

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136905/FO/2023

Date registered valid: 17 May 2023

Proposal: Conversion of existing dwelling to create two self-contained flats, erection of single storey extensions to the side and rear, erection of first floor side extension to create independent access to the first floor flat and formation of light well.

Address: 103 Springbridge Road, Manchester, M16 8PU

Ward(s): Whalley Range Ward

Applicant: Mrs Divya Dadlani, NCES Limited

Agent (if any): Mrs Divya Dadlani

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 11 July 2023

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 10.07.2023

Standard consultations:

Printed: 31 May 2023 Expired: 21 June 2023

Neighbour notifications

Printed: 31 May 2023 Expired: 21 June 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

The property that is the subject of this change of use application is identified as 103 Springbridge Road. It is a brick and tile 2 storey dwellinghouse with gardens to the front and rear. There is a garage on the side of the property and the front garden has been block paved to provide additional off -road parking. The rear garden is laid mainly to lawn. The front boundary is made up of low brick wall and piers, with railing between. The dividing boundary treatment between the neighbouring properties is timber panel fencing.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature comprising of primarily single family dwellinghouses. To the north and west of the site is William Hulme grammar school, with 2 blocks of purpose- built apartments further to the east of the proposal site. The site is located within the Whalley Range ward and is well served by alternative modes of transport other than the car.

Description of development

The proposal is for the change of use of the single family dwellinghouse into 2 flats, one to each floor with an additional accommodation within the roof space. There are single storey extensions proposed to the side and rear and a first- floor flat roof side extension proposed to facilitate the conversion and independent access to the first floor flat. The garage will be lost as part of the creation of the access to the first floor flat.

Consultations & Notification Responses

Local Residents were informed- 2 representations have been received, the main points of concern being as follows:

These changes ruin the aesthetic of the original buildings and devalue the surrounding properties, appearing out of place on the road. The conversion of 103 Springbridge Road into two flats is of particular concern as this area consists primarily of family homes and we believe that creating two flats in the middle of the road will attract a different demographic - temporary dwellers who may not act in the best interest of the local community on and around the road. Furthermore, add-ons to the rear end and sides of buildings limit the levels of natural light in our homes and gardens as well as encroaching on the privacy of neighbours.

We have endured the disruption caused by the construction and development of 42 Springbridge Road for the past couple of years, the work causing significant air and noise pollution, as well as compromising the light levels in and around our home. With this construction and the construction of other properties nearby ongoing, building work on number 103, will only add to the disturbance in our daily lives. Additionally, converting the property from a home into flats is inappropriate as this is not consistent with the pre-existing, family friendly homes on the road.

Environmental Health- No objections subject to the attachment of a condition relating to waste management.

Highways- No objections subject to the attachment of conditions relating to waste management and cycle parking.

Policy

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'. The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 10 states that 'at the heart of the Framework is a presumption in favour of sustainable development.' In 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay unless 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. The Framework has been related to the proposed development, with reference to the following:

i. Chapter 2: Achieving sustainable development - Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development by: meeting the needs of the present without compromising the ability of future generations to meet their own needs. Paragraph 8 states that in achieving sustainable development, the planning system has three overarching objectives, namely: economic, social and environmental. Paragraph 9 states that 'these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this framework; they are not criteria against which every decision can or should be judged. Planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take

local circumstances into account, to reflect the character, needs and opportunities of each area.' Paragraph 10 states that 'sustainable development is pursued in a positive way, the heart of the Framework is a presumption in favour of sustainable development'. The planning application has been assessed with the objectives of chapter 2 in mind. It is not considered that the nature of the proposed development would secure the sustained occupation of the property and chapter 2 would not be accorded with.

ii. Chapter 5 Delivering a sufficient supply of homes - 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; the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. This should be reflected in the consideration of the size, type and tenure of housing needed for different groups in the community. In this case, the development would result in the loss of family accommodation that is required to meet an identified need within the city. The proposal would not accord with the objectives of chapter 5.

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.'

The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

It is considered that the proposed development would not contribute positively to the formation of a sustainable community due to the intensity of occupation and associated harm to residential amenity particularly with regard to noise, disturbance and loss of privacy. The development would thereby be harmful the character of the area and the well-being of neighbouring residents and contrary to policy SP1.

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.

The bins would be 8 in number and would be stored in the rear garden being brought through the newly created store kerbside on bin collection day, and as such accord with policy EN19.

Policy H1 (Overall Housing Provision) - Discussed the need to manage the supply and availability of housing in the city. It also the need to ensure that housing supply contributes to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population. The development would conflict with policy H1 by reducing the supply of much needed family housing.

Policy H 6 (South Manchester) - States that in South Manchester, outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people. The development would result in the loss of family housing and be contrary to policy H6.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- o Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- o Community safety and crime prevention;
- o Design for health;
- o Adequacy of internal accommodation and external amenity space;
- o Refuse storage and collection.

