

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
117402/FO/2017	11th Oct 2017	14 <sup>th</sup> Dec 2017	Rusholme Ward

**Proposal**     Erection of a single storey extension to the existing garage block and conversion to ancillary consular offices

**Location**     Denison House , 71 Denison Road, Manchester, M14 5RX

**Applicant**     Mr Sun , Consulate General of The Peoples Republic of China, C/O Agent,

**Agent**          Mr Barry Tang, Tang and Associates Ltd - Chartered Architects, Entrance W1, First Floor, Westwood House, Greenwood Business Centre, Manchester, M5 4QH,

## Description

This application relates to an irregular shaped site of 0.77 hectares situated between Denison Road and Schuster Road within the Victoria Park Conservation Area. The site is occupied by the Chinese Consulate. The site comprises a listed grade II detached villa set in extensive grounds with a substantial number of trees across the site. At the rear of the site fronting Schuster Road are two modern single storey buildings, with one being a garage the subject of this application. The garage is a brick structure with a tile roof and is situated at right angles to Schuster Road on a rectangle of land projecting to the east of the main site. There is a line of conifers situated behind a line of railings along the Schuster Road frontage. Whilst the main entrance to the Consular site is from Denison Road there is an existing vehicular access from Schuster Road.

To the north of the part of the site occupied by the garage is the gable elevation and the front elevation of modern three storey houses. To the east abutting the site is the gable elevation of a modern three storey house and facing the site to the south across Schuster Road are the front elevations of modern three storey houses.

The existing garage is 16.5 metres wide by 7.7 metres deep, it is 3.6 metres high to the eaves and 6 metres to the ridge. There are three garage doors in the west elevation and a single pedestrian door in the north elevation. There are no windows. There are six parking spaces in front of the garages.



This is a part retrospective application in that works have commenced on site. Permission is sought to erect a single storey extension to the existing garage and to use the enlarged building as additional offices principally for the processing of visas.



The proposed extension would project at right angles to the existing garages along the Schuster Road Frontage. The extension would be approximately 11.8 metres

long and 6 metres wide. It would have the same eaves and ridge height as the existing garage and be constructed of matching materials. The south elevation facing Schuster Road would contain the main entrance accessed by either a flight of steps or a platform lift. There would be three windows in the elevation. The rear elevation of the extension would contain a further two windows and there would be seven roof lights four on the Schuster Road elevation and three on the north elevation. The garage doors would be replaced with another door and two new windows. Five roof lights would be installed in the east elevation and three in the west elevation. Three parking spaces would be lost to the development leaving three spaces. To facilitate the development a number of conifers along Schuster Road have been removed.

The enlarged garage would provide two levels of accommodation. Offices on the ground floor and storage in the roof void. It is intended to use the offices to process visa applications and this will entail members of the public visiting the premises. The office covers the following areas, Greater Manchester, Merseyside, Lancashire, Tyne and Wear, North/West/South Yorkshire, Durham and Derbyshire.

The offices would be open to the public Monday to Friday between 9.00am and 12.00pm (noon) and 3.00pm and 4.00pm for applicants who require fingerprints. There will be five staff who will deal with around four applications per hour. The service operates an online appointment system for passport applications and turn up for document legalisation.

To compensate for the loss of trees five new specimens will be planted between the extension and the Schuster Road frontage. Of the six existing parking spaces three will be lost these will be available for use by the staff. There is no parking for visiting members of the public. There are also four cycle racks to be provided at the rear of the site. A designated refuse storage area will also be located at the rear of the site.

## **Consultations**

### **Local Residents**

Seven letters have been received objecting to the proposed development. The issues raised are summarised below.

- The use of the building as a visa office will impact on the amenity of residents on Schuster Road, which is a residential street, in terms of additional comings and goings, demand for on street parking, increased traffic and noise generally.
- It will change the nature of Schuster Road from a quiet residential street.
- The existing access on Denison Road should be used rather than Schuster Road.
- Work has commenced on the development in advance of obtaining planning permission.
- There is insufficient parking for the proposed development which will result in more on street parking.
- The applicants have removed a tree screen to the detriment of visual amenity and the character of the conservation area.

