

Ward: Radcliffe - East

Item 01

Applicant: HG Old Tower Ltd

Location: 6 Sandford Street, Radcliffe, Manchester, M26 2PT

Proposal: Change of use of ground floor from public house to 3 no. apartments (Use Class C3) with associated alterations

Application Ref: 70455/Full

Target Date: 27/03/2024

Recommendation: Approve with Conditions

Description

The application relates to a former Public House, the Old Tower Inn. The ground floor has a lawful use as a public house and at the first and second floors, there are 8 self-contained flats (7 at 1st floor and 1 at 2nd floor) which were granted a Lawful Development Certificate in 2021.

The surrounding area is characterised by a mix of residential and commercial uses. Next to the site to the north is a building which has use as a children's nursery with a block of apartments to the south. Across Sandford Street to the east are houses and to the rear is Potter Street which is a cobbled back alley beyond which is an industrial building.

The application seeks the change of use of the ground floor from public house to 3 no. self contained flats with associated alterations.

Each flat would be 1 bed roomed with a kitchen, lounge and bathroom facilities.

A bin and cycle store would be provided in the rear yard area and an external staircase on the rear elevation would serve as an emergency access.

Alterations to the building comprise window and door openings to facilitate the proposed residential use.

There would be no change to the upper floors.

Relevant Planning History

02276/E - Conversion of public house into 8 no. 1 bedroom apartments - Enquiry completed 02/05/2019

57444 - Erection of 2.4 metre high fence (revised scheme) and gates to alley at rear of 9-17 Sandford Street - Approve with Conditions 20/05/2014

57673 - Conservation works to Radcliffe Tower and landscaping of surrounding land including timber raised planters, boundary treatments and planting - Approve with Conditions 07/08/2014

60549 - Increasing eaves height and pitch of roof. Construction of rear dormers to create living accommodation - Approve with Conditions 04/11/2016

66671 - Application for a Certificate of Lawfulness for the change of use from a public house with ancillary accommodation above to a mixed use public house and 8 self-contained flats - Lawful Development 26/07/2021

69076 - Change of use from mixed use; public house and 8 self-contained flats to 13 bed (maximum 20 person) HMO (sui generis); demolition of existing conservatory; formation of parking space / cycle store, entrance / exit at rear and alterations to ground floor window at

rear - Refused 27/01/2023 - for 3 reasons - Sub-standard parking arrangements, lack of dedicated parking and sub-standard and unacceptable level of shared facilities, refuse and amenity.

Publicity

Letters sent to 30 properties on 1/2/24.

Three objections received.

- Lack of parking provision and Sandford Street is a busy street with different business and MOT garage all using this road to park. There is no access to the site apart from an already congested road. Parking is at its absolute maximum with no other scope for parking.
- I also believe the extra 400 plus housing provision on the old east lancs papermill site will lead to Sandford street/Tower Street/ Church Street west opening up to access this new estate and Sandford Street will possibly have double yellow lines to ensure clear access to and from causing more parking difficulties. Parking is needed but not factored in.
- I will not be in support for this building work to be continued, unless proper information is given and that includes how they will facilitate parking for the residents of the flats.
- This building work has already commenced and they have been working on the building for numerous weeks.

Comment

- When it was successfully trading as a public house it had a car park. This was sold as a piece of land and 8 flats with 10 parking spaces were built. At this time the public house had begun to fail and the owners then applied for 8 single dormer flats which didn't have planning approval and regardless they were rarely occupied.

Those who have made representations have been notified of the Planning Control committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objection in principle. Recommendation to be reported in the supplementary agenda.

Environmental Health - Pollution Control - Comments made in relation to ventilation, fire escape routes and noise between flats.

Waste Management - No response received.

Environmental Health - Contaminated Land - No comments to make.

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
JP-S2	Carbon and Energy
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-C5	Streets For All
JP-C6	Walking and Cycling

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Principle

The National Planning Policy Framework (NPPF) should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. The Framework states that unless they have an adopted plan that is less than five years old that identified a five year supply of specific deliverable sites at the time of conclusion of the examination, then local planning authorities should identify and update annually a supply of specific developable sites to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing in certain circumstances set out in NPPF paragraph 226.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up of sites that have an extant planning permission and sites that have potential to obtain planning permission in the future.

This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the deliverable land supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). In addition to the housing land supply in the SHLAA, the joint Places for Everyone Plan was adopted with effect from 21 March 2024 and allocates significant strategic sites for housing within Bury.

The adopted joint Places for Everyone Plan Policy JP-H1 sets a requirement for an average of 452 homes per year over the plan period, with stepped targets starting from a minimum housing target of 246 homes per year from 2022-2025 (increasing in future years of the plan). Following the adoption of PfE the Council is able to demonstrate a 5 year supply with a 20% buffer.

