
DEVELOPMENT CONTROL POLICY GUIDANCE NOTE 15

Residential Conversions

January 2008



This guidance note is primarily aimed at developers, architects and those who intend to submit planning applications to Bury MBC's Planning Department for the conversion of buildings into self-contained dwellings or the subdivision of existing dwellings.

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PRE-TEXT

This pre-text to the Development Control Policy Guidance Note No.15 sets out the details of the consultation and publicity steps that were undertaken during the preparation of this Supplementary Planning Document (SPD)

This SPD) has been produced in the form of a Development Control Guidance Note. It is intended to support policies contained in Bury's adopted UDP (adopted 31st August 1997). This Note provides a more formal basis to advice which is given to applicants on a regular basis and now that it is fully adopted, will be treated as a material planning consideration in the determination of planning applications.

This SPD was approved for a consultation exercise by the Council's Executive on the 12th September 2007 and underwent an extensive internal and external consultation period over a six-week period from 24th September 2007 to 5th November 2007. The SPD was prepared and consulted on in full accordance with the requirements in PPS12 and Planning Regulations.

The SPD is accompanied by a Statement of Consultation, which can be found on the Council's website or can be provided as a hard copy on request. This details how the consultation was undertaken in detail, including who was consulted, the comments received and the Council's response to these.

After making the necessary changes to the SPD, in the light of the representations received, the SPD was taken back to the Council's Executive on the 9th January 2008, where it was formally adopted.

If you have any queries regarding this SPD or accompanying documents, please contact the Planning Policy Team on 0161 253 5306.

1 - INTRODUCTION

- 1.1 This Development Control Policy Guidance Note relates to the Council's planning policy with regard to the conversion of non-residential buildings to self contained dwellings and the subdivision of existing dwellings into two or more self contained dwellings. It should be treated as a significant material planning consideration as a Supplementary Planning Document (SPD) that provides additional information on the implementation of Policy H2/4 of the Bury Unitary Development Plan (UDP), which deals with this issue.
- 1.2 The objectives of this SPD are as follows:
- **Objective A** - To improve the quality and design of proposals for the conversion of buildings to residential use for the benefit of residents; and
 - **Objective B** - To ensure that, where permitted, the conversion of non-residential buildings to residential use or the subdivision of existing residential properties does not detract from the character of the surrounding area and the amenities of local residents.
- 1.3 Please note that this guidance note does not seek to identify suitable buildings or locations where residential conversions will be acceptable. This will be governed by other policies within the UDP (and other material considerations) that seek to direct residential development to appropriate locations.
- 1.4 Please note that if the building that is the subject of your proposal is within the Green Belt then this guidance should be read in conjunction with the Council's Development Control Policy Guidance Note 9: Conversion and Re-Use of Buildings in the Green Belt.

2 - BACKGROUND

- 2.1 Residential conversions¹ can often make an important contribution to the local housing stock, providing small dwellings often for rent and without the requirement for additional land up-take. Such conversions are also often the best way to utilise vacant or underused space, including space above shops.
- 2.2 However, it is recognised that residential conversions can raise privacy issues, parking problems, put demand on services and can have an adverse effect on residential amenity. Some residential conversions also

¹ please note that reference to residential conversions within this SPD includes both the subdivision of existing dwellings into two or more self contained units and the change of use of non-residential buildings into one or more self contained residential units.

seek to change the external appearance of buildings which can sometimes harm the fabric of a particular building or even the whole character of an area.

- 2.3 Due to these concerns it is important that any residential conversions provide satisfactory standards of accommodation for future and existing residents and that any harmful impact on their amenity is minimised.
- 2.4 It is also important to safeguard the character of areas and to preserve important architectural and historical aspects of the building to be converted. This note, therefore, builds on the criteria in Policy H2/4 of the Bury UDP (see Appendix 1) and provides guidance on what the Council will take into account when determining planning applications for residential conversions.

3 - POLICY CONTEXT / FRAMEWORK

- 3.1 In determining planning applications for residential conversions, the Council will have regard to the following advice and, therefore, it is important for those submitting planning applications to take full account of the guidance in their proposals. Whilst each proposal will be considered on its own merits the guidance outlined in this note will be treated as a significant material consideration in assessing the suitability of a planning application.
- 3.2 The Council will also take full account of other planning policies and material considerations when determining planning applications. For example, if a proposal involves an extension to an existing dwelling then it would also need to be assessed against the Council's guidance note on Extensions and Alterations, and any other applicable policy/material consideration. Similarly, other policies may be applicable if proposals seek to extend the building's curtilage.
- 3.3 In general terms, residential conversions should:
- not have a detrimental effect on the amenity of surrounding residents through noise, visual intrusion, the position of entrances, impact of parking areas, extensions and fire escapes;
 - not harm the general character of an area and should respect the street scene;
 - should respect the building's exterior and particular characteristics where important;
 - conserve and enhance biodiversity where opportunities exist;
 - provide an acceptable standard of accommodation for occupants; and
 - provide appropriate levels of car parking and adequate service facilities.

Suitable Premises

- 3.4 In the first instance, the Council will seek to ensure that the building subject to the proposal is actually suitable for conversion, whether through sub-division or a change of use. As stated in paragraph 1.3 there will be a range of polices and material considerations that will need to be taken into account to determine if a non-residential building is suitable for residential conversion. Some areas may be inappropriate for residential use, whether conversion or new build. For example, the building in question may be at serious risk of flooding and would unlikely be suitable for residential use. Therefore, you are advised to discuss your proposal with a Development Control Officer to help determine if the building or area is suitable to be converted to residential use.
- 3.5 Generally, buildings should be of sufficient size to accommodate the proposal and large enough to offer satisfactory levels of accommodation for future residents. Therefore, the subdivision of existing residential properties will normally be restricted to either detached or large semi-detached properties, as these tend to have larger internal floor areas. Terraced houses may also be considered but this will depend on their size and the traffic and noise impact of the development. The upper floors of commercial buildings may also be possible, subject to other relevant planning policies.
- 3.6 The Council will generally seek to ensure that residential conversions do not cumulatively have a negative impact within an area. Whilst each proposal will be considered on its own merits in accordance within the advice in this SPD, there may come a point in a particular locality that additional conversions involving extensions, elevational changes or replacement of gardens with hardstanding for extra car-parking and refuse storage facilities could cumulatively begin to result in unsatisfactory alterations to an areas visual appearance. Where it is considered that additional residential conversions would have a negative impact, further proposals for conversions may be justifiably refused on planning grounds.

Character and Appearance of the Area

- 3.7 One of the Council's main concerns when assessing planning applications for residential conversions will be the physical and visual impact the proposal would have on the character and appearance of an area.
- 3.8 In particular, residential conversions may require the need to extend a building significantly in order to provide satisfactory levels of accommodation. If this is done unsympathetically it can have a detrimental impact on the local character. Even without extensions, some proposals for residential conversions can harm the character of an

area (e.g. removal of landscaping and amenity space for additional car parking) and each application will be assessed accordingly.

- 3.9 Therefore, if it is considered that a proposal for residential conversion in an area would cause harm to the character of that area it will be refused planning permission. Such decisions will be based on the individual merits of each proposal and the particular characteristics of each scheme, assessed against the overall street scene and character of an area.

Character and Appearance of the Building

- 3.10 In addition to the harm a proposal may cause to the general character of an area, the Council will also assess the impact a proposal may have on the individual building. There are a number of Listed Buildings throughout the Borough and these will be protected through the normal statutes, along with buildings within the Borough's Conservation Areas. However, there are also a number of other important buildings that are not 'listed' but nevertheless are considered to have a significant local historical or architectural value. Some of these are on the Council's 'Local List', which warrants some protection but others may not be.
- 3.11 Where a building is considered to have significant local interest the Council will seek to ensure that its individual character is preserved. Any works to the property will be carefully assessed in accordance with this advice note (and other advice) to ensure that the proposals would not detract from the building's importance. Where a proposal is considered to have an unacceptable impact on a building of local interest (whether Listed or not) the Council will not approve a planning application.

Landscaping

- 3.12 Where appropriate, landscape proposals should form part of a planning application to help enhance the general character of the property and neighbourhood. Excessive use of hard landscaping should be avoided where possible. Consideration should also be given to how the landscaping will be maintained if the proposal relates to two or more self contained units (see para.3.15 for further advice on landscaping). The Council will also seek to conserve existing landscaping or promote additional landscaping that will enhance biodiversity within a development.

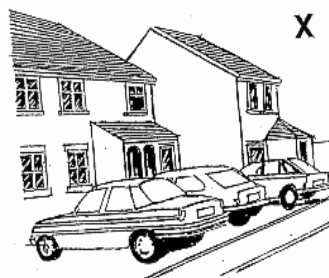
Parking Provision

- 3.13 Parking issues will be a major consideration when assessing planning applications for residential conversions, as parking will impact significantly on the character of an area/building and on the general amenity of residents. Any proposal that is considered to have a detrimental impact on highway safety or harm to amenity will not be permitted.

- 3.14 When assessing planning applications, the Council will seek to ensure that the proposals provide adequate levels of car parking to meet the future requirements of the likely occupants and possibly visitors. Where possible, the car parking should be provided off street and should comply with SPD 11.
- 3.15 Where no off-street parking can be provided then the effect of the development upon parking in the vicinity of the site will be carefully considered to ensure that there will be no significant adverse impact upon residential amenity or highway safety.
- 3.16 Further advice on actual car parking standards is contained within the Council's Development Control Policy Guidance Note 11: Parking Standards in Bury which was adopted in May 2007. This should be referred to when drawing up proposals for residential conversions.
- 3.17 The design and layout of parking is an important consideration and the Council will take account of the following factors when considering parking arrangements as part of a planning application for residential conversions:
- Proposed Landscaping: Car parking areas should be sufficiently landscaped to ensure that the proposals help to create an attractive environment. The location and proposed type of landscaping schemes should take account of the need to avoid any traffic difficulties when first planted and when the landscaping reaches maturity. Consideration should also be given to how the proposed landscaping will be maintained so that it does not become overgrown and an eyesore. Low maintenance landscaping is often considered the best type for residential conversions when two or more units are being proposed. Proposals that do not include appropriate levels of landscaping and that simply put forward large expanses of hard surfacing for car parking areas will generally not be granted planning permission.
 - Existing Landscaping: The Council will seek to ensure that the proposals for car parking do not lead to the removal of existing vegetation, particularly where the existing vegetation makes an important contribution to the character of an area. The Council will reject proposals that lead to an unacceptable impact on existing trees and other features of importance to the visual amenity of an area.
 - Existing Boundary Features: As well as the buildings themselves, the character and appearance of an area is often defined by the boundaries to the properties. Therefore, the Council will seek to ensure that proposals do not lead to the unnecessary removal of existing boundary walls, particularly where they form part of the character of an area.

- **Security**²: Consideration should be given to both the security of the property and the cars. The removal of walls and other boundary features to accommodate car parking can mean access to the property and cars (and perhaps adjacent properties) is made easier and leads to less secure accommodation. Therefore, the Council will seek to ensure that proposals include secure measures to reduce instances of crime. The implementation of security measures, such as new gates or walls, should be carefully designed to protect the character of the property and wider area. Please note that ‘gated communities’ are generally not supported where they are considered to have a negative effect on social inclusion and integration.
- **Amenity of Occupiers**: It is important that the amenity of occupiers is not harmed by the design and layout of car parking. In general terms, car parking areas should not be put immediately in front of habitable room windows (including bedrooms and main common rooms) where harm to amenity could be caused by noise and exhaust fumes pollution and through vehicle movement vibration.

3.18 Further guidance on the design and layout of car parking is contained within SPD 11 but in general terms proposals that seek the intensification of existing buildings for residential/intensification of residential use that would result in the loss of front gardens to car parking provision will be discouraged.



Removal of front garden space for car parking can detrimentally harm the character of individual buildings and the street scene

Highway Safety

3.19 Planning applications will be considered against their impact on highway safety and the Council’s Engineers will assess all proposals to ensure that highway safety is not compromised. In addressing highway safety, it is important that:

- vehicles are able to enter and exit the parking area without any hazards being caused;
- the design of off-road turning facilities meet appropriate highway standards;

² General security issues will be assessed against the Council’s Development Control Policy Guidance Note 3: Planning Out Crime in New Development.

- visibility splays are kept clear of obstructions (for example, ensuring that any proposed landscaping would not obstruct views once matured or proposed parking areas would do likewise); and
- where a gate or door is being proposed that it does not open out over a path or a road.

3.20 If you wish to discuss car parking issues and highway safety measures in more detail, please consult Traffic Management and Road Safety Services (See contacts, Section 5).

Cycle Parking

3.21 The Council will require that appropriate levels of cycle parking facilities are provided. The actual level of cycle parking facilities will be determined on the individual merits of the scheme but provision should be based on the needs of occupants, staff and visitors.

3.22 The provision of cycle parking facilities will be particularly important where car parking provision is not being proposed or is limited. This will help encourage occupiers to use alternative modes of transport other than the private car.

3.23 The location of the cycle parking areas should be in a convenient place where users can securely leave their cycles without obstructing common internal areas, entrances and exits (which are often the main means of fire escape). Secure cycle parking areas should be designed to ensure that provision is integrated with the character of the property and surrounding area. Further advice on cycle parking can be found in the Council's Parking Standards SPD.

Amenity Space

3.24 Applicants for residential conversion will need to demonstrate that the proposal would provide an adequate amount of external amenity space for its residents where the opportunity exists. This should be at least in the form of a yard or a garden at the rear of the property. The exact amount of garden/yard space should be directly related to the needs of the likely residents.

3.25 Generally, the amenity space provided should allow:

- occupants to be able to sit outside in the fresh air;
- for ease of accessibility for all residents; and
- for a safe and secure environment (secure by design).

3.26 The Council will seek to ensure that any proposal that would seek to reduce or remove amenity areas for other purposes (e.g. an extension to the property or for car parking) still provides satisfactory levels for residents. Where such proposals are not considered to provide adequate amenity space, planning approval is unlikely to be granted.

- 3.27 Whilst each proposal will be considered on its own merits, some flexibility may be allowed in certain circumstances, for example, where an applicant can demonstrate that less space is required due to the close proximity and accessibility of parks and other forms of public open space. The quality and nature of any 'alternative' amenity spaces will need to be considered, as will the specific requirements of the residents.
- 3.28 Proposals that would block or considerably reduce daylight to surrounding properties will generally not be permitted (due to the harm on the amenity of adjacent residents). Proposed extensions to buildings should also avoid being oppressive and over-dominating the surrounding area.

Bin Storage

- 3.29 Waste disposal is an important consideration when determining planning applications for residential conversions, particularly when it involves two or more residential units. The Council will seek to ensure that waste disposal facilities would not (or would not have the potential to) detract from the character of an area or cause environmental health concerns. The Council operates domestic waste recycling facilities on a collection basis. Therefore, proposals should ensure that sufficient space is provided for recycling bins within their waste disposal facilities. Please contact the Waste Management Section for more information on this issue (see contacts section).
- 3.30 Accordingly, the Council will not permit proposals for residential conversions unless they provide adequate levels of bin storage to meet the requirements of the occupants.
- 3.31 Ideally, bin storage should be well concealed to the rear of the properties with easy access being gained by all occupants. There should also be ease of access to the storage areas by refuse collectors or proposals should ensure that the bins are easily transported to areas where refuse collectors can access the waste.
- 3.32 Where this is not possible and bins need to be located to the front or side of properties, they should also be concealed in custom built storage areas. Wherever the storage areas are positioned they should:
- be well integrated with the character of the building so as not to detract from its character, nor that of the surrounding area;
 - be located in a position that would not harm the amenity of existing or future residents (e.g. outside their habitable room window which could create noise and/or odour concerns);
 - be hygienic and regularly maintained; and
 - not cause obstruction or fire risk to escape routes.

- 3.33 It is important to note that full details of the location, design and operation of refuse storage facilities should be included as part of the details for residential conversions.

Overlooking

- 3.34 The Council will seek to avoid proposals that would lead to loss of neighbouring occupant's privacy. Overlooking can be a particular problem where the upper floors of a building become used as residential living rooms, when previously they were used infrequently or only at certain times of the day. This could be even more problematic if balconies were being proposed.
- 3.35 The Council will also seek to ensure that any proposed extension to a building does not create overlooking or would lead to the loss of privacy. The Council's Alterations and Extensions SPD will be used to help assess this.

Noise Issues

- 3.36 Residential conversions can increase the potential for greater noise levels within an area given the additional households. The potential for noise disturbance and the nature of that will be an issue for consideration as part of a planning application.
- 3.37 When designing the internal layout of residential conversions it is important that attention is given to the location of living accommodation and communal rooms (such as lounges, bathrooms and kitchens) as they tend to be particular generators of noise. Ideally, they should not immediately adjoin sleeping accommodation on the same floor. A satisfactory (and often more economical) layout can normally be achieved by stacking rooms of similar use above each other – i.e. bedrooms above bedrooms.
- 3.39 Where this is not possible, acoustic insulation or soundproofing will be required. This will generally be required in internal vertical walls surrounding sleeping accommodation and between floors. It should also be used in party walls between the converted property and adjoining properties.
- 3.40 In determining planning applications, the Council will require details of the proposed internal layout in order to assess issues around noise (and other issues). Conditions may be imposed where it is felt that sound proofing would be required.
- 3.41 It is recommended that advice is sought from the Building Regulations Section on sound proofing requirements (see contacts in Section 5).