- Residents had previously been informed that there would be no public access from Schuster Road.
- The development will have a negative impact of property values.
- When originally built there was no access from the consulate onto Schuster Road. A small back door was added and used for refuse collection. This was gradually scaled up to a vehicular access (albeit only used intermittently) some years ago.

#### Rusholme and Fallowfield Civic Society

The society objects to the proposed development. Their concerns are summarised below.

- There is no reference to the use class of either the existing garage or the proposed use.
- They are concerned about the lack of parking for staff and visitors.
- The extension will because of its size be visually intrusive.
- There is no justification for commercial development on a residential street.
- The proposed use should be located in a district centre.
- The development is out of character with the Victoria Park Conservation Area.
- The proposed development will adversely impact on a listed building.
- The development will impact on residential amenity due to the additional comings and goings, noise, and on street parking.
- The Society consider that the development is contrary to Core Strategy policies SP1, EC1, C2, C5, T2, EN3 and DM1 and saved Unitary Development Plan policies RF7, DC18 and DC19.

#### Strategic Area and Citywide Support

No objection subject to conditions restricting the hours to those applied for and restricting delivery times.

#### Highways

There are no parking restrictions on Schuster Road. It is unclear if the three parking spaces proposed will be sufficient and recommends a travel plan. Any further comments will be reported at the meeting

#### Greater Manchester Police Design for Security.

No objections in principle. Recommends dusk till dawn lighting on all doors and CCTV coverage of all elevations.

### **Policy**

#### Core Strategy

The relevant Core Strategy policies are SP1, DM1, EN3, EN9 and T2. Rusholme and Fallowfield Civic Society have also referred to policies EC1, C2 and C5.

Policy SP1 is relevant to this proposal as it sets down the spatial principles that will guide development in the City. In particular it seeks to create neighbourhoods of choice.

Policy DM1 is relevant to this application as it seeks to protect the amenity of an areas from the adverse impact of development. Including the impact of traffic.

Policy EN3 is relevant to this application as the site contains a Listed Building and is within the Victoria Park Conservation Area. The policy seeks to protect the City's heritage assets from the adverse impact of development.

Policy EN9 is relevant as the proposal involves the removal of trees on the site. The policy says that existing trees should be maintained where possible. Where green infrastructure is lost it should be replaced.

Policy T2 is relevant to this application as it will be a destination for people from across the north of the country. It seeks to manage development so that it is easily accessible.

Policy EC1 seeks to identify locations suitable for employment uses. This policy is not relevant as the development relates to an existing use.

Policies C2 and C5 relate to developments in the district centres as this is outside of the nearest district centre these policies are not relevant.

#### Guide to Development in Manchester

In respect of development in conservation areas the Guide says that the overriding criteria is that proposals should preserve or enhance the character of the conservation area. It is important that new developments in conservation areas or elsewhere are not designed in isolation. This does not prevent or inhibit creative design. Considerations of 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. The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the character and identity of a development.

#### Green and Blue Infrastructure Strategy

The Strategy encourages developers to increase or improve the quality of green infrastructure as apart of development.

#### Unitary Development Plan

The relevant saved Unitary Development Plan policies are DC18 and DC19. Policy RF7 was raised by the Rusholme and Fallowfield Civic Society

Policy DC18 is relevant as the proposed development is located within the Victoria Park Conservation Area and the policy seeks to ensure that new development preserves or enhances the Conservation Area.

Policy DC19 is relevant as the main Consulate building is Listed as Grade II and the impact of the development on the setting of this building is a material consideration.

Policy RF7 Is not relevant as it is a site specific policy and the application site lies outside the area.

### National Planning Policy Framework

National guidance can be found in the National Planning Policy Framework (NPPF). The central theme to the NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role (paragraphs 6 & 7). Paragraphs 11, 12, 13 and 14 of the NPPF outlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan. Paragraph 12 provides: “Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.”

Paragraph 131 through 137 give guidance in the consideration of applications that impact on heritage assets. In determining planning applications, local planning authorities should take account of:

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

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

### Legislative Requirements

Section 72 of the Listed Buildings Act provides that in the exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The impact of the proposed development in respect of the above policies is addressed in the following sections.

