

| Application Number | Date of Appln | Committee Date | Ward |
|---------------------------|----------------------|-----------------------|--------------------|
| 116980/MO/2017 | 13 Jul 2017 | 16 Nov 2017 | Didsbury East Ward |

Proposal Reserved Matters application with respect of access, appearance, landscaping, layout and scale on plots 25 and 42 (amendments to house types, siting, landscaping and drainage following planning permission reference 108541/OO/2015/S2)

Location Former MMU Campus And Broomhurst Halls Of Residence Site , Wilmslow Road, Manchester, M20 2RR

Applicant Mr Richard Wilshaw , The PJ Livesey Group Ltd & MMU, Beacon Road, Trafford Park, Manchester, M17 1AF,

Agent

Background

This report also relates to an application that is reported as item 15 to this Committee agenda and is part of a wider site granted planning approval reference 108541/OO/2015/S2 subject of a section 106 agreement for the comprehensive redevelopment of the former Manchester Metropolitan University and Broomhurst Halls of Residence to provide a residential development and outline approval for a new school building.

It is considered that the main principles of redeveloping the Former MMU campus site have been established through the granting of that consent.

Site description

This application relates to two residential plots that are immediately to the north of the listed residential properties located on The Grove. As with application 116882/MO/2017 appearing on this agenda to Committee the application site relates to part of the former Manchester Metropolitan University Didsbury Campus.

As well as a number of listed Buildings in close proximity to the wider site including all the properties on The Grove to the south, there are a number of Listed Buildings on the wider site which includes:

- The Grade II* Administration Building dating from 1790
- The Grade II Chapel building
- The Grade II properties at 801 and 803 Wilmslow Road

In addition to these designated heritage assets the application site is located within the Didsbury St James Conservation Area.

Application proposals

This application relates to changes to 2 of the previously approved residential plots, the proposals do not alter the number of residential units proposed but do amend the design, layout and siting of them. The proposals have been subject of revisions by the applicant since they were originally submitted following negotiations and concerns raised by officers in relation to the originally proposed amendments. Residents were renotified of these revisions and given a further opportunity to comment.

The applicant has indicated within their submission that the amendments to the redevelopment of the site are as a result of the sales interest from the rest of the site, to rationalise the siting and elevational treatment of house types, and a number of house types were proving uneconomical to build.

Attached at appendix 1 of this report are the site layout drawings as previously approved and as now proposed under the current reserved matters application.

Environmental Impact Assessment

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 specify that certain types of development require an Environmental Impact Assessment (EIA) to be undertaken.

In this instance the original Outline application was supported by a limited chapter Environmental Statement prepared to investigate the environmental effects of the proposals. The submitted ES confirmed that overall, the development would have limited adverse environmental impacts, and the majority of impacts associated with the proposals were of a negligible or beneficial nature.

Following a review of the original ES and the current reserved matters application it is not considered that the proposals would materially affected the conclusions of the ES and that no significant environmental impacts are anticipated as a result of the development.

Consultations

The application was subject of notification of neighbours and residents, a site notice was posted and advert placed within the Manchester Evening News. A further period of renotifying neighbours and residents was undertaken as a result of revised drawings.

Jeff Smith MP - Supported the residents in their objections to the originally submitted proposals.

Responses to the notification process from 9 residents and a summary of the comments made is set out below.

The developer has chosen to make separate planning applications for two plots 25 and 42 (this application no. 116980/MO/2017) and another (application no.

116882/MO/2017). It is our contention that these applications are related and that they must be considered together by Manchester City Council, rather than as independent applications.

The plot 25, mentioned in no. 116980/MO/2017, substantially abuts our house as such the amendments to the house type, siting, layout and other matters that the application requests will have a substantial negative impact on our property due to loss of amenity, loss of aspect and loss of light.

We have been in discussion with the developer, P J Livesey, who have confirmed that this application follows the error that was made in laying the foundations for the house on Plot 25. This error was first noticed by our neighbour and led to the site manager ordering immediate cessation of any building work on that plot.

The erroneous siting of those foundations and the unacceptable repositioning of the house on plot 25 (according to the latest revised plans submitted as part of application no. 116980/MO/2017) are a direct consequence of the variation in the line of the internal road fronting plot 25 from the original, approved plans. The developer has continued to engage in building works to the plots mentioned in their separate application no. 116882/MO/2017.

The proposed site, layout, scale of the house on plot 25 will have the following direct impact on our property: Loss of aspect. The positioning of the house proposed for plot 25 would have a very significant negative impact on the aspect of no. 11 The Grove. The mass and proximity of a three storey house so close to our boundary wall would permanently change the character of our property and its unique heritage.

The Grove will lose its 'through aspect' from the common/shared areas looking north. The residents of the community currently enjoy a relatively open view when looking north across the courtyard of No. 11. The proposed plans will have a negative impact on this aspect that the residents currently have as well as leading to reduced levels of lights from the North. The revision to the currently approved plans will result in an overall 'crowding in' of The Grove from the North.

Loss of amenity from our outdoor private space. The proximity of the mass of the repositioned house would lead to a significant loss of amenity of our courtyard garden and our enjoyment of that part of our property would be lost. Furthermore, the revised plans ignore the verbal assurance that we were given during the initial consultation that our private space would not be overlooked. The revised proposal to include windows and a door on the elevation facing our property is not acceptable to us.