The National Planning Policy Framework also sets out the Housing Delivery Test, which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government show that Bury has a housing delivery test result of less than 75%, and therefore, this needs to be treated as a material factor when determining applications for residential development.

Therefore, paragraph 11d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the 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 the Framework, taken as a whole.

Due to the housing delivery test result, the 'tilted balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply. However, the adoption of the Places for Everyone Joint Development Plan has resulted in new housing targets for the Borough and the allocation of strategic sites housing sites, which along with the identified housing land supply within the urban area enable the Council to demonstrate a deliverable 5 year supply of housing land, and will accelerate housing delivery within the Borough to meet housing needs.

Policy JP-H3 - Type, Size and Design of New housing advocates a range of dwelling types and sizes to meet local needs and deliver more inclusive housing. Residential developments should provide an appropriate mix of dwelling types and sizes. The development proposes 3 self-contained flats which would add to the mix of housing tenure in the area.

The site is located in a sustainable urban area and within an established residential area and would therefore not conflict with the local environment in terms of the nature and character and surrounding land uses and there is existing infrastructure in place to facilitate the proposed development.

The ground floor of the property has not been in use as a public house for a number of years and the proposal to provide 3 residential flats in this area would contribute to local housing needs.

The principle of the proposed development is considered acceptable and would comply with policy principles of the NPPF.

Layout

Policy JP-H4 - Requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high quality design. Policy JP-H4 sets out minimum densities that should be considered. Therefore in accordance with Policy JP-H4 regard should be had to a minimum net residential density of 50 dwellings per hectare at this site.

The proposed development would exceed this density requirement and as such would comply with Policy JS-H4.

Policies H2/1 and H2/2 provide the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finishing materials for new residential developments.

Policy H2/4 - Conversions specifically has regard to effects on amenity of neighbouring properties, general character of the area, amenity of occupants, effects from external changes on the street scene and car parking and servicing requirements.

Externally, it is proposed to locate a bin store in the side yard to serve the 3 flats separate to the bin storage facility which serves the first floor flats and this would be adequate for the level of development proposed. A cycle store for 3 cycles would also be provided to serve the development. The area for outdoor amenity space would be limited, however there would be room for outdoor seating and to hang out washing and on balance, this is considered acceptable.

The existing main entrance on the front elevation would provide access to two of the flats, with the third accessed via a new doorway at the side. Other alterations would be relatively minor to add or change window and door openings.

Each flat would be 1 x bedroomed with a lounge, kitchen, bathroom and storage areas.

Policy JP-H3 states that all new dwellings must comply with the nationally described space standards and be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable.

The applicant has confirmed the development would accord with Document Part M4(2) for compliance with Lifetime Homes and nationally prescribed space standards and the proposed development would therefore provide acceptable levels of accommodation in compliance with planning policy.

On the matter of the use of the first and second floors, there are 8 self-contained flats which have the benefit of a Lawful Development Certificate issued in 2021 where it was established that the upper floors had been used and occupied lawfully as flats for a period of four years or more. There are no proposed changes to the 1st and 2nd floors.

Should this application be approved, the building would comprise 11 self-contained flats in total. and therefore increase the occupation and intensify the overall use of the property.

The ground floor could lawfully operate as a public house which could draw in more people at one time and it is therefore considered that the proposed change of use would not intensify the use of the building to a significant or harmful degree, especially in light of the tilted balance prescribed in paragraph 11d) of the NPPF where the onus is to grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The site is located in a sustainable area and the proposals have demonstrated compliance with space standards, would be accessible and adaptable to Building Regulation standards and would provide acceptable levels of bin, cycle and amenity areas.

It is therefore considered that the proposed development would be acceptable and would comply with the principles of the NPPF, PfE and UDP Policies.

Impact on the surrounding area

In terms of the character of the area, there are a mix of uses with houses opposite and apartments directly adjacent and commercial properties including a car repair garage and nursery.

The building already accommodates 8 flats and comparative to a public house which could generate activity, noise and disturbance from patrons to the pub it is considered the proposed development for residential would not be significantly more harmful and the proposed use would likely be less disturbing to local residents given the character and scale of the development.

It is therefore considered the proposed development would be acceptable and would comply with policies H2/1, H2/2 and EN1/2.

Highways

SPD 11 advises as a maximum 3 parking spaces be provide for the proposed development. The development does not propose to provide dedicated parking.

The site is located in a sustainable area, within approximately 15 minutes walk from the metrolink and there are bus stops nearby with services to town centres. There is also a Neighbourhood Shopping Centre approx 250m away and access to local services and facilities and there would be less need for and reliance on the private car as a form of transport. A secure cycle store would also encourage alternative modes of travel.

The ground floor has a lawful use as a public house which could draw significantly more people by car and add to the parking pressures in the area and much more than required for a development for 3 no. x 1 bed flats.

The NPPF at para 115 states that 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the

residual cumulative impacts on the road network would be severe.'