## **Issues**

### Principle

This application is for the extension of a building in the grounds of a Listed Building within the Victoria Park Conservation area. The Site is located in a predominantly residential area and therefore there is the potential for conflict between the proposed development and the reasonable amenity of the occupiers of the surrounding residential properties. These issues are considered in the following sections.

### Use

The garage that is the subject of this application is part of the planning unit that is the Chinese Consulate. The Consulate itself is a sui generis use, that is it does not fall into any use class to the change to any use other than a Consulate would require planning permission. Provided the use of buildings within the planning unit remains related to the consulate then no change of use has occurred and planning permission is not required. Thus the conversion of the garage to offices is not development for which planning permission is required. Planning Permission is required for the extension of the existing garage block.

### Scale

One of the underlying features of the Victoria Park Conservation Area is the scale of the building. The existing garage is a substantial building and it is considered that in reflecting the scale and massing of the existing building the proposed extension is of a scale that is appropriate to its location. In terms of its impact on the street scene it is considered that the extended garage would be of sufficient scale to sit comfortably alongside the adjacent three storey houses without being overwhelmed. On balance it is considered that the scale of the proposed development would not impact adversely on the street scene.

### Design

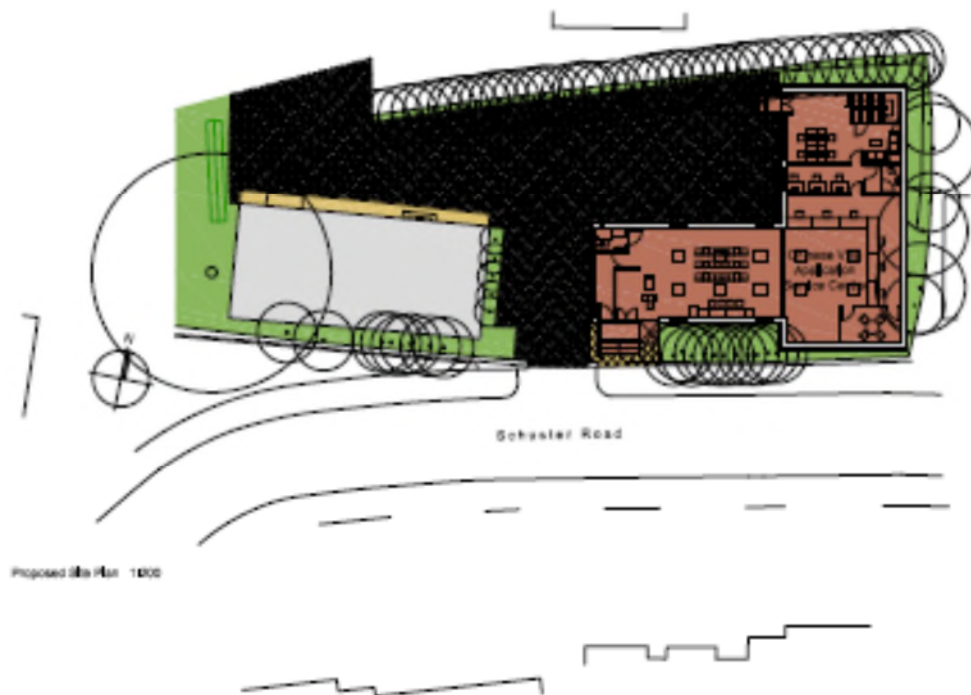
The proportions of the proposed extension reflect those of the existing garage building and the entrance and windows have been introduced into the Schuster Road frontage. Overall it is considered that the design of the proposed extension is acceptable.



## Schuster Road Elevation

### Siting

By locating the proposed extension parallel to Schuster Road and providing the entrance and windows in road frontage the garage achieves a relationship to the road that is currently missing. Whilst the location of parking and refuse storage to the rear of the property ensure that these do not detract from the visual amenity and character of the area. On balance it is considered that siting of the extension is acceptable.



### Residential Amenity

The proposed use of the garage will involve the relocation of activity that is already carried out elsewhere on the site to a new improved facility. There are no new staff and visitors to the site will remain the same. This activity is all part of the lawful use of



the site as a consulate. The principle change being that the comings and goings associated with the visa function of the consulate will be directed towards Schuster Road.