Proximity to boundary walls. The close proximity of the proposed houses to existing boundary walls only occurs on plots 25 and 42. We ask that the residents of The Grove be provided similar 'buffer space' next to our boundary walls as that which has been given to other neighbouring residents - for example, those in Didsbury Park.

Sensitivity to historic structures. It was Livesey's reputation for its work with listed buildings and conservation areas that initially gave us confidence that this development would respect the heritage of the surrounding area. We expected

Livesey to show the same sensitivity to the unique, listed architecture of the houses in The Grove as has already been shown to listed buildings within the development site.

The original development proposal for the larger site upon which we were consulted did take into account several of our concerns. But, each subsequent iteration of the amendment to the original proposals has exacerbated the negative impact from our perspective. We trust that our concerns will be given serious consideration, as the potential negative impact of this current proposal would be significant, and unacceptable

The layout for plot 25 as illustrated in this application is in my view extremely poorly conceived and represents a significantly retrograde step when compared to the layout contained within the previously approved scheme.

The height of the proposed buildings are higher than was originally approved any increase in height would in my view be a retrograde step in such close proximity to The Grove.

The Grove, comprises a unique group of 13 properties planned as a contained suburb to house senior employees of Watts's important business empire. It was conceived stylistically as a group using a palette of materials and details in what was then an advanced domestic version of High Victorian Gothic. As such their design and history is inextricably linked to Manchester's history and development. They are all listed (Grade II) and they are located at the heart of the Didsbury St James conservation area. In short the properties are important in both historical and architectural terms and as such, their layout in relation to any proposed adjoining development must be treated with due sensitivity and their setting within the new development must reflect their status.

The originally approved layout just about achieved a reasonable balance between the need for new development to respect the layout of The Grove on the one hand and the need for commercial viability on the other. In my view the revised layout now fails to achieve this balance.

This application does not include any explanation regarding the logic which supports this reconfiguration, nor does it seek approval for the design of the houses on plots nos 25 and 42. However, the net effect will inevitably be to compromise the layout of plot 25 (and possibly plot 42) and thus to seriously undermine its/their relationship with the adjoining listed properties in The Grove. For these reasons, this application should be rejected at least until such time as an acceptable layout has been agreed for the development of plots nos 25 and 42

Whilst noting that although PJ Livesey has been keen to ensure that the interests of local residents are taken fully into account and that they wish to proceed in a manner which is in accord with the character of the St James Conservation Area and the listed status of The Grove, this has clearly not been the case throughout.

Although some of the revised proposals within 116882/MO/2017 and 116980/MO/2017 move some way to correcting the most glaring problems

associated with these changes, the overall integrity of the development remains deeply flawed. If we and other residents in The Grove are to make any worthwhile judgement about the present revised plans in this planning application, we must do so with transparent regard to the originally approved planning application.

We appreciate the modifications that have now been proposed in response to our comments of 22 July 2017 and 18 September 2017. The developers now claim that the siting of the proposed house on plot 25 is an improvement on the original plans approved in 2016. We cannot independently verify this claim based on the information the developer has shared with us. We strongly request that the Council establishes the veracity of the developers' claims.

It would make material difference to us in No 11 The Grove if the siting of the proposed house on plot 25 could be moved a few meters further still to the east in order to minimise that aspect of the house that overlaps our courtyard. Such a move would make significant difference to our enjoyment of our courtyard by further minimising the loss of amenity caused by the overlap.

The increase in height of plot 42 will result in a significant loss of amenity in terms of aspect for those on the northern side. A house that is one and a half floors high is acceptable anything higher is not. Plots 25 and 42 have been allocated much less space than shown in the approved plan.

Plot 25 would be 2 metres from the northern boundary wall of the courtyard to the Grove properties, 3 metres from an east facing kitchen window and 5 metres from a north facing down stairs and upstairs windows. This represents a serious loss of amenity in terms of light and aspect towards the north.

There would also be a loss of privacy from windows in plot 25. The plans also fail to include the access strip along the entire northern boundary of the Grove as agreed in the approved plan so that we may conform to the requirements of the maintenance of listed properties including the walls.

Statutory and non-statutory consultees

Environmental Health - No Comments or objections to the proposals.

Historic England - Do not wish to offer any comments.

Policy

Manchester Core Strategy

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 and is the key Development Plan Document in the Local Development Framework (LDF). The Core Strategy is to be used as the framework that planning applications will be assessed against.

There are a number of relevant policies within the adopted Core Strategy relevant to the consideration of the current application in summary these are set out below with reference where applicable to why they are relevant in this instance.

Policy SP1 (Spatial Principles) – This policy sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including:

- creating well designed places,
- making a positive contribution to health, safety and well-being,
- considering the needs of all members of the community, and
- protecting and enhancing the built and natural environment.

As will be detailed in this report, the applications have been well designed and set out, they protect and enhance a number of designated heritage assets and are considered to contribute towards neighbourhoods of choice.

Policy H1 (Housing) - This policy prioritises residential development on previously developed land. Proposals for new residential development should contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing population. The aim is to support growth on previously developed sites in sustainable locations, taking into account the availability of developable sites. The application site is previously developed land, within a sustainable location and will contribute towards the provision of distinct housing types that will meet the diverse needs of a growing population of the City.

Policy H6 (South Manchester Housing) - South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. Outside District Centres the priorities will be for housing which meets identified shortfalls, including family housing, high density development will generally only be appropriate within the district centres.

The application proposals will deliver high quality, high value homes which will contribute towards the overall mix of types of properties across the city.

