

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
117078/FO/2017	21 <sup>st</sup> Jul 2017	14 <sup>th</sup> Dec 2017	Rusholme

**Proposal** Erection of 6no. three storey six bedroom townhouses to provide managed student accommodation (sui generis use class) with landscaping and cycle parking.

**Location** Grounds Of Langdale Hall, Upper Park Road, Manchester, M14 5RJ

**Applicant** NJoy Accommodation Management 1 Ltd, C/o Agent

**Agent** John Cooper, Deloitte LLP, 2 Hardman Street, Manchester, M3 3HF,

### **Background**

This application was reported to the Committee on 16<sup>th</sup> November 2017 following a site visit that morning. As Members resolved that they were minded to refuse the proposal, the application was deferred for the following reasons and asked that a report be brought back which addresses these concerns and provide for further consideration of potential reasons for refusal:

- loss of a recreational facility,
- contrary to policy on HMOs,
- loss of garden area,
- loss of privacy
- issues connected with waste and security
- impact on the conservation area and the setting of Langdale Hall,

**Loss of a Recreational Facility** – The tennis court that exists on the site is in a somewhat neglected state, is underused and not open to the community. Given this and the prevalence of both public and club tennis courts that exist in south Manchester, its loss as a result of the proposal is not considered an issue.

The issue of the loss of the tennis courts was a factor in the consideration for the Inspector who previously heard an appeal on the site. The Inspector concluded that as the courts were not available as a public facility other than contributing to amenity space, they had limited value to the wider community and their loss would not conflict with policy.

It is also acknowledged that the current proposal does not fall within Sport England's statutory or non-statutory remit; advice is that the proposal should be assessed against relevant local and national policy. The spirit of both has not materially changed since the Inspector's decision and it is not considered the loss of the courts themselves could sustain a reason for refusal.

**Contrary to HMO Policy** – The inclusion of the reference to "HMO (Class C4)" in the description of development was in error and this description has now been amended

to reflect what is proposed, namely “managed student accommodation (sui generis use class)”. Given this, the proposal should not be assessed against the Policy H11 (House in Multiple Occupation) in the Core Strategy nor subsequently refused for failure to comply with it.

It is noted that this was a major concern to Members and it is recognised that by including “Class C4” in the description lead to this. However, it was in error as the proposal is for purpose built student accommodation (sui generis). The applicant had not referred to Class C4 use in their submission and an apology is made for causing such concern. The original report correctly assessed the proposal against relevant policy which does not include Policy H11 (House in Multiple Occupation).

**Loss of Garden Area** – The area to the side of Langdale Hall is approximately 0.3 hectares and contains the tennis courts which occupies 570m<sup>2</sup> of the space. The proposal would have a footprint of 325m<sup>2</sup> which in overall terms would mean a net gain of landscaped/green space. The proposal would further sit away from the Denison Road frontage by some 27 metres; this results in a substantial “garden area” being retained on the prominent corner of Lower Park Road and Denison Road. It is not considered a reason for refusal based on the loss of “garden space” could be sustained in this instance.

**Loss of Privacy** – The proposed student accommodation is located between 17 and 25 metres away from the rear and side elevations of the nearest dwellings, i.e. no. 17 Lower Park Road and nos. 2 to 6 Redclyffe Avenue respectively.

Privacy can be delivered in a variety of ways; the nature of this and what will be appropriate will depend on location and degree of enclosure and screening. Although there is no specific privacy standard, Manchester still relies, as a bench mark, on privacy distances adopted in the past. These distances also reflect those widely used across the country today. They recommend for directly opposite habitable windows, as in the case of the proposed rear elevation and the rear elevation of nos. 2 to 6 Redclyffe Avenue, a distance of 21 metres. For diagonally opposite habitable windows, as in the case of the proposed rear elevation and the side elevation of no. 17 Lower Park Road, a distance of 17 metres is recommended.

The proposal therefore meets and in some circumstances exceeds longstanding recommended privacy distances. Given the proposed relationship it is considered that the development will not have a detrimental impact upon the levels of privacy enjoyed within the vicinity of the site and that it complies with Policy DM1 It is not believed refusal on these grounds could be sustained.

**Provision of Adequate Waste Storage Facilities** – The whole site, including the existing Hall and extension, operates under a managed arrangement whereby the residents store and segregate waste and then transfer it to the two central bin areas. The applicant has increased the size of the general refuse bins from 1 x 660 litres bin to 2 x 770 litres bins and the provision for recycling is considered acceptable. As this element of the proposal complies with Policy DM1 it is not believed refusal on these grounds could be sustained.

**Security Matters** – Concerns were raised about the lack of security lighting and the overall security provision on the site. The applicant has confirmed that as part of achieving Secured by Design accreditation security lighting will be provided and approved by Greater Manchester Police. In addition, they have confirmed that the existing security arrangements on site will be amended to take in the proposed accommodation. These are matters that can be and are regularly conditioned and in themselves cannot be substantiated as grounds for a refusal.

**Impact on the Victoria Park Conservation Area and the Setting of Langdale Hall** – Policy EN3 of the Core Strategy, along with section 12 of the NPPF, states that consideration must be given to the impact of new developments on heritage assets. In this instance, the application site is located within the Victoria Park Conservation Area along with being adjacent to a Listed Building, namely Langdale Hall which is Grade II listed.

Victoria Park was conceived in the first half of the 19th Century and has been subject to modern additions since it was designated a conservation area in 1972. Not all the large old houses in Victoria Park have survived, a relatively small proportion of houses from the 1830s and 1840s still exist, and where they were demolished there now stands either groups of smaller houses or large, institutional buildings, such as schools, colleges, churches, university halls of residence and blocks of flats. Those large houses that remain have on the whole either been subject to extensions or developments within their grounds.

The applicant submitted a detailed visual impact assessment and heritage statement to assess the impact upon both the conservation area and the listed building and their findings are outlined below.

The visual impact assessment concluded that from four viewpoints outside of the site (viewed from Lower Park Road, Upper Park Road and Denison Road) the proposed development would be effectively invisible from the public realm due to the mature landscaping that exists around the perimeter of the site. Given this and the fact that the feeling of spaciousness experienced at the junction of Lower Park Road and Denison Road will be preserved, it is considered that siting the building in the location proposed would have less than substantial harm to the character and setting of the Victoria Park Conservation Area as outlined within paragraph 134 of the NPPF.

The visual impact assessment also assessed the likely impact upon views of Langdale Hall from within the site. From both viewpoints it was concluded that there would be a *medium adverse* level of harm to the setting and to the curtilage of Langdale Hall as it would involve the loss of a certain amount of the landscaped garden which forms the setting of the building and defines its character.

Notwithstanding this, it is considered that on balance the proposal results in “less than substantial harm” (paragraph 134 of the NPPF) due to the overall benefits the development brings with it. The proposal will provide much needed student accommodation aimed at a specific market (affordable and post graduate) and will ensure the continued use of Langdale Hall thereby securing its long term retention. It will be of a high quality of design reflecting that of the historic building and character of the conservation area, whilst not engaging in pastiche reproduction. The proposed

building will respect and defer to the Grade II listed Langdale Hall in both scale, massing and design and the feeling of spaciousness between the two will still exist.

The proposal will see the removal of the dilapidated tennis court and make use of the original garden pathways, leaving these and the existing planting beds in situ. Furthermore the proposal will complement the existing mature landscaping with a variety of mature trees and shrubs thereby enhancing the views along Denison Road and Lower Park Road. It should also be noted that Historic England did not raise any objections to the proposal and that the Planning Inspector (appeal decision (APP/B4215/A/07/2034511, planning application 080389/FO/2006/N2) did not state that no development could take place on this part of site. This is particularly relevant as this application is materially different to that refused.

Given the above, the fact that the proposal will be sited between 25 and 32 metres away from the listed building and screened from it with additional tree planting and the overall feeling of spaciousness is retained, it remains the view that the proposal will lead to less than substantial harm to the significance of this designated heritage asset. In coming to this view the comments of Historic England, who did not object and the Panel, who also did not raise any objections in principle are acknowledged.

If, having considered the issues set out and addressed above, Members remain concerned, they may wish to consider the following:

*“The proposed development, due to its siting would be harmful to the spacious character and landscaped setting of the site and as a result would have a detrimental impact upon the character of the Victoria Park Conservation Area and the setting of Langdale Hall, contrary to Policies DM1 and EN3 in the Core Strategy and saved UDP Policies DC18 and DC19”*

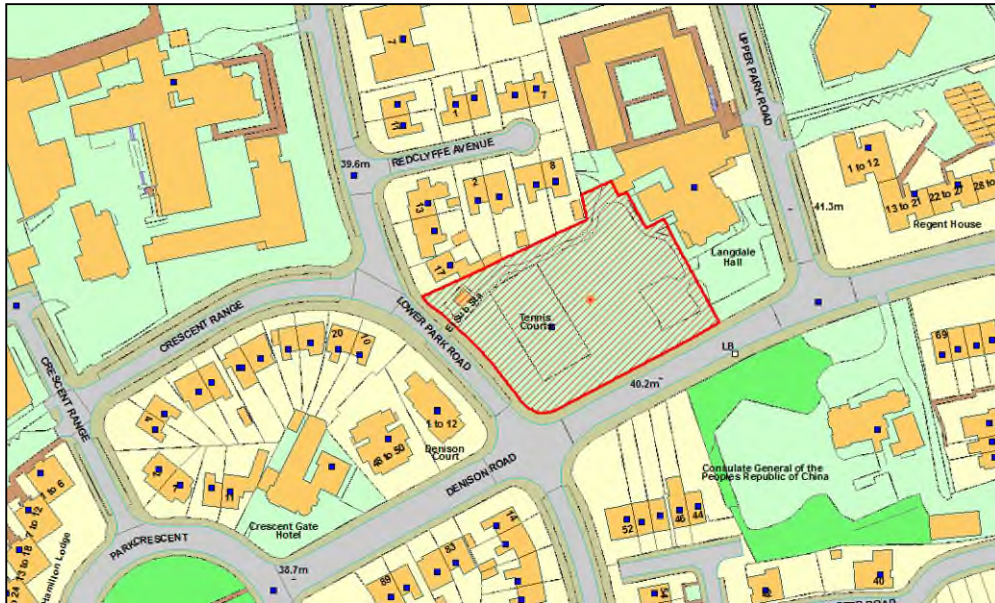
### **Description**

Langdale Hall is a mid-19<sup>th</sup> Century Grade II listed Victorian villa set within mature landscaped gardens and situated within the Victoria Park Conservation Area. It is bounded by Redclyffe Avenue and Boyd Court to the north. Upper Park Road is located to the east of the site and on the opposite side there is a mosque and residential accommodation. To the south of the site is Denison Road, with the Chinese Consulate being located on the opposite side. Lower Park Road runs to the west of the site and on the opposite side there is further residential accommodation.

Langdale Hall and the 20<sup>th</sup> Century additions to the north of the villa are used as student accommodation. To the south of the villa there are two surface car parks for use by staff and student residents. The gardens comprise dense trees and shrubs around a central lawn which predominantly occupies the western and southern part of the site. The trees within the curtilage of Langdale Hall are all subject to the (Langdale Hall, Victoria Park) Tree Preservation Order 1972. A hardsurfaced tennis court and a sub-station are located within the west of the grounds. Pedestrian and vehicular access to Langdale Hall is gained via Upper Park Road.

The application site comprises of the western part of the grounds, south of Redclyffe Avenue and is currently occupied by the gardens, tennis court and mature

landscaping that runs around the perimeter of the site. The application site is shown overleaf in red.



The applicant is proposing to erect a terrace of six 3 storey townhouses, along with associated landscaping and cycle storage, to provide additional student accommodation. Each unit will consist of a lounge, kitchen/diningroom and WC on the ground floor with three bedrooms and associated bathrooms on the first and second floors, providing a total of 36 bedrooms. The terrace will be sited in the northern half of the site and involve the loss of the tennis courts and 5 individual trees. Part of 1 group of trees and all of another group of trees.



The proposed layout is shown below:



In November 2005 planning permission was granted (ref. 073960/FO/2004/N2) for the conversion of Langdale Hall into 15 flats and for the erection of a three storey building to form 31 flats to the north of the villa.

