



Planning and Highways Committee

Date: Thursday, 2 September 2021

Time: 2.00 pm

Venue: Council Chamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Chamber

Public access to the Council Chamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk. **There is no public access from the Lloyd Street entrances of the Extension.**

Face Mask / Track and Trace

Visitors are encouraged to wear a face mask when moving around the building and to provide contact details for track and trace purposes.

Filming and broadcast of the meeting

Meetings of the Planning and Highways Committee are 'webcast'. These meetings are filmed and broadcast live on the Internet. If you attend this meeting you should be aware that you might be filmed and included in that transmission.

Membership of the Planning and Highways Committee

Councillors

Curley (Chair), Shaukat Ali, Andrews, Baker-Smith, Y Dar, Davies, Hutchinson, Kamal, Kirkpatrick, J Lovecy, Lyons, Riasat, Richards and Stogia

Agenda

- 1. Urgent Business**
To consider any items which the Chair has agreed to have submitted as urgent.
- 1a. Supplementary Information on Applications Being Considered**
The report of the Director of Planning, Building Control and Licencing will follow.
- 2. Appeals**
To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.
- 3. Interests**
To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.
- 4. Minutes**
To approve as a correct record the minutes of the meeting held on 29 July 2021. 7 - 18
- 5. 124234/FO/2019 - The Lodge Rear Of Old Town Hall, Lapwing Lane, Manchester, M20 2NR - Didsbury West Ward** 19 - 48
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 6. 124453/LO/2019 - The Lodge Rear Of Old Town Hall, Lapwing Lane, Manchester, M20 2NR - Didsbury West Ward** 49 - 58
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 7. 127769/FH/2020 - 91 Palatine Road, Manchester, M20 3JQ - Didsbury West Ward** 59 - 80
The report of the Director of Planning, Building Control and Licensing is enclosed.
- 8. 124335/JO/2019 - West Didsbury And Chorlton Football Club, Brookburn Road, Manchester, M21 8FE - Chorlton Ward** 81 - 102
The report of the Director of Planning, Building Control and Licensing is enclosed.

9. **129020/FO/2020 - Oakley, 188 Wilmslow Road, Manchester, M14 6LJ - Fallowfield Ward** 103 - 154
The report of the Director of Planning, Building Control and Licensing is enclosed.
10. **130394/FO/2021 & 130395/LO/2021 - Brunswick Place, Bradford Road, Manchester, M40 7EZ - Ancoats & Beswick Ward - to follow**
11. **130515/MO/2021 - Land Off Cringle Road, Manchester - Levenshulme Ward** 155 - 188
The report of the Director of Planning, Building Control and Licensing is enclosed.
12. **129685/FO/2021 - 209 Slade Lane, Manchester, M19 2AE - Levenshulme Ward** 189 - 206
The report of the Director of Planning, Building Control and Licensing is enclosed.

Meeting Procedure

The meeting (and any site visits arising from the meeting) will be conducted in accordance with the relevant provisions of the Council's Constitution, including Part 6 - Section B "Planning Protocol for Members". A copy of the Constitution is available from the Council's website at <https://democracy.manchester.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13279>

At the beginning of the meeting the Chair will state if there any applications which the Chair is proposing should not be considered. This may be in response to a request by the applicant for the application to be deferred, or from officers wishing to have further discussions, or requests for a site visit. The Committee will decide whether to agree to the deferral. If deferred, an application will not be considered any further.

The Chair will explain to members of the public how the meeting will be conducted, as follows:

1. The Planning Officer will advise the meeting of any late representations that have been received since the report was written.
2. The officer will state at this stage if the recommendation of the Head of Planning in the printed report has changed.
3. ONE objector will be allowed to speak for up to 4 minutes. If a number of objectors wish to make representations on the same item, the Chair will invite them to nominate a spokesperson.
4. The Applicant, Agent or their representative will be allowed to speak for up to 4 minutes.
5. Members of the Council not on the Planning and Highways Committee will be able to speak.
6. Members of the Planning and Highways Committee will be able to question the planning officer and respond to issues that have been raised. The representative of the Highways Services or the City Solicitor as appropriate may also respond to comments made.

Only members of the Planning and Highways Committee may ask questions relevant to the application of the officers. All other interested parties make statements only. The Committee having heard all the contributions will determine the application. The Committee's decision will in most cases be taken under delegated powers and will therefore be a final decision.

If the Committee decides it is minded to refuse an application, they must request the Head of Planning to consider its reasons for refusal and report back to the next meeting as to whether there were relevant planning considerations that could reasonably sustain a decision to be minded to refuse.

External participation in the Committee's online meetings

Nominated representatives can continue to request to speak at the committee (only one person will normally be allowed to speak for and against an application). If you wish to nominate someone (including yourself) to speak, please contact <mailto:gssu@manchester.gov.uk> before 10am two days before the scheduled committee meeting (that will normally be before 10am on the Tuesday). You will need to provide:

- Name and contact details of the registered speaker (an email address will be required, in order that the speaker can be invited to join the meeting)
- Description and planning reference number of the matter on which they wish to speak
- If you want to speak in support or as an objector

Only one person can speak for or against any application. Please note that the applicant or an appointed agent will normally speak on their application, so you are unlikely to be able to speak in support of it. If there is more than one nomination to speak against an application, the person whose nomination was received first by the Council will be given that position.

Information about the Committee

The Council has delegated to the Planning and Highways Committee authority to determine planning applications, however, in exceptional circumstances the Committee may decide not to exercise its delegation in relation to a specific application but to make recommendations to the full Council.

It is the Council's policy to consult people as fully as possible before making decisions that affect them. Members of the public do not have a right to speak at meetings but the Committee will usually allow applicants and objectors to address them for up to four minutes. If you have a special interest in an item on the agenda and want to speak, tell the Committee Officer, who will pass on your request to the Chair. Groups of people will usually be asked to nominate a spokesperson.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Joanne Roney OBE
Chief Executive
Level 3, Town Hall Extension,
Albert Square,
Manchester, M60 2LA

Further Information

For help, advice and information about this meeting please contact the Committee Officer:
Ian Hinton-Smith
Tel: 0161 234 3043
Email: ian.hinton-smith@manchester.gov.uk

This agenda was issued on **Tuesday, 24 August 2021** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

Planning and Highways Committee

Minutes of the meeting held on Thursday, 29 July 2021

Present: Councillor Curley (Chair)

Councillors: Shaukat Ali, Andrews, Y Dar, Davies, Hutchinson, Kamal, Lyons, Riasat, Richards and Stogia

Apologies:

Councillors Baker-Smith, Kirkpatrick and Lovecy

Also present:

Councillors Igbon, Strong and Wright

PH/21/44 National Planning Policy Framework - Update

The Director of Planning reported that the National Planning Policy Framework had been updated on 20 July 2021. Following a review of the changes made to the Framework, it was concluded that there would not be any amendments to planning applications or recommendations to be considered by the Committee.

PH/21/45 Supplementary Information on Applications Being Considered

A copy of the late representations received had been circulated in advance of the meeting regarding applications 129327/FO/2021, 129324/LO/2021, 128191/FO/2020, 130356/FO/2021, 130357/LO/2021, 129923/FO/2021, 129924/LO/2021 and 124335/JO/2019.

Decision

To receive and note the late representations.

PH/21/46 Minutes

Decision

To approve the minutes of the meeting held on 1 July 2021 as a correct record.

PH/21/47 129327/FO/2021 129324/LO/202159 - 61 George Leigh Street, Manchester, M4 5DR - Ancoats and Beswick Ward

The application is for a change of use of a vacant unit to a bistro and associated internal and external alterations, including the installation of a retractable awning as well as the provision of an outside seating area. The application relates to a vacant corner unit at the junction of George Leigh Street and Sherratt Street. The shop front is currently boarded up to prevent vandalism and unauthorised access. The property comprises ground and basement accommodation. Original timber shop front and

doors are in situ along with other decorative internal and external features such as wood block flooring, cast iron columns, raised bench display window and terracotta.

The Planning Officer addressed the Committee on the application stating that a further five objections to the proposal had been received from residents. Members of the Committee were advised that the City Council has an interest in the site concerned as landowner and were reminded that this status must be disregarded and to exercise their duty as Local Planning Authority only. An amendment was also proposed to Condition 9 of the report to restrict amplified sound both internally and externally. An additional condition had been added within the late representations report for a condition to require that all windows and doors are to be shut from 19:00 onwards (daily) to reduce noise breakout.

A spokesperson representing objectors to the application addressed the Committee and summarised the list of objections to the application. Reference was made to the opening of the vacant unit as positive move for the area, however a wine bar was not considered an appropriate use for the unit, due to the negative impact that noise from the premises would have on residents who reside above the premises and the importance of protecting the character of Victoria Square. The Committee was informed that windows have to be left open by some residents due to the heating within the building that cannot be controlled by residents.

The applicant's agent addressed the Committee on the application.

The Planning Officer reported that there are other commercial units within Victoria Square building that include café uses. The unit had been vacant for a number of years and mitigation had been included in the report to protect the interests of residents including noise level reduction.

The Chair invited the Committee to ask questions and comment on the application.

A member of the Committee made reference to the history of Victoria Square and the importance of protecting the interests of current and future residents. The mitigation within the report referred in the main to the night time and not during the day when residents would have windows open and may be disturbed. Concern was also expressed on the disruption that maybe created by the external seating area.

The Planning Officer responded to the points raised stating that the unit is considered to be a low-key usage proposal and the mitigation proposed would adequately address noise. Also, Condition 10 would require the business to operate a dispersal programme for patrons.

A member of the Committee referred to the importance of ensuring that patrons using the outside element of the business, did not disturb residents in view of the need for windows to be left open.

The Planning Officer reported that the external management arrangements proposed were the same for licensed premises within the Ancoats area.

A member of the Committee referred to the heritage of Victoria Square and noted the length of time the unit has been left empty. Officers were asked to clarify the Ancoats and New Islington Neighbourhood Development Framework (NDF) and the 11pm time limit for premises opening. Reference was also made to the close proximity of the external seating area to the resident entrance to Victoria Square and officers were asked if consideration had been given to the possibility of shielding the entrance.