Policy H8 (Affordable Housing) – This policy states that new development on sites of 0.3 hectares and above or where 15 or more units are proposed, will contribute to the City-wide target for 20% affordable housing provision. The policy goes on to state that an exemption from providing affordable housing may be permitted where material considerations indicate that affordable housing would be inappropriate.

The principle of residential development has been established through outline planning approval reference 108541. This approval established that in order to mitigate impacts of development other planning obligations were sought which included the identification of land for a new school, and financial contributions towards improving sports and play facilities in the vicinity of the site. In that instance it was considered that the omission of on or off site affordable housing met the exceptions criteria set out within policy H8.

Policy EN1 (Design Principles and Strategic Character Areas) – This policy reinforces the seven principles of urban design identified in national planning policy. In relation to the Southern Character Area, which the application site falls within, this policy states that new development needs to retain the identity and focus of activity

associated with the historic District Centres and where appropriate development along the radial routes should be commensurate in scale with the prominence of its location.

The application proposals are considered to respond to the context of the site and the heritage assets located within and adjacent to it.

Policy EN3 (Heritage) – This policy states that new development must be designed to preserve, or where possible, enhance the historic environment, 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. Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

The proposals were developed to preserve and enhance a number of designated heritage assets and ensure their long term future. It is considered that the proposals have been designed and set out to enhance the character of the area and the wider St James conservation area.

Policy EN6 (Target Framework for CO2 reductions from low or zero carbon energy supplies) – This policy sets out the Council’s targets for the reduction of CO2 emissions. The outline approval for the site were accompanied by predicted performance in relation to sustainability. The approach was previously considered to be acceptable.

Policy EN10 (Safeguarding Open Space, Sport and Recreation Facilities)- This policy promotes the retention and improvement of existing open spaces, sport and recreation facilities to the standards set out and provide a network of diverse, multi-functional open spaces. Proposals on existing open spaces and sport and recreation facilities will only be permitted where:

- equivalent or better replacement open space, sport or recreation facilities will be provided in the local area; or
- the site has been demonstrated to be surplus for its current open space, sport or recreation function and the City wide standards set out above are maintained, and
- it could not fulfil other unsatisfied open space, sport or recreation needs, and
- a proposed replacement will remedy a deficiency in another type of open space, sport or recreation facility in the local area; or
- the development will be ancillary to the open space, sport or recreation facility and complement the use or character.

The outline approval was submitted with a Sports Needs Assessment to support the application as the site currently contains a sports hall and outdoor tennis courts. Mitigation to the loss of sports facilities on the site was subject of a financial contribution for the improvement of tennis facilities at Fletcher Moss to mitigate the loss of onsite facilities.

Policy EN14 (Flood Risk) – This policy states all new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of Green Infrastructure. Developers should have regard to the surface water run-off rates in the SFRA User Guide. In CDAs, evidence to justify the surface water run-off approach / rates will be required.

Appropriately worded conditions were attached to the outline approval relating to the approval of details of the maintenance and management of the drainage system for the site.

Policy EN15 (Biodiversity and Geological Conservation) - This policy seeks to maintain or enhance sites of biodiversity and geological value throughout the City. Particular consideration will be given to:

- sites with international or national designations for their biodiversity value (E.g. Site of Special Scientific Interest (SSI) and Special Area of Conservation (SAC).
- other sites of biodiversity value, including Sites of Biological Importance (SBIs) and Local Nature Reserves (LNRs).
- protected and priority species, as listed in the Manchester Biodiversity Strategy and included in the Greater Manchester Biodiversity Action Plan (GM BAP);
- sites that are recognised for their geological importance;
- the Council's objective to protect and conserve the City's existing trees, woodlands and associated biodiversity and the aim for a net increase in trees across the City.

The outline approval was accompanied by an ecological survey and arboricultural survey as the site has valuable amenity trees on site. No substantial changes are proposed by the current reserved matters application from those previously envisaged. The development on site has resulted in additional tree removals, these have been agreed with the Council's arborist with mitigation planting proposed where this has been necessary. The submission of a final landscaping scheme for these proposals would confirm that the mitigation trees are planted via an appropriately worded condition.

Policy EN16 (Air Quality) – This policy seeks to improve the air quality within Manchester, where developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself. When assessing the appropriateness of locations for new development the Council will consider the impacts on air quality, alongside other plan objectives. This includes cumulative impacts, particularly in Air Quality Management Areas.

The application site lies adjacent a major arterial road in the City and the applicant had included a chapter within the Environmental Statement relating to air quality. This demonstrated that local air quality impacts are not considered to be a constraint to the proposed site development and residential use. The current application is not considered to give rise to impacts not considered through the outline approval.

Policy EN 18 (Contaminated Land and Ground Stability) - This policy identifies the priority to develop on previously developed land and that this may include developing sites with historic industrial or other land uses that may have left a legacy of contamination.

Suitably worded conditions were attached to the outline approval to deal with ground contamination.

Policy DM1 (Development Management) this policy states all development should have regard to the following specific issues:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques.

As set out within the issues section of this report below, the application proposals are considered to be in general accordance with policy DM1 of the Core Strategy.

Policy PA 1 (Developer Contributions) – This policy sets out the approach to securing contributions from developers where needs arise as a result of development in line with Circular 5/2005, Community Infrastructure Levy regulations or successor regulations/guidance.