The proposed extension will be approximately 20 metres from the front elevation of properties facing the site across Schuster Road. In view of the space between the properties it is considered that there will be no privacy issues.

The proposed extension is to the north of properties on Schuster Road and separated by the carriageway. The house to the north of the extension would be 13 metres away. It is considered that it is therefore unlikely that there would be any overshadowing of the adjoining properties. There is the potential for a loss of amenity arising from the comings and goings to the premises by visiting members of the public. However, the times when the premises are available to the public are limited to weekdays and then for only four hours a day, between 9.00 am and noon and 3.00pm and 4.00pm Monday to Friday. It is considered that there would only be limited scope for a loss of amenity from any comings and goings by the public.

In terms of visual amenity the outlook of the properties facing the site would change significantly. The properties originally faced a line of Leylandii which were excessively high and are not a native species. This view will be replaced by a new building, and new tree planting of species more appropriate to the location. In planning there is no right to a view and it is considered that the proposed building and tree planting would not be injurious to the visual amenity of residents.

On balance it is considered that there will be no significant loss of amenity in respect of the proposed development.

#### Car parking

The proposed development results in the loss of three of the six parking spaces currently available within this part of the site, there being parking available elsewhere within the site. The applicant has indicated that most staff live close to the premises and therefore there is little or no demand for staff parking. There are no specific standards within the Core Strategy for sui generis uses and therefore it is considered that the three spaces are adequate to meet the needs of staff parking. However, it is considered prudent to request the applicant submit a travel plan for the development to encourage staff to use alternative modes of transport.

With regard to parking for visiting members of the public the consulate has a frontage to Schuster Road that is approximately 36 metres long and there are no parking restriction along this length of road, which would be the equivalent of 6 parking spaces. It is considered that given the limited periods that the premises are open to the public any demand can be adequately accommodated on street.

As previously stated this is an existing activity that is relocating from elsewhere on the site. On balance it is considered that the small increase in floor space will not impact significantly on the level of activity.

On balance it is considered that the proposed parking is acceptable for the development proposed.

#### Cycle Parking

The scheme provides four cycle spaces for use by staff. Whilst this is considered acceptable for staff purposes it is considered that additional provision should be made for visiting members of the public and an appropriate condition is proposed.

#### Access

The development utilises the existing vehicular access into the site. And this is considered to be an acceptable arrangement. Members of the public arriving at the site will be able to use a new pedestrian access leading directly to the entrance of the building.

Due to the elevated ground floor the proposed development will include a platform lift adjacent to the entrance to the building.

On balance the proposed access arrangements are acceptable.

#### Hours of operation

Whilst the offices would operate a normal working day the services would only be available for a limited period namely 9.00am to noon Monday to Friday and for a further hour between 3.00pm and 4 pm for those who require finger printing. Environmental health have raised no issues with these hours, which would due to their limited extent, ensure that the numbers of people visiting the premises is limited and that impact is restricted to times when many will be out at work. On balance the proposed operating hours are considered to be acceptable. It is considered that the opening times to members of the public accord with Core Strategy policy DM1

#### Impact on the setting of the Listed Building.

The Consular Building is a large detached villa offset to one side of a large expanse of parkland. The property fronts Denison Road from which it takes its principle access. The existing garage is located at the rear of the site on a spur of land that is adjoined on three sides by residential properties. The whole of this area is currently tarmac, although there are trees around the perimeter. Given the poor quality of this land and there being no direct line of sight between the garage and its proposed extension and the existing listed building it is considered that the proposed development will not adversely impact on the setting of the Listed Building. On balance therefore it is considered that the proposed development will not have a significant impact on the setting of the listed building and that the development therefore accords with Core Strategy policy EN3 and saved Unitary Development

#### Impact on the Character of the Conservation Area

The Victoria Park Conservation Area lies three kilometres to the south of the City Centre and was designated in 1972. Victoria Park was developed in the first half of the 19<sup>th</sup> Century and has over the intervening years been subject to many modern additions. The older houses in Victoria Park tend to be large and 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 of the large old houses in Victoria Park have survived, and whilst a relatively small number of houses from the 1830s and 1840s remain, where properties have been redeveloped 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 as have a significant number of trees. 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 Chinese Consulate is adjoined to the west, south and east by what was the site of the St Vincent De Paul school. Following the closure of the school the site has been redeveloped with large three storey residential properties. This part of the Victoria Park Conservation area is characterised by the large modern three storey residential properties built on the site, however they development lacks the openness of older developments in the Conservation Area. Thus the overarching character of this part of the conservation area is one of large modern residential properties, rather than Victorian houses found elsewhere.