In this case, the site is in a sustainable and accessible location and would meet the criteria under PfE Policy JP-H4 - Density of New Housing which is used as a measure to determine if a site is in a sustainable area.

As such, it is considered that given the location, scale and character of development, the proposal would not add significantly to the parking pressures in the area.

Traffic Regulation Orders are not considered necessary given the scale of development proposed, but such matters can be reviewed in the future.

The implications from the East Lancashire Paper Mill (ELPM) development will need to consider its own ramifications and these cannot be conflated with this application.

The Highway Section have raised no objection to the proposed development in principle.

It therefore considered that on balance, the proposed development would be acceptable and comply with policies JP-C5, JP-C6 and EN1/2.

Environmental Health Pollution Control

The comments made by this section refer to fire precautions and means of escape which are all matters covered by Building Regulations.

The flats would have cavity wall insulation and would also need to comply with Building Regulations.

Digital connectivity

JP-C2 - Digital Connectivity supports the provision of affordable, high quality, digital infrastructure

Each of the new residential units would be provided with cable duct from the external pavement to a up to a network termination point for high-speed electronic communications networks.

As such the proposal would comply with Policy JP-C2.

Carbon and energy

The applicant has provided a statement to detail how the proposed development would incorporate energy efficient measures which would include insulation installed internally to comply with the current Part L of the building regulations. This will also result in the added benefit of reduced heat loss from the first floor residential units. Heating will be provided by energy efficient thermostatically controlled electric radiators with timer provision. All lighting will be from LED low energy lamps and fittings.

As such the proposed development would comply with Policy JP-S2.

Response to objectors

The issues raised in relation to parking have been covered in the above report.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

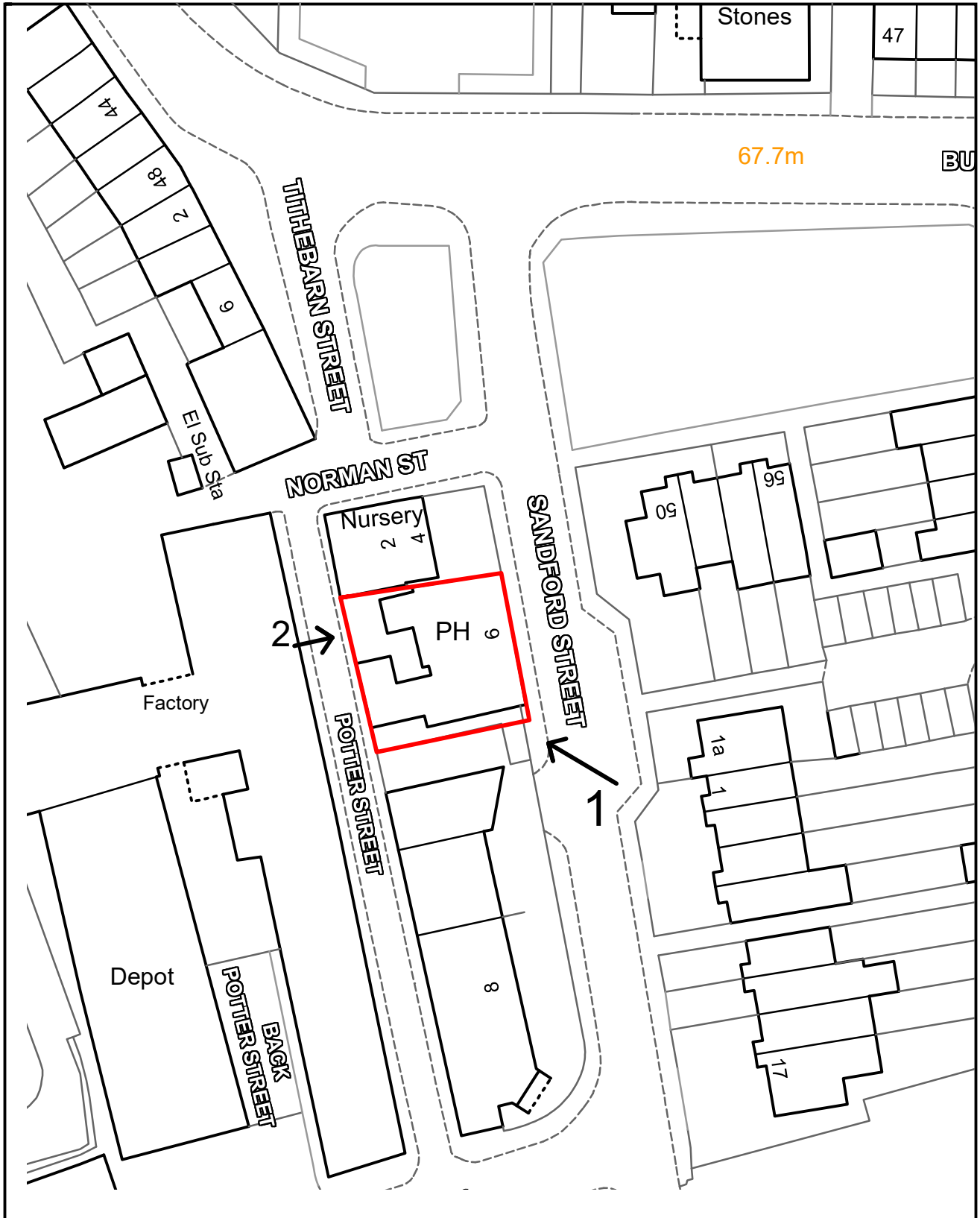
1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings -
Plans as existing 114.1;
Elevations as existing 114.2;
Plans as proposed 114.3 rev A
Elevations as proposed 114.4,
Location plan 0114.5;
Proposed site plan 0114.6
Statement Addressing PfE Policies received 14/5/24