The outline approval for the site was subject of a section 106 legal agreement to secure contributions to mitigate against the impacts of development. These obligations were considered to be necessary to make the development acceptable in planning terms, directly related to the development; and fairly and reasonably related in scale and kind to the development. The contributions sought were therefore

considered to meet the Community Infrastructure Levy Regulations in force at the current time.

Unitary Development Plan (1995)

The majority of the previous UDP policies have been replaced by the Core Strategy, however there are still saved policies that remain extant. The relevant policies for this application are set out below.

Policy DC7.1 (New Housing Development) - states that the Council will ensure that new housing is accessible at ground floor level to disabled people, including those who use wheelchairs, wherever this is practicable. All new developments containing family homes will be expected to be designed so as to be safe areas within which children can play and, where appropriate, the Council will also expect play facilities to be provided.

The development has been designed to include safe amenity areas and as set out in this report planning obligations were obtained to improve play facilities in Didsbury Park.

Policy DC18.1 (Conservation Areas) - seeks to preserve and enhance the character of its designated conservation areas. Demolition within 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 or character of the area.

The application site is located within the Didsbury St James Conservation Area and the proposals did include the demolition of a non-designated heritage assets and more modern buildings related to the sites educational use. The demolition of these buildings has now taken place on site in accordance with the outline planning approval.

Policy DC19.1 (Listed Buildings) - This policy promotes the desirability of securing the retention, restoration, maintenance and continued use of listed building and to protecting their general setting.

The outline planning approval secured the long term reuse of a number of important listed and non-listed buildings on the site.

The proposals subject of this reserved matters application have been sensitively set out and generally reflect the principles established through the outline approval. The issues section of this report sets out a further assessment of the impacts on the setting of adjacent listed buildings.

Historic England did not object to the outline approval and have not raised objections with this reserved matters application. It is considered that the proposals are consistent and accord with this policy.

The National Planning Policy Framework

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- An economic role, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- A social role, supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the communities needs and support its health, social and cultural well-being; and
- An environmental role, contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate The NPPF states that where proposed development accords with an up-to-date Local Plan it should be approved.

Paragraph 126 of the Framework stipulates that local planning authorities should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

Paragraph 128, requires developers to identify any heritage assets which may be impacted by a proposed development and describe its significance, including any contribution to that significance that may be made by the asset's setting. The level of detail should be proportionate to asset's significance and should allow the planning authority to understand potential impacts to that significance.

Paragraph 129 states 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 assets conservation and any aspect of the proposal.

Paragraph 131 states that 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 133 the Framework 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 138 confirms that not all elements of a Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area.

In determining the outline approval it was determined that the proposals would not lead to substantial harm or the total loss of significance of designated heritage assets. Those elements to be demolished on the site were not considered to make a positive contribution to the Didsbury St James conservation area in the approval of the outline approval. The non-designate heritage asset 'Laurel Cottage' was assessed as being of low significance within the submitted Heritage assessment whilst acknowledging that the building has some level of interest given its age and historic attachment to other buildings which have previously been demolished on the site. It is considered that this assessment and conclusion for the current proposals remains valid subject to further discussion within the issues section of this report on adjacent listed buildings.

The proposals would create additional high quality family housing in a sustainable location whilst respecting the important heritage assets locate on and around the site and are in accordance with the up to date Core Strategy Development Plan Document and are considered to accord with the principles and policies of the National Planning Policy Framework.

Other Material considerations

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007)

In the City of Manchester, the relevant design tool is the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance. The Guide states the importance of creating a sense of place, high quality designs, and

respecting the character and context of an area. The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance provides a framework for all development in the City and requires that the design of new development incorporates a cohesive relationship with the street scene, aids natural surveillance through the demarcation of public and private spaces and the retention of strong building lines.

The application proposals are considered to be in general accordance with the principles set out in the Guide, the site layout is considered to have been designed to reflect the sites unique context and relationships with the surrounding area and heritage assets and provides a strong built form. The scale and design of the proposals create a distinct sense of place and provide their own character that preserves and enhances the conservation area in which it is situated.

South Manchester Regeneration Framework

South Manchester is identified as an area with a rich and diverse group of neighbourhoods, with a wide range of issues and needs. Some areas are already successful, so the SRF is needed to help continue and build on this success. Other areas, in contrast, have particular issues that the SRF will help to tackle, such as poor housing and high levels of deprivation and worklessness.

The opportunity for the SRF is to build on and improve its assets – the distinctive, successful neighbourhoods and centres, the high quality parks and the strong heritage and character of South Manchester – and use these as a model to drive forward the future of the area. These qualities should be applied across South Manchester to raise the quality of the built environment and expand the number of successful neighbourhoods.

The SRF identifies a key issue for the area as providing a wider choice of housing is important for attracting and retaining residents. The SRF states future housing developments need to focus on providing high-quality family accommodation. It is considered that the application proposals continue to accord with the principles for residential development in South Manchester.

MMU Didsbury Campus Estate Regeneration Framework January 2014

The framework promotes a comprehensive approach across all of the University's assets, responding to the needs of Didsbury, of South Manchester and of the City. The aim of the Regeneration Framework is to provide the platform for the transformation of the MMU Didsbury estate to facilitate new residential, education, community and sports related development, thereby maximising the opportunity for this site to contribute to the City's growth strategy.

The Framework sets out a series of overarching development principles to guide the future development of the University's surplus assets and included: *Sense of Place* – the expansion of a successful residential suburb; *Character* – An area that recognises Didsbury's identity and richness of character and creates a place that is distinctive; *Public Realm* – an exceptional public realm, transforming the immediate settings of Listed Buildings and the character of this part of south Manchester; ·

Connectivity – the extension of an established and successful neighbourhood that will open up linkages to the Mersey Valley and associated assets; and *Sustainability* – a site wide strategy that achieves the right balance between social, environmental and economic objectives.