The garage itself is a modern building more in the vernacular of the surrounding houses and the proposed extension retains the character of the existing building. The loss of the non indigenous trees is addressed in the following section, however, the principle of reintroducing more appropriate species to the site is seen as a positive move. The height of the original trees was such that this area was not read as being open space and the projection of the building into this area of hardstanding that fronted the original garage is not considered to harm the character of the conservation area.

Having regard to the tests set down in paragraph 131 of the National Planning Policy Framework it is considered that the proposed extension will not have a negative impact on the on the character and distinctiveness of the Conservation Area and therefore accords with Core Strategy Policy EN3 and saved Unitary Development Plan Policy DC18.

## Trees

The Consulate site is set in half a hectare of parkland that is already well provided with trees. As part of the works already carried out a row of Leylandii along the inside of the perimeter railings. These trees are not indigenous and had grown to an excessive height. Their removal and replacement with five new trees provides an opportunity to plant indigenous species that are appropriate to the conservation area. It is also proposed to investigate planting additional trees. It is proposed to add a condition requiring the approval of the species of trees to be planted and also the investigation of providing additional trees elsewhere on the site.

## Green Blue Infrastructure

It is considered that the replacement of the original Leylandii with more appropriate species of trees accords with the principles of the Green Blue Strategy

## Commencement Prior to obtaining Consent

Concern has been expressed that work has commenced on site in advance of obtaining planning permission. This is not in itself an offense however, any developer doing so does so at their own risk and could incur additional costs should planning permission be refused or the scheme amended.

## Refuse storage

The submitted drawings show a store for refuse and recycling material at the rear of the building. The full details of the store are to be the subject of an appropriate condition, however, the principle of the location is considered acceptable.

## Other issues

Residents have suggested that the premises should be located in a district centre or that they should take access from Denison Road.

Whilst locating the use in a district centre may be more appropriate, there is no such proposal on the table and members have to consider this application on its merits. Permission cannot be refused because it is considered that it would be preferable to locate it elsewhere.

Sadly the security of premises is an important consideration and the proposed development enables the visa service to be isolated from the remainder of the consular activities thus making site security easier. To provide access from Denison Road would adversely impact on the security of the site by allowing free access to the grounds, thus leaving the site vulnerable.

## Conclusion

On balance it is considered that the proposed development subject to the appropriate conditions would make a positive contribution to the Victoria Park Conservation Area whilst not causing significant harm to the amenity of residents

**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 based on seeking solutions to issues arising from consideration of this application. In particular establishing how the premises will function.

**Reason for recommendation**

**Conditions to be attached to the decision**

1) The development hereby approved shall be carried out in accordance with the following drawings and documents:  
9327/001 rev B, 9327/101 rev E, 9327/120 rev A and 9327/125 rev F.

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.

2) The development hereby approved shall be constructed using materials that match those used in the existing garage in terms of size, colour and texture.

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.

3) The premises shall not be open to the public outside the following hours:-  
Monday to Friday 9.00am to noon and 3.00pm to 4.00pm

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

4) Before the development hereby approved is first occupied a Travel Plan 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).

5) Before the development the subject of this permission is first occupied the species of the trees to be planted as part of the development shall be agreed in writing with the City Council. Trees of the approved species will be planted within six months of the date of the approval letter for the species.

Reason

To secure the satisfactory development of the site pursuant to Core Strategy policy DM1 and EN9.

6) Before the development hereby approved is first occupied a scheme for additional tree planting within the wider Consulate site shall be submitted to and approved in writing by the City Council. The approved scheme will be implemented in full within 6 months of the date of the approval letter. 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.

