

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137162/FO/2023
Date registered valid: 8 June 2023
Proposal: Change of use of existing apartment into two 1 bed apartments
Address: Flat 4, 32/34 Bideford Drive, Manchester, M23 0QD
Ward(s): Baguley Ward

Applicant: Mr Wasim Khalid
Agent (if any):
Case officer: David Lawless
Tel: 0161 234 4543
Email: david.lawless@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 6 March 2024



Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 29 February 2024

Standard consultations:

Printed: 16 June 2023 Expired: 7 July 2023

Neighbour notifications

Printed: 16 June 2023 Expired: 7 July 2023

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/area

32/34 Bideford Drive is a part two/part three storey mixed use property, consisting of a convenience store with post office on the ground floor with four self-contained flat above split over the first and second floors. To the north of property is Brookway Court, while to the east stands the Bideford Centre and a hard surfaced landscaped area. Beyond that stand nos. 36 to 62 Bideford Drive, a terrace of 2 storey dwellinghouses. To the west of the property lies Yarwood Avenue, while to the south there is car parking area utilised by visitors to the shop and the Bideford Centre.

Listed building: No

Conservation area: No

Tree Preservation Order: No

Description of development

The applicant is proposing to subdivide flat no. 4 into 1 x one bed one person flat and 1 x one bed two person flat.

Consultations & Notification Responses

Local Residents/Businesses – No comments received.

Environmental Health – No objections. The existing bin store is large enough to accommodate the requirements of the proposed additional accommodation.

Highway Services – Have made the following comments:

- The site is well accessed by sustainable modes. Regular bus services are routed along Altrincham Road and provides connections to Sale, Heaton Mersey and Crowcroft Park.

Further bus stops are in place along Moor Road and provide connections to Stockport, Northern Moor and Altrincham. The closest Metrolink facility is located at Moor Road and provides connections to Manchester Airport and Victoria via Market Street.

- In comparison to the former use, the level of trips generated is not anticipated to be dissimilar and as such no highways concerns are expected.
- On-street parking is available along Yarwood Avenue and no parking restrictions are in place. It is noted that on-street parking is prevalent along Yarwood Avenue.
- A refuse storage area is noted within the site. The refuse arrangements will remain as existing with a bin store in place within the red line boundary of the site and collection off Yarwood Avenue. This is considered to be appropriate in ensuring no obstruction on the adjacent highway.
- In line with MCC Residential Guidelines, secure and sheltered cycle parking provision should be made, within the curtilage of the site, at a provision of one-per-unit.

Cadent Gas Ltd – No objections.

Health and Safety Executive (PADHI+) – Do not advise against.

Policies

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City 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. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy H1, Overall Housing Provision – This policy states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors and goes on to state that new residential development should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed sites in sustainable locations and which takes account of
- the availability of developable sites in these areas;
- Contribute to the design principles of Manchester LDF 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. schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours.

Policy H7, *Wythenshawe* – The Council expects that Wythenshawe will accommodate only around 3% of new residential development over the lifetime of the Core Strategy. New high quality high density development will be encouraged within the district centres of Northenden, Baguley and Wythenshawe and upon small infill sites where it contributes to the stock of affordable housing and where it complements Wythenshawe's garden city character. There is also the potential for additional family housing for sale.

The National Planning Policy Framework (December 2023) – The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

In addition to the above, Section 5 (*Delivering a sufficient supply of homes*) is of relevance:

Paragraph 60 states that 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.

Paragraph 70 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

Issues

Principle of the Proposal – There is no objection in principle to the sub-division of the existing flat, so long as the proposed accommodation complies with the City Council's space standards. In addition, consideration must be given to any potential impact on existing levels of residential and visual amenity, along with pedestrian and highway safety.

Standard of Accommodation – The existing flat no. 4, with a floor area of 87.7m², far exceeds the space standards for this type of unit, which is between 61 to 70m². In subdividing this flat into two separate units the following accommodation is to be created:

- 1 x one bed one person flat @ 37.7m²
- 1 x one bed two person flat @ 50m²

As these flats are within the guidance (37 to 50m²) and each room benefits from natural light via the existing windows, the standard of accommodation on offer is considered acceptable.

Parking – While no off-street parking spaces have been provided in connection with the development, there is sufficient space available within the parking area to the south of nos. 32 to 34 Bideford Drive to provide for the parking requirements of the development.

Pedestrian and Highway Safety – It is not considered that the proposal would lead to such additional levels of traffic in the vicinity of the site so as to prove detrimental to the existing levels of pedestrian and highway safety enjoyed along Bideford Drive and Yarwood Avenue.

Residential Amenity – The creation of what effectively would be one additional unit on the site would not have a detrimental impact upon existing levels of residential amenity.

Visual Amenity – As no elevational alterations are proposed it is not considered that the proposal would have a detrimental impact upon the existing levels of visual amenity enjoyed within the vicinity of the site.

Waste Management – Environmental Health have confirmed that the submitted waste management plan is acceptable. To ensure that it is implemented correctly condition no. 3 is suggested in this instance.

Cycle Parking – There is no room within the curtilage of the property to provide a separate cycle storage facility.

Other Legislative Requirements

Equality Act 2010 – Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

Officers have worked with the applicant in a positive and proactive manner to resolve any matters arising in relation to dealing with the planning application.

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:

- a) Drawing no. 107.2, received on 5 June 2023
- b) Drawing no. 107.3A, received on 4 July 2023
- c) Waste Management Strategy, received on 8 June 2023

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.

3) The storage and disposal of waste shall be undertaken in accordance with the Waste Management Strategy, received on 8 June 2023 and shall remain in situ whilst the development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Manchester Core Strategy

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Highway Services

Cadent Gas Ltd

Highway Services

Environmental Health

Flat 28, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL

Flat 58, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL

Flat 11, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL

Flat 22, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL

Flat 4, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL

32 Bideford Drive, Manchester, M23 0QN

Flat 27, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL

Flat 82, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL

Flat 76, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL

[illegible]

Flat 10, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 84, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 48, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 20, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 87, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 61, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 33, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 32, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 31, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 63, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 94, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 66, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 88, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 55, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 73, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 71, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 19, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 45, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 36, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 8, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 46, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 39, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 69, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 60, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 16, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 24, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 93, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
1 Yarwood Avenue, Manchester, M23 0QD
5 Yarwood Avenue, Manchester, M23 0QD
The Bideford Centre, Bideford Drive, Manchester, M23 0QN
Flat 7, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 9, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 65, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 18, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 1A, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 43, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 37, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 77, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 90, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 2, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 68, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL
Flat 3, Brookway Court, 30 Bideford Drive, Manchester, M23 0GL

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 AREA