The Framework indicates that the Main Campus provides an opportunity to develop high quality executive homes for which there is a particular need in South Manchester. Much of the site provides an opportunity for new development and should accommodate large, high quality family housing.

The applications proposals are considered to continue to accord with the principles of the Development Framework. The development will meet the key requirements set out in the Framework to deliver high quality family homes.

Legislative Requirements

Section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Listed Building Act") provides that "in considering whether to grant listed building consent for any works to a listed building, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"

Section 66 Listed Building Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and considerable importance and weight should be given to the desirability of preserving the setting. Members should consider whether there is justification for overriding the presumption in favour of preservation. Section 72 of the Listed Building Act provides that in the exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

S149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

S17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder

Issues

Principle of development

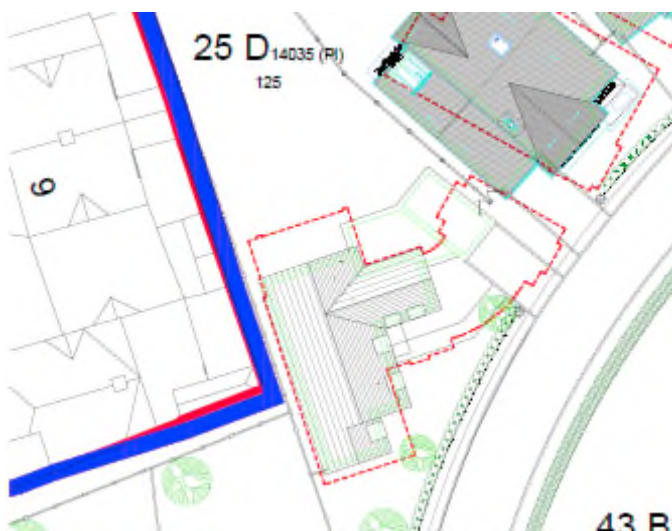
The principle of residential development was established through the granting of outline planning approval considered under planning approval reference

108541/OO/2015/S2. The current reserved matters application relates to amendments to the layout, scale, access and landscaping of 2 residential plots as part of the wider redevelopment of the site for residential development. Subject to consideration of the other matters set out in the remainder of this report it is considered that the principle of residential development on the application site is acceptable and is in full accordance with policy H1 and H6 of the Core Strategy Development Plan Document.

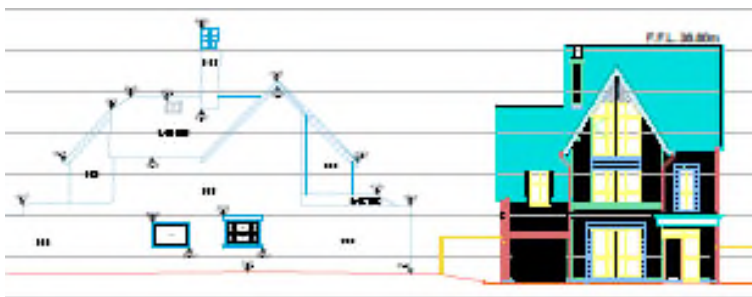
Plot 25

The proposed design, scale and appearance of plot 25 has been amended since originally submitted as a three storey house and this has been subject of renotification of neighbours.

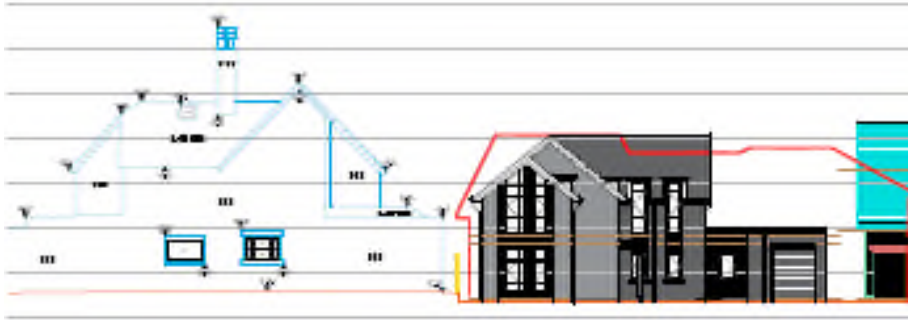
The current proposals are for a part single part two storey house that sits in a similar position, although with a shortened footprint, to that previously approved on the site. A series of comparison drawings are set out below that indicate the layout against that previously granted planning approval, the originally submitted revised plot 25 house type and the now proposed house type.



Plot 25 revised siting (previously approved siting (108541) shown with the dashed line) The Grove is immediately to the left)



Plot 25 as originally submitted showing relationship with existing Grove property to the left



Revised Plot 25 showing relationship with existing Grove property to the left - the outline line above and around the proposed house shows the outline of the originally approved house on Plot 25 (ref 108541)

In terms of the height of the proposed house to eaves it is 4.6 m and 7.5 metres to the highest ridge point as can be seen from the comparison drawing above these are similar heights to those previously approved.