The Committee was advised that the NDF had been revised to ensure that licensing and planning considerations work in parallel with each other and following the revision of the arrangements, opening times of licensed premises in Ancoats and New Islington were made the same and are as detailed in the report. In response to a potential conflict of the seating area and the entrance to Victoria Square, the Committee was advised that an additional condition could be included for a screen to be installed between the entrance and the external seating area of the premises.

Councillor Andrews moved the recommendation for the Committee to Approve the application subject the conditions within the report and the amendment to Condition 9 and the additional conditions as outlined in the late representation report and inclusion of a condition for the installation of a screen between the seating area and entrance to Victoria Square. Councillor Richards seconded the proposal.

Decision

The Committee agreed the application, subject to the conditions included in the report, the amendment to Condition 9 and the additional conditions as outlined in the late representation report and inclusion of a condition for the installation of a screen/barrier between the premises seating area and entrance to Victoria Square.

PH/21/48 130627/FO/2021 - Land at Poland Street Manchester, M4 6BR - Ancoats and Beswick Ward

The application relates to the erection of an 8 storey building to form Mobility Hub including ground floor commercial unit (Use Class E(b)) (221 sqm), delivery hub, 150 cycle spaces and 408 car parking spaces with associated landscaping, access and other associated works following demolition of existing structures. The Mobility Hub would provide a key piece of infrastructure to support the new homes and population growth in this new neighbourhood. Located close to existing public transport, walking and cycle routes, the proposal would offer alternatives to owning a car with car club and car share facilities on offer together with access to 150 cycle spaces and e-bikes. The car parking provision would avoid the need for individual developments in the area have to accommodate car parking. In order to support shift away from petrol diesel cars, 25% electric car charging would be available on first use with the intention to increase this to 100%. A new delivery hub would consolidate delivery arrangement in the area. The effect of this would to minimise car journeys through the Ancoats neighbourhood and make the surrounding streets pedestrian and cyclist friendly with active frontages.

The Planning Officer addressed the Committee on the application and advised that the application is part of a package of applications being considered at the meeting (130354/FO/2021, 130356/FO/2021, 130357/LO/2021 and 130390/FO/2021) and should be considered together as part of a Neighbourhood Development Framework. In considering each proposal the Committee was reminded that each application must be considered and voted on individually. The Committee was provided with an update from the late representations report including an amendment to Condition 21 of the report, an amendment relating to deliveries between 7.30am to 7.00am and an additional condition relating to the management strategy for resident and commuter parking arrangements.

An objector spoke against the application. It was stated that the proposal is a large car park and there are concerns on the proximity of the development to Ancoats Green. It was not considered the Mobility Hub is helpful for mobility and did not link up to any existing sustainable transport schemes. Car parking is already available at buildings across the Ancoats area. Air pollution would increase and the scheme did not help to reduce it. Section 106 payments needed to be collected from Manchester Life for the introduction of road safety schemes and consultation is required with residents on parking schemes.

The applicant's agent addressed the Committee on the application.

The Planning Officer reported that the report provides information and addresses the points raised. The proposal is a new concept and will provide parking for the community and is not just a car park. A transport plan is included and future connection is possible with mobility schemes. There would be a £200,000 landscaping strategy for the area and parking enforcement would be part of this.

The Chair invited the Committee to ask questions and comment on the application.

Members referred to the 408 parking spaces and how they were calculated and were they for residents. Reference was also made on changes to be introduced to the way residents live within the city centre and the move away from car use and the consideration of the mobility hub and the wider Ancoats area. Officers were asked if the hub could be developed for other uses if required.

It was reported that the spaces had been proposed based on expected need and it was expected that residents living in the city centre would be less likely to own a car. It was anticipated that commuter requirements for parking would reduce over time and this would be managed and will allow further resident parking. The scheme will also have little impact on air quality issues. It was expected that there is need for a parking hub but could be repurposed if required.

Councillor Andrews moved the recommendation to approve the application subject the conditions in the report submitted, the additional condition and the amended Condition 21 as referred to in the late representation report and the amendment to deliveries to allow deliveries between 7.30am to 7.00am. Councillor Riasat seconded the proposal.

Decision

The Committee agreed the application as detailed in the report submitted and subject to the conditions outlined and subject to the additional condition regarding car park management, the amendment to Condition 21 as referred to in the late representation report and the amendment to deliveries to allow deliveries between 7.30am to 7.00am .

(Councillor Hutchinson took no part in the consideration of vote on the application.)

PH/21/49 130354/FO/2021 - Land on The Corner of Poland Street and Jersey Street, Manchester, M4 6JW - Ancoats and Beswick Ward

The application related to 118 residential apartments and ground floor commercial floorspace (Class E) in an 8 storey building with hard and soft landscaping. This development would be one of the first residential developments in the Poland Street Zone alongside the Mobility Hub which would bring forward the infrastructure to support the new homes and population growth in this new neighbourhood. The proposal would provide one, two and three bedroom accommodation which meet the Council's space standards. The development would be car free and have an intrinsic link to the Hub. Two bays for disabled people would be provided on site and would be fitted with an electric car charging point. Active street frontages would be provided by commercial units as well as the provision of street trees

The Planning Officer added nothing further to the report submitted.

An objector spoke against the application. Reference was made to Section 106 payments for Eliza Yard, illegal and fly parking. Affordable housing is welcomed but not at the expense of building it on green space.

The applicant's agent addressed the Committee on the application.

The Planning Officer reported that the viability of the scheme had been tested and verified. Parking issues will be addressed with the landscape strategy.

A member asked how many affordable homes would be included in the application.

The Planning Officer reported that the affordable housing is 49% of the three linked developments.

Councillor Andrews moved the officer's recommendation of Approve for the application, subject to legal agreement. Councillor Richards seconded the proposal.

Decision

The Committee agreed the application as detailed in the report submitted, subject to the conditions included.

(Councillor Hutchinson declared a prejudicial interest and left the meeting and took no part in the consideration or the decision made on the application.)

PH/21/50 130356/FO/2021 and 130357/LO/2021 - Ancoats Dispensary Old Mill Street, Manchester, M4 6EB - Ancoats and Beswick Ward

The planning application relates to the creation of 39 residential apartments (Use Class C3a) within retained and refurbished facades of the former Ancoats Dispensary Building facilitated by partial demolition works and the erection of a ground plus 5 storey extension, re-instatement of the central tower, removal of the entrance steps and lowering of the ground floor together with associated external cycle and bin store, boundary treatment and other associated works. There is an application for Listed Building Consent for the creation of 39 residential apartments (Use Class C3a) within retained and refurbished facades of the former Ancoats Dispensary Building facilitated by partial demolition works and the erection of a ground plus 5 storey extension, re-instatement of the central tower, removal of the entrance steps and lowering of the ground floor together with associated external cycle and bin store, boundary treatment and other associated works

A member of the Committee requested a deferral of this item until the Committee's previous decision of Mind to Refuse had been assessed by the Secretary of State.

The Planning Officer provided an update on the application and informed the Committee that the report makes a recommendation of Mind to Approve in respect of planning application 130356/FO/2021. As there is no requirement to refer the decision of the Local Planning Authority to the Secretary of State, the recommendation had been amended to Approve. The Committee was advised that the report submitted refers to affordable housing, reference is made to 'social rent', this had been amended to 'affordable rent'.

An objector spoke against the application. Reference was made to criteria and definition of affordable housing in view of differing definitions currently used and if the definition is considered to be acceptable by the Committee.

The applicant's agent addressed the Committee on the application.

The Planning Officer advised the Committee that the proposal meets the MPPF definition of affordable rent.

Councillor Shaukat Ali moved the recommendation of Approve for application 130356/FO/2021 and Approve for application 130357/LO/2021. Councillor Riasat seconded the proposal.

Decision

The Committee approved application 130356/FO/2021 and approved application for Listed Building Consent 130357/LO/2021.

(Councillor Hutchinson declared a prejudicial interest and left the meeting and took no part in the consideration or the decision made on the application.)

PH/21/51 130390/FO/2021 - Land at Downley Drive, Manchester, M4 6BW - Ancoats and Beswick Ward

The application relates to the erection of 23, 3 storey dwellinghouses (Use Class C3a) and the erection of a 4 storey building to form 45 residential apartments (Use Class C3a) (68 new homes in total) with associated car and cycle parking provision, hard and soft landscaping, access, servicing, and other associated works. The Planning Officer stated that the frequency of the markets operations had previously increased but had now returned to regular trading days. The proposal is for 68 affordable homes within a mixture of tenures. 23, houses would be for affordable rent and shared ownership (11 and 12 respectively) whilst all 45 apartments would be for social rent.

The Planning Officer did not add anything further to the report submitted.

An objector spoke against the application and requested that Committee to seek 106 contributions from developers for parking schemes and road improvements. Concern was expressed that the affordable housing proposed is to be built on existing green space.

The applicant's agent addressed the Committee on the application.

The Planning Officer reported that the site is a brownfield site and had been subject to previous development and had been previously identified for regeneration. There is 100% onsite parking for town houses and 47% for apartments. There are improvements to the public realm as detailed in Condition 23 including footway improvement, tree planting and road schemes.

The Chair invited the Committee to ask questions and comment on the application.

A member referred to onsite affordable housing and the inclusion of section 106 contributions.

The Committee was advised that the scheme provides 100% affordable housing and as the Council has a land interest, this would be held in perpetuity and there would not be a section 106 included. There is a package of public realm works to be included in the scheme.

Councillor Andrews moved the recommendation of Approve the application.
Councillor Richards seconded the proposal.

Decision

The Committee agreed the application as detailed in the report submitted and subject to the conditions included.

PH/21/52 129273/FO/2021 - 34 Great Jackson Street, Manchester M15 4NG - Deansgate Ward

The application related to the demolition of existing structures and the construction of two residential buildings of 56 storeys (plus basement and roof plant) (use class C3), with ground floor commercial uses (use class E), car parking, cycle provision,

landscaping, access and other associated works. The proposal is for 1037 residential units in two 56 storey towers. There would be public and private amenity space, 236 parking spaces, 1040 internal cycle spaces and 40 visitor cycle spaces.