and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

For further information on the application please contact **Jennie Townsend** on **0161 253-5320**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 70455

ADDRESS: 6 Sandford Street Radcliffe



Bury
Council

Planning, Environmental and Regulatory Services

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70455

Photo 1



Photo 2

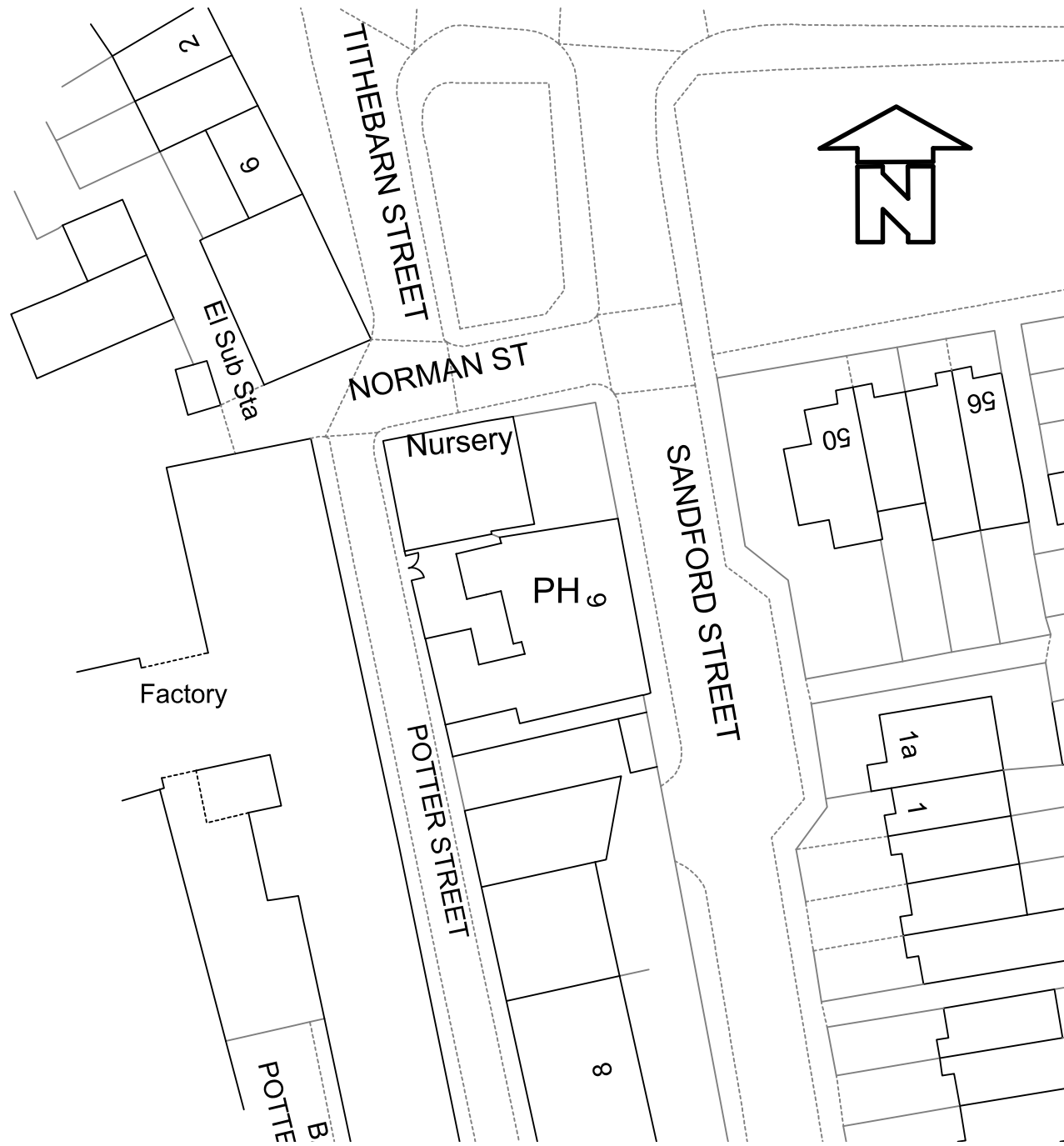


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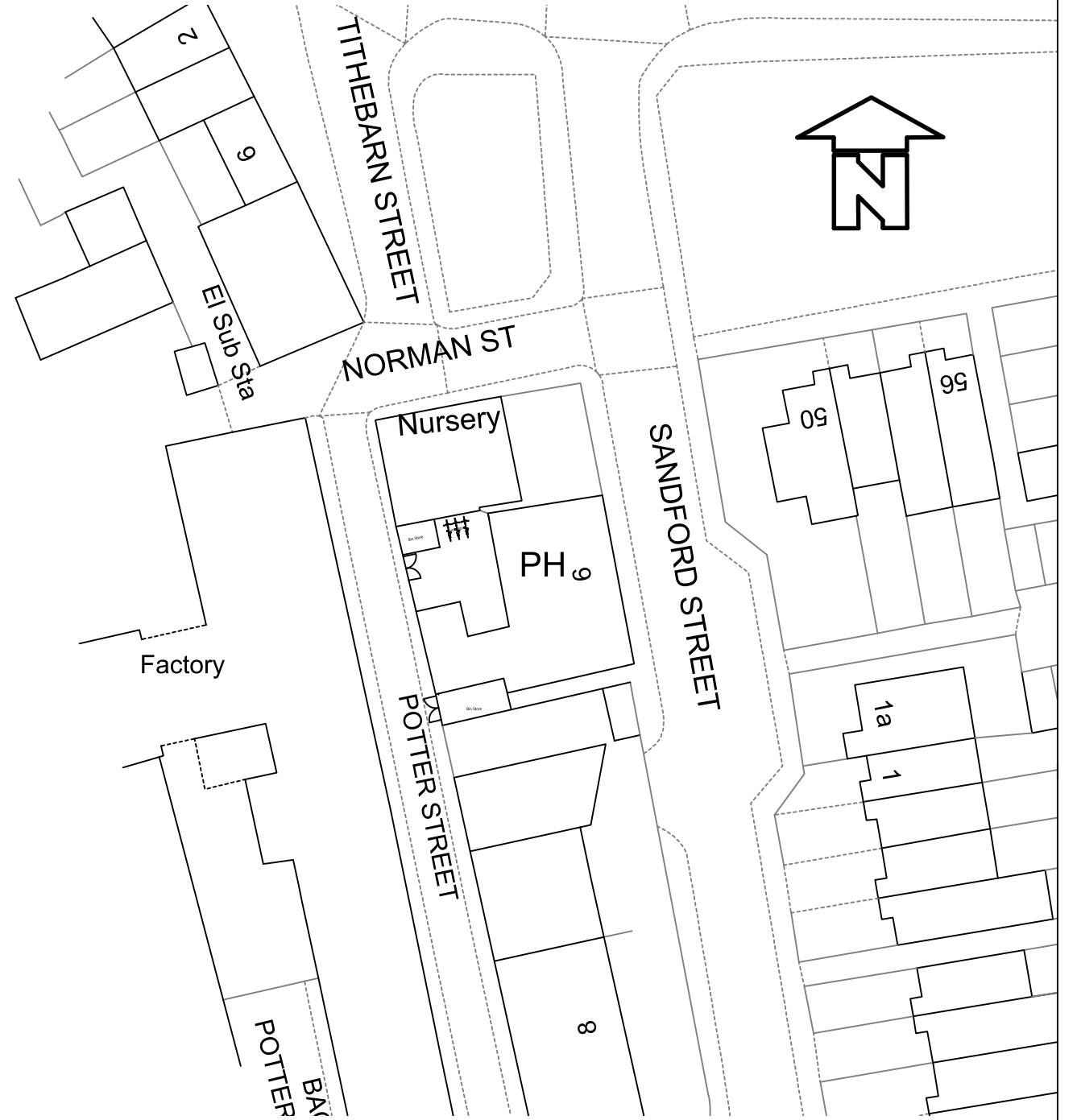
site plans