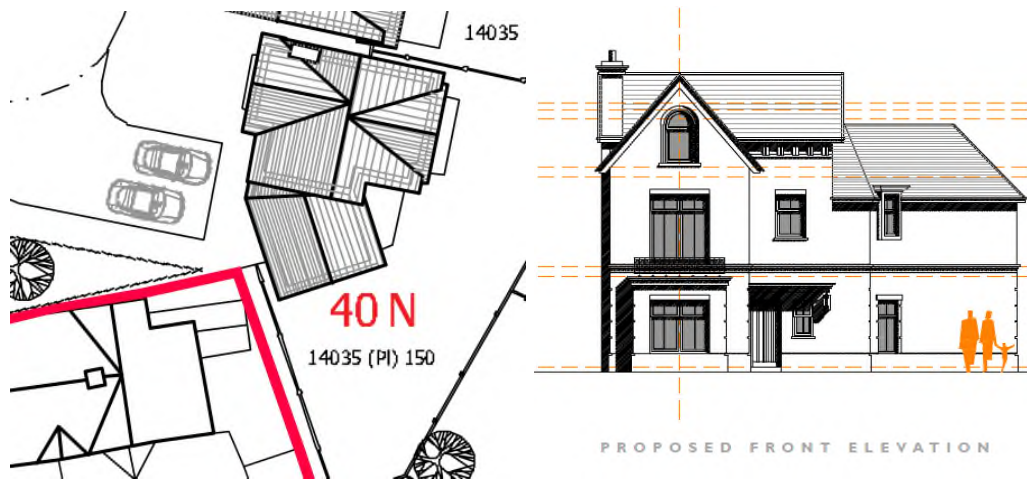
The revised house does have proposed windows to the side elevation facing The Grove these windows are to a landing area and are proposed to be obscurely glazed, a suitably worded condition is proposed to secure this type of glazing.

It is considered that the revised proposals for plot 25 are acceptable and do not give rise to unacceptable impacts on the residential amenity of neighbouring occupiers in terms of loss of privacy, overlooking or loss of light. The footprint and heights of this plot have been amended to more closely resemble those previously approved.

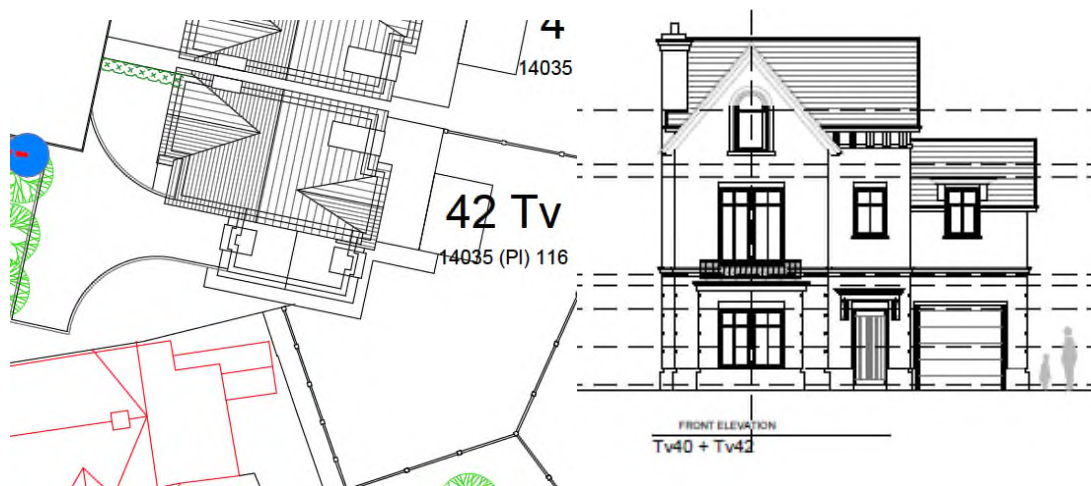
The revised proposal also allows a visual gap to be retained between plot 25 and 24 as it reduces to single storey attached garage.

Plot 42

Comments have been made regarding the relationship between proposed plot 42 and existing residential properties. The house type for plot 42 as originally approved comprised accommodation over three floors, with the element of the dwelling closest to the boundary with The Grove being two storey. The current proposals moves this property further away from the boundary with the properties on the Grove from 1.5 metres to approx. 2.1 metres. The house type does not include windows at the side and has a smaller window in the two storey element that looks southwards over the car parking and drive associated with plot 42. The ridge height of that part of the dwelling closest to the Grove is 6.8 metres (4.9 metres to eaves) on that element nearest to the Grove, this is a reduction from the original proposed house at this location (7.8 and 5.4 metres respectively). Given the amended siting and changes to the design it is not considered that this gives rise to unacceptable impacts on residential amenity in terms of loss of privacy, overlooking or loss of daylight.



Previously approved layout and front elevation of plot 42 (note plot number has changed from the original layout) (planning reference 108541)



Layout and front elevation of Plot 42 as currently proposed

Impact on Didsbury St James Conservation Area

The Didsbury St James conservation area is significant for both the architectural quality and interest of its built environment and for the areas of open land and gardens. The conservation area contains a range of different eras of residential development that range from the late 18th and early 19th small-scale buildings of Didsbury Village, to the larger detached private houses and planned suburban-style streets with groups of buildings arranged along purpose built roads. These establish important visual groupings of buildings that are enhanced by their green, garden settings.

In granting outline approval it was acknowledged that the proposals would have a direct impact on the character and appearance of the Didsbury St James Conservation Area as a result of the proposed demolition of a number of buildings on site and the introduction of new buildings into the area.