In November 2006 planning permission was refused (ref. 080389/FO/2006/N2) for the erection of a three storey building to form 18 flats on this site. The subsequent appeal (ref. APP/B4215/A/07/2034511) was dismissed in May 2007.

### **Consultations**

**Local Residents** - 40 letters of objection have been received, the points raised have been outlined below:

- The proposed development will not preserve and enhance the character of the existing area but to destroy it by having a detrimental effect on setting of a listed building and the privacy of the nearby family homes.
- The distances from the edge of the proposed development to the private houses along Redclyffe Avenue and Lower Park Road vary from 23m in some cases down to approximately 12-13m. Most of it however would be across private gardens which would be completely overlooked by the three storey development with balconies and numerous bedroom windows along the dividing property wall. Unlike another recent approved application for the extension of N17 Lower Park Road Ref 104276/FH/2013/S1, the proposal completely ignores the issue of privacy.
- The proposal is utilising an open space rather than developing the site within the existing built-on area.
- The proposed building is inappropriate and will adversely affect the views of the residents' back gardens and will also threaten the privacy of many neighbouring residents. Families appreciate a good view and like to spend time out in the garden with their family including children during the summer – the building will result in disruption of the view, increased noise pollution and loss of privacy in the sense that many families appreciate living in a fairly quiet

area, consideration must be given to the elderly that are living in this area in large numbers.

- Over the years, this area has increasingly become very polluted – litter pollution in this area is on the rise and despite recycle bins in every house including student accommodation buildings and private houses rented out to students, the litter pollution remains a big problem and has often resulted in increasing pest control problems i.e. rats/mouse finding their way into neighbouring family houses.
- Significant light pollution would be another issue especially during long winter evenings and all leaf cover fallen.
- The development will support a transient nature of student population while clearly destroying the local community and turning the area into a multiple tenure dwellings with zero cohesion and continuity.
- The proposal does not demonstrate excellence in urban design and environmental quality, nor does it value or care for the character of the Victoria Park Conservation Area. Historic buildings in the area have positive relations with their settings and mature gardens. A bulky block of the proposed development does not engage with the landscape in a positive way. Its architectural style is suited for a hard edge terrace or a street frontage but not a garden or a listed hall.
- Apart from a loss of privacy the Langdale Hall itself will have a reduced offer for the students. Currently students regularly enjoy the garden and the tennis court. The planning submission claims the latter is of a low value or use. Students' reviews, however, feature both the gardens and the court as the main attractions. The nearest tennis courts (2N) are more than a mile away (Platt Field Park) and are heavily used by the local community.
- Loss of open space and mature trees and a consequential significant reduction in ecological value of the site, the location of the block will have a detrimental effect on the mature trees along the boundary and in the middle of the garden. The root protection area will be compromised by trenching, scaffolding, construction traffic and an attenuation tank. The planning submission does not explain how the proposed site levels will relate to the existing ground levels especially within the protected zone for T20 and T30. Levels cannot be lowered within these areas. There is no indication how the potential for future growth of trees is accommodated. The erection of scaffolding within root protection zone will be damaging for both the root systems and the crowns. There is no adequate replacement strategy for the loss of trees. There is no mention of shrub removal. An existing understorey of evergreen shrubs will be lost resulting in a loss of screening and further negative impact on Conservation Area character.
- The height of the building, that is a three storey high block, does not add quality to the environment of Victoria Park a Conservation Area.
- The loss of trees will be damaging for the wildlife as well as will further destroy the privacy.
- Two previous applications for student developments at Langdale Hall provide a very important background to this application. One Conservation Area Consent was for redeveloping the 60s annex. Notably, it was granted on a basis that the rest of the site and the gardens to be retained open land to void overdevelopment but never used as it won't fit a business case for the development. Ref 074132/CC/2004/N2 The second application was for 18

units and 31 beds plus the parking, Ref 080389/FO/2006/N2. It was proposed on the garden site and was rightly rejected. Similarly the 36 units proposed now would be an overdevelopment of the site.

- Another relevant planning application is on the corner opposite to Langdale Hall refused in 2015, Ref 107816/FO/2015/S1 'The proposal would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development...The proposal represents inappropriate backland development, which by virtue of the proposed means of access, the scale and design of the development, and the relationship of the proposed building with adjoining buildings, would significantly harm the amenity of adjoining residential occupiers. The proposed development fails to realise the high standard of design required for developments within the Victoria Park Conservation Area. The proposed development by reason of the additional comings and goings and general activity associated with four dwellings would have a detrimental impact of the amenity of the occupiers of Regents House' The proposed development at Langdale Hall will have the same effect on both the current residents of the hall and the adjacent properties.
- The proposal will increase local density beyond a sustainable level and will get over the recommended 10% of student accommodation mixed-use and residential areas.
- It is an unsuitable location for student housing, being located far from the main University campuses. Why the need to locate student accommodation here in a quiet residential area, as opposed to the large amount already provided in the city centre.
- It is overdevelopment in a low density residential area this will result in increased noise and traffic especially during the construction phase.
- There is no parking provision associated with the proposed development. The assumption therefore is that students will park on residential streets. Increase in traffic and parking combined with a loss of open space will be harmful for the future of this already busy neighbourhood which includes a successful college, a central mosque and a fine balance of family homes and apartments for young professionals.
- As stated in the Core Strategy document: "90% of residential development will be on previously developed land. The re-use of vacant housing, including the renewal of areas characterised by poor quality housing, will be prioritised. New developments should take advantage of existing buildings where appropriate through refurbishment or rebuilding works." There are some vacant or derelict sites in the area that would benefit from redevelopment. Some of the vacant buildings belong to the University of Manchester including a listed Park House on Lower Park Road. It is of similar scale to the proposed development and is currently boarded up. Rusholme & Fallowfield Civic Society have written to the university requesting the properties to be open and put back to use.
- The type of accommodation is regarded as 'affordable' and the requirement for this type of rooms is high amongst undergraduates. The submission, however, suggests that mature students would be living in the new houses. This is a clear contradiction. All in all 36 spaces will not resolve the issue of affordable students' homes while causing detrimental damage to the area.
- The public consultation was poorly advertised at a very short notice and took place on the Election Day.



- Application documents and responses from the consultees - the application lacks fundamental information on existing and proposed levels, heights and terrain. It provides contradicting statements and the site logistics plan is unsafe from traffic and tree protection point of view. The drawings misrepresent the impact of the development to the adjoining properties and the views from the adjoining properties are not included.
- The provision of 36no. additional bed spaces for student accommodation is of minor public benefit in the context of the provision of student accommodation for the 70,000 or so students in the city or the rightly-prioritised 6,000 at Birley Fields for example.
- The application does not satisfy the policy criteria required to prioritise the site for development as student accommodation and does not justify the loss of open space as an amenity to the community or the major negative impact on neighbouring and surrounding properties, the listed Hall and the Conservation Area.
- The application demonstrates no social role in that it provides accommodation of doubtful need and does much damage to the health, social and cultural well-being of the strong, vibrant and healthy community surrounding the proposed development.
- The development will create significant harm to the environment especially regarding the loss of the garden setting to Langdale Hall and the precedent set for the conservation area.
- The proposal does neither protect nor enhance the natural built and historic environment and indeed admits to creating an adverse effect. The open space is a valuable asset essential to the character of the Conservation Area and an important heritage setting for the Grade II listed Langdale Hall.
- The need for the student accommodation is questionable. Rather than a temporary blip, the 5% decline in EU student applications referred to by the applicant has been followed by a further 4% decline for the year 2017/2018, continuing the downward trend.
- The design is completely out of context with the Victoria Park Conservation Area (NPPF), fails to address Council Policy on design (DM1) and there is little evidence that it is deliverable - a prerequisite of Policy H12.
- The design has no contextual or architectural lineage with the existing Hall. Save for a similarity in colour, there are no common features in terms of massing, height, materials, scale or proportion, which might have created some sympathy with the existing Hall.
- The terraced-house proposals are of a very much higher density than the surrounding suburban properties. There is already considerable pressure on on-street parking from other competing uses - Curry Mile, Mosque, Hospital, University and Xaverian College Staff - which the anticipated additional parking will exacerbate.
- The applicant's own assessment acknowledges an adverse effect on the heritage of the setting of Langdale Hall and whatever consideration has been given to the setting of the hall, this has been at the absolute expense of all other considerations, including the effect on local residents and the greater public benefit. The application acknowledges a moderate adverse effect on the setting of the Hall. Where policy does not define 'substantial', NPPF does not state that a less than substantial effect on the identified heritage assets is

acceptable but that it should be weighed against the public benefit, which is in this instance is minimal.

- The Arboricultural Impact Assessment is fundamentally flawed as the proposals are not drawn in sufficient detail or thoroughness for the full impact on the garden and listed Hall setting to be made. No foundations are shown. No allowance is made for depth of construction at ground floor level or required freeboard for waterproofing/DPC. No levels are shown. Site is shown flat, which is either incorrect or implies cut and fill to achieve flat, which will affect root systems.
- The applicant has been highly selective in choice of times of year to assess overshadowing, excluding those months of the year and times of day when the overshadowing is at its worst.
- If approved, the new development, together with the existing annexe and Carfax Court would surround homes in Redclyffe Avenue in particular, on three sides (the fourth being the Xavierian College) and together with the existing HMO, further and dramatically unsettle an imbalance between student accommodation and residential properties.
- There are no three storey mansions in the area. There are three storey buildings but these are set back at some distance from property boundaries, which setbacks establish and maintain the relaxed and suburban quality of the conservation area. Where there are new three storey buildings (notably as annexes to existing mansions), these are sited to respect the heights of existing properties, to not look into or overbear existing properties and/or have the upper storey as attic or faux mansard storeys such that they maintain the character and scale of the area.
- The impact on Langdale Hall and particularly the landscape gardens are significant, involving disruption of the garden and views from Langdale Hall itself, changes of level, the loss of open space and the amenity of the tennis court.
- Very significant, beautiful and protected trees will be lost either via proximity of the final and permanent form of the proposals, changes of level and effect on water table/ root protection area, construction accesses, leakages and scaffolding in the tree canopy, which the proposed construction methodology does little to alleviate or installation of drainage through root zones at significant depth.
- Loss of amenity, view, privacy and light to adjoining residential properties along Redclyffe Avenue in both summer and winter, with particular impact in both winter and light pollution at night.
- As small scale development in the context of the university requirement, the scheme has little public benefit to justify the loss and damage to the setting of the listed Langdale Hall.
- The quality of the architectural design is poor and shows a lack of appreciation of the quality and character of the setting. The fenestration, modelling and asymmetry of the façade does not echo or translate the vernacular in a modern way but is completely out of character with the setting of Langdale Hall.
- The applicant claims that the proposals take a 'proportional cue from the adjacent Victorian Villa', whereas the width of frontage of the individual townhouse are 20% greater than that of the Hall; the overall proportion of each town house façade to each of the Hall bays facing Denison Road are 1.47:1

(plus gable) and 1.58:1 (with a flat roof) respectively – an extreme difference in proportional terms in itself but worse yet when the projecting bays of Langdale Hall are taken into account; the proportion of glazing to solid is in the order 60% in the townhouses and less than 50% in Langdale Hall.