SCALE

1/500 @ A3



Existing Site Plan



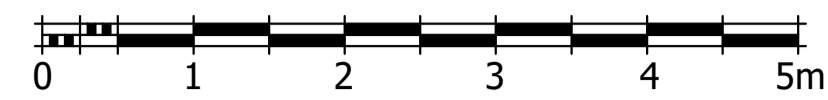
Proposed Site Plan

PROJECT
 The Old Tower Inn
 6 Sandford Street
 Radcliffe M26 2PT

DATE Jan 24
 DRAWN AD
 REVISION

NUMBER
 0114.6

AS PROPOSED



SCALE 1:50

NOTES

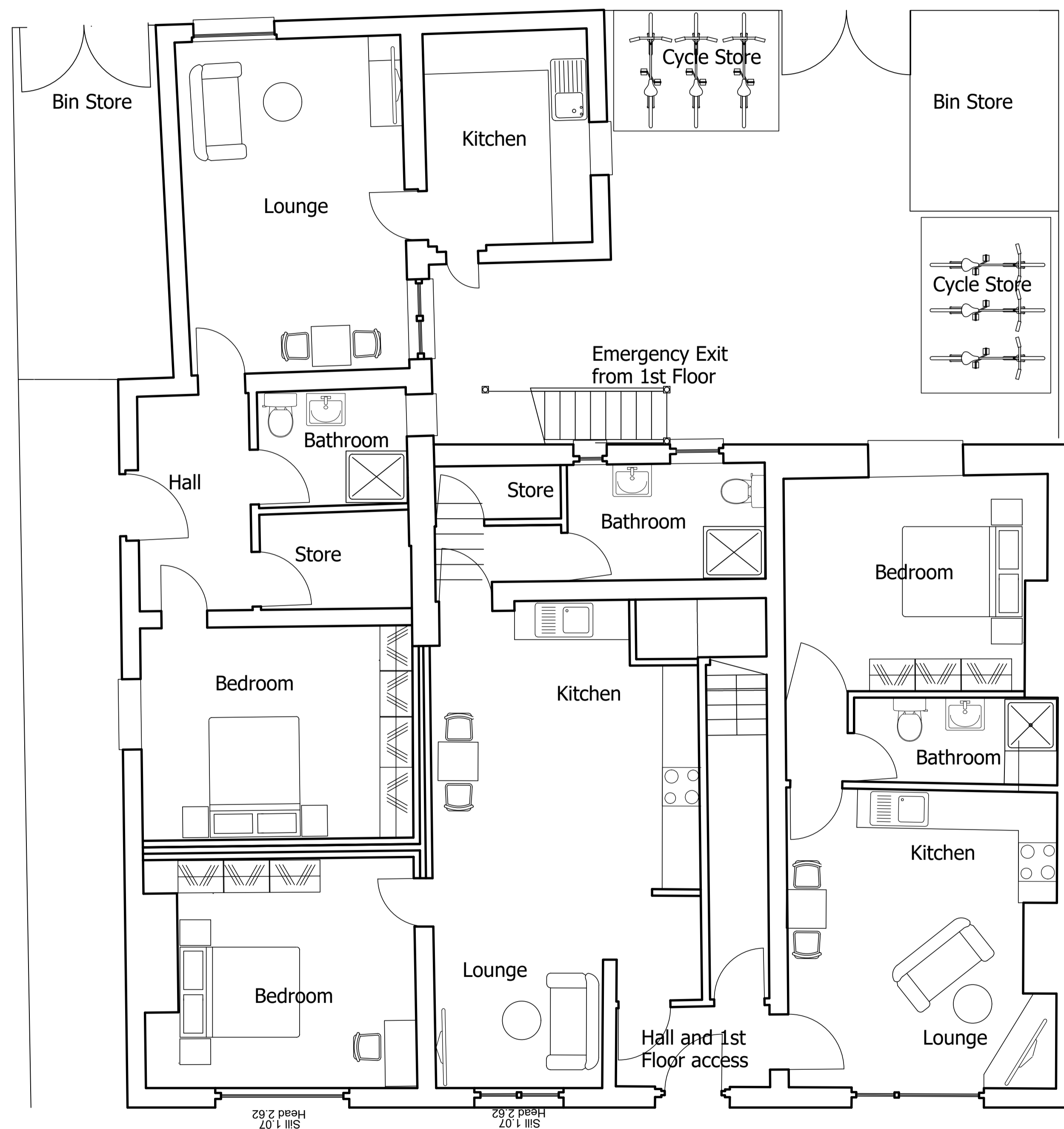
All dimensions to be checked on site and any discrepancies notified prior to commencement of work.

Do not scale from this drawing

REVISIONS

Date	Ref.	By
May 24	A	

Bin store doors reversed
additional cycle storage added



GROUND FLOOR

PROJECT	
Old Tower Inn Sandford Street Radcliffe M26 2PT	
DRAWING TITLE	
Plans as Proposed	
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FRONT ELEVATION