It was considered that the proposed development would secure the long term use of important historic listed buildings and the proposals had been designed sensitively to

minimise impacts on the character and appearance of the conservation area. As with the original approval the design of the proposed buildings are of a contemporary approach but which are still considered to respect the wider conservation area and add another distinct layer of residential development which as set out above is a particular character of how the conservation area has developed over time. The materials proposed would match those used elsewhere on the development and include detailing and design that reflects other house types approved on the wider site and are considered to have made a positive addition to the conservation area.

Impact on Listed Buildings

The principal for the development and relationships to listed buildings on and around the site including on The Grove, were considered to be acceptable through the grant of outline planning approval. The proposals were considered to respect the heritage assets of the site and enhanced their setting through the removal of unsympathetic extensions and buildings.

The proposed amendments to the siting, layout and design of properties do not substantially alter the assessment of impacts on designated heritage assets in and around the site including on The Grove. Whilst the amendments do provide an altered layout to that granted approval it is not considered that the relationships between the proposed houses and the listed buildings gives rise to substantial harm or loss of significance to designated heritage assets. Historic England raise no comments or objections to the proposals.

The proposals are considered to accord with policy EN3 of the Core Strategy they have been designed to preserve, and enhance the historic environment, character, setting of listed buildings. The proposals enable the re-use of heritage assets and the proposed interventions are consistent with their significance.

Overall consideration of the proposals against heritage assets

The harm that is caused to heritage assets has to be considered against the significant public benefits that would be delivered as set out in the NPPF (paragraph 134). The proposal would complement and add to the Didsbury St James Conservation Area and would fully utilise a previously developed site, delivering high quality buildings in the conservation area. The proposals would add to the residential growth of the City and diversify the housing stock to retain existing and attract new residents. The wider proposals included investment in designated and non-designated heritage assets and would enhance the quality of the environment along Wilmslow Road. It is considered, therefore, that, notwithstanding the weight that must be given to preserving the setting of the listed buildings, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme as required in paragraph 134 of the NPPF.

As with the original approval the design intent of the properties enables them to be read as part of the same development whilst providing a broad range of individual house types. It is considered that this would enable the proposals to form a distinct period of development within the conservation area, continuing the historic way in which the area has developed.

The proposed houses are considered to still to be architecturally well considered introducing details to reflect their location and siting in the layout and relationships to adjacent buildings and open areas.

It is considered that the proposed new houses and buildings on site have been designed to respect the surrounding character of the conservation area, whilst also creating their own distinctive contribution. The proposals are considered to be acceptable with regards to their design.

Siting and layout

The current amended layout whilst altering that previously approved would contribute towards the other amendments considered under planning application reference 116882 and reported to Committee on this agenda. Plot 25 would contribute towards creating a strong built form reflecting the principles set out in the outline approval. Residents of The Grove have raised concerns with regards to the layout of plots 22-25 in particular which includes the plots subject of a separate reserved matters application. They have also raised concerns about the loss of aspect and view across the site towards retained trees within the site.

The applicant has revised the siting and house type design and height for plot 25 as a result of comments received to the revisions originally submitted, the revised design and layout provide visual gaps between this and adjacent plots and it is now considered that the proposals would form an acceptable improved layout to reinforce the layout of the site leading to the adjacent plots, apartment building and the listed former MMU Administrative building beyond.

Whilst the loss of aspect or view is not a material planning consideration it should be noted that the approved layout for the site would have resulted in a similar outlook for existing residents of The Grove. This was considered as part of the approval of planning application 108541 and determined to be acceptable given the wider benefits that the proposals would deliver.

Maintenance access

Residents have raised concerns with regards to the maintenance access provided to the boundary of the site and residential properties on The Grove. The current proposals reflect that approved under application reference 108541 and retain a maintenance strip accessed from Wilmslow Road to enable existing residents to maintain external walls. There is a separate legal process required in order to provide existing residents with access to enable maintenance of their properties.

Car Parking

All of the properties proposed have provision to at least 2 car parking spaces, this reflects the principles previously established for the site.

Waste Management

The waste management strategy for the development will reflect that approved for the wider site and approved under the original planning approval. All properties contain adequate spaces for the storage of external bins within their curtilage.

Landscaping

Whilst some level of information has been provided to accompany this application which is in general acceptable further details of hard and soft landscaping are required. The proposals do not result in the loss of additional trees on site, however, further additional details are required from the applicant regarding replacement trees to be planted against those lost since the original outline planning approval was granted and to reflect the revised site layout.

Crime and Security

The outline application was subject of a Crime Impact Statement and a condition of that approval was that the development should achieve Secured by Design accreditation for those elements relating to the new build properties. The requirements and recommendations of the CIS and the need to achieve SBD accreditation would need to be fulfilled by the current proposals.

Other Matters

The original outline planning approval was subject of a number of planning conditions including secured by design and drainage, these conditions will need to be discharged for this proposed reserved matters application where they remain still relevant.

Conclusion

It is not considered that the amended proposals give rise to impacts that would warrant the refusal of the application. The revisions made by the applicant have attempted to address concerns raised by neighbours and as detailed in this report the proposals follow the general principles for the development of the site envisaged through the outline planning approval granted for the wider site.

It is acknowledged that residents are concerned with the manner in which amendments have been sought by the applicant however, whilst some of the concerns are outside the remit of the planning process consideration has been made about the merits of the current application proposals against the principles established by the outline approval and national and local planning policy. In this instance the proposals are considered to be acceptable.