- There are no blocks of terraced houses or townhouses in the surrounding conservation area and in no way will the terraced housing complement the predominantly leafy suburban, even semi-rural character of the locale. Rather than minimising the impact on the Victorian Landscape, the siting is intrusive and has a detrimental impact on the setting of the Hall. The open garden space has been halved and split with a new path and the vaunted turning of the tennis court back to lawn neither yields any more open space nor any more lawned area as the new block is built on both tennis court and existing lawn.
- Hodder & Partners have considerable experience of very much larger schemes than Langdale Hall and cite major masterplanned schemes at St Catherine's and St. Clare's Colleges Oxford as well as a 614 unit, 8-storey apartment block at Ducie Court, Manchester. It is often the case that large architectural practices cannot afford to give the requisite time to smaller schemes such as Langdale Hall or to allocate the more experienced staff. As has been shown, there is certainly a naiveté in this application, which would support this thesis.
- The application does not establish an absolute need to remove trees. In the applicant's view, a total of 17 trees are to be removed. Seven trees must be removed to accommodate the development and ten trees are either dead or 'dying' and should be removed in any event. Actually, 8 trees are dead (the elms) and the report is contradictory regarding two others. A separate assessment that shows a total of 29 trees at risk.
- Seven trees are to be removed because of the development but there is no apparent other need. Ten more trees (three trees and the eight dead elms) are removed because they "should be removed for sound management reasons regardless of plans", however this is contradicted in 'Management Recommendation' in the Arboricultural Report, which says two are removed for the development.
- Only in the Planning Statement is it stated that a 'total of eighteen trees will be planted in replacement of these trees, representing a ratio in excess of 2:1 of trees that need to be removed to accommodate the development'. Clearly this depends on whether the 7 (or 9, depending on which report you look at) trees required for removal to accommodate the development is believed and whether the existing dead trees are ignored in the calculation. If 9 trees are removed for the development and 9 trees are dead and the total replacement is 18, the dead trees are replaced at 1:1. No species or sizes given if the applicant's 2:1 ratio of replacement is accepted, no – they are not replaced.
- The University's letter of support is on the basis of their understanding that the accommodation will be non ensuite and affordable. However, the applicant claims post graduates as their target market, who normally require ensuite accommodation.
- The applicant cites the 'lack of affordable purpose built student accommodation in the pipeline to accommodate the changing student demographics' and that 'the proposed development caters to these changing demographics, with rents proposed of circa £110 per week.' However, the

'changing demographics' are argued elsewhere in the application as reasons for providing post graduate accommodation on enhance grants, presumably at higher rents. So it is unclear whether that rent is affordable or not and the applicant offers no commitment on that rent now or in the future.

- No en-suite facilities are to be provided, is this a good enough offer? For Post Graduates (and in our experience), normally not. No disabled access or lift is provided and access from the car park will be difficult.
- There is considerable pressure on on-street parking already and the applicant operates a permit system but charges a £50 deposit for gate fobs, which would be a clear deterrent to using off-street parking. It is not known at what hours, the parking is available. Given the cost and potential hassle, some students might clearly prefer to park on the streets.
- The applicant asserts that the parking is under-utilised, with average occupancy approximately 55% from regular users and claims there are circa 12 free spaces. However, further casual use (presumably including visitors) is restricted by gate fob. It is not clear whether the trip calculator is based on London (which has a well-known low car usage) or not but it hardly seems right that 36 Post Graduate students would generate up to just 2 traffic movements, morning, midday and evening when 13% (14% including car share) of students travel by car according to the MMU modal split data.
- Will the lack of provision result in on-street parking here? This issue is clearly at the mercy of the applicant's assertion that the parking is under-utilised. There is no proof or record of this and photographic evidence to the contrary. The previous application had fewer beds (31) but 18 additional car parking spaces and was refused.
- Developers are submitting applications for a small number of housing units on inner city green space, in this case Victoria Park Conservation Area. The consequence is they avoid inner city brown-field sites where they would need to build more units for the same profit. If a hard line is taken on protecting our Conservation areas, developers would have no choice than to put a greater number of housing units on brown sites.
- These applications are high profit margin for the developers.
- Council policy with regards to inner city green areas seems to be muddled. The planning department seem to be helping developers to build less housing than otherwise and destroy Manchester's inner city green space at the same time.
- The Langdale proposal somehow seems to have got labelled 'affordable housing'. The development seems to have every indication that it is the high-end of this particular rental market.
- A strategy that leads to the destruction of one of Manchester's few inner city Conservation Areas and provides less housing is a thoroughly bad deal all round.

**Ward Councillors** – A joint letter of objection has been received from the three ward councillors (Cllrs Akbar, Ali and Lovecy), their comments are as follows:

- This development is totally against the Victoria Park Conservation appraisal, ethics and policy in general.
- This development will destroy the listed building's character, its landscape setting and the streetscape.

- The apartments do not add any aesthetic value to the area and will also destroy the settled communities.
- The development will destroy green space of this historic house.
- The proposal will brutalise the appearance of the garden, i.e. totally out of character with conservation requirements.
- It will have a detrimental effect on Langdale Hall.
- The proposal will result in the loss of a lot of mature trees which is fundamental of the conservation area.
- The proposal will cause a loss of privacy of residents living directly adjacent and back to back to the new development.
- The development will drive long term settled families out of the area i.e. against our own policy “sustaining Communities”.
- It will destroy the current amenities of Langdale Hall offering i.e. tennis court, bats hive etc.
- The proposal will increase parking and traffic in the area, this already a serious issues for the residents, this development will add further pressures.
- Approval will send the wrong signal to other developers to carry out any type of development and undermine Conservation values.
- The development will not give any public benefit that can outweigh the damage it will cause.
- Pressure for this type of development was dismissed by the Appeal inspectors in the past on the grounds that it will have an adverse impact on the “*setting of the Listed Building (Langdale Hall) and the character of the conservation area*”
- A recent application by a resident of 17 Lower Park Road immediately adjacent to the site the applicant was requested to reduce Dormer windows over stair case which was overlooking into the existing Langdale Hall tennis court and applied the principle of extending the property vertically without increasing the footprint.
- A recent planning application was rejected for a rear fire stair for Antwerp House on the ground that it will cause detrimental damage to this non- listed heritage asset.
- The design and style of the proposed development is out of sync with the conservation and the historic character of Victoria Park and as such the application should be rejected.

**Rusholme & Fallowfield Civic Society** – The residents’ association object to the proposal for the following reasons:

- Precedents have already been set for refusing planning permission for similar developments in the Victoria Park Conservation Area – a) 107816/FO/2015/S1 - Garages to the rear of Regent House, Denison Road. Erection of four two storey dwellings – refused and appeal dismissed, b) 080389/FO/2006/N2 - Tennis Courts Rear of Langdale Hall. Erection of 3 storey detached building to form 18 apartments - refused and appeal dismissed.
- The design and density of this proposal does not contribute to the character of the Victoria Park Conservation Area. The development has not been designed to give privacy to both its residents and neighbours. This proposal is contrary to this element of policy H1.

- The proposed development will not enhance or create character at all due to its proposed position in the Victoria Park Conservation Area, partly on tennis courts and partly on mature gardens, and as a backland development, in an area where the original and mainly prevailing character is of large properties in large mature grounds. Such a large block so close to neighbouring residential properties will be visually intrusive, oppressive, and will cause light and noise disturbance to nearby neighbours and therefore will not make a positive contribution to the health and wellbeing of nearby residents. We consider that such a large development and the associated raw materials transportation to site and building works themselves will damage and destroy the natural environment beyond repair. This proposal is contrary to policy SP1.
- Residential development in the Victoria Park Conservation Area should be on previously developed land, should re-use any vacant housing, should involve the rebuilding or refurbishment of existing buildings, or should contribute to the renewal of adjacent areas that contain vacant or derelict buildings first, before involving backland development in the mature grounds of a listed building. There are a number of empty buildings in the Conservation Area, including some that were previously student halls. This proposal is contrary to this element of policy H1.
- Policy H5 states that *priority will be given to family housing and other high value, high quality development where this can be sustained in Central Manchester*. This policy gives no indication of a need for more student housing in the Victoria Park Conservation Area. This proposal is contrary to Policy H5.
- There is no guarantee that residents of, and their visitors to, the proposed 36 double-bedroomed development will not lead to an increase in on-street parking in the area, when combined with the residents of, and visitors to, the existing accommodation on the Langdale Hall site.
- This proposal will have a completely unacceptable effect on the residential amenity of residents in Redclyffe Avenue, a residential development dating from 1928, in terms of light pollution, noise pollution, and the complete removal of their privacy once the block is occupied by 36 residents and their visitors.
- There are opportunities within the Victoria Park Conservation Area for the applicant to contribute to the re-use of Listed Buildings and other buildings with a particular heritage value. However, the applicant has chosen to do the complete opposite, to build on mature gardens, to the detriment of a listed building and its setting
- This planning application reduces the amount of existing green infrastructure. This proposal is contrary to Policy EN9.
- This proposal is contrary to policy DM1.
- This planning application takes away diverse green space, will destroy natural habitats, and will increase rainwater run-off. This proposal is contrary to Policy EN8.
- This proposal constitutes backland development and as such is contrary to saved UDP Policy DC6, *Housing on Backland Sites*.



- The residents' association are not convinced that the applicant can deliver on their proposal to construct this development without major damage and detriment to the site, the trees, the landscaping, and the ecology, due to its 'backland' position, and therefore the severely limited access, storage and working space available to construct such a development. The applicant states that the proposed site is level. It is not and so some adjustment would need to be made to make the site level. Such adjustment is highly likely to cause damage to the roots of nearby trees.
- This proposal is not part of the universities' redevelopment plan and is not being progressed in partnership. The communication received from just one of the universities, the University of Manchester, does not confirm that this proposal is part of this university's redevelopment plan, or that it is being progressed in partnership with this university. The absence of similar communication from Manchester Metropolitan University and the Royal Northern College of Music might be because they have refused to confirm support for this proposal. This proposal is not a priority according to this element of policy H12 (Purpose Built Student Accommodation). The applicant has not demonstrated the need for additional student accommodation. The most recent formal research into student accommodation in Manchester was undertaken in 2009 by Tribal Group plc and so cannot be considered to have current relevance. The applicant has not demonstrated that they have entered into a formal agreement with a University, or another provider of higher education, for the supply of all or some of the bedspaces.
- Residents neighbouring the site have reported that there are bats in the area, despite the findings in the applicant's Ecological Survey and Assessment. Bats fly around the courtyard just south of Denison Road near its junction with Upper Park Road. It is highly likely that there are flight paths in and around the trees that are identified for felling or are at risk from the development works.
- This proposal does not preserve the historic environment, it replaces, and therefore removes for ever, a sizeable piece of it and risks damaging and even destroying other parts of the historic environment due to the need to transport materials to site, to dig foundations, and to set up scaffolding to three storeys. The proposal does not enhance the character and setting of the Grade II listed Langdale Hall. Instead it detracts from the character and setting by replacing a section of mature grounds with a new building. The view of the mature grounds from the perspective of the houses to the north of the site on Redclyffe Avenue, a view that has been enjoyed for nearly 90 years, would be completely destroyed. It would be replaced with a view of the North elevation, just a few yards beyond the back gardens of Redclyffe Avenue. This proposal is contrary to Policy EN3 and saved UDP Policies DC18, *Conservation Areas* and DC19, *Listed Buildings*.

**Manchester Civic Society** – The civic society object to the proposal for the following reasons:

- The erection of 6x three storey townhouses is an inappropriate development on this site, adjacent to a Listed Building, whose setting it would compromise, and within a Conservation Area.
- On grounds of Policy, this application has to be refused. It is contrary to the special protection which is afforded nationally both to Conservation Areas and to the setting of Listed Buildings. As such the site should be protected on both counts.
- The proposal is for a large ground plan building at a highly visible corner location on an area of open garden land. It will substantially reduce the landscaping surrounding Langdale Hall (Grade II Listed), and will thereby damage the quality of its setting by affecting the views from within the grounds and from Langdale Hall itself. It will also harm the character and appearance of the Victoria Park Conservation Area and be out of character with the locality and the conservation area.
- This proposal will neither '*enhance or create character*' nor '*protect and enhance the built and natural environment*', as such it is contrary to Policy SP1.
- This proposal does not comply with any aspect of Policy H1.
- This location is a significant and very visible site within the Victoria Park Conservation Area. Manchester's Victorian heyday, in the boom time of the industrial revolution, can be seen in the special character of Victoria Park. The buildings, and their settings in the Conservation Area, illustrate the way of life enjoyed by the Victorian gentry, as they built and settled in gracious residences, with generous gardens, in what were then the green outskirts of the city. Retention of such garden spaces conserves the character of the area; building a discordant development on them destroys it.
- Manchester and its residents are proud of its heritage and alive to the contribution to its status that its historic built environment and their settings make. In consequence, Manchester City Council established Conservation Areas, of which Victoria Park is a leading example. The extra protection imposed within a Conservation Area requires that development should preserve or enhance the character and appearance of that Area. The removal, by building on it, of the green space in a very visible location within the Victoria Park Conservation Area does just the opposite, and should not be permitted.
- The City Council has resisted attempts to degrade the Conservation Area, as evidenced by relevant Decision Notices to this effect, including for this site. When such Decisions have gone to Appeal, planning inspectors have found in the Council's favour. The judgments identified the main issues as the effect of the development on:
  - a) the character and appearance of the Victoria Park Conservation Area
  - b) the setting of Langdale Hall, a Grade II Listed Building
  - c) the living conditions of the future occupiers of the proposed development and the residents of 46 apartments previously approved on the site of Langdale Hall in relation to the provision of amenity space

d) the availability of adequate facilities in the area due to the loss of the existing tennis court on the site.