7) No part of the development shall be occupied until space and facilities for bicycle parking for visiting members of the public have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

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

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 117402/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:**

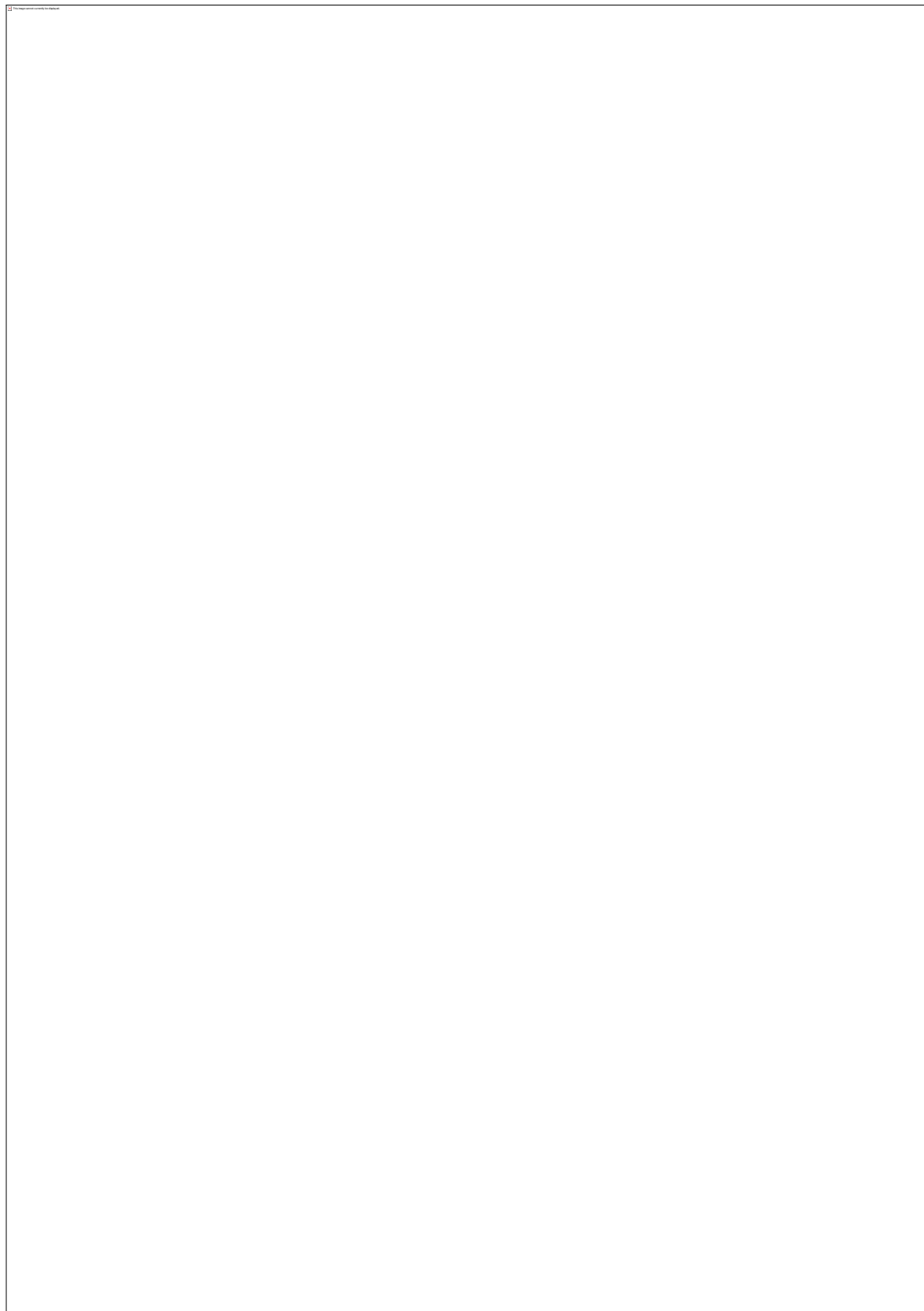
Highway Services  
Environmental Health  
Greater Manchester Police  
Rusholme & Fallowfield Civic Society

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:**

Rusholme and Fallowfield Civic Society  
57, 59, 67 SCHUSTER ROAD,

<b>Relevant Contact Officer :</b>	Dave Morris
<b>Telephone number :</b>	0161 600 7924
<b>Email :</b>	d.morris@manchester.gov.uk



 Application site boundary  Neighbour notification  
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