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 policies 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 of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

Article 35 Declaration

Conditions to be attached to decision

The application has been determined in a positive and proactive manner. In this instance amendments were sought to resolve concerns raised by residents and the local planning authority to better reflect the principles of the development previously approved on the site.

1. The development must be begun not later than the expiration of two 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:
105-00-1001 - J - Site Plan received by the local planning authority on the 20/10/2017
105-D-2100a - Type D General Arrangement, 105-D-2600a - Type D Elevations, 105-T2v-2102C - Type T2v General Arrangement, 05-T2v-2602B - Type T2v Elevations all received by the local planning authority on the 15/09/2017

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 windows to the landing in the first floor side facing The Grove of plot number 25 as identified on approved site plan 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.

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: 116980/MO/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:

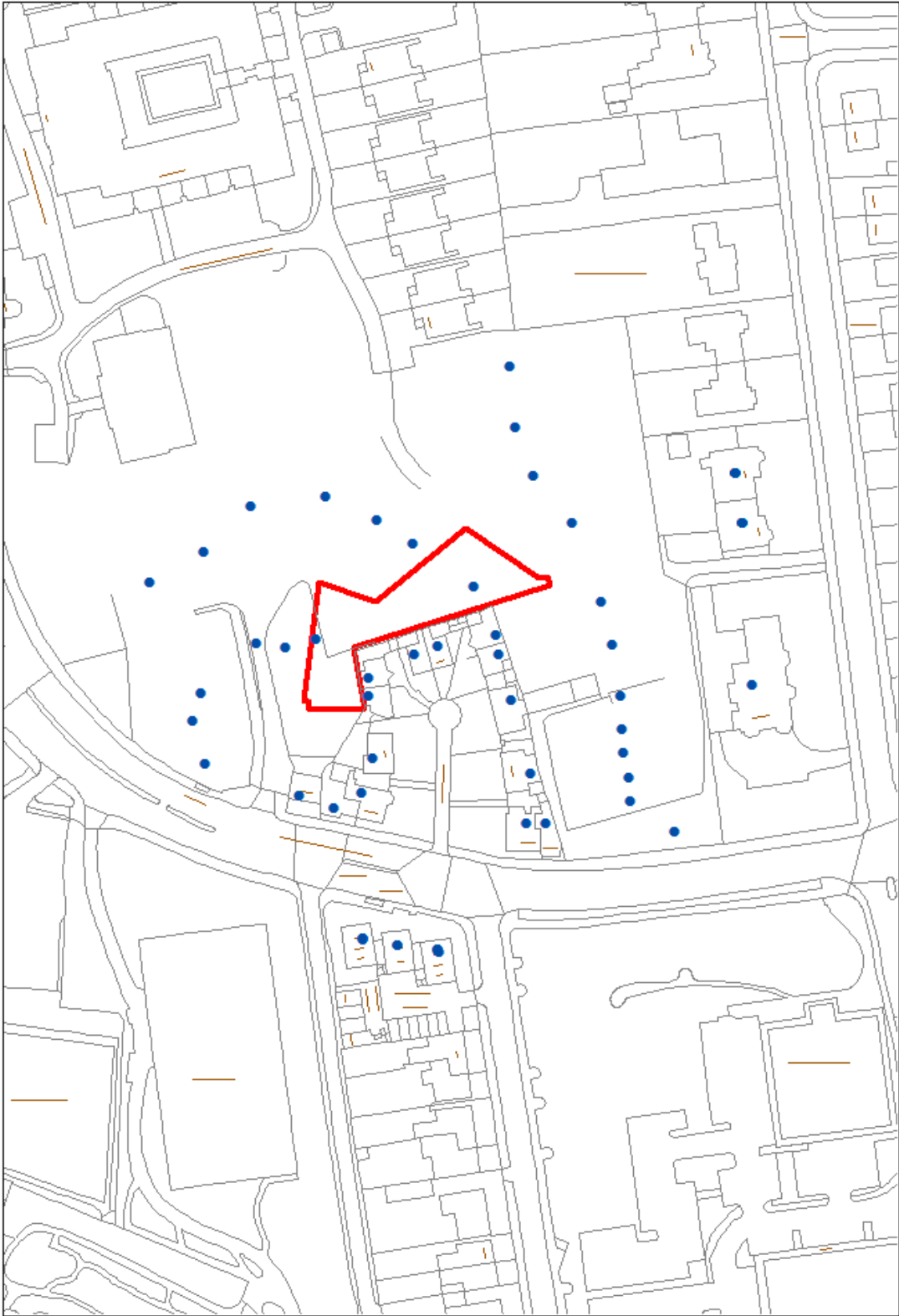
Environmental Health
Historic England (North West)

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:

17 The Grove, Didsbury, MANCHESTER, M20 2RG
11 The Grove, Didsbury, Manchester, M20 2RG
15 The Grove, Didsbury, Manchester, M20 2RG
801 Wilmslow Road, Manchester, M20 2QR
9 The Grove, Manchester, M20 2RG
7 The Grove, Manchester, M20 2RG
3 The Grove, Manchester, M20 2RG
1 The Grove, Manchester, M20 2RG
11 The Grove, Manchester, M20 2RG

Relevant Contact Officer : Robert Griffin
Telephone number : 0161 234 4527
Email : r.griffin@manchester.gov.uk



 Application site boundary  Neighbour notification
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APPENDIX 1

- 1) Approved site layout plan reference 108541/OO/2015/S1**
- 2) Proposed site layout plan 116980/MO/2017 – Application site is edged red**