- The provision of 36 double-bedroomed units, with no off-street parking, is guaranteed to create an increase in on-street parking problems, from the residents of these units and/or their visitors.
- The residential amenity in Redclyffe Avenue, an adjacent residential development dating from 1928, will be severely compromised in terms of light and noise pollution, on-street parking and the complete removal of their privacy once the block is occupied by 36+ residents and their visitors.
- The Applicant has provided no evidence of any formal agreement with a University, or another provider of higher education, for the supply of all or some of the bed spaces proposed here.
- This proposal detracts from the historic environment, and thus is in direct opposition to Policy EN3. It actually removes a mature garden, the historical setting of Langdale Hall (a Grade II listed building) and thus compromises its character.
- This development would reduce the amount of existing green infrastructure, thus limiting the collective resource of green spaces. This compromises wildlife, its habitats and the corridors which enable wildlife to maintain diversity.

**Schuster Road and Park Range Residents' Association** – The residents' association object to the proposal for the following reasons:

- It destroys the green space of an historic house. If allowed it would strengthen a precedent already set for allowing development in the gardens of the other 20 or so historic sites in the Conservation Area and make development there more likely (\* ... design and layout must be informed by the wider context, having regard not just to any immediate neighbouring buildings, but also to the townscape and landscape of the wider locality). This development would effectively undermine the whole concept of the Conservation Area leaving it open to domination by unsympathetic mass-housing structures beside each historical gem.
- (\* ... Proposals should preserve or enhance the character of the conservation area). The design of this development is particularly brutalist - its appearance does nothing whatsoever to enhance the existing historic building or to accommodate itself into the Victoria Park Conservation area. It is disappointing that an application proposing such inappropriate and unsympathetic design should have been submitted. The application should be rejected on these grounds alone.
- There is already an over-supply of multiple occupancy student and other accommodation in the area compared to permanent resident housing. This has a big influence on the area as a sustainable community and is therefore against council policy. Where such housing is required brownfield sites are readily available.
- Mature Broadleaf trees and many shrubs are a feature of the whole area. 17 trees are to be felled; does the council tree expert agree with the classifications given in the Arboricultural Report? Replacement trees and

shrubs will take years and years to reach the maturity of those removed (with the consequential immediate impact on local ecology and the landscape of the area). Even a moderate to low quality mature tree contributes to ecological and landscape diversity. The developer's own Ecological Assessment Report states "Mature trees and shrubs are of local value ... to support nesting birds".

- The application does not guarantee that construction damage (which is larger than the footprint of the buildings) will not impinge on the tree root systems around the buildings. Indeed the Utility report shows a drainage pipe routed virtually under a tree earmarked for retention. Where are the gas, water, sewerage and telephone conduits to be routed? Local Residents question the over-whelming of local drains and consequent flooding. We have seen mature trees retained in developments – for example on the former St Vincent de Paul School site and at 7a Park Range – which have subsequently died or are dying as a result of compromising their root systems.
- Traffic and parking issues are a significant challenge in the Conservation Area, with regular damage to the grass verges which are an important element of the Conservation Area's character. Additional Residents on this site and their visitors will have a further detrimental effect in an area that already has difficulties with traffic due to the location of the Chinese Consulate, Victoria Park Mosque, houses in multiple occupation and flat developments and visitors to Wilmslow Road's 'curry mile' all of which are close by.
- The Conservation Area is already under considerable stress with significant threat to its ambience and historic character. Recent and current developments include the new hospital development on Oxford Place, the vacant site next to the mosque on Upper Park Road, continued extensions to the Xavarian College estate and, of course, the overdevelopment of the former St Vincent de Paul School site in the early 2000s. A historic planning permission for development of the garden of an historic house is currently being implemented on Coyningham Road. This should not herald a free for all in intensifying development in the Conservation Area - inviting new applications for properties which still retain undeveloped grounds.
- Langdale Hall already has an extensive development in a part of its grounds behind the original house. To develop the garden to the west of the house as proposed here constitutes over development of the site. Permission for this development would send a signal to other landowners that intensive development of this sort within the Conservation Area is acceptable, despite the issues raised above.

**Environmental Health** – Suggests the imposition of a number of conditions designed to protect residential amenity, i.e. conditions concerning acoustic insulation and refuse storage. In addition, it was stated that the submitted Waste Management Strategy was deficient in terms of bins for general rubbish.

**Highway Services** – Highway Services have made the following comments:

- The site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities.
- It is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.

- Demand for on-street parking on the adjacent road network can be high at certain times of the day with a large mosque and sixth form college in close proximity to the development. However the existing on-site car parking at Langdale Hall is currently under-utilised with spare capacity estimated at 12 spaces and this should satisfy additional on-site demand for residential parking which is provided via an existing parking permit allocation system.
- On-site secure storage is being provided for 36 cycles and this is acceptable in highway terms.
- The proposed landscape plan suggests that pedestrian access will be provided from Lower Park Road and Upper Park Road. Whilst this is acceptable in principle the applicant should determine whether such access at Lower Park Road is an option with the landowner (Electricity North West).
- Vehicle access is as existing (from Upper Park Road) and this is acceptable from a highway perspective. It is proposed that refuse collection and general servicing will take place from Upper Park Road with the on-site caretaker taking refuse bins from the bin store on the relevant collection day which reflects the current arrangements for the existing buildings on site. A bin store is proposed adjacent to the existing car park to allow collection in accordance with MCC Guidance GD 04 Waste Storage and Collection Guidance for New Developments v3 and this is acceptable in highway terms.
- It is proposed that construction traffic would utilise the access point at Lower Park Road and whilst this is acceptable to highways in principle the applicant should determine whether such vehicle access is an option with the landowner (Electricity North West).
- A Framework Travel Plan has been detailed within the application that is acceptable and it is recommended that the development, submission, implementation and monitoring of a full Travel Plan within 6 months of occupation be attached as a condition of any planning consent.
- Should approval be granted it is recommended that prior to the commencement of the development a detailed construction management plan outlining working practices during development is submitted to and approved in writing by the local planning authority,

**MCC Flood Risk Management** – Have suggested the imposition of surface water drainage and sustainable drainage conditions.

**Neighbourhood Team Leader (Arboriculture)** – The applicant has proposed to remove the following trees:

- T14 - Elm - Dead tree.
- T19 - Weeping Willow - This tree has been suppressed by neighbouring group of trees and as a result one stem has died leaving a tall tree with poor form.
- T25 - Wild Cherry - This tree is leaning heavily.
- T26 - Goat Willow - This tree has a heavy lean and may be using chain link fence as support.
- T35 - Crab Apple - This tree has a prominent position in the lawn and offers some visual amenity to the residents on the site.
- G1 - English Elm - This is a group of dead Elm trees.
- G2 – Mixed group, northern section only

In addition to the above, tree T31 (Sycamore) will need special care as the landscaping for the rear garden is within the trees root protection zone. The applicant must adhere to BS:5837 when carrying out any construction works within this site.

After inspecting the trees on this site there is no objection to proposed removal subject to a detailed mitigation planting scheme.

**Greater Manchester Police (GMP)** – GMP recommend that robust gates/fencing to the sides of the proposed building are provided and that the communal area, pathways and entrance points are lit in accordance with an approved lighting strategy. Furthermore, it is recommended that the proposal be built to Secured by Design standards and a condition should be put in place to ensure it is.

**Greater Manchester Archaeological Advisory Service (GMAAS)** – The application is accompanied by a comprehensive study which has examined the archaeological interest and potential for the site. The conclusion is that there is low potential. GMAAS concur and recommend that no further archaeological mitigation is required for this development.

**Greater Manchester Ecology Unit (GMEU)** – GMEU recommends the imposition of the following conditions:

- submission of an *invasive non-native species protocol*,
- no tree works during the bird nesting season,
- submission of a lighting strategy to ensure that any bats present are not disturbed.

**Historic England** – On the basis of the information available to date Historic England have stated that they do not wish to offer any comments and suggest that the views of the Council's specialist conservation and archaeological advisers are sought.

**Manchester Conservation Areas and Historic Buildings Panel** – The Panel made the following comments:

- The Panel expressed concern that the development could erode the quality of the Victoria Park Conservation Area if it is not well considered, and commented that the justification seemed unclear.
- The Panel commented on the previous refusal and acknowledged that this was a better architectural solution with single houses.
- The Panel suggested that high quality refurbishment solutions could be explored for the 1970's block.
- The Panel would like to see more accessibility in the accommodation.
- The Panel stated that the loss of tennis courts and gardens would have an impact.
- The Panel observed that the character of Victoria Park had changed and was now characterised by extended buildings and buildings within the grounds.
- The Panel commented that the development was modest and of a small scale and well sited. They felt it appeared to be a high quality piece of architecture that is respectful of the listed building.



- The Panel raised concerns over the impact of additional car parking on the appearance of the conservation which needs to be carefully considered.
- The Panel would like to see a high quality and robust landscaping scheme.
- The Panel queried the affordability of these houses.

**Sport England** – The proposal does not fall within Sport England’s statutory or non-statutory remit, as a result Sport England have not provided a detailed response in this case. However, they have stated that if the proposal involves the loss of any sport facility then full consideration must be given to whether the proposal meets national and local policies.

## **Policies**

**The National Planning Policy Framework (NPPF)** – The NPPF was published on the 27<sup>th</sup> March 2012 and replaces and revokes a number of Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) previously produced by Central Government. The NPPF constitutes guidance for local planning authorities and decision-makers both in drawing up plans and as a material consideration in determining planning applications. It does not change the statutory status of the development plan, i.e. the Core Strategy, as the starting point for decision making and it states further that development that accords with an up-to-date local plan, such as the Core Strategy, should be approved unless other material considerations indicate otherwise.

The NPPF states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental.

Within paragraph 17 of the NPPF, core land use planning principles are identified. The most relevant principles to this proposal are:

- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

In addition to the above, Section 8 (*Promoting healthy communities*) and Section 12 (*Conserving and enhancing the historic environment*) is of relevance:

Paragraph 70 states that to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;

Paragraph 73 states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

Paragraph 74 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements

Section 12, *Conserving and enhancing the historic environment* – 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 conservation.
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;
- the desirability of new development making a positive contribution to local character and distinctiveness

Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given the asset's conservation. The more important the asset, the greater weight it 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. Substantial harm to loss or loss of a grade II listed building, park or garden should be exceptional.

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 that 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.

**Core Strategy Development Plan Document** – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy H 5, *Central Manchester* – Central Manchester, over the lifetime of the Core Strategy, will accommodate around 14% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within or adjacent to the Regional Centre (Hulme and the Higher Education Precinct) as well as within Hulme, Longsight and Rusholme district centres as part of mixed-use schemes.

Policy H12, *Purpose Built Student Accommodation* - The provision of new purpose built student accommodation will be supported where the development satisfies the criteria below. Priority will be given to schemes which are part of the universities' redevelopment plans or which are being progressed in partnership with the universities, and which clearly meet Manchester City Council's regeneration priorities.

1. Sites should be in close proximity to the University campuses or to a high frequency public transport route which passes this area.
2. The Regional Centre, including the Oxford Road Corridor, is a strategic area for low and zero carbon decentralised energy infrastructure. Proposed schemes that fall within this area will be expected to take place in the context of the energy proposals plans as required by Policy EN 5.
3. High density developments should be sited in locations where this is compatible with existing developments and initiatives, and where retail facilities are within walking distance. Proposals should not lead to an increase in on-street parking in the surrounding area.
4. Proposals that can demonstrate a positive regeneration impact in their own right will be given preference over other schemes. This can be demonstrated for example through impact assessments on district centres and the wider area. Proposals should contribute to providing a mix of uses and support district and local centres, in line with relevant Strategic Regeneration Frameworks, local plans and other masterplans as student

accommodation should closely integrate with existing neighbourhoods to contribute in a positive way to their vibrancy without increasing pressure on existing neighbourhood services to the detriment of existing residents.