Policy DM1 relates to the assessment of the proposals with regard to its potential impact on residential and visual amenity and the contextual relationship of the building and its functions on the local built environment. It is considered that policy DM1 would not be accorded with due to the potentially harmful impact of the proposal on the residential amenity that should be reasonably expected to be enjoyed by neighbouring properties and the other residents within the host building. The proposal also has a detrimental impact upon the visual amenity of the property itself and the character of the area within which it is located as the first floor extension on the side of the property results in a prominent flat roof extension which is clearly visible within the street scene and is visually harmful when viewed against the design and character of the original dwellinghouse.

Unitary Development Plan (saved UDP) Policies -The following Unitary Development Plan saved policies are relevant to the assessment of the development:

Policy DC5. Flat conversions - The following aspects of policy DC5 are relevant to the development:

Policy DC5.1 - 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 problem that unacceptable additional pressures would be created;
- d. General effects on the character of the neighbourhood.
- e. Adequate private outdoor amenity space;

- f. The desirability of achieving easy access for all, including disabled people
- g. The satisfactory provision of refuse storage and collection facilities.

DC5.3 Notwithstanding policy DC5.2, 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.

DC5.4 In determining applications of this kind, the Council will give particularly careful consideration to situations where a scheme is the first in a street of otherwise single- family dwellings, the Council will give weight to the desirability of maintaining the character of the street in that respect.

The development would lead to the uncharacteristic conversion of a semi-detached property and the loss of family housing. The development would thereby change the character of the property. The development would also increase the intensity of occupation and related activity, which would be harmful to the amenities of the area. The development would thereby fail to accord with policy DC5.

Principle of the development - The applicant has not provided a statement to justify the proposed change of use or demonstrate that the use of the property as a Class C3 (dwellinghouse) is no longer viable. The property as it stands without any further development is capable of positively contributing to the supply of much needed family type accommodation in the local area. The need to safeguard 'family' housing stock is set out in Core Strategy policies H1 and H6 and the refusal of planning permission is justified in the light of these policies. The principle of the development would not be acceptable.

Residential amenity - The development would increase the intensity of occupation and related noise and activity in and around the application site, which would harm residential amenity. The transient occupation of the accommodation would undermine the character of the area and thereby be harmful to residential amenity.

Visual Amenity- The extensions required to facilitate the access to the first-floor extension would result in a detrimental impact upon the visual amenity of the neighbouring properties. The cladding to the front of the property and the flat roof proposed for the first-floor extension are not sympathetic to the character and materials of the existing property.

Waste management - The applicant has demonstrated that the development would be supported with sufficient bins to support both of the proposed flats. The bins are proposed to be located within the rear garden and brought through the newly created store within the access space for the first floor flat to the kerb side on collection day. There are concerns however with the location of the bin store as it would be stored outside one of the ground floor bedrooms and close to another of the bedroom windows of the ground floor flat which in addition to potential problems from the smell of waste within the bins, also impacts upon the privacy of the ground floor flat with people from the 3 bed flat upstairs coming and going outside of the bedroom and bathroom window to use the bins. Therefore, whilst the number and kerb side collection of the bins is acceptable, the location and impact upon privacy and amenity is not.

Car parking - Whilst the development has the potential to generate additional traffic the front garden has historically been block paved over and there is space for 2 vehicles to park in curtilage. This equates to 1 per unit which complies with guidance.

Conclusion - The proposed development would result in the loss of good- sized family accommodation. The need for the proposed conversion has not been justified and the continued use of the property a single dwellinghouse appears to be viable. The proposed would introduce an uncharacteristic form of residential occupation that would be harmful to residential amenity. The proposed development is therefore considered to be unacceptable.

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: 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 proposed development would result in the loss of good-sized residential accommodation, which would reduce the supply and availability of family housing. The development would thereby fail to positively respond to an identified housing need and thereby undermine the formation of cohesive and sustainable neighbourhoods where people would choose to live. The development would thereby be contrary to policies SP1, H1, H6 and DM1 of

the Core Strategy for the City of Manchester and saved policy DC5 of the Unitary Development Plan.

2) The proposal would, by reason of its siting, scale, design and materials, form an incongruous and obtrusive feature within the street scene to the detriment of the visual amenities of neighbouring occupiers and businesses. The development would thereby be harmful to character and visual amenity and be contrary to policies SP1, EN1 and DM1 and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

William Hulmes Grammar School Academy, Springbridge Road, Manchester, M16 8PR
1 Gildridge Road, Manchester, M16 8PS
97 Springbridge Road, Manchester, M16 8PU
46 Springbridge Road, Manchester, M16 8PU
107 Springbridge Road, Manchester, M16 8PU
101 Springbridge Road, Manchester, M16 8PU
99 Springbridge Road, Manchester, M16 8PU
44 Springbridge Road, Manchester, M16 8PU
42 Springbridge Road, Manchester, M16 8PU
105 Springbridge Road, Manchester, M16 8PU

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