The Planning Officer made no further comments to the report submitted.

The applicant's agent addressed the Committee on the application.

The Chair invited the Committee to ask questions and comment on the application.

A member welcomed the application and commented on the proposed new access to Hulme Park. Reference was made to the height of the proposed towers but it was noted that the number of towers had been reduced and they would provide additional homes.

The Planning Officer reported that the access to Hulme footbridge will be an improvement to the existing access provision. The height increase of the towers and the increase in the number of homes was noted. The Committee was informed that the profit level of the developer is 10%, however the scheme is as a positive way forward for the area that is in need of development to compliment other local development schemes.

A member referred to the removal of existing trees and asked if the trees proposed would be planted in similar locations to ensure they are planted in the ground and not planters. It was reported that the proposal would look to plant as many trees as possible in the ground.

Councillor Shaukat Ali moved the recommendation of Minded to Approve the application, subject to a legal agreement for a financial contribution towards off site affordable housing. Councillor Stogia seconded the proposal.

Decision

The Committee was Minded to Approve the application, subject to a legal agreement for a financial contribution towards off site affordable housing.

(Councillor Andrews took no part in the consideration or the decision made on the application.)

PH/21/53 129923/FO/2021 and 129924/LO/2021 - Land Bound by the River Medlock, Bridgewater Canal, Hulme Lock Branch Canal and Egerton Street, Manchester, M15 4LE - Hulme Ward

Application 129923/FO/2021 related to a full planning permission for the creation of the Embassy Village (Sui Generis) comprising 40 single-occupancy residential accommodation pods; a site reception pod; a flexible multi use 'Village Hall' providing internal amenity space, and a staff accommodation pod, four car parking spaces and cycle parking provision; soft and hard landscaping; drainage arrangements; servicing and access arrangements; and other associated works.

Application 129924/LO/2021 related to Listed Building Consent for the installation of drainage infrastructure adjacent to and within the canal wall.

The Planning Officer reminded the Committee there were two recommendations for consideration relating to the proposed development and Listed Building Consent. The late representation report included an amendment to the recommendation for planning permission to move from a temporary approval to a permanent approval. The Committee was advised that all of the supporting information contained within the report was based on the application being a permanent facility.

No objector to the application attended the meeting.

The applicant's agent addressed the Committee on the application.

Councillor Igbon and Councillor Wright attended the meeting and addressed the Committee on the application. The Committee was informed that following initial concerns over the proposal, the subsequent consultations with the developer had answered the majority of the questions and concerns of local residents and elected members. The proposal has been welcomed for the support of homeless men and is located in an appropriate location.

The Chair invited the Committee to ask questions and comment on the application.

A member welcomed the application, the funding of the scheme and the triage process the residents of the accommodation would be involved with. The sustainability of the scheme was questioned and if the scheme is successful would there be a move towards another section of people who need support also.

The Planning Officer reported that the nature of the provision may change, Condition 25 addressed the possible change through a management strategy. Triage provision will look to address clients at different stages and that may be via other agencies. Consultation would be on going with residents and councillors. The facility is being provided in a unique setting where the cost is financially viable and sustainable.

Councillor Andrews moved the recommendation of Approve application 129923/FO/2021 for permanent planning permission (as amended) and to approve application 129924/LO/2021 for Listed Building Consent. Councillor Stogia seconded the proposal.

Decision

The Committee agreed to Approve application 129923/FO/2021 for permanent planning permission (as amended) subject to the conditions detailed in the report submitted and to approve application 129924/LO/2021 for Listed Building Consent

(Councillor Richards declared a prejudicial interest in the application and left the meeting and took no part in the consideration or the decision made on the application.)

**PH/21/54 129127/FO/2021 - Phoenix House, 17 Ellesmere Street,
Manchester, M15 4JY - Hulme Ward**

The application related to Demolition of the existing building on the site and the erection of a residential-led mixed use development within a part 11, part 13 storey building to accommodate 237 residential units (80 no. 1-bed apartments, 134 no. 2-bed apartments and 23 no. 2-bed townhouses - Use Class C3), 338 sq. m. of commercial floorspace (Use Class E), car parking (11 spaces) and cycle parking (237 spaces) at ground floor level, new public realm and landscaping, access and servicing arrangements and associated works.

The Planning Officer did not add anything further to the report submitted.

There was no objector present.

The applicant's agent addressed the Committee on the application.

Councillor Wright addressed the Committee on the application. The Committee was reminded of the ongoing developments in this area of Hulme and of concerns raised regarding the need to create a community, the lack of affordable housing and commercial units to benefit the area and the need to include outward facing homes to provide natural surveillance. It was acknowledged that further building would be forthcoming to complete the development of the area and it was important for the developer to continue to listen to local residents. Tree planting is an issue and management strategy for planting was required.

Councillor Igbon welcomed the application and informed the Committee that a positive relationship had been developed with the developer that had helped to provide changes in line with local opinion through consultation. The developer had become embedded within the community and will also act as lead partner for the Hulme Climate Change Agency.

The Chair invited the Committee to ask questions and comment on the application.

A member expressed concern on the low level of contribution for S106 by the developer in view of the scale of the proposal.

The Planning Officer reported that affordable housing had been tested but did not provide a large enough profit (13.22%). A £250,000 is the appropriate level of contribution in view of the provide level for the scheme. This would be tested at a later stage and would be subject to reconciliation process if rent and sales are in excess of the construction costs.

Councillor Stoiga moved the recommendation of Minded to Approve, subject to S106 agreement for a commuted sum for Off Site Affordable Housing. Councillor Richards seconded the proposal.

Decision

The Committee agreed the recommendation of Minded to Approve, subject to S106 agreement for a commuted sum for Off Site Affordable Housing.

(Councillor Lyons took no part in the consideration or the decision made on the application.)

**PH/21/55 124335/JO/2019 - West Didsbury and Chorlton Football Club,
Brookburn Road, Manchester, M21 8FE - Chorlton Ward**

The application related to vary part b of Condition 3 attached to Decision Notice Reference 093164/FO/2010/S1 to have the floodlights operational for 24 occasions, in each period between 1 August and 31 May (relating to a football season) between the hours of 7pm and 10pm on weekdays. This application seeks to increase the number of times the existing floodlights at the West Didsbury and Chorlton AFC site on Brookburn Road can be used on week days from 12 occasions to 24 occasions during the football season (1 August to 31 May). The site is within the Chorltonville Conservation Area as well as the Mersey Valley which is part of the Greater Manchester Green Belt.

The Planning Officer reported that two additional comments had been received requesting the Committee agree to make a site visit.

An objector spoke against the application and stated that the report provided poor justification for the proposal other than the expansion of the football club. The local residents are concerned on the impact the football club going into tier 4 will have on them. The key issue is the nature of the noise and the language used by fans during matches and the close proximity of residential properties. Concern was expressed on the zoning given to the site and this should be reconsidered. The number of matches and teams associated with the club that is referred to in the report is irrelevant. The club has grown from being an amateur side and was now semi-professional. The proposal will cause additional noise and distress to local residents. A site visit was therefore requested.

The applicant's agent addressed the Committee on the application.

Councillor Strong addressed the Committee on the application and stated that he was not opposing the football club because it provides benefits to the local community. There are concerns and these are light pollution close to residential houses, the increase in attendances as a result of the level of football played in tier 4 and the level of noise that will generate is a great concern, as did the movement of those attending matches. The increase in the footprint of the club is also a concern together with the level of consultation with local residents and the number of low level breaches of planning conditions that have taken place and have an impact on the local residents. A site visit was requested.

The Chair invited the Committee to ask questions and comment on the application.

Councillor Davies proposed that the Committee undertake a site visit to visualise the site. Councillor Andrews seconded the proposal.

Decision

To agree to defer consideration of the planning application to allow a site visit to be carried out by the members of the Committee.

Application Number	Date of Appln	Committee Date	Ward
124234/FO/2019	8 Aug 2019	2 Sept 2021	Didsbury West

Proposal Erection of a two storey office building and associated car parking following the demolition of the existing building

Location The Lodge Rear Of Old Town Hall, Lapwing Lane, Manchester, M20 2NR

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Description

This application relates to The Lodge, a single storey detached building located at the rear of the former Withington Town Hall (now referred to as the Old Town Hall) on Lapwing Lane. The Old Town Hall is a Grade II listed building. The Lodge is located within the Albert Park Conservation Area. The Lodge is currently used as a store, in association with the office uses within the Old Town Hall, but it is believed to have originally been the gate lodge to the Corporation Yard that existed where there is now residential properties. The Lodge is accessed directly off Raleigh Close, a short cul-de sac off Lapwing Lane.

To the north of The Lodge there is a small car parking area and beyond that stands the Old Town Hall, a Grade II listed building dating from the 1880-90s. To the west there are a number of semi-detached properties, namely nos. 1 and 3 Old Lansdowne Road, while to the south stands nos. 2 to 10 Raleigh Close. To the east, on the opposite side of Raleigh Close, stands nos. 1 to 5 Raleigh Close. The location of The Lodge is shown below:



The applicant is proposing to demolish the single storey Lodge and replace it with a 2 storey building that would provide meeting and storage facilities for the existing solicitors' office that operates out of the Old Town Hall. At present there are approximately 10 parking spaces located between the Lodge and the Old Town Hall, the proposal would result in two of the spaces being lost to facilitate the development.

Originally the applicant proposed a 3 storey replacement building, that occupied a greater footprint, but following concerns about its impact the application was amended to that now before the Committee.

A Listed Building Consent application (ref. 124453/LO/2019) for the demolition of the Lodge is also on this agenda.