5. Proposals should be designed to be safe and secure for their users, and avoid causing an increase in crime in the surrounding area. Consideration needs to be given to how proposed developments could assist in improving the safety of the surrounding area in terms of increased informal surveillance or other measures to contribute to crime prevention.
6. Consideration should be given to the design and layout of the student accommodation and siting of individual uses within the overall development in relation to adjacent neighbouring uses. The aim is to ensure that there is no unacceptable effect on residential amenity in the surrounding area through increased noise, disturbance or impact on the streetscene either from the proposed development itself or when combined with existing accommodation.
7. Where appropriate proposals should contribute to the re-use of Listed Buildings and other buildings with a particular heritage value.
8. Consideration should be given to provision and management of waste disposal facilities that will ensure that waste is disposed of in accordance with the waste hierarchy set out in Policy EN 19, within the development at an early stage.
9. Developers will be required to demonstrate that there is a need for additional student accommodation or that they have entered into a formal agreement with a University, or another provider of higher education, for the supply of all or some of the bedspaces.
10. Applicants/developers must demonstrate to the Council that their proposals for purpose built student accommodation are deliverable.

Policy EN 3, *Heritage* – 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.

Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Policy EN 4, *Reducing CO2 Emissions by Enabling Low and Zero Carbon Development* – This policy states that all developments must follow the principle of the Energy Hierarchy; to reduce the need for energy through energy efficient design and features; and, meet residual energy requirements through the use of low or zero carbon energy generating technologies.

Policy EN 6, *Target Framework for CO2 Reductions from Low or Zero Carbon Energy Supplies* – This policy requires applications for residential development of 10 or more units and all other development over 1,000m<sup>2</sup> to meet a minimum target.

Policy EN 8, *Adaption to Climate Change* – This policy requires that developments are adaptable to climate change in terms of design, layout, siting and function of buildings and external spaces.

Policy EN 10, *Safeguarding Open Space, Sport and Recreation Facilities* – The Council will seek to retain and improve existing open spaces, sport and recreation facilities to the standards set out above and provide a network of diverse, multi-functional open spaces. Proposals will be supported that:

- improve the quality and quantity of accessible open space, sport and recreation in the local area
- provide innovative solutions to improving the network of existing open spaces, increase accessibility to green corridors, and enhance biodiversity
- improve access to open space for disabled people

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.

Policy EN 15, *Biodiversity and Geological Conservation* – The Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City and developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on-site or adjacent to the site,

Policy EN 16, *Air Quality* – The Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport. 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, including from Combined Heat and Power and biomass plant.

Policy EN 19, *Waste* – States that developers will be required to submit a waste management plan to demonstrate how the waste management needs of the end user will be met.

Policy T2, *Accessible areas of opportunity and need* – Seeks to ensure that new development is easily accessible by walking/cycling/public transport; provided with an appropriate level of car parking; and, should have regard to the need for disabled and cycle parking.

Policy DM1, *Development Management* – This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- 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 follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-

a) For new residential development meet as a minimum the following Code for Sustainable Homes standards. This will apply until a higher national standard is required:

Year 2010 – Code Level 3;  
Year 2013 - Code Level 4;  
Year 2016 - Code Level 6; and

(b) For new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment



Environmental Assessment Method) standards. By 2019 provisions similar to the Code for Sustainable Homes will also apply to all new non-domestic buildings.

**Saved UDP Policies** – Policies DC18 and DC19 are considered of relevance in this instance:

Policy DC18, *Conservation Areas* – Policy DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas by taking into consideration the following:

- 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
  - iv. street trees);
  - v. the effect of signs and advertisements;
  - vi. 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.

Policy DC19, *Listed Buildings* – Policy DC19.1 states that in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. In giving effect to this policy, the Council will:

- a. not grant Listed building consent for the demolition of a listed building other than in the most exceptional circumstances, and in any case, not unless it is satisfied that every possible effort has been made to continue the present use or to find a suitable alternative use;
- b. not permit a change of use of a listed building, where it would have a detrimental effect on the character or appearance of the building;

- c. not permit any external or internal alteration or addition to a Listed building where, in its opinion, there would be an adverse effect on its architectural or historic character;
- d. seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features;
- e. permit demolition only where there are approved detailed plans for redevelopment and where there is evidence of a firm building contract;
- f. not permit alterations to a listed building which would prevent the future use of any part of the building, in particular upper floors or basements, or where poor maintenance is likely to result.

**The Manchester Green and Blue Infrastructure Strategy (G&BIS)** – The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

**Manchester Residential Quality Guidance 2016** – Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The ambitions of the City are articulated in many places, but none more succinctly than in the 'Manchester Strategy' (2016). The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be

fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

**Guide to Development in Manchester Supplementary Planning Guidance –**

Recognises the importance of an area 's character in setting the context for new development; New development should add to and enhance the area's distinct sense of place; Each new development should be designed having full regard to its context and the character of the area; Seeks to ensure high quality development through good and inclusive design; Buildings should front onto streets; Site boundaries and treatment should contribute to the street scene; There should be a clear definition between public and private space; The impact of car parking areas should be minimised; New developments will be expected to meet designing out crime principles; The impact of development on the global environment should be reduced.

The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings.

**Legislative Requirements –** Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of the power to determine planning applications for any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area

For reasons to be outlined below, it is considered the proposal accords with the aforementioned policies.

**Issues**

**Principle of the Proposal –** Langdale House has been in use as student accommodation since 1911 and has been extended a number of times (1915, 1929 and the 1960s) in an effort to accommodate more students. While the provision of additional accommodation is considered to be acceptable in principle, given the current use and history of the site, it must still be assessed against the ten criteria listed under Policy H12, *Purpose Built Student Accommodation*. This is outlined below:

1. Sites should be in close proximity to the University campuses or to a high frequency public transport route which passes this area – The site is within close proximity of Wilmslow Road and Anson Road, both of which are high frequency bus routes which pass the universities and provide access to other public transport modes.
2. Proposals will be expected to take place in the context of the energy proposals plans – The applicant has submitted an energy statement which outlines that the proposal has achieved a BREEAM pre-assessment rating of “very good”. This is discussed in more detail below.
3. High density developments should be sited in locations where this is compatible with existing developments and initiatives, proposals should not lead to an increase in on-street parking in the surrounding area – Sufficient parking spaces exist and current practices indicate that this will be adequate. When combined with the proposed cycle storage facilities it is not considered that the proposal will lead to an increase in on-street parking. It is not considered that the proposal is high density.
4. Proposals that can demonstrate a positive regeneration impact in their own right will be given preference over other schemes, proposals should closely integrate with existing neighbourhoods to contribute in a positive way to their vibrancy without increasing pressure on existing neighbourhood services to the detriment of existing residents – Given the scale of the proposal, i.e. 36 student beds, it is not considered that it will place increased pressure on services within the Rusholme area. In addition, it is hoped that the provision of purpose built accommodation will go some way to assist in the transition of existing HMOs into family homes.
5. Proposals should be designed to be safe and secure for their users, and avoid causing an increase in crime in the surrounding area – There is an existing management plan in place at Langdale Hall, including an on-site caretaker, in order to provide a secure environment and to reduce anti-social behaviour. The proposed accommodation would also be subject to this management regime and it is considered that this, combined with Secured by Design accreditation, will ensure that the development complies with this element of Policy H12.
6. Consideration should be given to the design and layout of the student accommodation and siting of individual uses within the overall development in relation to adjacent neighbouring uses – For reasons outlined below it is not considered that the proposal will have an unduly detrimental impact upon the levels of residential and visual amenity enjoyed within the vicinity of the site.
7. Where appropriate proposals should contribute to the re-use of Listed Buildings and other buildings with a particular heritage value – While not directly involving the development of Langdale Hall itself the proposal will assist in its long term viability.
8. Consideration should be given to provision and management of waste disposal facilities that will ensure that waste is disposed of in accordance

with the waste hierarchy – Adequate waste and recycling facilities will be provided.

9. Developers will be required to demonstrate that there is a need for additional student accommodation or that they have entered into a formal agreement with a University, or another provider of higher education, for the supply of all or some of the bedspaces – Both University of Manchester and Manchester Metropolitan University have invested heavily in new teaching, research and student facilities and the resultant success and popularity of these higher education facilities means that Manchester now has one of the largest student populations in Europe. The higher education facilities have a cumulative population of 73,090 students which account for over 3% of the UK's student population (2.3 million). These higher education facilities are all located within an area known as 'Corridor Manchester'. The Corridor Manchester Strategic Vision 2025 forecasts that student numbers will continue to grow to 79,000 by 2025. Both universities have a higher than national average of UK students from lower socio-economic backgrounds starting at university. The University of Manchester has one of the highest number of students from lower socio-economic backgrounds of the English Russell Group Universities, with 21.5% of new entrants being within this category in 2014/15. Likewise, the number of new entrants to Manchester Metropolitan University from low socio-economic backgrounds was 41% in 2015, an increase of 23% over a five year period. In addition, the city has a higher than average proportion of postgraduates, e.g. the University of Manchester has a very large postgraduate population that comprises 30% (12,065) of its student population; the fourth largest in the UK. This is the specific target market for the proposed student accommodation.

In addition to the above, the application has been accompanied by a letter of support from the University of Manchester. It acknowledges that the site is situated in a convenient location close to the University of Manchester campus and that it would benefit from the excellent range of transport links and local amenities. It recognises that due to the type of accommodation proposed, i.e. not ensuite, it will attract students looking for a lower rental levels, a type of accommodation that is in high demand.

10. Applicants/developers must demonstrate to the Council that their proposals for purpose built student accommodation are deliverable – The proposal has been subject to viability tests and the applicant is hoping to deliver the proposal in time for the 2018/19 academic year.

Notwithstanding the above, the proposal will also need to be assessed against the backdrop of its location within the Victoria Park Conservation Area and its proximity to Langdale House, a Grade II listed building. Furthermore, consideration must also be given to the proposal's impact upon the current levels of residential and visual amenity enjoyed within the vicinity of the site, the level of pedestrian and highway

safety experienced on the surrounding highway network and the impact upon any flora and fauna present on the site.

**Design** – The design of the proposed building is deliberately contemporary in order not to compete with the adjoining Grade II listed building. A flat roof has been utilised to reduce the overall height and massing of the building and recessed balconies, glazing panels and projecting bays break up the elevations and give the impression of separate townhouses, rather than a solid wall of development. The palette of materials consist of brick, acid etched concrete banding, glass balustrading and wooden timber frames. The brick colour and window heights/ratios are reminiscent of the Victorian properties within the conservation area, while the proposed flat roof mirrors that used in the 20<sup>th</sup> Century additions to the north of Langdale Hall. It is considered that the design of the proposed building is of a quality expected within the conservation area and therefore complies with Policy DM1 and DC18. The front and rear elevations are shown below:



**Siting** – The proposed building has been sited away from the Lower Park Road and Denison Road frontages in order to limit views of the development from the public realm; to maintain the green corner at the junction of Lower Park Road and Denison Road; to preserve the mature perimeter landscaping and minimise tree losses, as well as maintaining views of the gardens from Langdale Hall and minimising the impact upon the heritage assets..



It has been sited between 20 and 25 metres away from the dwellings on Lower Park Road and Redclyffe Avenue in order to ensure existing privacy levels and landscape features are retained. Furthermore, the side elevation of the proposed building will be situated 25 and 32 metres away from Langdale Hall and separated from it by the lawned area and existing and replacement trees. In light of the above the siting of the proposed development is considered acceptable. The impact on the spaciousness and landscape character of the conservation area is dealt with in more detail later in this report.

The siting complies with Policies DM1 and EN3 in the Core Strategy.

**Scale and Massing** – Victoria Park is characterised by predominantly 3 and 4 storey buildings interspersed with 2 storey 20<sup>th</sup> Century dwellings. Langdale Hall to the east is a typical example of the mid-19<sup>th</sup> Century buildings located throughout Victoria Park, while the dwellings on Redclyffe Avenue to the north were introduced during the interwar period.

The proposed development is three storeys high and topped by a flat roof. It is smaller in height than Langdale Hall, which is located 32 metres to the east and comparable to the nearest dwellings on Redclyffe Avenue, i.e. 8.7 metres high as opposed to the 8.1 metres ridge height of the Redclyffe Avenue dwellings. Though the proposed development is taller than the aforementioned dwellings, it is located between 22 and 25 metres away from their respective rear elevations and as such this 0.6 metre difference is imperceptible. While the proposed building takes on the form of a terrace, the front and rear elevations have been designed in such a way so as not to form a solid wall of development. The eaves have been broken up with the inclusion of recessed balconies and the elevations have been punctured by recessed windows, vertical glazing panels and bands of contrasting materials, giving the appearance that each townhouse is an individual unit.

