6BQ

Agent (if any): Mr Barry Tang Tang and Associates Ltd - Chartered Architects
Entrance W1 First Floor, Westwood House, Greenwood Business
Centre, Manchester, M5 4OH

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 9 February 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 18 January 2022 Expired: 8 February 2022

Neighbour notifications

Printed: 18 January 2022 Expired: 8 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

Listed building: Not applicable

Conservation area: NO

Tree Preservation Order: NO

This application relates to a former two storey public house known as the Grosvenor Arms that is located at 2 Eldridge Drive in the Miles Platting area of Manchester. The area surrounding the application site is residential in nature and the pub has been vacant for some time. The site is bound by Elmridge Drive and Bower Street. Residential properties back on to the immediate site.

The proposal seeks consent for the conversion of existing ground floor public house and associated living accommodation at first floor to form 13-bedroom house in multiple occupation (sui generis). Minor alterations to the windows and doors form part of the application. The site includes car parking provision for 4 vehicles and bin storage. Three elevations of the building immediately abut the public realm and no boundary treatments are proposed as part of the development. The rooms provided vary in size from 13 square metres to 27 square metres the basement area contains a communal kitchen/dining area.

Planning History

101021/OO/2012/N1Outline application, with access and layout to be considered, for the erection of 3 no. dwellinghouses following demolition of existing public house. All others matters reserved. Approved.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted and 58 objections and one councillor objection was received.

The concerns raised are outlined below:

- The proposal would impact on the privacy for the surrounding properties due to the close proximity to neighbouring residential dwellings.
- Noise generation from comings and goings.
- The type of occupants would potentially attract criminality to the area and make the area unsafe for children to play.
- The nature of the activity due to the transient lifestyle of the occupiers is not conducive with the elderly and vulnerable population in the area.

The issues raised within the objectors comments will be addressed within the body of the report.

Environmental Health-Recommended construction hours, external plant and equipment noise attenuation, contaminated land and air quality conditions be attached to the consent should the proposal be supported. Furthermore, commented that the refuse strategy provided was inadequate and as the amount of receptacles are insufficient.

The Highways Team-Whilst highways had no objection in principle for the proposal. It is noted that a lightwell is proposed to the basement unit and we seek clarification as to how this will be protected at ground floor level from the potential encroachment of vehicular traffic and the waste storage details are acceptable to highways, they seek verification where the waste will be collected (from the street or forecourt), and if it is the latter, can the necessary vehicle manoeuvres be undertaken. Highway recommended that cycle storage be provided and confirmed should the proposal be supported a construction management plan be conditioned.

Greater Manchester Police-No representation was received

The Flood Team- Request that the applicant should design and construct a drainage system to prevent the increased risk of flooding.

Issues

National Planning Policy Framework

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

Section 4 provides guidance on the decision making process and mirrors legislation in stating that planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Section 5 refers to the need to deliver a sufficient supply of homes and states that strategic policies should be informed by a local need assessment and the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

Of particular relevance, Paragraph 127 states:

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and 39
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Manchester's Local Development Framework: Core Strategy

The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to 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.'

Policy SP 1 Spatial Principles - States the key spatial principles which will guide the strategic development of Manchester to 2027. The key areas of policy SP1, pertinent to this application, are:

- i. The creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment;
- ii. Ensuring that the proposed development has regard to the character, issues and strategy for each regeneration area.

The following principles as set out in policy SP1 and relevant to the proposal are:

- i. The development should make a positive contribution to neighbourhoods of choice including:
 - a. creating well designed places that enhance or create character.
 - b. making a positive contribution to the health, safety and wellbeing of residents
 - c. considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
 - d. protect and enhance the built and natural environment.
- ii. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

For the reasons, set out in this report it is not considered that the development would accord with policy SP1, particularly with regard to the intensity of the use and related excessive noise and activity and impact on crime.

Policy EN19 Waste - Relates to waste management and requires that consideration is given to consideration of the submitted details relating to the applicant's proposals for the provision of a waste management plan to demonstrate how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. How the sustainable waste management needs of the end user will be met.

In this case, there is concern that the communal waste facilities may not accommodate the demand, which would raise concern that policy EN19 could be complied with.

Policy DM 1 Development Management - Discusses a range of issues that all development should have regard to. The following specific issues are relevant to the consideration of this application:

- i. The impact of the development on the character of the surrounding area;
- ii. Effects on amenity, including privacy, noise and traffic generation;
- iii. Community safety and crime prevention;
- iv. Design for health;
- v. Adequacy of internal accommodation and external amenity space;
- vi. Refuse storage and collection;
- vii. Vehicular access and car parking.

Given the stated LPA concerns regarding the intensity of the proposed use and its harmful impact on residential amenity and well-being, it is not considered that the development would be appropriately related to policy DM1.

Policy H1 - overall Housing Provision states

Proposals for new residential development should take account of the need to:

Reflect the spatial distribution set out above which supports growth on previously developed sites in sustainable locations and which takes into account the availability of developable sites in these areas;

Contribute to the design principles of Manchester's Local Development Framework, including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space, including in high density development (in which this could be in the form of balconies, as well as shared open spaces such as green roofs.