Consultations

Local Residents – 19 letters have been received from local residents, five of which were received as part of the reconsultation on the revised proposal. The comments are summarised below:

- The proposal would lead to an increase in car parking associated with the occupants of the Old Town Hall offices. Parking on the street is already oversubscribed with cars parked on both corners of the junction of Raleigh Close and Lapwing making access to and from Raleigh Close potentially hazardous. A reduction in parking spaces would exacerbate the existing problems and have a detrimental impact on pedestrian and highway safety.
- The proposal would lead to an increase in noise and activity that would have a detrimental impact upon the levels of residential amenity enjoyed by the occupants of Raleigh Close.
- Controls over the new building might be limited, resulting in its use by third parties, bringing disamenity to the area.
- As the proposal is higher than the existing store it will lead to a reduction in light levels and potential privacy enjoyed by the residents of Raleigh Close.

- Windows in the side elevation of the proposed building would overlook a number of dwellings on Raleigh Close.
- The south west elevation is more befitting of a factory and is not suitable for a residential street, particularly in such close proximity to residential properties.
- The front façade should be redesigned, reducing the glazing overall and increase the brick/stonework to a more considered and decorative design reflecting the existing property.

Ward Councillors – An objection has been received from Cllr Hilal:

- The residents refer to the inaccuracies in the traffic and access plans and the likely impact of the proposals on the residents and surrounding areas. Raleigh Close is managed by a private management company, it is a private road which is not publicly managed or maintained it is the sole responsibility of the management company and maintained by service charge contributions from the residents.
- The applicant makes no contribution to the upkeep of the road or the surrounding footpaths. It appears they have been notified Raleigh Close is a private road but persist in using the road as a car park.
- It is understood that the proposed development is 3 storeys high with large windows facing directly into houses, therefore, resulting in a lack of privacy for the residents.
- Raleigh Close is a very pleasant development of houses and flats, the road is well maintained by the residents, accordingly the concerns of local residents are shared.

An objection has been received from Cllr Leech:

- How can a planning application be approved that cuts the number of available parking spaces, when by the applicant's own admission, there are already not enough parking spaces for the number of cars, and this application will reduce the number of space from 15 to 13.
- It is fanciful to suggest that 16% of people would start to cycle to work if this application were to be approved, and even if they did, there would still be significantly less parking that required for an office development of this size.

West Didsbury Residents Association (WDRA) – WDRA have made the following comments:

- The new modernist office would be stylistically distinct from that of the late 19th century of the Old Town Hall, while its lines and roof treatment continue to reference and complement those of the Old Town Hall. The application goes to some length to assert the new office's subordination to the Town Hall, whilst acknowledging the lines and forms of that building. While the design and detailing features of the new building would hopefully be of appropriately high quality it remains inescapable that the amended proposal would be considerably higher and have a larger footprint than the present Lodge. While admittedly retaining some characteristics of subordination to the Old Town Hall, the very fact of the increase in size and footprint would continue to be a significant change to the setting of the listed Old Town Hall. Both available views of the Old Town Hall as well as views out from the building itself would be significantly changed.
- The architectural styling would on balance be visually appropriate for a building within a Conservation Area and for the relationship with the listed Old Town Hall.
- In considering parking availability it is necessary to treat the entire application site as a single unit. There appear to be 4 existing off-street parking spaces along the front of the Old Town Hall plus 2 spaces accessible via gate from Lapwing Lane at the right-hand wall of the Old Town Hall. Additionally, proposed are 8 fully sized rear yard spaces including a single disabled parking space. Thus, the total number of proposed parking spaces available to serve both Old Town Hall and the applicant building would be 14. The travel plan acknowledges that the restricted site cannot provide parking spaces for the 32 cars that arrive each day and attempts to make a convincing argument that the new building would give rise to no additional building users, as well as outlining proposals to reduce daily car usage. WDRA are sceptical as to whether assurances of no additional staff can be relied upon.
- WDRA take the view that the physical appearance of the proposed new building would have a neutral effect upon the wider Conservation Area setting, improving amenity for some but worsening it for others. However, for the reasons outlined above we fear that it may well be the case that the present Old Town Hall demand for on-street parking might be exacerbated were any additional occupancy of the two buildings to come about. Surrounding residents are already well aware of the negative impact on the quality of their day to day life of excess demand for street parking. Any further increase in demand would not be acceptable.
- It is the view of WDRA that while there are positive aspects to this proposal, the failure to effectively manage either present or potential car use by staff and visitors renders the whole project untenable.
- WDRA object to the proposal on the following grounds:
 - a) grounds of lack of any additional off-street car parking provision, leading to likely increase in trespass on private land together with further unacceptable increase in demand for public street parking.
 - b) potential loss of neighbour amenity arising from large areas of opening lights. possible loss of neighbour amenity due to increase in building height and footprint.

However, in the event that the Planning Committee wish to approve the development they request that they visit the site before doing so and seek the inclusion of conditions limiting the occupancy to 45 people, production of an acoustic survey and the inclusion of a minimum of 2 electric car charging points.

Manchester Conservation Areas and Historic Buildings Panel – The Panel accepted the principle of removing the existing structure given the modern interventions. They considered it to be of little significance and its loss would not damage the Old Town Hall. The Panel felt the proposed building was appropriate in terms of its size, scale and massing and fitted in with the buildings in the surrounding area. They expressed some minor concerns around the proposed glazed treatment and it was suggested that additional banding could strengthen the openings.

Highway Services – Given the following, Highway Services have confirmed they can support the application:

- The revised parking layout shows that the bays to the front and side of the development are unaffected by the proposals.
- To the rear, two accessible bays are provided and the existing, non-compliant bays reconfigured so that they are to the required specification.
- An electric vehicle charge point is being provided and it is recommended that this is a minimum of 7kW.
- It has been confirmed by the applicant that staff numbers will not be increasing as a result of the development. It is therefore considered that the number of associated vehicle trips will be similar to existing.
- Confirmation has been provided that the developer has a right of way to access the rear courtyard.
- The applicant has provided a commitment that tactile paving will be installed across the Lapwing Lane access (at Raleigh Close) on the public highway. A S278 agreement will be required for alterations to the highway for which the developer will be required to fund in full.
- It has been confirmed that ten secure cycle storage spaces are being provided.
- It has been confirmed that refuse collection will take place from Lapwing Lane and that site management will be responsible for transporting the bins to/from the storage area to a point adjacent to Lapwing Lane on collection days.

Environmental Health – Suggests the imposition of a number of conditions designed to protect amenity and prevent pollution, namely acoustic insulation, refuse storage and contaminated land remediation.

Greater Manchester Police (GMP) – GMP have no objection to the proposed layout and requests that a number of security features are incorporated into the proposal.

Greater Manchester Ecology Unit (GMEU) – GMEU have confirmed that there are no significant ecological issues associated with this development:

- The building was assessed for bat roosting potential by a suitably experienced bat consultant. No evidence of bats was found and the building assessed as having negligible bat roosting potential. As individual bats can turn up in unexpected locations GMEU recommend an informative reminding the applicant of their legal obligations. In addition, as the bat assessment is becoming dated an additional condition is requested which requires another to be undertaken if the demolition does not commence before 30th April 2022.
- There appears to be some dense ornamental planting immediately adjacent to the building, which it is assumed will need to be removed to facilitate the demolition and new build. These shrubs provide potential bird nesting habitat, accordingly a condition limiting when the vegetation can be removed is requested.
- The NPPF states that the planning system should contribute to and enhance the natural and local environment. The site currently has negligible ecological value, interest restricted to the potential bird nesting habitat associated with ornamental planting on the site. The proposed landscape scheme includes more soft landscaping than the current site. I am happy for the soft landscape proposals to be conditioned.

United Utilities Water PLC – Suggests the imposition of drainage conditions.

Policies

The National Planning Policy Framework July 2021 (NPPF) – The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In addition to the above, Section 16 (*Conserving and enhancing the historic environment*) is of relevance:

Paragraph 197 in Section 16 states that in determining planning applications, local planning authorities should take account of:

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

Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 201 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 total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

Paragraph 202 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, where appropriate, securing its optimum viable use.

Paragraph 206 states that local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Paragraph 207 states that not all elements of a Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm under paragraph 200 or less than substantial harm under paragraph 201, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole.

Paragraph 208 states that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

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 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 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 a number of issues, in this instance the most relevant are considered as follows:-

- 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.
- Flood risk and drainage.

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.

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.

Issues

Principle of the Proposal – There is no objection in principle to provision of ancillary accommodation for an existing business, especially if needed to ensure the future viability of that business. At present there is insufficient meeting space within the Old Town Hall to accommodate the current staff numbers.

Notwithstanding the above, as the site is located within the Albert Park Conservation Area and adjoining a Grade II listed building, the proposal needs to be assessed to determine if it would have a substantial impact upon both these heritage assets. 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 and the level of pedestrian and highway safety experienced on the surrounding highway network.

Impact on Heritage Assets (Albert Park Conservation Area and the Old Town Hall) – The requirement to preserve or enhance the Conservation Area, and the setting of the Listed Building, in this case the Old Town 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.

The Albert Park Conservation Area is situated approximately four miles south of Manchester city centre, in West Didsbury. It is principally an area of housing but also includes a district shopping centre on Burton Road, a smaller group of shops on Barlow Moor Road, schools, public houses and a number of churches. The conservation area was designated in March 1988. There are five listed buildings within the boundaries of the conservation area, one of which is the Old Town Hall.

The Old Town Hall, known as the Former Withington Town Hall in the 1990 listing document, is a Grade II listed building dating from the 1880/90s. It is constructed from buff brick with dressings of red brick and terracotta and is topped by a slate roof. The listing document notes that it is a “*good example of modest late C19 civic building, representing an important phase in the development of local government.*”

The Lodge building, which is not included in the listing document, was built as a gate lodge for the Town’s Yard (council depot) which was located to the rear of the former Withington Town Hall. The footprint of the Lodge was rebuilt in the early 1900s, probably due to the expansion of the facilities within the Town’s Yard and was then further extended in the 1970s. The Lodge was not intended to be understood or appreciated in conjunction with the former town hall, instead it was a functional, utilitarian subsidiary building screened by a brick boundary wall and sited opposite a weigh bridge. The building was a gate lodge to the Town’s Yard, not Withington Town Hall. The Lodge, as it exists today, has been substantially altered. It has had a new roof, new windows, new porch and a new interior (circa late 20th Century). Further to this, its historical context has been largely removed as the boundary wall, weigh bridge and yard it was erected for have all been removed.