SIDE ELEVATION

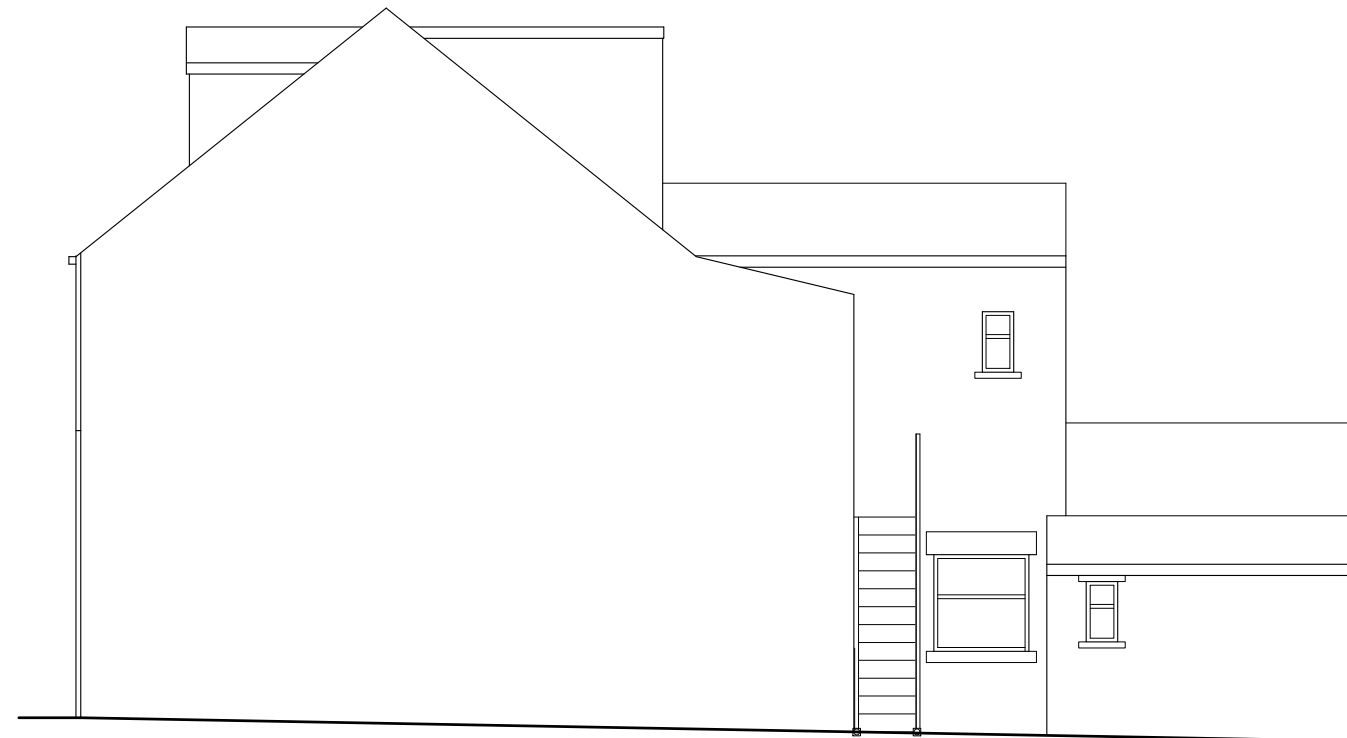
NOTES
 All dimensions to be checked on site and any discrepancies notified prior to commencement of work.
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REVISIONS