The Guide to Development in Manchester states that “The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings” and that “New developments should respect the existing scale...” of an area. It is considered that by limiting the proposal to 3 storeys and incorporating a flat roof into the design this has been successfully achieved and results in a building of a scale and massing that is not out of character in the Victoria Park Conservation Area or that substantially harms the setting and character of Langdale Hall.

Given the height and design of the development, the scale and massing is considered acceptable in the context of this part of Victoria Park and complies with Policies DM1 in the Core Strategy.

**Impact on Heritage Assets (Victoria Park Conservation Area and Langdale Hall)**  
– Policy EN3 of the Core Strategy, along with section 12 of the NPPF, states that consideration must be given to the impact of new developments on heritage assets. In this instance, the application site is located within the Victoria Park Conservation Area along with being adjacent to a Listed Building namely Langdale Hall which is Grade II listed.

The Victoria Park Conservation Area lies three kilometres to the south of the City Centre and was designated in 1972. Victoria Park was conceived in the first half of the 19<sup>th</sup> Century and has been subject to modern additions since it was designated a conservation area in 1972. The houses in Victoria Park are large and are set in spacious grounds. Several of the roads are laid out in gently undulating curves, whilst others are straight and relatively short. They are nearly all wide, and some of them have grass verges. Not all the large old houses in Victoria Park have survived, a relatively small proportion of houses from the 1830s and 1840s still exist, and where they were demolished there now stand either groups of smaller houses or large, institutional buildings, such as schools, colleges, churches, university halls of residence and blocks of flats. Despite these changes in many cases the large spaces between buildings have been maintained and a significant number of trees retained. Architecturally, the conservation area is home to a variety of building styles ranging from Victoria villas to 20th century dwellings, educational buildings and offices that are typically between 2 to 4 storeys in height.

The requirement to preserve or enhance the Conservation Area, and the setting of the Listed Buildings, in this case Langdale Hall is a key requirement within policy EN3 of the Core Strategy, saved policies DC18 and DC19 of the UDP along with the objectives of the NPPF. As such, any new development must seek to retain the character of the area through careful detailing and, where appropriate, the use of compatible materials.

In terms of informing the character and form of new development in the area, it is considered that careful consideration should be given to the existing character of the area including the size, mass and appearance (including materials) of the older buildings. It is, however, considered that new buildings should be original and should not seek to replicate the older buildings in the area.

The applicant has provided a heritage statement and a detailed design and access statement as part of their application which specifically examines the impact and contribution the proposal will have on the Victoria Park Conservation Area along with important views within the area and the setting of Langdale Hall.

The proposed building is 3 storeys in height and utilises a flat roof to minimise views of it from the public realm. The design is considered to be of a high quality with the palette of materials and window sizes and orientation being informed by the listed building and the predominant character evident in the Victoria Park Conservation Area. Furthermore, the use of a flat roof is not uncommon in this area, as seen on the existing extension to the rear of Langdale Hall and other residential accommodation on Upper Park Road. It is considered that the proposed accommodation would still be flanked by large gardens to the front and side, thereby ensuring the feeling of spaciousness between the development and the primary frontages of Denison Road and Lower Park Road and Langdale Hall.

The applicant has undertaken a visual impact assessment, utilising historic England guidance, to ascertain the heritage significance of identified views into the site and the potential visual impact of the proposed development on the character of the Victoria Park Conservation Area. The following viewpoints have been assessed and the findings are detailed below:

- Viewpoint 1 – This view is taken from the junction of Lower Park Road with Denison Road, looking northwards towards the site.
- Viewpoint 2 – This view is taken from the junction of Lower Park Road with Denison Road, looking north-eastwards towards the site.
- Viewpoint 3 – This view is taken from the junction of Lower Park Road with Crescent Range, looking south-eastwards towards the site.
- Viewpoint 4 – This view is taken from the junction of Upper Park Road with Denison Road, looking north-westwards towards the site.

The findings of the assessment are outlined below:

- Viewpoints 1 and 2 – The proposed development will be on the whole not visible from this viewpoint as the affected area will remain obscured by mature trees. Given this and the fact that it is proposed to remove chainlink fencing and implement additional planting the assessment found that the proposal will have a *low beneficial* impact upon the heritage value of these views.
- Viewpoints 3 and 4 – Again the proposed development will not be highly visible from this viewpoint as the affected area will remain obscured by mature trees. As a result the assessment concluded that the proposal will have an *imperceptible* impact upon the heritage value of these views.

The submitted assessment has confirmed that from these four viewpoints the proposed development would be effectively invisible from the public realm due to the mature landscaping that exists around the perimeter of the site. Given this and the fact that the feeling of spaciousness experienced at the junction of Lower Park Road and Denison Road will be preserved, it is considered that siting the building in the location proposed would have less than substantial harm to the character and setting of the Conservation Area as outlined within paragraph 134 of the NPPF.

The submitted heritage statement has determined that Langdale Hall is of high significance when assessed against Historic England's four preferred measures of evidential, historical, aesthetic and communal value. As a result, and in addition to the visual assessment undertaken to evaluate the impact of the proposal upon the Victoria Park Conservation Area, the applicant assessed the likely impact upon views of Langdale Hall from within the site. The following viewpoints were assessed:

- Viewpoint 5 – This view is taken from within the site looking northeast towards Langdale Hall across the gardens.
- Viewpoint 6 – This view has been taken from within the site looking north-west across the gardens of the grade II listed Langdale Hall.

The findings of the assessment are outlined below:

- Viewpoint 5 – The assessment found that the development would have a degree of adverse impact upon the setting and curtilage of the Grade II listed Langdale Hall as it would involve the loss of a certain amount of the landscaped garden which forms the setting of the building and defines its character. It also found that it would obscure the existing view through to the

dwelling on Redclyffe Avenue. It also found that the implementation of replacement and additional tree planting would also mitigate the impact of the proposals from this viewpoint. It concluded that the proposal will have a medium adverse impact upon the heritage value of this view.

- Viewpoint 6 – Again the assessment found that the proposed development would have a certain amount of adverse impact upon the curtilage of the listed building, by removing a small portion of the garden. It is considered that the proposed development would have a medium adverse impact upon the heritage value of this view.

Whilst the visual impact assessment has identified a medium adverse level of harm to the setting and to the curtilage of Langdale Hall, it is considered that on balance the proposal results in “less than substantial harm” (paragraph 134 of the NPPF) due to the overall benefits the development brings with it. The proposal will provide much needed student accommodation aimed at a specific market (affordable and post graduate) and will ensure the continued use of Langdale Hall thereby securing its long term retention. It will be of a high quality of design reflecting that of the historic building and character of the conservation area, whilst not engaging in pastiche reproduction. The proposed building will respect and defer to the Grade II listed Langdale Hall in both scale, massing and design and the feeling of spaciousness between the two will still exist. The proposal will see the removal of the dilapidated tennis court and make use of the original garden pathways, leaving these and the existing planting beds in situ. Furthermore the proposal will complement the existing mature landscaping with a variety of mature trees and shrubs thereby enhancing the views along Denison Road and Lower Park Road.

Given the above, the fact that the proposal will be sited between 25 and 32 metres away from the listed building and screened from it with additional tree planting and the overall feeling of spaciousness is retained, it is considered that the proposal will lead to less than substantial harm to the significance of this designated heritage asset.

It should be noted that Historic England has not raised any concerns in respect of the impact of the development on the surrounding heritage assets.

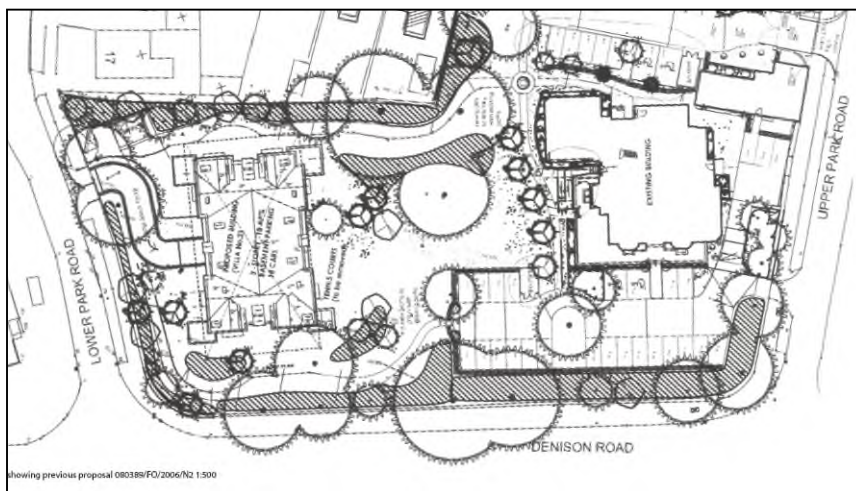
Accordingly it is considered that this element of the proposal complies with Policies DM1 and EN3 in the Core Strategy, saved UDP Policies Dc18 and DC19 and the guidance contained within Section 12 of the NPPF.

**Impact upon the nearby Listed Buildings** – The proposal will have no physical or visual impact upon the nearby listed buildings, namely those at Xavarian College and the Chinese Consulate given that they are both approximately 95 metres away.

**Appeal Decisions** – Local residents and civic groups have made reference to the appeal decision (APP/B4215/A/07/2034511) in respect of planning application 080389/FO/2006/N2, namely the erection of 3 storey detached building to form 18 apartments on this site and the lawned area to the south of it. The appeal was dismissed due to the perceived loss of openness at the corner of Denison Road and Lower Park Road, the introduction of a large built form in the grounds of Langdale

Hall and the impact upon the setting of the listed building. The Planning Inspector stated that the proposal *“would be sited closer to Denison Road, forward of Langdale Hall”* and *“The loss of the perceived openness at the corner would not preserve or enhance the distinct character of the conservation area.”* and that as a result the appeal warranted dismissal.

While the current proposal is closer to Langdale Hall it should be noted that the elevation facing the listed building is considerably narrower. In addition, the proposed building has been sited further back into the site so as to preserve the feeling of openness referred to by the Planning Inspector and also not to be forward of the building line established by Langdale Hall itself. The layout of the dismissed scheme is shown below for comparison:



Reference has also been made to appeal APP/B4215/W/16/3145178, which concerns the erection of four 2 storey dwellings on the existing garages to the rear of Regent House, Denison Road (planning application 107816/FO/2015/S1). That proposal was considered to be of a poor quality that was out of character with the pattern of development in the conservation area, as well as being backland development and one that would significantly harm the amenity of adjoining residents.

The current proposal is not considered to be of a poor design, nor one that will have an impact upon current levels of residential amenity. Furthermore, the current proposal is not considered to substantially harm the character of the conservation area. These issues are explored in more detail elsewhere within this report.

**Drainage and Flood Risk** – The site is located within Flood Zone 1 (less than 1 in a 1,000 year chance of flooding) and is not subject to surface water flooding. The applicant has confirmed that the development will be designed to target a 50% betterment of water run-off from the site post development up to the 1 in 100year + climate change event. If this proves to be impractical then the surface water runoff will be restricted to ensure that it does not exceed the existing discharge rate.

The Flood Risk Management Team were consulted and they raised no objections to the proposal subject to the imposition of two conditions in respect of surface water drainage and sustainable drainage.

As the impact of the development upon the drainage characteristics of the site can be managed and it is not considered that the proposal will give rise to risk of groundwater contamination through the implementation of robust construction practices, the proposal is considered to comply with Policy DM 1 in the Core Strategy from a flood risk perspective.

**Space Standards** – The City Council adopted the Manchester Residential Quality Guidance in December 2016 and within that document reference is made to the use of the London Housing Design Guide space standards (LSS) as interim space standards for residential developments.

There are three house types proposed and the average internal floorspace for them is 124.5m<sup>2</sup>. The adopted space standards suggest that for a 6 bed 3 storey property the floorspace should be 129m<sup>2</sup>. Whilst it is acknowledged that the proposal falls short of this guidance, it should be noted that the 129m<sup>2</sup> stated in the Manchester Residential Quality Guidance is for a 6 bed 3 storey property occupied by 7 people as opposed to the 6 people proposed in this instance. Given this it is considered that sufficient living space for the future residents of the development will be provided.