The applicant commissioned a Heritage Statement to understand what significance, if any, the Lodge has to the setting of the listed Old Town Hall and the character of the Albert Park Conservation Area. The findings are detailed below:

The Lodge is considered to be a curtilage listed structure as it was built in association with the town hall before 1 July 1948. However, as has been demonstrated, the Lodge was built for a separate use to that of the town hall and this distinction was marked by being located behind the former boundary wall of the Town’s Yard. The Lodge, as it exists today, has no evidential value as it has largely been rebuilt; has no aesthetic value as it appears to be largely modern in construction due to the modern windows, roof and porch; and has no-to-low historic and or communal values as, although it is not possible to understand or appreciate its former use, there is clearly a relationship between it and the Town Hall. Consequently, the Lodge was considered to be of negligible significance.

As an element of the Albert Park Conservation Area, the contribution of the Lodge is considered to be neutral. It is surrounded by a modern housing estate and the focus of the Albert Park Conservation Area, in this area, is clearly the relationship and prominence the Old Town Hall has with its location on Lapwing Lane. The setting of the Old Town Hall is fairly limited and the understanding and appreciation of the heritage values of the Old Town Hall are not affected by the presence of the Lodge, nor does the Lodge contribute to its setting.

The Heritage Statement also assessed what impact the proposed building would have upon the setting of the Old Town Hall. The Heritage Statement acknowledges that the form and materiality of the proposed building takes its cue from the Old Town Hall whilst remaining subservient to it (the design of the proposed building is expanded upon further below). It states further that the proposed building is clearly understood and appreciated as a contemporary addition and one that has an associated use to the Old Town Hall. As the proposed development is located to the rear, it will not result in the public's ability to understand and appreciate the listed Old Town Hall. Consequently, the Heritage Statement concluded that the impact of the proposed development is negligible.

To conclude, as the Lodge does not contribute to the character of the Albert Park Conservation Area or contribute to the setting of the adjoining Grade II listed building, its demolition is considered acceptable. Given this and the fact that the proposal building would not impact on the setting of the listed building or how it is understood and appreciated when viewed from Lapwing Lane, it is considered that the proposal would not harm the setting or significance of the Albert Park Conservation Area or the Grade II listed Old Town Hall.

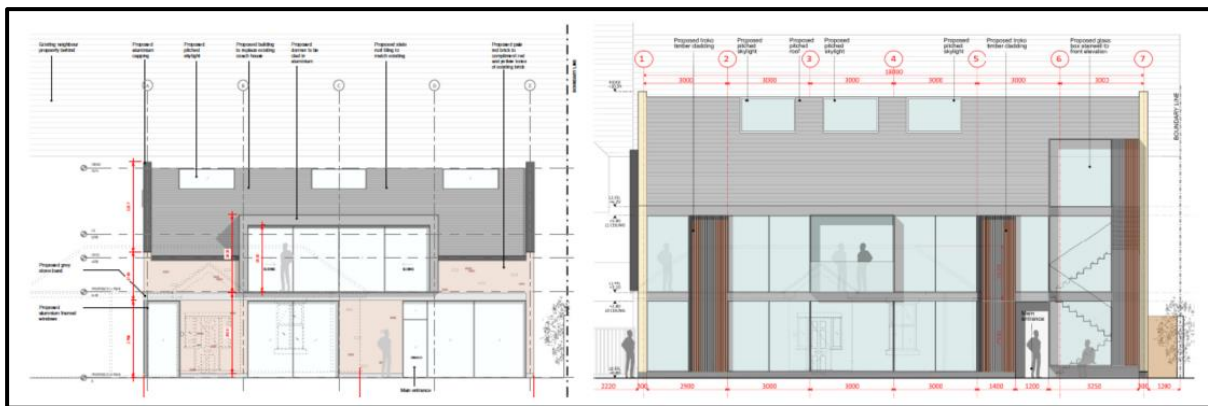
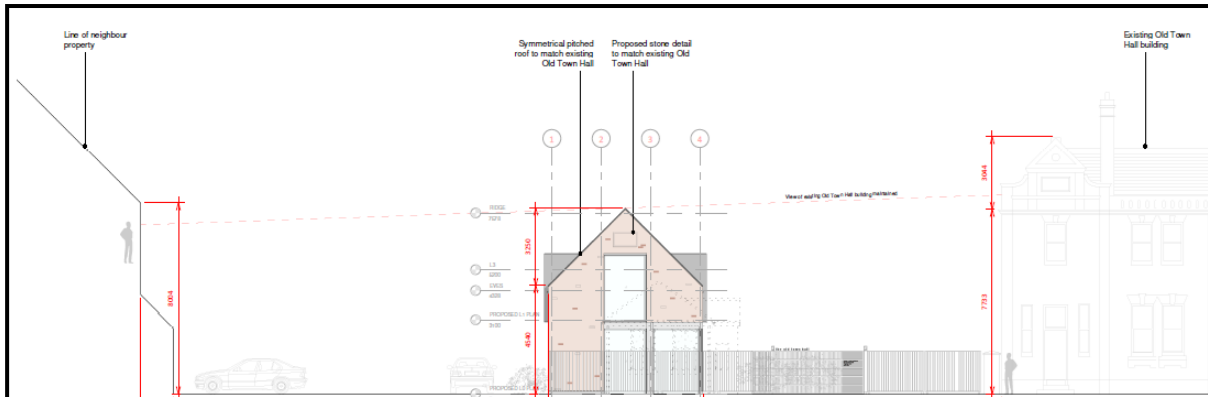
Furthermore, it is considered that any harm at all would be at the very low end of less than substantial with the public benefits outweighing any harm. The primary public benefit would be the continued retention of the Old Town Hall in good condition. The erection of the replacement building would allow the current occupants to remain there rather than relocate to larger premises. This in turn would ensure that the Old Town Hall remains in use which is recognised as being the best way of safeguarding the fabric of the building. The secondary public benefit is the retention of employment within this part of south Manchester.

Design – Despite its traditional profile, the design of the proposed building is deliberately contemporary in order not to compete with the adjoining Grade II listed building. It would be constructed from red brick, topped by a pitched roof of slate and incorporates dormers to the front and rear, along with large areas of glazing. Its simple form is reminiscent of the large coach houses/outbuildings that would have been seen in the grounds of large buildings in this part of south Manchester. It is considered that the quality of the design is fitting for its location within the Albert Park Conservation Area. The front and rear elevations are shown below:



Siting – The proposed building would be sited and orientated in the same manner as the existing Lodge, i.e. it would be no closer to the listed building or dwellings on Raleigh Close. As a result the siting of the proposed building is considered acceptable.

Scale and Massing – Albert Park in this location is characterised by predominantly large Victorian/Edwardian two storey dwellings, though the townhouses on Raleigh Close and the Old Town Hall are taller. The proposed development is two storeys high, though the first floor accommodation is mainly contained within the pitched roof. This allows for the eaves height to be much lower which in turn reduces the overall height of the building. Though obviously taller than the existing Lodge, the proposed building is considerably smaller than the nearby townhouses and the Old Town Hall and this can be seen below. This extract from the submitted drawings shows that the overall height of the proposed building is comparable to the eaves height of the townhouses on the left, while the ridge height of the Old Town Hall on the right is clearly higher.

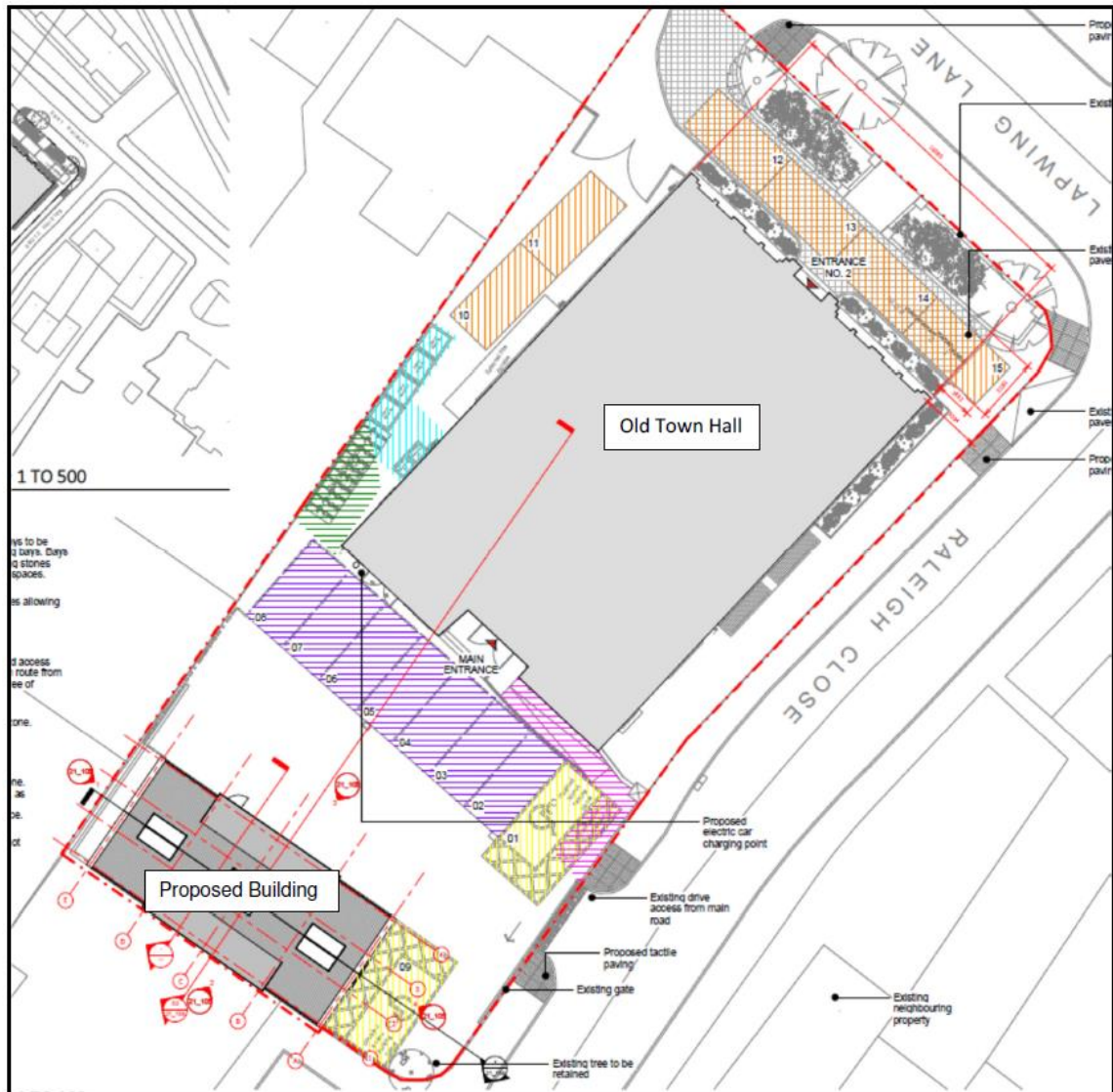


The original proposal and that now before the Committee can be seen side by side in the image below. The original proposal (on the right) was much taller and occupied a greater footprint. By reducing the scale of the proposal, it is considered that the scheme fits more comfortably on the site and does not compete with the listed building or impact upon the character of the conservation area.