Address any existing deficiencies in physical, social or green infrastructure, or future deficiencies that would arise as a result of the development, through developer contributions or on site provision;

Be designed to give privacy to both its residents and neighbours.

The proposal does not accord with the scheme does not contribute to the character of the local area and does not make provision for appropriate usable amenity space, including in high density development.

Policy H 4 East Manchester - East Manchester, over the lifetime of the Core Strategy, will accommodate around 30% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High

density housing will be permitted within the parts of East Manchester that fall within the Regional Centre which are adjacent to the City Centre. These neighbourhoods include Ancoats, New Islington, Holt Town and Chancellor's Place; to the west of Alan Turing Way, and within Eastlands, Newton Heath, Openshaw and Gorton district centres as part of mixed-use schemes.

Policy H 11 Houses in Multiple Occupation - In addition to Manchester's Article 4 Direction that prevents change of use from Class C3 (Dwelling houses) to C4 (small-scale HMOs) reference is also made to policy H11, which states that: changes of use from a C3 to a C4 will not be permitted where there is a high concentration of residential properties within a short distance of the application site falling within one or more of the following categories:

- i. Exempt from paying Council tax because they are entirely occupied by full time students;
- ii. Recorded on Private Sector Housing's database as a licensed HMO;
- iii. Any other property which can be demonstrated to fall within the C4 or sui generis HMO use class;
- iv. In cases where the concentration of such properties is significant but less high, the Council will examine property type and resident mix in more detail when considering an application for a change of use;
- v. In areas of high concentration, extensions to HMOs (as defined in the Housing Act 2004) would not be permitted where this could reasonably be expected to lead to an increase in the level of occupation.

Unitary Development Plan for the City of Manchester (1995)

The following policies are considered to be relevant:

DC26 - Development and Noise

Policy DC26.1 - The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. The effect of new development proposals which are likely to be generators of noise and
- b. The implications of new development being exposed to existing noise sources which are effectively outside planning control.

In the case of the application site, the surrounding area has a high concentration of residential dwelling houses and the development due to the amount of occupants would cause harm to the occupiers of the surrounding properties due to the high potential for noise, disturbance and activity, including during the late evening and weekends. The resulting harm would be contrary to saved policy DC26.

Manchester Residential Quality Guidance (2016)

The City Council's Executive has 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.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. This includes the identification of issues and 'problems' associated with the proposals that have required positive consideration, dialogue and negotiation to secure positive outcomes.

Principle of the development

The proposal would be unacceptable in principle. There is no details provided in the application in respect of how long the public house has been vacant or whether it is a valuable community asset.

Policies H1 and H4 outline the need for family accommodation in areas of east Manchester. In addition policy H11 states that HMO uses would only be acceptable “where the accommodation to be provided is of a high standard and where it will not materially harm the character of the area, having particular regard to the criteria in policy DM1.

The proposal would not contribute positively to housing land supply in the City. The creation of a 13 bedroom HMO would result in the over intensive use of the proposal and create a low standard of accommodation in an area specifically identified for family housing. The intensity of the use of the building would also result in the overdevelopment of the property and result in a level of noise and disturbance which is not compatible with the domestic nature of the area. It is noted that the site would have previously been in use as a public house, but the particularly characteristics of a HMO use in this context would be unacceptable and out of character given the dominance of family housing.

The proposal would undermine the formation of a sustainable residential community, would be out of character with the predominately family housing in the area and would have an unduly harmful impact and on that basis should be refused.

Standard of accommodation

The bedroom size are considered to be small and in some instance have small and poorly position windows restricting the amount of natural light to the internal spaces. The ground floor comprises of 9 rooms 8 of which measure under 20 metres squared and have small slender windows that open directly onto the public realm. The first floor comprises of 4 additional rooms measuring 15 metres squared and under. This would create a poor quality cramped

accommodation for the residents of the property. The basement communal area comprises of a kitchen and dinning room with no windows, the only aperture in the communal area is a recessed lightwell. This would have an unduly harmful impact on the occupants of the property and contrary to planning policies H1 and DM1.

There is limited car parking associated with the development and there is no private amenity space provision. A small area provides space for bin storage. Therefore, the lack of usable space and the ground floor rooms have no definable space to the ground floor bedrooms and the accommodation is cramped and has poor fenestration which results in a poor standard of accommodation.

The building is characterised by small windows none of which would be made larger as a result of the proposal. The location of the ground floor windows are of particular concern as they are easily accessed from a confined grassed area of public realm which has no natural surveillance and would give opportunity for the crime such as in particularly breaking and entering.

Residential amenity

The immediate and surrounding area is typified by family dwelling house. The proposal would create a transient and over intensive use of the property which would increase and concentrate comings and goings, creating noise and disturbance, which is not commensurate with the domestic family nature of this area. There is also likely to be comings and goings from car parking associated with the development which, given the level of occupancy, would be intensive.