**Affordable Housing** – The proposal relates to student accommodation and is not subject to the triggers relating to affordable housing.

**Disabled Access** – While the ground floor accommodation will be accessible for wheelchair visitors the first and second floor accommodation will only be accessible to the ambulant disabled due to the lack a lift. Notwithstanding this, it is noted that within the whole of the site 33 of the student bedrooms are fully DDA compliant. The level of provision throughout the Langdale Hall site is considered acceptable will equate to 17%.

**Car Parking** – There are 27 parking spaces in existence at Langdale Hall and a survey undertaken by the applicant has shown that is it rarely used to capacity. The survey revealed that 3 and 7 spaces were regularly used by students and staff respectively and that approximately 5 of the spaces were used by visitors. Given the underutilised nature of the existing car parking facility and the proximity of good public transport facilities, the applicant is not proposing to provide any additional car parking.

Concern has been raised that the proposal will lead to an increase in on-street parking. However, given the spare capacity that exists onsite and the presence of Traffic Regulation Orders on surrounding roads, it is not considered that the proposal will lead to a marked increase in on-street parking within the neighbourhood.

Overall, the existing parking provision is considered acceptable for both the existing and proposed accommodation given the sustainable location of the development site and the implementation of a Travel Plan. This is reflected in the comments of Highways Services who have confirmed that the level of parking provision is considered acceptable.

**Travel Plan** – The applicant has submitted a Framework Travel Plan which outlines the process to be undertaken to encourage future residents of the accommodation to

utilise alternative modes of transport other than car. While this is acceptable in principle, a condition requiring the submission of a comprehensive Travel Plan is suggested.

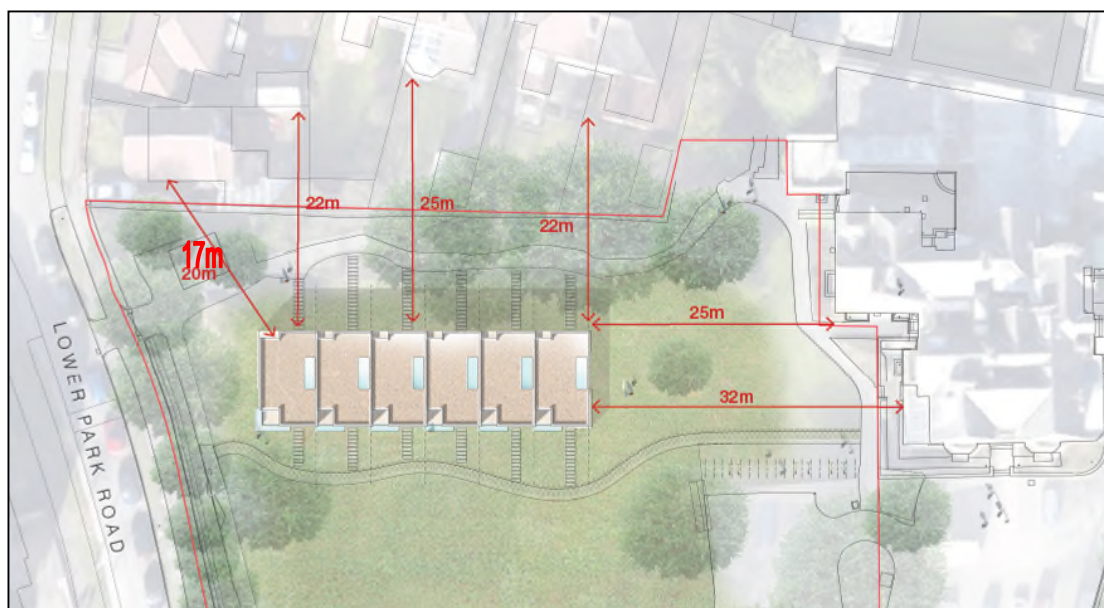
**Pedestrian and Highway Safety** – Based on previous survey work undertaken by the university (MMU Student Travel Survey data) it is estimated that there will be between 1 and 2 vehicle trips during the 3 *peak hours* (0800-0900hrs, 1100-1200hrs and 1500-1600hrs). In light of this and the fact that Highway Services concur with these findings, it is not considered that the proposed residential accommodation will generate such significant levels of traffic or concentrated traffic movements so as to prove detrimental to the levels of pedestrian and highway safety currently enjoyed within the vicinity of the site.

This element of proposal complies with Policies DM 1 in the Core Strategy.

**Residential Amenity** – A number of factors have been assessed in order to judge the impact of the proposal upon residential amenity:

**Sunlight and Overshadowing** – Given the location of a number of residential properties to the north of the application site, the applicant submitted a sunlight study to ascertain if the proposal would have an unduly harmful impact on these adjoining dwellings. The study has indicated that during the autumn and winter months the proposal would lead to a marginal increase in the level of overshadowing on the rear elevations of these dwellings. However, when taking into account the existing overshadowing resulting from the tree coverage, this additional overshadowing is considered negligible.

**Impact upon Privacy** – Given the distances that will exist between the proposed development and the existing residential buildings to the north and east (see below) it is not considered that the proposal will lead to any undue loss of privacy resulting from overlooking. In addition, as the proposed development will be approximately 11 metres from the common boundary with these dwellings and the planting along this boundary will be supplemented with additional trees, it is not considered that the proposal will lead to excessive overlooking of the rear garden areas.





**Noise** – It is not considered that the proposal will be an inherently noise generating use, notwithstanding this it is recognised that student accommodation can bring with it a certain level of anti-social behaviour. It is acknowledged that the applicant has a caretaker onsite and policies in place to deal with such occurrences. The applicant has confirmed that for the past three years, Langdale Hall has been exclusively marketed to postgraduate, international and 3rd year students who are seeking quiet, well-managed and affordable accommodation which facilitates an environment for study. This combination of management and the residents' demographic mean that there have been no complaints over anti-social behaviour since the applicant took over the running of Langdale Hall.

Given this and the imposition of noise insulation conditions, it is not considered that the proposal will lead to a marked increase in the levels of noise experienced within the vicinity of the site.

In conclusion, given the above it is not considered that the proposal will have a detrimental impact upon the levels of residential amenity enjoyed by the occupants of those properties closest to the application site, accordingly it is considered that the proposal complies with Policy DM 1 in the Core Strategy.

**Visual Amenity** – As the development will be sited towards the back of the site and will be well screened by existing and proposed perimeter landscaping, it will not be highly visible from Denison Road and Lower Park Road. As a result it is not considered that the proposal will have a detrimental impact upon the levels of visual amenity enjoyed along these two roads.

It is acknowledged that the building will be visible from the dwellings on Redclyffe Avenue. However, given that it is between 20 and 25 metres away from the rear elevations of these dwellings and the existing landscaping will be supplemented with the planting of three lodgepole pine and one Atlas cedar, it is not considered that the proposal will be unduly detrimental to the levels of visual amenity enjoyed by the residents of these properties.

**Amenity Space** – Private amenity space (approximately 1,500m<sup>2</sup>) is proposed in the form of the communal lawned area located to the front of the proposed building and shield from the public realm by the existing landscape features. On the whole it is considered that an adequate amount of amenity space will be provided and that this element of the proposal therefore accords with Policy DM 1 in the Core Strategy.

**Trees** – A survey of the site revealed the presence of 36 trees and 3 groups of trees, they are categorised as follows:

- Category B trees (moderate quality) - 5 trees
- Category C trees (low quality) - 28 trees and 2 groups (G2 and G3)
- Category U (unsuitable for retention) - 3 trees and 1 group (G1)

Of these surveyed trees, it is proposed to fell the following:

- 2 Category C trees (weeping willow and crab apple) and the northern section of group G2, which consists of approximately 5 trees.



- 3 Category U trees (an English Elm, a goat willow and a wild cherry) and group G1, which consists of 7 English Elm. All the English Elm are dead.

To compensate for their loss the applicant is proposing to plant the following 18 individual trees throughout the site. These trees are all field grown trees, will be semi-mature and vary in height from 3½ to 7 metres:

- 1 x weeping willow
- 1 x tulip poplar
- 1 x Atlas Cedar
- 2 x laburnum
- 3 x lodgepole pine
- 4 x English elm
- 6 x common holly

Given the level and type of replacement planting and the comments of the Council's Arboricultural Officer, who did not object to the proposal subject to a detailed mitigation scheme, the impact upon the existing tree coverage is considered acceptable in this instance. The concerns about the proposal's impact upon the retained trees are acknowledged and as a result an additional condition (no. 20) requiring the submission of an arboricultural method statement is suggested

The requirement to avoid changing site levels within the Root Protection Areas (RPA) of retained trees is noted and forms part of the Tree Protection Method Statement. This includes the RPA of Tree T31, which will be fully protected. All trees that are to be retained will be protected in accordance with the recommendations of BS 3998:2010 *Tree Work – Recommendations*.

It is considered that the proposal complies with Policies DM 1 and EN 15 in the Core Strategy.

**Landscaping** – The applicant has submitted a landscaping plan which shows that the loss of the 17 trees referred to above will be compensated for by the planting of the following the 18 semi-mature trees detailed above. These trees will be accompanied by a mix of heritage and ornamental shrub planting, woodland planting and an arbor, reminiscent of Victorian gardens, which will be located at the rear of the proposed building and run parallel to it.

The proposed planting scheme and use of permeable paving for the proposed pathways is considered acceptable in principle, subject to the receipt of a more detailed landscaping scheme showing the locations and mix of the shrub planting, accordingly it is considered that the proposal complies with Policies DM 1 and EN 15 in the Core Strategy.

**Loss of the Tennis Courts** – The tennis court that exists on the site is in a somewhat neglected state, is underused and not open to the community. Given this and the prevalence of both public and club tennis courts that exist in south Manchester, its loss and the reversion of part of it back to a lawn is considered acceptable. Given the number of tennis courts that are available in south Manchester (approximately 60), it is not considered that this loss requires mitigation.

Given the above it is considered that the proposal complies with Policy EN10 in the Core Strategy Development Plan Document and the guidance contained within the NPPF.

**Ecology** – A Phase 1 Habitat Survey was undertaken by the applicants on 4<sup>th</sup> May and 20<sup>th</sup> July 2017. The findings are outlined below:

- Badgers – No badgers or signs of badgers were observed within the site and given that the site is isolated within the wider landscape by roads and tall walls, the site is not accessible for foraging or sheltering purposes.
- Bats – No bats or signs of bats have been detected at the sub-station which is to be retained. A mature Fern-leaved Beech (T1) does have a hollow in its main stem. However, the hollow is shallow and investigations with a video borescope did not detect any signs of the presence of roosting bats. None of the other trees which lie within or adjacent to the site support any features suitable for use by roosting bats. In light of the above it is not considered that the proposal will have an impact upon roosting bats.

It is considered that the mature landscaping along the site boundaries could provide suitable habitat for foraging bats, particularly those associated with suburban and urban habitats, such as common pipistrelle. However, this is unlikely due to its small size.

Notwithstanding the above, it is noted that the submitted ecological survey/assessment recommends that the bat habitat could be enhanced by the inclusion of bat access panels within the fabric of the building. As a result condition no. 9, along with a condition (condition no. 8) requiring the submission of a lighting submission, are suggested.

- Birds – It is acknowledged that the trees and shrubs within the site provide habitat for nesting and foraging birds, though it is small in size and unlikely to provide core or important habitat in terms of the wider area. Notwithstanding this, it is considered prudent to attach a condition limiting vegetation clearance to outside of the bird nesting season, unless it is shown that trees to be felled are absent of nesting birds.

In addition to the above, the submitted ecological survey/assessment recommends the inclusion of a house sparrow nest box within the fabric of the development and this forms the basis of condition no. 9

- Invasive Species - Montbretia and Rhododendron were detected within the site (Both are listed in Schedule 9 of the Wildlife and Countryside Act 1981). It is acknowledged that the proposal will not cause the spread of either species in the wild, provided suitable measures for their eradication are adopted during the construction process. In line with the comments of GMEU, a condition requiring the submission of a submission of an *invasive non-native species protocol*, is suggested

- Reptiles – Given that the existing habitats (lawned areas and tennis court) are regularly maintained and therefore disturbed, the site provides poor quality habitat for sheltering, basking and hibernating reptiles. In addition, it is acknowledged that dense tree and shrub coverage provides an unsuitable habitat for basking reptiles and this, coupled with the isolated nature of the site, means the presence of reptiles is highly unlikely.
- Other Species – No signs of hedgehogs were detected within the site although the site does provide favourable foraging and sheltering habitat for them. The ecological survey/assessment recommends the inclusion of a hedgehog shelter at the northern end of the site close to the existing sub-station. This will be recommended by way of an informative.