The overall massing of the proposed building has been broken down by the use of the glazing and the dormers in the front and rear elevations. The massing of the side elevation that faces no. 1 Raleigh Close has been reduced by the incorporation of large glazing panels at ground and first floor levels. The remaining side elevation would be constructed of solid brick in order to prevent overlooking of the adjacent amenity space on Old Lansdowne Road.

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. Given the height and design of the development, the scale and massing is considered acceptable in the context of this part of the Albert Park Conservation Area.

Car Parking – At present there are 15 parking spaces within the boundary of the Old Town Hall site that are utilised by the office staff. In amending the footprint of the proposed building the applicant has managed to retain 15 spaces within the curtilage of the site. This can be seen below:



At present there are a number of parking spaces located between the Old Town Hall and the existing Lodge. However, they are substandard in terms of size and would be replaced by those hatched in purple and yellow, the latter being disabled parking spaces. The spaces hatched in orange are existing spaces which would be retained.

Concerns have been raised that the creation of the additional floorspace would result in additional staff being employed. However, as the proposed building is to be used for meetings and storage purposes, the applicant has confirmed that this would not be the case.

Given the close proximity of public transport facilities (Metrolink stop is 213 metres away to the southeast, while the bus terminus on Palatine Road is 225 metres away to the north east), the fact no new staff are to be employed and the implementation of a Travel Plan, it is considered that the level of parking on offer is acceptable.

Concerns have been raised about the legitimacy of the applicants using Raleigh Close to access the rear parking area. Submitted deeds have confirmed that they do have access rights over Raleigh Close to.

Electric Vehicle Charging – The applicants have included one vehicle charging point at the rear of the Old Town Hall. Given the number of parking spaces that exist within the curtilage of the site they have been requested to increase this and a condition is recommended in order to explore this matter further.

Travel Plan – The applicant acknowledges that the site is not capable of accommodating the 32 cars that arrive on a daily basis. While the site can accommodate 15 cars at present, it is recognised that the remaining vehicles park on the west side of Raleigh Close, as the east side is subject to parking restrictions.

In order to overcome the issues associated with this off-site parking, the applicant has submitted a framework Travel Plan. This has shown that of the 45 users of the Old Town Hall:

- 73% arrive by car,
- 11% by bus,
- 11% by tram,
- 5% walking.

To encourage users to cycle the applicant is proposing to implement a cycle2work scheme. A shower facility is proposed, along with lockers and a 10 cycle storage facility would be provided.

The applicant undertook an additional survey asking if staff members would take part in a cycle2work scheme and utilise the cycling facilities. The results confirmed that a number of staff would be willing to switch from car to cycle and with the results as follows:

- 53% arrive by car
- 11% by bus,
- 11% by tram,
- 4% walking,
- 16% cycling.

The applicant estimates that approximately seven vehicles would be removed from the surrounding street.

The anticipated reduction in vehicles coming to the site and the surrounding roads is welcomed. To ensure the implementation of the Travel Plan it is felt prudent to attach a condition to the approval requiring the applicant to submit and adhere to a detailed Travel Plan. This will encourage employees to utilise alternative modes of transport other than car.

Cycle Storage – The applicant has indicated that a 10 space cycle store is to be located at the site of the Old Town Hall, adjacent to the boundary with the dwellings on Old Lansdowne Road. Though details of the cycle store would be required to be submitted via the imposition of a condition, the indicative drawings show that it would be a lightweight steel and glass structure that would not detract from the setting of the listed building.

Pedestrian and Highway Safety – As the development would not lead to an increase in staff numbers operating out of the site, it is not considered that it would generate such significant levels of traffic so as to prove detrimental to the levels of pedestrian and highway safety currently enjoyed within the vicinity of the site.

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 siting of the proposed building in relation to the dwellings on Raleigh Close and Old Lansdowne Road and the fact its overall height has been reduced from 10.34 metres to 7.6 metres, it is not considered that the proposal would lead to the overshadowing of those dwellings closest to the application site.

Impact upon Privacy – The proposal would be sited 17 and 17.5 metres from the dwellings on Raleigh Drive and 18 metres from those on Old Lansdowne Road.

There are three rooflights and a dormer window in the rear elevation that face nos. 2 to 10 Raleigh Close. Due to their siting close to the apex of the roof, the rooflights would not lead to overlooking and a reduction in privacy. The dormer window would be fitted with brise soleil to prevent direct overlooking of nos. 2 to 10 Raleigh Close. The side elevation that faces no. 1 Raleigh Close would be fitted with windows at ground and first floor level. However, as the facing elevation of no. 1 Raleigh Close does not contain habitable room windows it is not considered that the proposal would have a detrimental impact on the levels of privacy enjoyed by the occupants of that property.

There are no windows in the side elevation that directly faces the dwellings on Old Lansdowne Road and those in the front elevation would not directly overlook them or the associated private amenity space, given the mature landscaping that exists long the common boundary. Accordingly, it is not considered that the proposal would have a detrimental impact upon the levels of privacy currently enjoyed by the residents of Old Lansdowne Road.

Noise – It is not considered that the proposal would be an inherently noise generating use, notwithstanding this it is considered prudent to attach a condition requiring the proposed building to be acoustically insulated.

In conclusion, 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.

Visual Amenity – Given the design, scale and massing of the proposal it is not considered that the proposed building would have a detrimental impact upon the levels of visual amenity currently enjoyed along Raleigh Close.

Disabled Access – While the ground floor accommodation would be accessible for wheelchair employees, the first floor accommodation would only be accessible to the ambulant disabled due to the lack a lift.

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.

The applicants have stated that the proposed accommodation would be used in connection with the existing solicitor's office, primarily as meeting space and a storage area. As such, the applicants have confirmed that no new staff would occupy the building. Given this, it is considered that the proposal would not lead to an increase in vehicle movements to and from the site and that the development would not have a detrimental impact upon the air quality levels experienced throughout the site and within the vicinity of it.

Notwithstanding the above, the applicants have been requested to include an electric vehicle charging point within the rear parking area number of electric vehicle charging stations

Sustainability – The building would achieve a minimum BREEAM rating of 'Very Good' using the latest methodology at the design and post construction stages. The proposal would reduce operational CO₂ emissions beyond the requirements of current Building Regulations, thereby exceeding the Manchester Core Strategy target.

This will be achieved through application of the "energy hierarchy" including excellent levels of building fabric performance, energy efficient building services and the provision of on-site low/zero carbon energy technologies such as SIPS, MVHR, PIR motion sensors, air tightness, energy efficient appliances and high efficiency glazing.

It has been designed to reduce surface water run-off as the proposed parking area would be permeable, and operational water demand would be reduced and metered. The proposal has also been designed to meet waste recycling targets and would minimise the amount of waste sent to landfill during the construction and operational phases.

The proposal would include the following key points:

- Thermal performance of construction elements which exceeds Building Regulations in combination with renewable technologies to further reduce energy demand (i.e. photo voltaic roof panels) aspiring to achieve not less than 15% reduction in CO2 emissions compared with Building Regulations 2010;
- Internal water use to be reduced through the provision of water saving fittings;
- Waste minimisation principles adopted both during construction and in the lifespan of the development through provision of recycling/composting facilities.
- Use of materials in the construction process which have a low environmental impact as determined by the BRE's Green Guide;
- Maximising the use of recycled and sustainably sources building materials.
- The provision of two vehicle charging points in the proposed car park.

Ecology – Given the finding of the ecology survey and the comments of the GMEU, it is not considered that the proposal would have a detrimental impact on the levels of ecology found within the site. Conditions and informatives regarding the requirement for a further bat survey, the provision of bio-enhancements and the timing of vegetation clearance would be attached to any approval granted.

Drainage – The conditions designed to protect against flooding, as requested by United Utilities, would be attached to any approval granted.

Waste Management – The applicant has indicated that four 1,100 litre Euro bins and two 330 litre bins would be sited to the side of the Old Town Hall in order to provide storage for general refuse, as well as storage for paper and mixed recycling. Environmental Health have confirmed that this provision is acceptable.

At present waste is stored within the large Euro Bins and these are located within the car parking area in an ad hoc fashion. The proposed arrangement would ensure that they are stored in a secure location at the side of the main building.

Crime and Security – The security measures requested by GMP would be the subject of a planning condition.

Conclusion

The Lodge was constructed around the same time as the Old Town Hall but it has been demonstrated that it was not built as an ancillary building for it but as a gate lodge for the adjoining council depot. It has been extensively modified and enlarged and does not contribute to the character or the Albert Park Conservation Area or the setting of the Grade II listed Old Town Hall.

The proposed replacement building has been greatly reduced in height and footprint from that first submitted and it is considered that these revisions, along with its design, have resulted in building that complements the conservation area and importantly does not compete with the listed building.