Unrelated households living together, different lifestyles and different patterns of behaviour can cause frequent comings and goings with associated noise and disturbance. It is considered that HMOs tend to attract people who will live in the property for a comparatively short period of time and consequently they do not have the same interest in the well-being of an area as those who are less transient. It is believed that this cyclical change in occupiers has a negative impact on the character and appearance of the area.

This would result in an unduly harmful impact on residential amenity to the existing residents and occupants of the property.

Car and cycle parking

Given the potential number of occupants, and space for only 4 motor vehicles, it is likely that there would be some generation of residents' car parking. This would be particularly significant in a locality with a relatively high occurrence of on-street car parking. No provision has been made for secured cycle storage. It is therefore considered that the development would thereby exacerbate these circumstances to the detriment of residential amenity.

Waste

Whilst acknowledging that the development would be serviced by communal waste storage, it is the case that the number of occupants would generate a considerable amount of waste. Environmental health have confirmed that the applicant has not provided adequate information regarding waste management and, it has been identified that 11 x 240ltr bins would be required for the amount of occupiers and therefore the proposed communal waste facilities due to the lack of space would not be capable of accommodating the amount of waste generated. The inadequate refuse arrangement demonstrate that the proposal is over developed.

Conclusion

The development would not be capable of accommodating the proposed amount of occupiers. It is likely that rental would occur in this case and a relatively transient form of occupation would bring unacceptable levels of concentrated noise activity and disturbance. The resulting impact would be harmful to residential amenity. It is also considered that the development would result in the cramped and overly intensive occupation of the property and quality of accommodation formed within it would not encourage its sustained occupation. Furthermore, given the proposed number of occupants it is likely that there would be some generation of residents' car parking. This would be particularly significant in a locality with a high occurrence of on-street car parking. The applicant was advised that the development would not be supported and on this basis no further negotiations were undertake.

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

Officers have attempted to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

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

1) The proposed development for a 13 bedroom house in multiple occupation (Sui Generis) would result in over intensification of the building, creating a low standard of accommodation and transient occupation of the property in an area where the priority is for family housing. The proposal would result in noise and activity from comings and goings which would be out of character with the domestic character of the surrounding area and create waste and parking demands. The standard of accommodation for the occupants would not be satisfactory particularly in respect of space standards of bedrooms, lack of natural light and ventilation due to small or limited windows, ground floor bedroom windows with no defensible space together with limited external amenity space. The proposal would undermine the formation of a

sustainable residential community, would be out of character with the predominately family housing in the area and would have an unduly harmful impact on the residential amenity of existing surroundings residential properties and the proposed occupants of the development. The proposal would be contrary to the provisions of policies SP1, H1, H4, H11, EN19 and DM1 of the Manchester Core Strategy (2012), saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995), Manchester Residential Quality Guidance and the NPPF.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

22 Eldridge Drive, Manchester, M40 2DF
12 Eldridge Drive, Manchester, M40 2DF
6 Eldridge Drive, Manchester, M40 2DF
28 Eldridge Drive, Manchester, M40 2DF
Flat At, Grosvenor Arms, 2 Eldridge Drive, Manchester, M40 2DF
Ten Acre Mill, Bower Street, Manchester, M40 2AF
9 Eldridge Drive, Manchester, M40 2DF
5 Eldridge Drive, Manchester, M40 2DF
4 Eldridge Drive, Manchester, M40 2DF
14 Eldridge Drive, Manchester, M40 2DF
8 Jupiter Walk, Manchester, M40 2DJ
8 Eldridge Drive, Manchester, M40 2DF
7 Eldridge Drive, Manchester, M40 2DF
32 Eldridge Drive, Manchester, M40 2DF
30 Eldridge Drive, Manchester, M40 2DF
3 Eldridge Drive, Manchester, M40 2DF
26 Eldridge Drive, Manchester, M40 2DF
24 Eldridge Drive, Manchester, M40 2DF
20 Eldridge Drive, Manchester, M40 2DF
18 Eldridge Drive, Manchester, M40 2DF
1 Eldridge Drive, Manchester, M40 2DF
16 Eldridge Drive, Manchester, M40 2DF
11 Eldridge Drive, Manchester, M40 2DF
10 Eldridge Drive, Manchester, M40 2DF
8 Morrison Walk, Manchester, M40 2DE
6 Morrison Walk, Manchester, M40 2DE
4 Morrison Walk, Manchester, M40 2DE
2 Morrison Walk, Manchester, M40 2DE
12 Morrison Walk, Manchester, M40 2DE
10 Morrison Walk, Manchester, M40 2DE
6 Jupiter Walk, Manchester, M40 2DJ
4 Jupiter Walk, Manchester, M40 2DJ
2 Jupiter Walk, Manchester, M40 2DJ
3 Jupiter Walk, Manchester, M40 2DJ
1 Jupiter Walk, Manchester, M40 2DJ
9 Falsgrave Close, Manchester, M40 2DH
7 Falsgrave Close, Manchester, M40 2DH
5 Falsgrave Close, Manchester, M40 2DH
3 Falsgrave Close, Manchester, M40 2DH
1 Falsgrave Close, Manchester, M40 2DH

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH1