

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
116057/FO/2017	24 May 2017	19 October 2017	Didsbury West Ward

**Proposal** Erection of four-storey rear extension with juliet balconies and associated elevational alterations (following demolition of existing outrigger) to form an additional three flats (forming eight in total) with associated car parking, bin store and cycle store.

**Location** 122 Palatine Road, Manchester, M20 3ZA

**Applicant** Mr Malkie , Bruckfern Ltd, 170B School Lane, Didsbury, Manchester, M20 3ZA,

**Agent** Mr Simon Miles, Cartwright & Gross, Golden Lion, 89 Middle Hillgate, Stockport, SK1 3EH,

### **Description**

The application site relates to a four storey semi-detached Victorian property located within Albert Park Conservation Area, the property has previously been subdivided into five flats. The property is located on Palatine Road close to the junction with Lapwing Lane and a short walk to West Didsbury Metrolink stop.

The area is predominantly residential and contains a mixture of large Victorian properties converted into flats as well as family dwellinghouses. There is also a small parade of shops located on Lapwing Lane.

The applicant is seeking planning permission to erect a four-storey rear extension with juliet balconies and associated elevational alterations, following demolition of existing outrigger to form an additional three flats (eight in total). The proposal also includes associated car parking, bin store and a cycle store.

### **Consultations**

There have been a total of two notifications with regards for this planning application. This was to allow residents and any other interested parties an opportunity to comment on revised plans that were received during the course of this planning application. A summary of the comments received have been provided below:

#### **1<sup>st</sup> Notification –**

**Local Residents/Public Opinion** – A total of five objections were received from local residents, which can be summarised as follows:-

- Loss of privacy – Overlooking into gardens and neighbouring properties
- Discrepancy with the drawings – Questions raised regarding proximity of proposal to boundary:

- Bin Store:
  - Location of bin store mentioned at rear, when it is proposed to be at the front;
  - Close to boundary – concerns regarding odour and noise
  - Insufficient number of bins for the amount of residents
  - Proposed position at the front would be unsightly
- Car Parking – Insufficient Number of car parking spaces ( 13 Bedrooms and only 9 car parking spaces) and concerns that cars will park in front of Calluna Mews and Trafalgar Place
- Inaccuracies with application form:
  - Question 7 Waste Storage is inconsistent with drawing PL400
  - PL400 shows only 8 car parking spaces but the application form states 9 spaces.
- Tree G2 should be removed – Replace tree with something more appropriate for Conservation Area
- Consideration should be given to water surface run-off due to the amount of hard surfacing proposed at the front
- Remove proposed balcony and window and restore the window to be like the adjoining property 120 Palatine Road;
- over-intensification of occupation leading to negative impact on amenity of existing occupants and that of near neighbours,
- parking proposals that are substandard and insufficient to meet resident needs leading to additional competition for kerbside parking and consequent road congestion,
- inaccessibility of proposed cycle store due to positioning immediately behind designated car parking,
- proposed loss of site trees with no detailed proposals for migratory planting, lack of any detailed landscaping and planting proposals,
- loss of existing shrubs and bed in front garden area,
- lack of clarity regarding number of front garden parking spaces,
- impracticality of recycling bin location causing excessively long journey from flats to bins,

**Neighbourhood Team Leader (Arboriculture)** – Initially objected to the application due to the impact on the tree identified as T2. Following receipt of a further assessment and method statement, the City Arborist has raised no objections to the proposals based on the Arboricultural Method Statement outlining tree protection and retention.

**Highway Services** – Eight car parking spaces proposed which results in a 1:1 ratio of parking space per apartment which is considered acceptable. Given the location to the Metrolink Stop, the high frequency of bus services along Palatine Road and the proximity to West Didsbury as a District Centre, the site is considered to be in a sustainable location.

**Greater Manchester Police** - No objection but they have recommended the following security measures:-

- Access in to the building should be controlled by a video entry phone system (with the picture viewable on the phone unit, rather than on a television set) so that residents can vet visitors before allowing them access in to the building. Trade access is not permitted;
- Apartment entrance doors must be compliant with and certified to BS PAS 24, STS201, or LPS 1175 SR2. It is advised that these doors do not have fixed sidelights, and are provided with door viewers instead;
- Windows must be compliant with and certified to BS PAS 24 or BS 7950;
- Ground floor and easily accessible opening lights (escape requirements permitting) must be key-lockable, and have fixed/lockable opening restrictors (not releasable from the outside) limited to 100mm;
- If an alarm is installed then it should comply with either:-
  - BS EN 50131 and PD 6662 for wired systems;
  - BS 6799 for wireless systems.

**West Didsbury Residents Association** – WDRA have objected to the application, a summary of their comments have been provided below:-

- over-intensification of occupation leading to negative impact on amenity of existing;
- occupants and that of near neighbours;
- parking proposals that are substandard and insufficient to meet resident needs leading to additional competition for kerbside parking and consequent road congestion;
- inaccessibility of proposed cycle store due to positioning immediately behind designated car parking;
- proposed loss of site trees with no detailed proposals for mitigatory planting, lack of any detailed landscaping and planting proposals;
- loss of existing shrubs and bed in front garden area;
- lack of clarity regarding number of front garden parking spaces;
- impracticality of recycling bin location causing excessively long journey from flats to bins.

If the application is to be approved WDRA, wish for the following to be considered:

- Review of car parking proposals with a view to rendering parking spaces less inaccessible;
- relocation of cycle store so as to make accessible;

- requirement for provision of detailed planting and landscaping proposals including planting of trees in mitigation of trees proposed for felling, to be signed off by Planning Officers and actioned prior to any occupation of additional flats;
- review of recycling bin proposed location to make for a shorter journey to and from the bins.

**2<sup>nd</sup> Notification** - The following responses were received after the re-notification of the amendments to the proposal for the siting of the new bin store and associated landscaping.

**Local Residents/Public Opinion** – A total of 8 objections were received, a summary of the comments received have been provided below:

- Loss of privacy – Overlooking into gardens and neighbouring properties;
- Affect ability enjoy their own gardens;
- Zero benefit to neighbouring properties;
- Construction work will disturb neighbouring residents;
- Bin store is insufficient enclosed, at Calluna Mews the bins are contained within an enclosed space surround by brick walls. The store will likely cause significant loss of amenity to the use of the neighbouring gardens – smells, noise, vermin.
- 8 Car parking spaces for 13 bedrooms is insufficient – likely two cars per flat.
- Additional cars will lead to further congestion on Palatine Road and disturbance from alarms and car noises;
- Overdevelopment of the site, impacts on the character of the conservation area.
- Concerned regarding the loss of animal habitat;
- How will the bins be emptied? Will there be a Management Plan to dispose of waste?
- Raised concerns regarding possible bike theft.
- Problems with existing contractors parking.

**Councillor John Leech** - Supports the objections of WDRA regarding this extension. Would particularly like to draw attention to images on google earth which show the rear of the property already being used for parking with 2 (and possibly a third car under the tree canopy) to the rear. It also clearly shows that there is not adequate space for 6 cars at the front of the property. As such there appears to be no additional car parking available with this development, and the lack of available on street parking means that this application must be refused, or there will be additional parking problems for local residents.

**West Didsbury Residents Association** - Pleased that the proposal included some attempt at refurbishment of original masonry design elements such as the original front entrance now bricked up and now proposed for refurbishment. This would positively impact on the visual amenity of the Conservation Area. However, they would still object to the application for the following reasons:

- over-intensification of occupation leading to negative impact on amenity of existing occupants and that of near neighbours,
- parking proposals that are substandard and insufficient to meet resident needs leading to additional competition for kerbside parking and consequent road congestion,
- inaccessibility of proposed cycle store due to positioning immediately behind designated car parking,
- proposed loss of site trees with no detailed proposals for mitigatory planting, lack of any detailed landscaping and planting proposals,
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- review of recycling bin proposed location to make for a shorter journey to and from the bins.

**Environmental Health** – No objection, the waste management strategy is acceptable, and recommend a condition requiring that any approved scheme for the storage and disposal of refuse shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

**Planning (Listed Buildings and Conservation Areas) Act 1990 - Section 72,** requires that Local Authorities must as a general duty pay “special attention ‘to the desirability of preserving or enhancing the character or appearance’ of conservation areas.

**National Planning Policy Framework (NPPF)** – The central theme to the NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role (paragraphs 6 & 7).

Paragraphs 11, 12, 13 and 14 of the NPPF outline a “*presumption in favour of sustainable development*”. This means approving development, without delay, where it accords with the development plan and where the development plan is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Paragraph 128 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 129 – advises that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 132 goes on to state that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 134 states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

## **Development Plan**

The Development Plan in Manchester comprises of:

**Manchester Core Strategy Development Plan Document (2012)** - The Core Strategy was adopted on the 11<sup>th</sup> July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

**The Unitary Development Plan (UDP) for the City of Manchester (1995)** - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester to 2027, the policy states that all development in the City should:

- Make a positive contribution to neighbourhoods of choice including:-
  - creating well designed places that enhance or create character.
  - making a positive contribution to the health, safety and wellbeing of residents
  - considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
  - protect and enhance the built and natural environment.
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

These key principles are applied to all planning applications within the City and the application has been considered in accordance with the policy.

Policy 'EN 1 Design Principles and Strategic Character Areas'

Policy EN 1 states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

#### Policy EN3 'Heritage'

Policy EN3 states that throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

It is considered that the proposed development will be in keeping with the character and setting of the conservation area.

#### Policy EN 18, 'Contaminated Land'

Policy EN 18, states that any proposal for development of contaminated land must be accompanied by a health risk assessment. Details are required to investigate as to whether there is an contaminated land at the site and also to ensure that appropriate mitigation is put in place, if any contaminants are found.

#### Policy H6 'South Manchester'

Policy H6 relates to new housing in south Manchester and states that south Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes. 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, with schemes adding to the stock of affordable housing.

The application property has already been converted into flat, as demonstrated within the report the application site can accommodate an additional three flats.

#### Policy T2 'Accessible Areas of Opportunity and Need'

Policy T2 states that all new development should provide appropriate car parking facilities.

The proposal is considered to be in accordance with policy T2 as it will provide off-road car parking for each of the flats.



The relevant extant **UDP** policies are as follows:

Policy DC 18 ' Conservation Areas

Extant Policy DC18 states that the Council will give particularly careful consideration to development proposals within Conservation Areas.

a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:

- i) the relationship of new structures to neighbouring buildings and spaces;
- ii) the effect of major changes to the appearance of existing buildings;
- iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
- iv) the effect of signs and advertisements;
- v) any further guidance on specific areas which has been approved by the Council.

b. The Council will not normally grant outline planning permission for development within Conservation Areas.

c. Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area

d. Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.

e. Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

The application site is located within the Albert Park Conservation Area and as set out in this report, it will enable the enhancement of the character and setting of the conservation area.

**Other material policy considerations**

**The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (Adopted 2007)** - This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people (in accordance with Design for Access 2), pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures and environmental sustainability. Sections of relevance are:

Chapter 2 'Design' – outlines the City Council's expectations that all new developments should have a high standard of design making a positive contribution to the City's environment;

Paragraph 2.7 states that encouragement for "the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified form which blends in with, and links to, adjacent areas.

Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contribute to the creation of a positive identity.

Paragraph 2.14 advises that new development should have an appropriate height having regard to the location, character of the area and specific site circumstances. Although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations.

Paragraph 2.16 advises that the impact of site boundaries can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well-designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

Paragraph 2.17 states that vistas enable people to locate key buildings and to move confidently between different parts of the neighbourhood or from one area to another. The primary face of buildings should lead the eye along important vistas. Views to important buildings, spaces and landmarks, should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises.

Chapter 8 'Community Safety and Crime Prevention' – The aim of this chapter is to ensure that developments design out crime and adopt the standards of Secured by Design;

**Manchester Residential Quality Guidance (June 2017)** - this document was endorsed by the City Council in June 2017. It seeks to underpin the City Council's ambition to create sustainable and popular neighbourhoods where people want to live and, at the same time, to contribute to raising the quality of life in the city. The draft document seeks to provide clear direction to all those involved in the development of, the construction of and the management of new homes in the city. It does, though, provide the minimum requirements and mandatory standards that all new residential proposals will be required to satisfy or exceed in order to be considered sustainable development. The proposal is considered to be compliant with the components of residential quality in the draft Guidance

**Manchester's Great Outdoors – a Green and Blue Infrastructure Strategy for Manchester 2015 -25** - a Green and Blue Infrastructure (G&BI) Strategy (adopted in July 2015) is a key document and mechanism that will help deliver the liveability agenda. The strategy covers all types of green and blue infrastructure within the City.

**The Principle** – Albert Conservation Area is predominately an area of late Victorian period housing, mainly three-storey or four-storey pairs of semi-detached properties. Although these properties were mainly family dwellinghouses, many of them have now been converted into flats, institutional or hotel uses. Those that have been demolished have been generally re-developed for blocks of flats.

Saved UDP Policy DC5.2 states a general presumption in favour of flat conversions in residential areas and particularly where large, old difficult to let properties are involved. In this case the property has previously been converted into flats.

It should also be noted that 120, 118 and 116 have been converted into flats and have been extended with large rear extensions.

Matters that will require consideration, in order to assess the acceptability of any proposal are siting/site layout, scale and massing, design and appearance. In this instance it is also necessary to consider the proposal in the context of its siting within a conservation area.

Further consideration will be given as to whether the proposal has any impact on surrounding residential amenity.

**Site layout** – As shown in figure 1, it is proposed to extend the property at the rear, due to the constraints of the site the logical position to extend would be at the rear. It is proposed that the existing outrigger is demolished and rebuilt in an extended form to allow the creation of three additional flats.

Three additional car parking bays will be created at the rear adjacent to the extension, as well as a new bin store and bike store.

Concerns were raised from local residents regarding the location of the bin store, and amended drawings have been received which reduce the impact on the neighbouring properties but also allow convenient access for the intended occupiers of the flats.

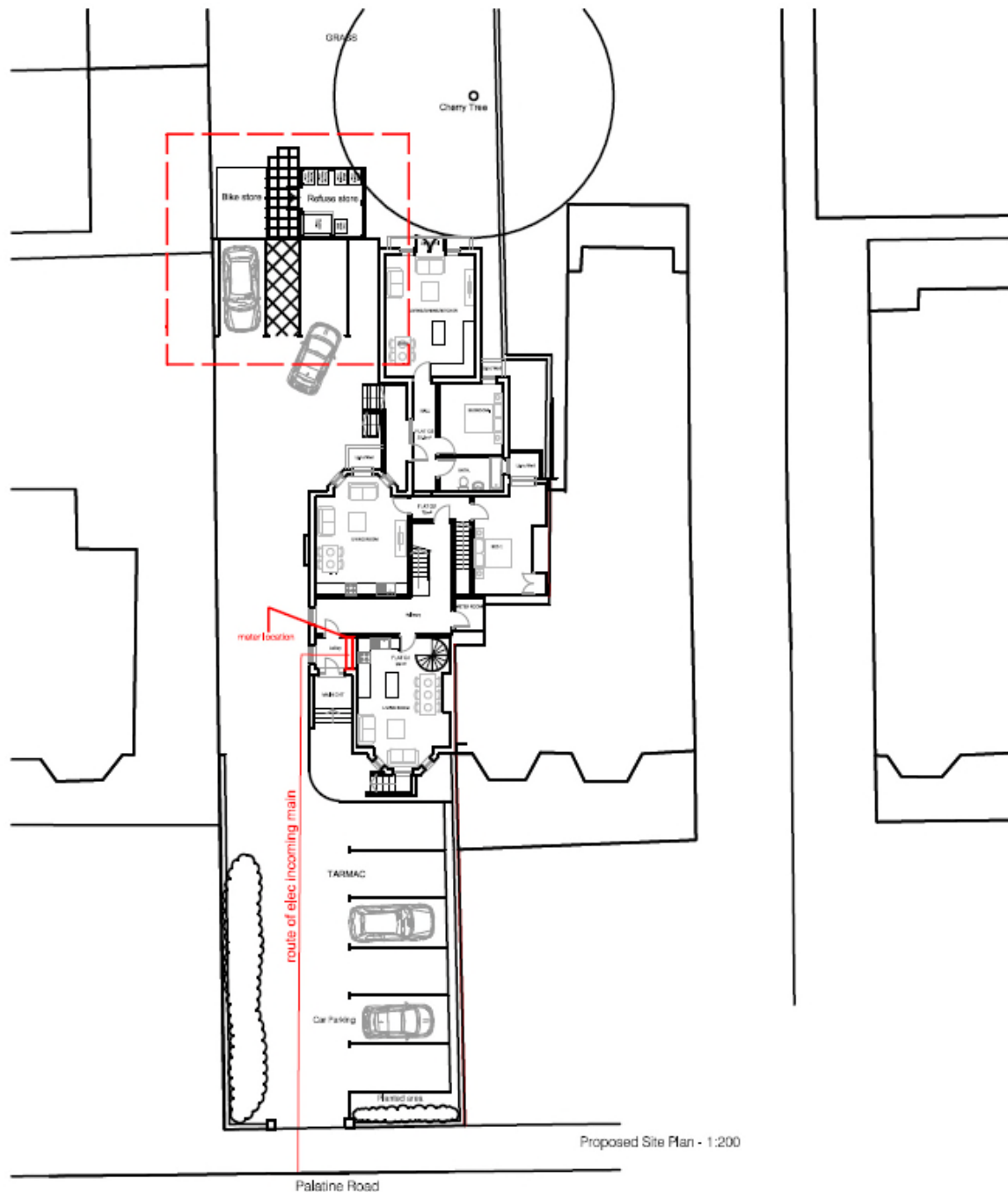


Figure 1 Proposed Site Layout

**Appearance, Scale and Massing** – Policy EN1 of the Core Strategy and the Guide to Development in Manchester SPD seek to ensure that scale of new development is informed by its context. Residential development of an appropriate scale is also echoed within the Manchester Residential Quality Guidance, as new development should consider and appreciate the existing context and character of the area.

The existing property is of a substantial scale, which forms an interesting feature within the streetscene and conservation area, it is proposed that the extension will be similar height and extend from the rear of the property by 11.4 metres which is an increase of approximately 8 metres from the existing outrigger projection. The

extension in terms of projection would be similar to the adjoining semi-detached 120 Palatine Road.

The gap to the shared boundary with 124 Palatine Road and 11 and 12 Calluna Mews is 7.8 metres.

In terms of height the extension will have a dual pitched roof with a gable ends. The roof will be lower than the existing roof height, thus reducing the overall massing of the extension (figure 2).



**Figure 2: Rear Elevation 118 and 120 Palatine Road**

The proposal also includes the reinstatement of the front door which has previously been removed, currently the flats are accessed from the rear of the property and therefore creating an entrance from the front will help to improve the overall appearance of the property.

However, it should be noted that one of the flats will still be accessed from the rear of the property. Greater Manchester Police have not raised an objection to this arrangement, however the police have recommended a series of security measures to be incorporated into the development. These recommendation have been shared with the applicant to incorporate into the development.

In terms of materials it is proposed reclaimed orange-red brick is used for the extension and natural slate for the roof tile. To ensure that the brickwork is in keeping

with the character of the existing property the proposed elevations show that some of the facing brick detail from the original building will be replicated in the extension.

The windows will be new sashed uPVC double glazed. The choice of materials for the windows are considered to be acceptable as there are other examples within the Conservation Area, notable the adjoining property 120 Palatine Road. However to ensure that the materials are sympathetic to the character of the property and conservation area it is recommended that a condition is attached to determine the exact specification and submission of samples.

Ensuring good design is an integral part of policies EN1 and DM1 of the Core Strategy, Guide to Development in Manchester SPD, Residential Guidance and the NPPF. In this case it is considered that the proposal would be in accordance with these policies.

**Privacy** – Concerns have been raised regarding overlooking to the neighbouring properties from the proposed extension and that the windows provide an opportunity to overlook the neighbouring properties. At its nearest point the extension is 14.4 metres away from Calluna Mews, 26.84 metres to the shared boundary with Raleigh Close and tennis courts to Albert Bowling and Tennis Club and 2.54 metres to 120 Palatine Road. At the rear of three of the flats a Juliet balcony is proposed, although the word balcony is used to describe them, the windows do not have an external platform and therefore no external access. The impact is therefore no greater than a standard window and the distances stated above together with the orientation of the properties would not result in an undue loss of privacy on the neighbouring properties.

The side windows are to hallways and bathrooms, and should be conditioned to ensure that they obscurely glazed.

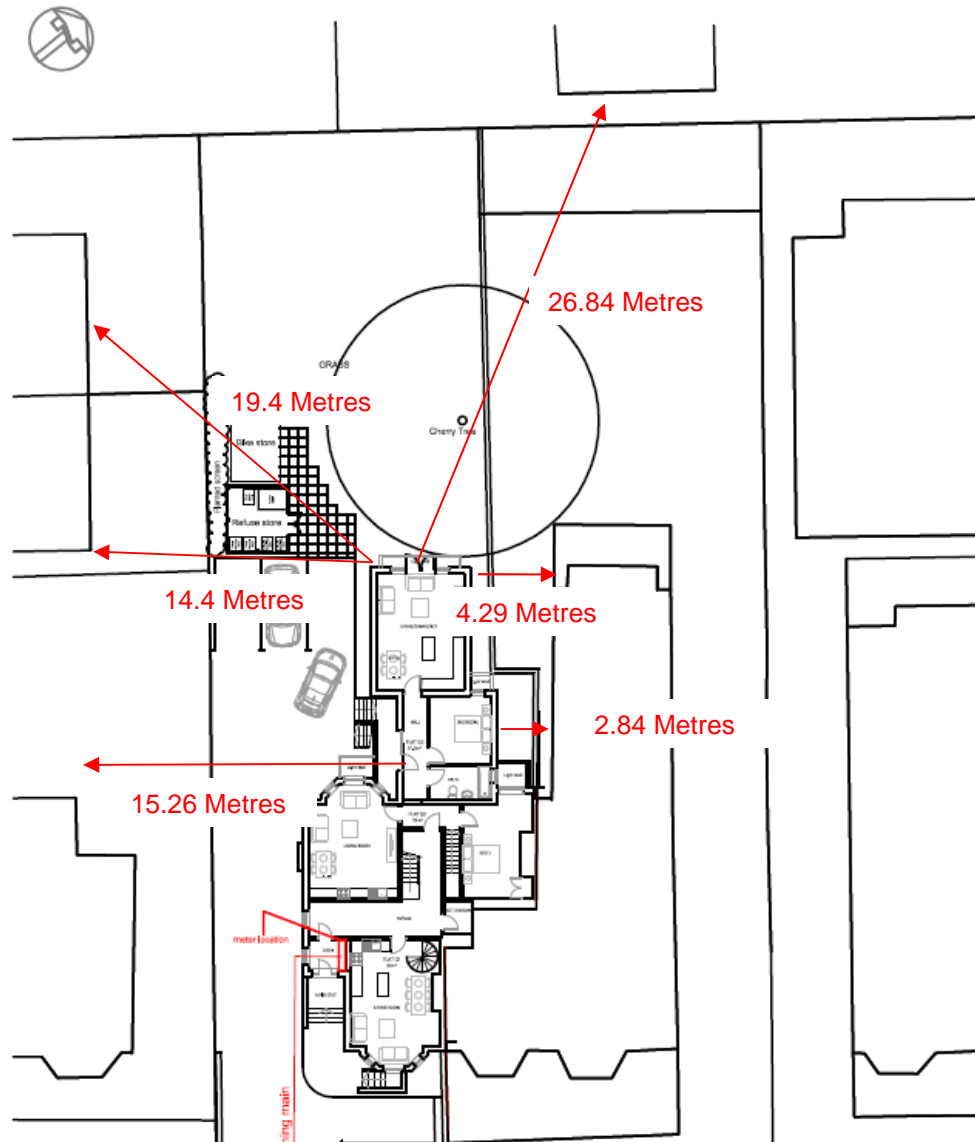


Figure 3: Distances to neighbouring properties

**Amenity Space** - The property already benefits from a large amenity space at the rear of the property and although some will be lost to the proposal, there will be still sufficient room for outdoor space for the residents. Both the design and access statement and the Heritage Statement refer to improvement in both hard and soft landscaping across the whole site together with a new soft landscaping area at the front of the property including a new hedge and planted area. Therefore, the proposal will result in an improvement to the residents' amenity. It is therefore recommended that a condition is attached to ensure that the final details of the soft landscaping scheme is agreed and implemented.

The Manchester Residential Quality Guidance provide the minimum requirements and mandatory standards that all new residential proposals will be required to satisfy or exceed in order to be considered sustainable development. In this case the gross internal area for each of the flats comply with the guidance and the national space standards.

**Trees** – A total of four trees are proposed to be felled, three of the trees are in a poor condition (two apples and a pear tree) and the fourth tree is an ash tree due to be felled as a result of the proposed extension. The City Arborist has raised no objection to the proposal, however it is recommended that a further condition is attached to ensure that there is adequate tree replacement and that the works are carried out in accordance with the submitted arboricultural implications assessment and method statement to ensure the protection of the trees within the site.

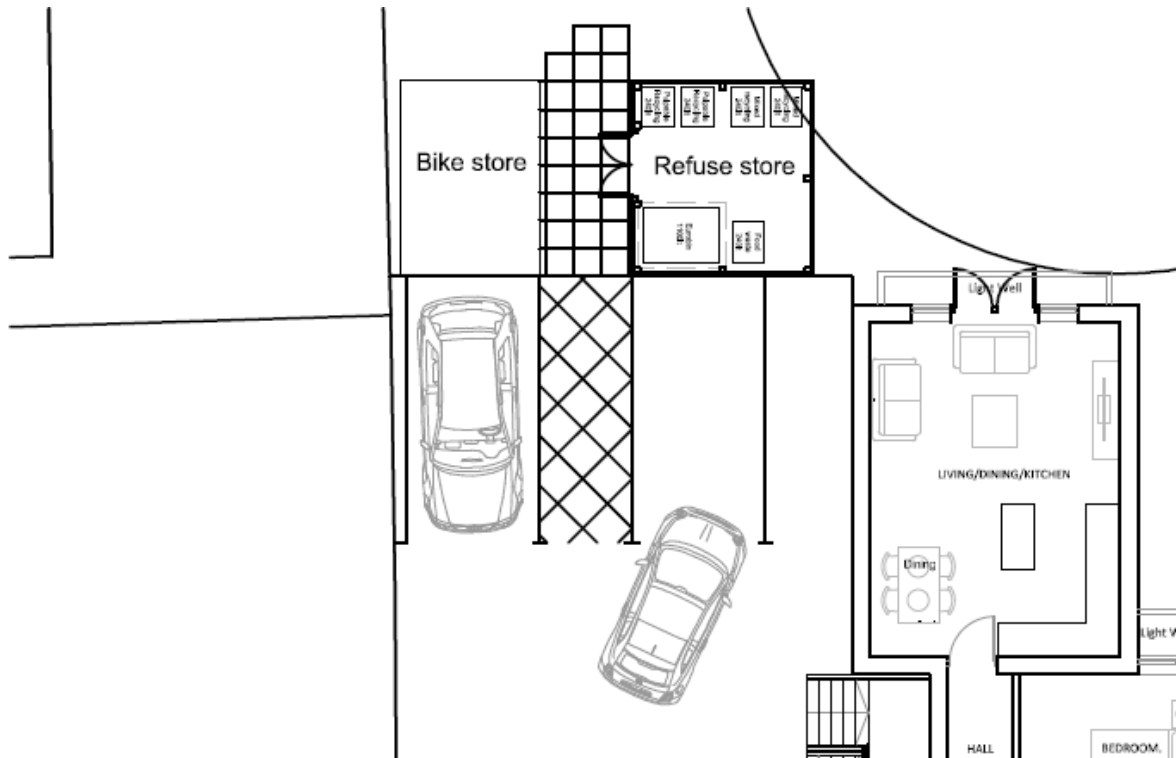
**Car Parking and access** –Objections to the application have raised concerns with the amount of car parking proposed, however on-site car parking has been provided to the ratio of one per apartment (a total of eight), which is considered to be acceptable. Each car parking space measures a minimum of 2.4 by 4.8 metres which is acceptable.

The application site is also located within a highly accessible location as it's a short walk to the bus stops on Palatine Road and the Metro Link stop on Lapwing Lane. In addition there is a secure bicycle storage for the residents located next to the refuse store.

**Refuse Storage** - Policy DM 1 requires that the location of the refuse storage and collection. The proposed development indicates that the refuse bins will be stored within a dedicated bin store at the rear of the property and will not be visible due from the front of the property. Concerns have been raised regarding the amount of refuse and to whether it is an adequate amount for the number of flats. Environmental Health have reviewed the proposed waste management strategy and found it to be adequate. They have recommended a condition that the scheme for storage and disposal of refuse shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

This is considered to be appropriate locations for refuse storage, however to ensure adherence to this arrangement and to prevent bins being stored within the property frontage other than on the day of collection a condition should be attached.





**Figure 4 Bike and Refuse Store**

**Security** – In terms of security there are improvement to the existing arrangement as the flats within main part of the property will now access their flats from front due to the re-instatement of the front entrance. At the rear the new flats will gain access from the new car parking area. The Design and Security team have not objected to the application, although they have recommended a series of recommendations.

Concerns have been raised regarding the security of the cycle store, however the bikes will be located a dedicated cycle store and will be observed from the car parking area.

**Accessibility** – Policy DM1 requires that in terms of accessibility that buildings and neighbourhoods are fully accessible to disabled people, access to new development by sustainable transport modes. As described the property is located in an area with a variety of different transport modes and therefore the proposal complies with this part of the policy.

However, older properties such as Victorian houses were often built with raised floor levels and accessed via steps. The proposed extension will be built to match the existing floor levels within the property.

**Impact on Conservation Area** – Both policy EN3 and extant policy DC18 state that new proposals should preserve or enhance the character of the conservation area. Furthermore the NPPF requires that new development should protect and enhance the historic environment. Pursuing sustainable development involves seeking improvements in the quality of the historic environment, replacing poor design with better design that makes a positive contribution to local character and distinctiveness.

Palatine Road forms the eastern boundary of the conservation area, and the surrounding area is principally one of Victorian period housing mainly three storey pairs of semi-detached with the grandeur housing being located on Palatine Road.

As part of the submission the applicant has provided a Heritage Assessment for the proposed works in its assessment of the proposal it identified that there is medium to low significance of the site. The medium significance being the form and value added to the townscape and wider conservation area. The low significance located on the rear elevation including the existing rear exit, temporary interventions for glazing on some of the windows and that the front door of the property has previously been blocked up. Therefore the Council acknowledges that any works to improve the plot would not necessarily lead to a level that can be deemed substantial, it may therefore be considered less than substantial.

Paragraphs 133 and 134 of the NPPF require Local Planning Authorities to consider the public benefits of supporting a development where all grades of harm, 'substantial' and 'less than substantial' can be justified.

The pattern of development within the conservation area shows that the Victorian period housing including this property were set within large gardens. As the proposal is at the rear there will be some impact on the spatial and landscape character of the conservation area. Not only from the siting of the proposal but also from the bulk and massing of the proposed extension. It must be noted that there is an almost identical extension next door, and it is considered that any harm would be less than substantial.

In terms of public benefit result in an improvement and enhancement to the existing property through the continued use as flats with the creation of much needed additional accommodation which meets the Council current space standards. The proposal will restore original features of the building and through the careful use of materials and design help to mitigate the impact of the new extension so that it outweighs any harm.

DC18.1 also seeks to retain existing features such as boundary walls. In this proposal the front boundary wall will be retained and restored including the existing gateposts (figure 5).

The proposal can therefore be considered to accord with policies DC18.1, EN3 and tests set within the NPPF.



**Figure 5: Proposed front boundary as viewed from Palatine Road.**

**Flood Risk and Drainage** – The site is not located within a designated flood zone, however surface water drainage is an important consideration especially to mitigate any impact of the development. It is recommended that additional conditions are attached requiring the submission of details of a sustainable drainage system and its maintenance.

**Construction** – In order to protect the amenity of neighbouring properties during construction of the extension and the improvement works to the site, it is recommended that a condition requiring a construction management plan which will require detail the parking of construction vehicles in and around the site to ensure that they do not have a detrimental impact on the amenity of the neighbouring properties. Comments have been received highlighting this as a particular issue, especially considering the traffic restriction orders near to the site.

**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 the right to a fair hearing and to this end the Committee 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 polices of the Unitary Development Plan, the Head 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 approval of the application is proportionate to the wider benefits of approval 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 based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application and these concerns have been addressed in amended drawings. Appropriate conditions have been attached to the end of this report.

**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:

756\_PL100, 756\_PL200, 756\_PL300 stamped as received by the City Council as Local Planning Authority, on the 24.05.2017

756\_PL400 Revision C and 756\_PL401 stamped as received by the City Council as Local Planning Authority, on the 11.09.2017

Supporting Information and Heritage Impact Assessment Prepared by Fitzgerald Planning and Design stamped as received by the City Council as Local Planning Authority, on the 20.09.2017

Arboricultural Implications Assessment reference TRE/PR prepared by Mulberry stamped as received by the City Council as Local Planning Authority, on the 19.07.2017

Arboricultural Method Statement prepared by Mulberry stamped as received by the City Council as Local Planning Authority, on the 19.07.2017

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) Before first occupation the proposed side extension (south and north) windows as shown on drawing 756\_PL300 stamped as received by the City Council as Local Planning Authority, on the 24.05.2017 shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

4) The car parking and cycle store shall be implemented in accordance with the approved details as shown on drawing 756\_PL400 Revision C stamped as received by the City Council as Local Planning Authority, on the 11.09.2017, prior to any residential property within the development being first occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with policies SP1, T2 and DM1 of the Manchester Core Strategy (2012).

5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

6) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

7) The disposal and storage of refuse shall be carried out in accordance with the waste management strategy stamped as received by the City Council on the 24.05.2017 and drawing 756\_PL400 Revision C stamped as received by the City Council as Local Planning Authority, on the 11.09.2017

Reason - In the interests of residential and visual amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

8) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

9) No development shall commence until a hard and soft landscaping treatment scheme and tree replacement scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

10) In the event works to trees are proposed between 1st March and 31st August in any year, a detailed bird nest survey shall be carried out by a suitably experienced ecologist immediately prior to clearance, and written confirmation provided to the City Council as local planning authority that no active bird nests are present for approval in writing by the City Council as local planning authority.

Reason - In the interests of nature conservation and the biodiversity of the locality, pursuant to policy EN15 of Manchester's Core Strategy, and Section 11 of the National Planning Policy Framework (NPPF).