The concerns of residents are acknowledged in respect of the existing parking problems. However, as the proposal is for ancillary meeting space and not additional office space, it is not considered that the proposal would exacerbate existing parking issues.

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 Director 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:

- a) Drawing no. 0174_20_200, stamped as received on 23 April 2021
- b) Drawing no. 0174_20_201a, stamped as received on 24 August 2021
- c) Drawing no. 0174_20_202, stamped as received on 23 April 2021
- d) Drawing no. 0174_21_102, stamped as received on 23 April 2021
- e) Drawing no. 0174_21_103, stamped as received on 23 April 2021
- f) Drawing no. 0174_21_104, stamped as received on 23 April 2021
- g) Drawing no. 0174_21_105, stamped as received on 23 April 2021

- h) Drawing no. 0174_00_200, stamped as received on 15 July 2019
- i) Drawing no. 0174_00_201a, stamped as received on 24 August 2021
- j) Drawing no. 0174_00_203, stamped as received on 15 July 2019
- k) Drawing no. 0174_00_204, stamped as received on 15 July 2019
- l) Drawing no. 0174_00_205, stamped as received on 15 July 2019
- m) Drawing no. 0174_00_206, stamped as received on 15 July 2019

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

3) The development use hereby approved shall be used only as ancillary office accommodation in connection with the business operating from the Old Town Hall and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

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

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

5) a) Externally mounted ancillary plant, equipment and servicing shall be selected and acoustically treated in order to comply with the limits set out in The Lighthouse Acoustics Plant Sound Assessment Report (ref. 0592/PSA1) in order to secure a reduction in the level of noise emanating from the site.

b) Prior to occupation of the development a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

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 Manchester Core Strategy.

6) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any

ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

7) Prior to the occupation of the development hereby approved, a Contaminated Land Verification Report shall be submitted to the City Council as local planning authority.

Reason - To confirm that appropriate remedial action has been taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

8) The storage and disposal of waste shall be undertaken in accordance with the Waste Management Strategy stamped as received on 15 July 2019 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 Manchester Core Strategy.

9) The car parking hereby approved shall be laid out, demarcated and made available prior to the occupation of the residential accommodation hereby approved.

Reason - In the interests of pedestrian and highways safety and to ensure the satisfactory development of the site, pursuant to Policy DM1 in the Manchester Core Strategy.

10) Prior to the commencement of above ground works the manufacturer's specification for the electric vehicle charging point, shown on drawing no. 0174_20_201, stamped as received on 17 August 2021, shall be submitted to and approved by the City Council as local planning authority. The electric vehicle

charging point shall then be installed prior to the use of the development hereby approved and remain in-situ in perpetuity.

Reason - To promote sustainable development and in the interests of residential amenity, pursuant to Policies DM1 and EN16 in the Manchester Core Strategy.

11) Before the development hereby approved is first occupied a Travel Plan, based on the framework Travel Plan stamped as received on 15 July 2019, 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 residing at 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 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 Manchester Core Strategy and the Guide to Development in Manchester SPD (2007).

12) 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 Manchester Core Strategy.

13) If the development hereby approved does not commence before 30 April 2022, the Lodge building shall be reassessed for bat roosting potential and the findings supplied to and agreed in writing by the Council as local planning authority. Should the survey reveal the presence of any bats, a method statement for the demolition of the building shall be submitted to and agreed in writing by the City Council as local planning authority and implemented in full in accordance with the approved 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 Manchester Core Strategy.

14) Above grounds works shall not commence until details of biodiversity enhancements (bird boxes and bat bricks), 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 Manchester Core Strategy.

15) No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) The drainage of foul and surface water on separate systems: and
- (iv) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN08 and EN14 in the Manchester Core Strategy (2012) and national policies within the NPPF and NPPG.

16) The development hereby approved shall incorporate the security enhancements requested by Greater Manchester Police, as detailed in informative no. 1. The development hereby approved shall not be occupied or used until the Council as local planning authority has received written confirmation that the security enhancements have been incorporated into the development.

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

17) Prior to the commencement of above ground works, detailed drawings of the cycle store shall be submitted to and be approved by the City Council as local planning authority. The cycle store shall then be installed in accordance with the approved drawings before first use of the building hereby approved and shall remain in perpetuity.

Reason – In the interests of residential amenity and to promote sustainable forms of transport, pursuant to Policies DM1 and T2 in the Manchester Core Strategy.

18) The development hereby approved shall be implemented in full accordance with the measures as set out within the Energy Conservation and Management Statement, stamped as received by the City Council as local planning authority on 24 August 2021, including: measures to secure predicted carbon emissions and the attainment of specified environmental efficiency and performance. Within 3 months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures at each phase of the construction of the development, including dated photographic documentary evidence of the implementation and completion of required works.

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 for the City of Manchester and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

19) The brise soleil on the rear elevation shall be installed prior to the use of the building hereby approved and thereafter maintained in accordance with the details shown on drawing no. 0174_21_103, stamped as received on 23 April 2021

Reason - In the interests of residential amenity, pursuant to Policy DM1 in the Manchester Core Strategy.

20) Prior to the commencement of above ground works, a detailed scheme of off-site highway works, in order to provide an adequate pedestrian crossing point in the vicinity of the application site, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

a) On the public highway, tactile paving to be installed across the Lapwing Lane access (at Raleigh Close).

The approved scheme shall be implemented and be in place prior to first use of the development hereby approved and thereafter retained and maintained in situ.

Reason - In the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy.

21) No development shall take place, including any demolition works, until a construction management plan or construction method statement has been

submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- o A construction programme including phasing of works;
- o 24 hour emergency contact number;
- o Expected number and type of vehicles accessing the site: o Deliveries, waste, cranes, equipment, plant, works, visitors; o Size of construction vehicles; o The use of a consolidation operation or scheme for the delivery of materials and goods; o Phasing of works;
- o Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction): Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;
- o Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- o Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- o Locations for storage of plant/waste/construction materials;
- o Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- o Any necessary temporary traffic management measures;
- o Measures to protect vulnerable road users (cyclists and pedestrians);
- o Arrangements for temporary facilities for any bus stops or routes;
- o Method of preventing mud being carried onto the highway;
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

Reason - In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, pursuant to policies SP1, EN19 and DM1 of the Manchester 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: 124234/FO/2019 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:

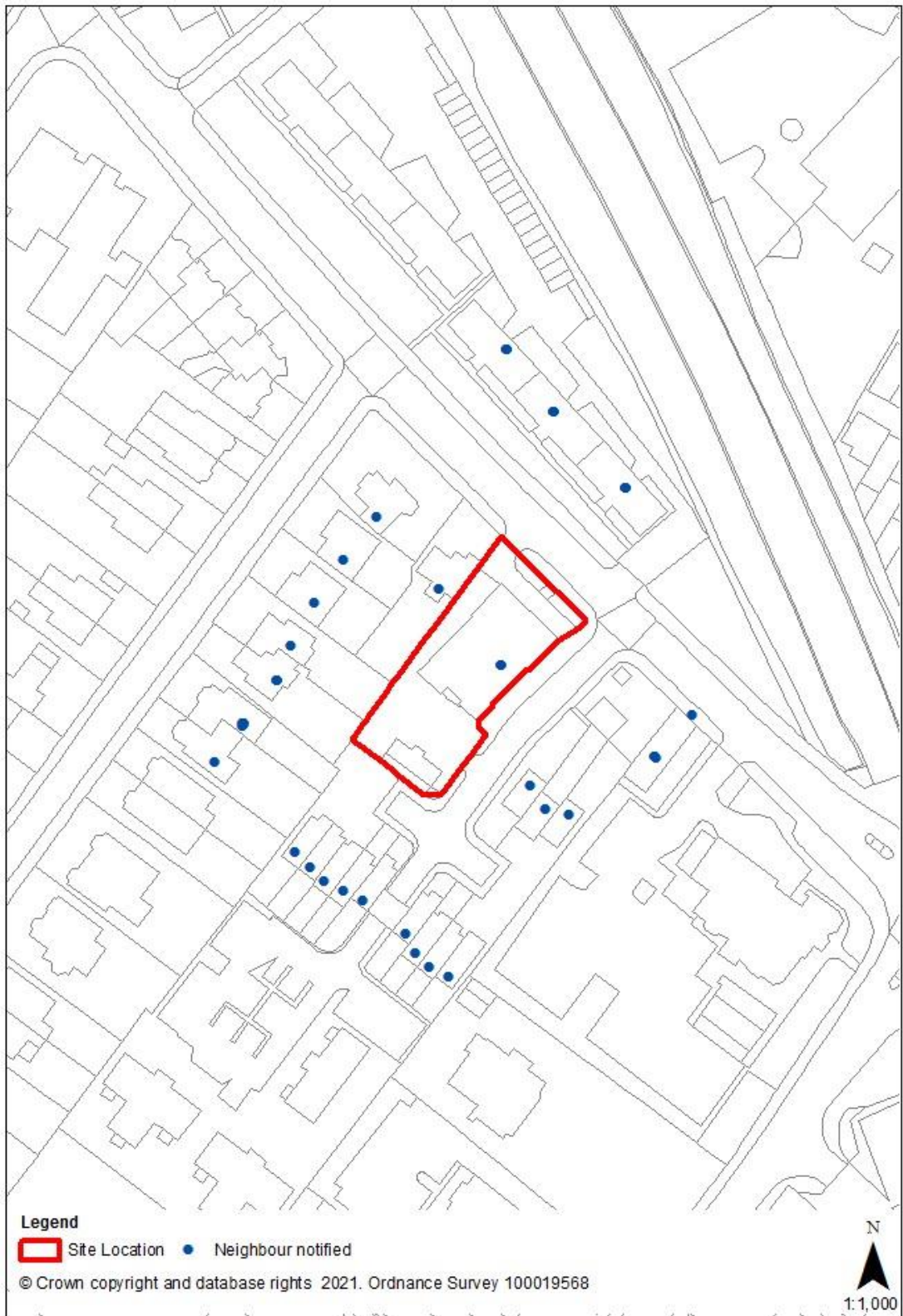
Highway Services
 Environmental Health
 Greater Manchester Police
 Environmental Health
 Highway Services
 Greater Manchester Ecology Unit
 Didsbury Civic Society
 West Didsbury Residents Association
 Greater Manchester Police
 United Utilities Water PLC