To conclude, given the finding of the ecology survey and the comments of the GMEU, it is not considered that the proposal will have a detrimental impact on the levels of ecology found within the site. Accordingly it is considered that the proposal complies with Policies DM 1 and EN 15 in the Core Strategy.

**Environmental Standards** – The various elements of the proposal will comply with Building Regulations and BREEAM criteria as follows:

- The energy efficiency rating of the proposed development will comply with Building Regulations Part L 2013. The proposed scheme has been demonstrated to be aligned with the principles of the energy efficiency requirements and carbon dioxide emission reduction targets within policies EN4 and EN6 of the Core Strategy.
- The proposed accommodation has been designed in accordance with the BREEAM criteria and will achieve a 'Very Good' rating.
- It is proposed to include Solar Photovoltaic Panels on the roof of each dwelling (preliminary estimate of 8No panels per roof).
- The site drainage strategy will be designed to manage the surface water runoff to ensure that the peak rate and volume of surface water run-off will be no greater post-development than predevelopment.

In light of the above it is considered that the proposal complies with the aspirations of policies EN 4, EN 6 and DM 1 in the Core Strategy.

**Air Quality** – During the construction phase of the development there is the potential for air quality impacts as a result of dust emissions from the site. Assuming dust control measures are implemented as part of the proposed works, the significance of potential air quality impacts from dust generated by earthworks, construction and trackout activities is predicted to be negligible. It is considered that the imposition of a Construction Management Condition will ensure that appropriate dust management measures are implemented during the construction phase.

It is recognised that during the operational phase of the development there is the potential for air quality impacts as a result of vehicle exhaust emissions associated with traffic generated by the proposal, i.e. the comings and goings of residents and visitors to the commercial elements. However, given the number of units proposed,

and the anticipated car ownership levels, the overall significance of potential impacts is considered to be low.

As a result of the above findings it is considered that the proposal will not have a detrimental impact upon the air quality levels experienced throughout the site and within the vicinity of it. This element of the proposal therefore complies with Policy DM 1 in the Core Strategy.

**Waste Management** – Collection of waste from the proposed development will be combined with the current refuse strategy for Langdale Hall. This consists of two central bin storage points located to the east of the existing buildings. The applicant is proposing to supplement the existing facilities with the following additional bins:

- 2 x 770 litres bin for general refuse
- 1 x 330 litres bin for pulpable recycling
- 1 x 330 litres mixed recycling
- 1 x 30 litres bin for food waste

Each townhouse will be provided with space for internal storage of refuse and recycled waste within the kitchen area. Residents will be responsible for the transfer of waste to the above mentioned communal bin stores catering for refuse, paper, glass and cans. Bins will then be transferred to the collection points on Upper Park Road by building management staff.

The overall provision is considered acceptable.

**Cycle Parking** – A total of 18 cycle storage spaces are proposed adjacent to the existing hardsurfaced area in the form of 9 *Sheffield* style cycle stands. While not enclosed the storage facilities are considered secure given the existing security presence on the site. As it is considered that there is sufficient room to accommodate a 100% cycle storage provision the applicant has been requested to amend the scheme accordingly.

**Crime and Security** – The applicant operates a security management plan at Langdale Hall, including an on-site caretaker, who also provides additional security on the site. There are a number of policies in place to create a secure environment and reduce anti-social behaviour and this existing management strategy will be extended to the proposed development. Given the above, and the fact that erecting a building in this location will ensure the overlooking of the lawned area and assist in securing the rear boundary of the dwellings on Redclyffe Avenue, it is not considered that the proposal will have a detrimental impact upon the levels of security enjoyed within the vicinity of the site. The development will also be required to achieve *Secured by Design* accreditation.

This element of the proposal therefore complies with Policy DM 1 in the Core Strategy.

## **CONCLUSION**

Given the historic use of the site and type of accommodation proposed, i.e. student accommodation, the principle of the proposal is considered acceptable. It is recognised that introducing a new build element into a conservation area brings with it concerns about the impact upon the overall character of that conservation area and that this is more so when the site is also home to a listed building, namely Langdale Hall. However, in this case it is considered that with the careful design and siting of the student accommodation the impact upon the character of the Victoria Park Conservation Area and the setting of Langdale Hall can be preserved and that as a result the harm to both can be categorised as “less than substantial...” It is acknowledged that a previous scheme to build on the site had been refused and a subsequent appeal dismissed. However, this current scheme is materially different to that earlier proposal and addresses the concerns raised at that time.

**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 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 to resolve any problems arising in relation to dealing with the planning application.

### **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 stamped as received on 21st July 2017:

- 1) Existing Site Plan\_Rev B L(-- )001
- 2) Proposed Site Plan\_Rev C L(-- )002
- 3) Ground Floor Plan\_Rev A L(-- )010
- 4) First Floor Plan\_Rev A L(-- )011
- 5) Second Floor Plan \_Rev A L(-- )012
- 6) Roof Plan\_Rev B L(-- )013
- 7) Cross Section (North-South) 1 L(-- )100
- 8) Cross Section (North-South) 2 L(-- )101
- 9) Long Section (East-West) L(-- )150
- 10)North West Elevation L(-- )200
- 11)West Elevation L(-- )201
- 12)East Elevation L(-- )202
- 13)South East Elevation L(-- )203
- 14)Elevation Fragment 1 L(-- )301
- 15)Elevation Fragment 2 L(-- )302
- 16)Red Line Boundary Plan\_Rev B L(-- )400
- 17)3d Sketch Massing Heritage View 01\_Rev B (SK)001
- 18)3d Sketch Massing Heritage View 02\_Rev B (SK)002
- 19)3d Sketch Massing Heritage View 03\_Rev B (SK)003
- 20)3d Sketch Massing Heritage View 04\_Rev B (SK)004
- 21)3d Sketch Massing Heritage View 05\_Rev B (SK)005
- 22)3d Sketch Massing Heritage View 06\_Rev B (SK)006
- 23)CGI View 1 (Verified heritage view 6)\_Rev A (SK)007
- 24)CGI View 2 (Verified heritage view 5)\_Rev A (SK)008
- 25)CGI View 3 (Verified heritage view 1)\_Rev B (SK)009
- 26)Landscape GA Plan LYR077\_M300
- 27)Illustrative Sections LYR077\_M301
- 28)Design and Access Statement
- 29)Waste Pro forma - prepared by Hodder and Partners;
- 30)Heritage Statement - prepared by Stephen Levrant Heritage Architecture;
- 31)Archaeology Desktop Report - prepared by Arc Heritage;
- 32)Environmental Standards Statement - prepared by Clancy;
- 33)BREAAAM Report - prepared by Clancy;
- 34)Ecological Assessment - prepared by ERAP;
- 35)Ground Conditions Report - prepared by LK Consult;
- 36)Transport Statement - prepared by Civic Engineers;
- 37)Framework Travel Plan - prepared by Civic Engineers;
- 38)Acoustic Statement - prepared by Hann Tucker;
- 39)Ventilation Strategy - prepared by Clancy;
- 40)Outline Drainage Strategy - prepared by Civic Engineers;
- 41)Arboricultural Impact Assessment and Tree Protection Method Statement - prepared by Bowland;
- 42)Utilities Report - prepared by Clancy;
- 43)Landscaping Strategy - prepared by LAYER;

44) Landscaping Drawings - prepared by LAYER;

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) Above-ground construction works shall not commence until samples and specifications of all materials to be used in the external elevations have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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.

4) No development shall take place until surface water drainage works have been implemented in accordance with SuDS 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, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG

5) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a) Verification report providing photographic evidence of construction as per design drawings;
- b) As built construction drawings if different from design construction drawings;
- c) Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG

6) Prior to the commencement of development (including demolition, ground works, vegetation clearance), an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of Rhododendron and Montbretia on site. The measures shall be carried out strictly in accordance with the approved scheme.

Reason - To prevent the spread of invasive non-native species, pursuant to the Wildlife and Countryside Act 1981 or as subsequently amended.

7) No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy.

8) Prior to occupation, a "lighting design strategy for biodiversity" for all areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy.

9) No part of the development hereby approved shall be occupied until details of the habitat replacement referred to in The Ecological Survey and Assessment (ERAP ref. 2017-130), including a timetable for their installation and maintenance regime, have been submitted to and been approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy Development Plan Document

10) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured by Design



accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

11) Prior to the occupation of the development hereby approved, all of the dwelling units shall be acoustically insulated and thereafter maintained in accordance with the recommendations of the Noise Impact Assessment Report (Hann Tucker Associates ref 24299/NIA1), stamped as received on 21st July 2017.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

12) In order to secure a reduction in the level of noise emanating from the site any externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. The scheme shall be submitted to and approved in writing by the City Council as local planning authority and implemented prior to the occupation of the accommodation hereby approved.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

13) The storage and disposal of waste shall be undertaken in accordance with the Waste Management Strategy stamped as received on 17th October 2017 and shall remain in situ whilst the development is in operation.

Reason – In the interests of visual and residential amenity, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

14) No development shall commence until a hard and soft landscaping treatment scheme, based on the concept landscape drawing LYR077\_M300 (stamped as received on 21st July 2017) 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.

15) 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.

16) Before the development hereby approved is first occupied a Travel Plan, based on the Framework Travel Plan (Civic Engineers ref. 891-01), stamped as received on 21st July 2017, shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those [attending or] employed in the development
- ii) a commitment to surveying the travel patterns of staff during the first three months of use of the development and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the school, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

17) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of "Very Good". A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before any of the buildings hereby approved are first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy, policies ER13 and DP3 of Regional Spatial Strategy for the North West (RSS13) and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

18) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the City Council as local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

1. the designated route for construction and delivery vehicles
2. the parking of vehicles of site operatives and visitors
3. loading and unloading of plant and materials
4. storage of plant and materials used in constructing the development
5. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
6. wheel washing facilities
7. measures to control the emission of dust and dirt during construction
8. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason - In the interest of pedestrian and highway safety, as specified in policies SP1 and DM1 of Core Strategy Development Plan Document.

19) Prior to occupation of the development hereby approved, details of the cycle storage facilities shall be submitted to and approved by the City Council as local planning authority. The cycle storage facilities shall be installed in accordance with the approved details and thereafter maintained prior to the occupation of the residential accommodation.

Reason – In the interest of residential amenity, pursuant to Policy T2 in the Core Strategy Development Plan Document

20) Prior to the commencement of the development hereby approved, a detailed Arboricultural Method Statement, including existing and proposed site levels, shall be submitted to and approved by the City Council as local planning authority. The development shall then be implemented in accordance with those approved details.

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.

### **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: 117078/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:**

Historic England (North West)  
Greater Manchester Police  
Greater Manchester Archaeological Advisory Service  
Greater Manchester Ecology Unit  
Rusholme & Fallowfield Civic Society  
Manchester Civic Society  
Sport England

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  
Greater Manchester Archaeological Advisory Service  
Greater Manchester Ecology Unit  
Rusholme & Fallowfield Civic Society  
Manchester Civic Society  
Sport England  
17 The Crescent, Irlam,  
1, 4, 3, 6, 7 Redclyffe Avenue,  
9, 13, 15, 17, 18, 24 Lower Park Road  
Flat 8, 12 Lower Park Road,  
20 Crescent Range,  
Flats 2, 3, 5, 4, 6, 9, 10, 11, 12 Denison Court,  
8 Clifton Avenue,  
7, 11 Park Range,  
1 Funchal Avenue, Formby,  
14 Conyngham Road,  
7 Brighton Grove,

7 Avian Close, Eccles,  
59 Claridge Road,  
3 Mitford Court, Derby Road,  
White Jade, Martinsclough, Lostock, Bolton

**Relevant Contact Officer :** David Lawless  
**Telephone number :** 0161 234 4543  
**Email :** d.lawless@manchester.gov.uk



 Application site boundary  Neighbour notification  
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