11) Prior to the commencement of development, a construction management plan outlining working practices during development for each phase shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:

- Details of an emergency telephone number;
- Dust suppression measures;
- Location, removal and recycling of waste;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

Development shall only be carried out in accordance with the approved construction management.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

12) No development for each phase shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

### **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 116057/FO/2017 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

### **The following residents, businesses and other third parties in the area were consulted/notified on the application:**

Neighbourhood Team Leader (Arboriculture)  
Greater Manchester Police  
West Didsbury Residents Association

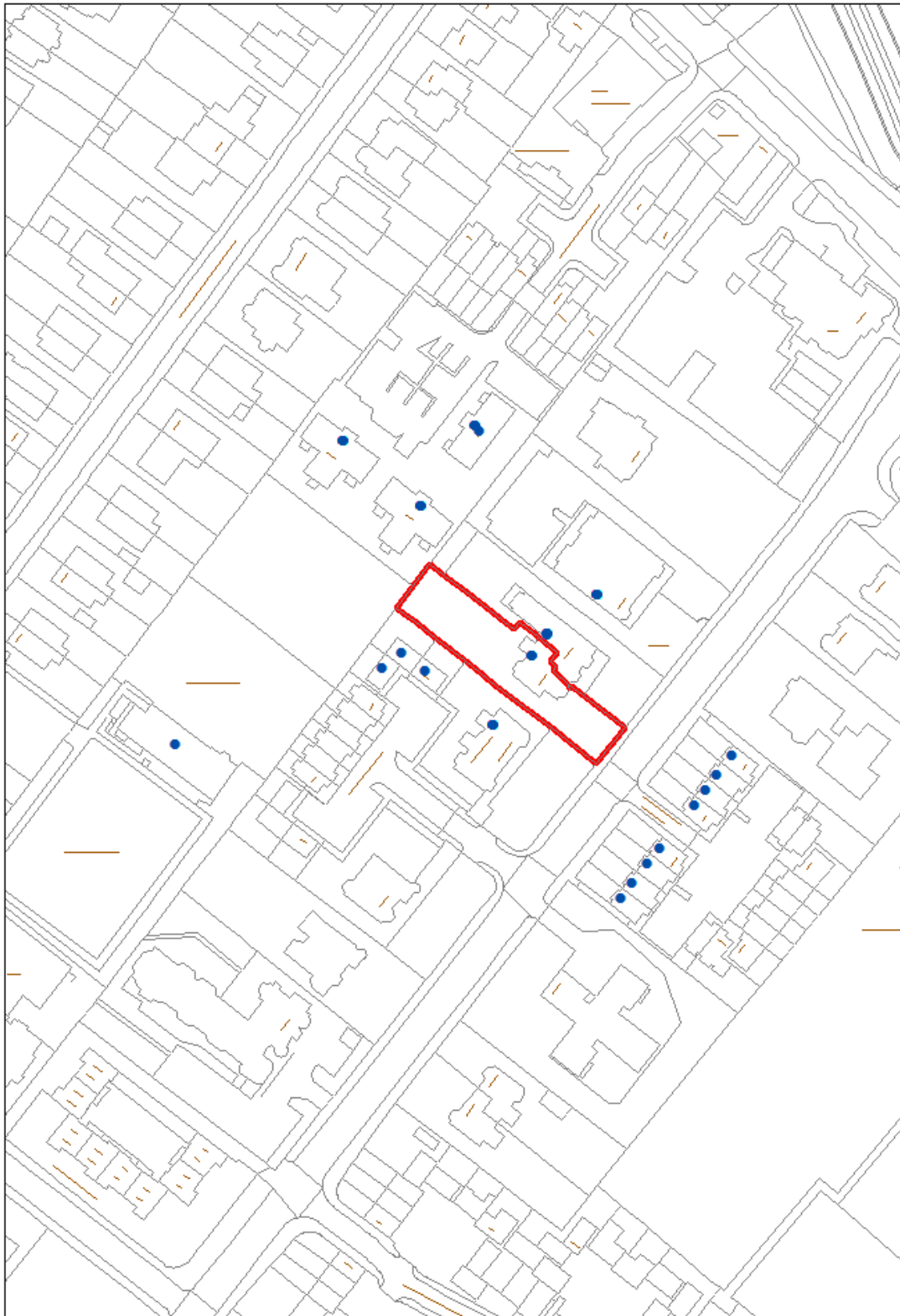
A map showing the neighbours notified of the application is attached at the end of the report.



### **Representations were received from the following third parties:**

Greater Manchester Police  
West Didsbury Residents Association  
Flat 7 126 Palatine Road, Didsbury, Manchester, M20 3ZA  
11 Calluna Mews, Palatine Road, Manchester, M20 3BF  
12 Calluna Mews, Palatine Road, Manchester, M20 3BF  
Flat 4 Palatine Mansions, 124-126 palatine road, Manchester, M20 3ZA  
8 Calluna Mews, Manchester, M20 3BF  
2 Trafalgar Place, Palatine Road, Manchester, M20 3TF

**Relevant Contact Officer** : Robert Tyrer  
**Telephone number** : 0161 234 4068  
**Email** : r.tyrer@manchester.gov.uk





 Application site boundary       Neighbour notification  
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