Date	Ref.	By



REAR ELEVATION



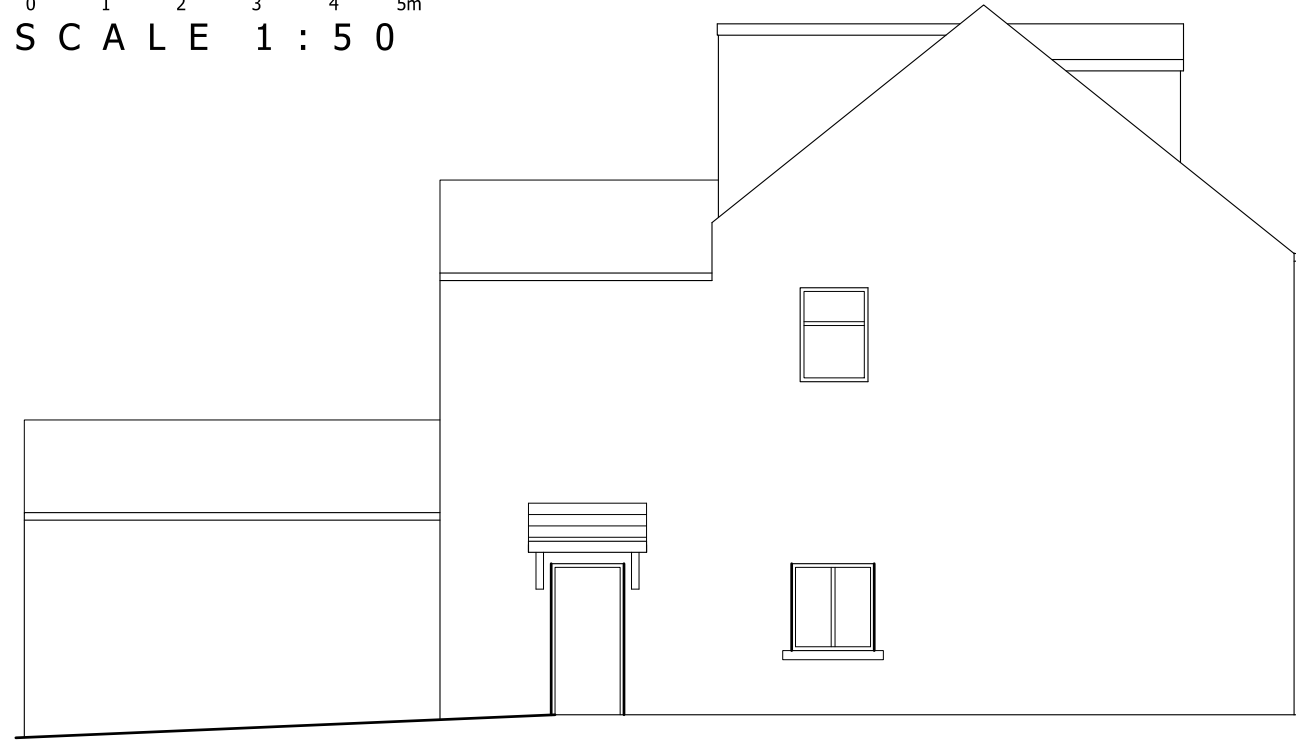
SIDE ELEVATION

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Old Tower Inn Sandford Street Radcliffe M26 2PT	
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FRONT ELEVATION

0 1 2 3 4 5m
SCALE 1:50



SIDE ELEVATION

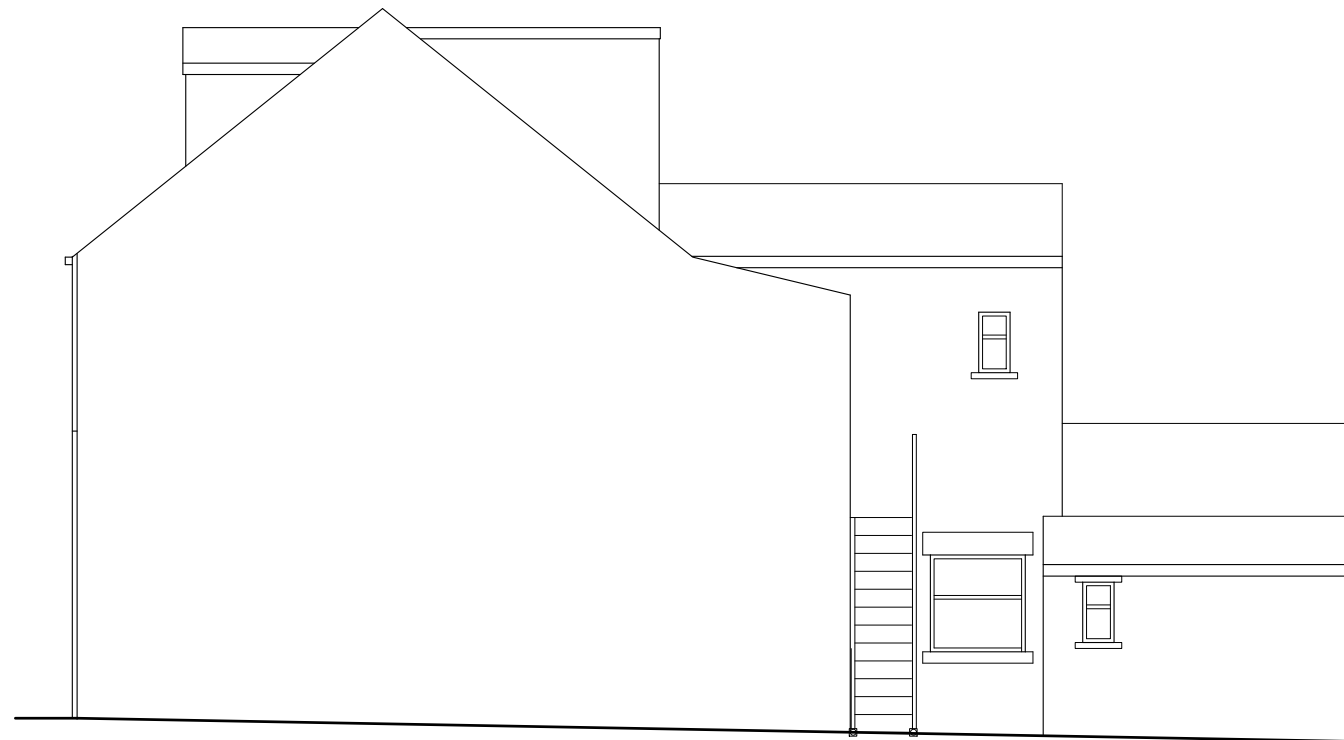
NOTES
All dimensions to be checked on site and any discrepancies notified prior to commencement of work.
Do not scale from this drawing

REVISIONS

Date	Ref.	By



REAR ELEVATION



SIDE ELEVATION

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