Protected Species

- 3.42 Species such as bats, which use roof spaces as roost or hibernation sites, and birds which nest under the eaves of buildings are protected

from harm by law. Applications for developments that involve alterations to existing roof spaces, listed buildings, pre-1939 houses, barns or other traditional buildings and, any work involving disturbance to trees or hedges may have an impact upon protected species. If the presence of bats or birds is suspected then a planning application may need to include a survey report, together with details of mitigation measures to safeguard the protected species from the adverse effects of the development. The Council may impose planning conditions or obligations on planning permissions to ensure that these measures are implemented. Such measures may simply include, for example, avoiding carrying out any work during the bird breeding season, or the inclusion of artificial nest boxes as part of the development. The Council may refuse permission for developments where inadequate survey and mitigation details accompany a planning application.

Further Advice

- 3.43 For further advice on the guidance contained in this guidance note or to discuss a proposal for residential conversions (pre-application discussions), please contact a Development Control Officer (see contacts in Section 5). A Development Control Officer will be able to inform you about what documentation will be required as part of a planning application.

Building Control

- 3.44 Paragraphs 3.36 to 3.41 of this guidance note deals with noise issues, which will also be considered as part of Building Regulations. At this stage, it may also be important to consider that the Buildings Regulations will also specify requirements in relation to:

- structural alterations;
- means of escape in case of fire (including fire alarms);
- thermal insulation upgrade to walls and roofs and the provision of a 'SAP' energy rating;
- the provision of above and underground drainage;
- electrical installations;
- storage of solid waste;
- the reasonable provision of an environment accessible for all.

Party Wall Act

- 3.45 If you intend to carry out construction or alterations which involve:
- Work on a wall, floor or ceiling shared with another property;
 - Building on the boundary with another property; or
 - Excavating within 6 metres of an adjoining building

You may find that the work falls within the scope of the Party Wall Act. If it does, you must serve statutory Notices on all those defined by the Act as adjoining owners. This is quite separate from any need for planning permission and/or building regulation approval.

4 - BACKGROUND DOCUMENTS

- Bury Unitary Development Plan, Bury MBC (Adopted August 1997)
- Development Control Policy Guidance Note 3: Planning Out Crime in New Development
- Development Control Policy Guidance Note 6: Alterations and Extensions to Residential Properties
- Draft Development Control Policy Guidance Note 11: Parking Standards in Bury

5 - CONTACTS

- 5.1 The advice in this note has been designed to be user-friendly and seeks to clarify the issues that the Council will consider when determining planning applications for residential conversions. However, if you require further information, please contact:

Development Control Team

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Craig House
5 Bank Street
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BL9 0DN
TEL: 0161 253 5432
Email: development.control@bury.gov.uk

Building Control

Planning, Engineering and Transportation Division
Craig House
5 Bank Street
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TEL: 0161 253 5313
Email: building.control@bury.gov.uk

Traffic Management and Road Safety Services

Paul Holmes
Planning, Engineering and Transportation Services Division
Lester House

21 Broad Street
Bury
BL9 OAW
Telephone: 0161 253 5788
Email: p.holmes@bury.gov.uk

Waste Management

Environment & Development Services
Operational Services
Refuse Collection
Bradley Fold
Telephone: 0161 253 7010

Appendix 1

H2/4 - Conversions

Applications for the conversion of buildings into two or more self contained units, or the conversion of a building into a house of multiple occupation, will be considered with regard to the following factors:

- a) the effect on the amenity of neighbouring property through noise, visual intrusion, the position of entrances, impact of parking areas, extensions and fire escapes;
- b) the general character of the area and the existing concentration of flats;
- c) the amenity of occupants;
- d) the effect on the street scene of any changes to the external appearance of the building;
- e) car parking and servicing requirements.

Justification

Given the trend towards smaller households, the conversion of buildings into self contained units and houses in multiple occupation can be an effective way of providing small, relatively low cost accommodation. However, it is necessary to ensure that dwelling standards are maintained and to ensure that, generally, an over provision of such property does not adversely affect the need to maintain a good mix of housing types, or adversely affects the character and amenity of residential areas. The car parking requirements in factor (e) should accord with the Council's car parking standards referred to under Highways and Transportation Policy HT2/4 - Car Parking and New Development and set out in Appendix 4 of the Plan.



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www.bury.gov.uk/planning/home.htm



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September 2007

Graham Atkinson BA DMS

Director of Environment & Development Services

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