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:

Highway Services
 Environmental Health
 Greater Manchester Police
 Greater Manchester Ecology Unit
 West Didsbury Residents Association
 Highway Services
 Ward Councillors
 Greater Manchester Police
 United Utilities Water PLC

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



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Application Number	Date of Appln	Committee Date	Ward
124453/LO/2019	6 Aug 2019	2 Sept 2021	Didsbury West

Proposal Listed Building Consent for the demolition of the existing building

Location The Lodge Rear Of Old Town Hall, Lapwing Lane, Manchester, M20 2NR

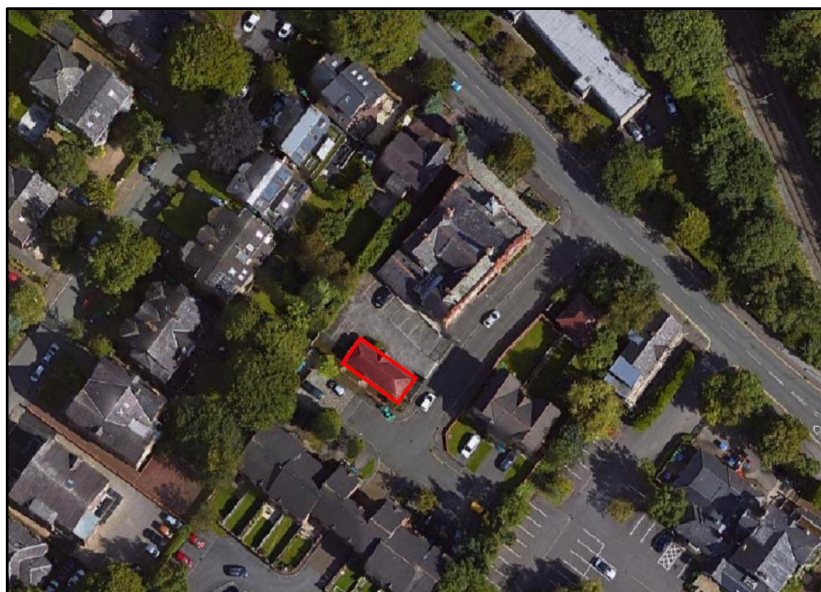
Applicant Miss Kiran Pabla, Pabla+Pabla Solicitors, Old Town Hall, Lapwing Lane, Manchester, M20 2NR,

Agent Mrs Sonia Pabla-Thomas, SPACE:ARCHITECTURE+PLANNING, Old Town Hall, Lapwing Lane, Manchester, M20 2NR

Description

This application relates to The Lodge, a single storey detached building located at the rear of the former Withington Town Hall (now referred to as the Old Town Hall) on Lapwing Lane. The Old Town Hall is a Grade II listed building. The Lodge is located within the Albert Park Conservation Area. The Lodge is currently used as a store, in association with the office uses within the Old Town Hall, but it is believed to have originally been the gate lodge to the Corporation Yard that existed where there are now residential properties. The Lodge is accessed directly off Raleigh Close, a short cul-de-sac off Lapwing Lane.

To the north of The Lodge there is a small car parking area and beyond that stands the Old Town Hall, a Grade II listed building dating from the 1880-90s. To the west there are a number of semi-detached properties, namely nos. 1 and 3 Old Lansdowne Road, while to the south stands nos. 2 to 10 Raleigh Close. To the east, on the opposite side of Raleigh Close, stands nos. 1 to 5 Raleigh Close. The location of The Lodge is shown below:



The applicant is seeking Listed Building Consent to demolish the Lodge in order to facilitate the erection of a 2 storey building to form ancillary meeting and storage space for the solicitors' office operating out of the Old Town Hall. The application for the proposed 2 storey building (ref. 124234/FO/2019) is also on this agenda.

In this instance, Listed Building Consent is being sought rather than Conservation Area Consent, as despite not being listed itself the Lodge is located within the curtilage of the Listed Building.

Consultations

Local Residents – No comments received.

West Didsbury Residents Association (WDRA) – It remains WDRA's position that, given the design and scale of the proposed replacement building (ref. 124234/FO/2019), the applicant has failed to make a satisfactorily convincing case for demolition of the existing Lodge.

Manchester Conservation Areas and Historic Buildings Panel – The Panel accepted the principle of removing the existing structure given the modern interventions. They considered it to be of little significance and its loss would not damage the Old Town Hall.

Policies

The National Planning Policy Framework July 2021 (NPPF) – The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In addition to the above, Section 16 (*Conserving and enhancing the historic environment*) is of relevance:

Paragraph 197 in Section 16 states that in determining planning applications, local planning authorities should take account of:

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

Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 201 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 total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

Paragraph 202 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, where appropriate, securing its optimum viable use.

Paragraph 207 states that not all elements of a Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm under paragraph 200 or less than substantial harm under paragraph 201, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole.

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 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 DM1, *Development Management* – This policy states that all development should have regard to a number of issues, in this instance the most relevant is the effects the archaeological or built heritage.

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.

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.

Issues

Impact on Heritage Assets (Albert Park Conservation Area and the Old Town Hall) – The requirement to preserve or enhance the Conservation Area, and the setting of the Listed Building, in this case the Old Town 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.

The Albert Park Conservation Area is situated approximately four miles south of Manchester city centre, in West Didsbury. It is principally an area of housing but also includes a district shopping centre on Burton Road, a smaller group of shops on Barlow Moor Road, schools, public houses and a number of churches. The conservation area was designated in March 1988. There are five listed buildings within the boundaries of the conservation area, one of which is the Old Town Hall.

The Old Town Hall, known as the Former Withington Town Hall in the 1990 listing document, is a Grade II listed building dating from the 1880/90s. It is constructed from buff brick with dressings of red brick and terracotta and is topped by a slate roof. The listing document notes that it is a “*good example of modest late C19 civic building, representing an important phase in the development of local government.*”

The building proposed to be demolished, the Lodge, is not included in the listing document for the Old Town Hall. It was built as a gate lodge for the Town’s Yard (council depot) which was located to the rear of the former Withington Town Hall. The footprint of the Lodge was rebuilt in the early 1900s, probably due to the expansion of the facilities within the Town’s Yard and was then further extended in the 1970s. The Lodge was not intended to be understood or appreciated in conjunction with the former town hall, instead it was a functional, utilitarian subsidiary building screened by a brick boundary wall and sited opposite a weigh bridge. The building was a gate lodge to the Town’s Yard, not Withington Town Hall. The Lodge, as it exists today, has been substantially altered. It has had a new roof, new windows, new porch and a new interior (circa late 20th Century). Further to this, its historical context has been largely removed as the boundary wall, weigh bridge and yard it was erected for have all been removed.

The applicant commissioned a Heritage Statement to understand what significance, if any, the Lodge has to the setting of the listed Old Town Hall and the character of the Albert Park Conservation Area. The findings are detailed below:

The Lodge is considered to be a curtilage listed structure as it was built in association with the town hall before 1 July 1948. However, as has been demonstrated, the Lodge was built for a separate use to that of the town hall and this distinction was marked by being located behind the former boundary wall of the Town’s Yard. The Lodge, as it exists today, has no evidential value as it has largely been rebuilt; has no aesthetic value as it appears to be largely modern in construction due to the modern windows, roof and porch; and has no-to-low historic and or communal values as, although it is not possible to understand or appreciate its former use, there is clearly a relationship between it and the Town Hall. Consequently, the Lodge was considered to be of negligible significance.

As an element of the Albert Park Conservation Area, the contribution of the Lodge is considered to be neutral. It is surrounded by a modern housing estate and the focus of the Albert Park Conservation Area, in this area, is clearly the relationship and prominence the Old Town Hall has with its location on Lapwing Lane. The setting of the Old Town Hall is fairly limited and the understanding and appreciation of the heritage values of the Old Town Hall are not affected by the presence of the Lodge, nor does the Lodge contribute to its setting.

To conclude, as the Lodge does not contribute to the character of the Albert Park Conservation Area or contribute to the setting or appreciation of the adjoining Grade II listed building, its demolition is considered acceptable. It is further considered that the demolition would result in less than substantial harm to both the setting of the Listed Building and the character of the Conservation Area. Indeed, any harm would be at the minor scale of less than substantial harm. Any harm would be outweighed by the public benefits associated with the redevelopment proposed including the design quality of the replacement building and the on going economic benefits associated with the long term use of the Listed Building.

To prevent the existing Lodge being demolished and the site undeveloped, a condition (no. 2) is suggested which requires a contract for the construction of the replacement building to be in place before demolition works commence.

Concerns of WDRA – WDRA are objecting to the demolition of the Lodge on the grounds that the replacement building, which is the subject of planning application 124234/FO/2019, is not acceptable in terms of design and impact upon residential amenity.

The committee report for application 124234/FO/2019 is also on this agenda and it details why it is considered the replacement building is acceptable in terms of its design, scale and massing and how it would not impact upon existing levels of residential and visual amenity, highway safety and upon the character of the Albert Park Conservation Area and the setting of the adjoining Grade II listed building. It concludes that the proposed development would bring with it public benefits which outweigh the loss of this building within the Conservation Area.

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 Director 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the building works approved under application 124234/FO/2019 has been made and evidence of that contract has been supplied to the City Council Local Planning Authority.

Reason - In the interests of visual amenity and for the avoidance of doubt, and to ensure that redevelopment of the site takes place following demolition of the existing building, pursuant with Policy EN3 in the Manchester Core Strategy and Saved Policy DC19 .

3) The development hereby approved shall be carried out in accordance with the following drawings and documents:

a) Drawing no. 0174_00_200 (existing site plan), stamped as received on 8 August 2019

b) Drawing no. 0174_20_200 (proposed site pan), stamped as received on 23 April 2021

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.

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: 124453/LO/2019 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:

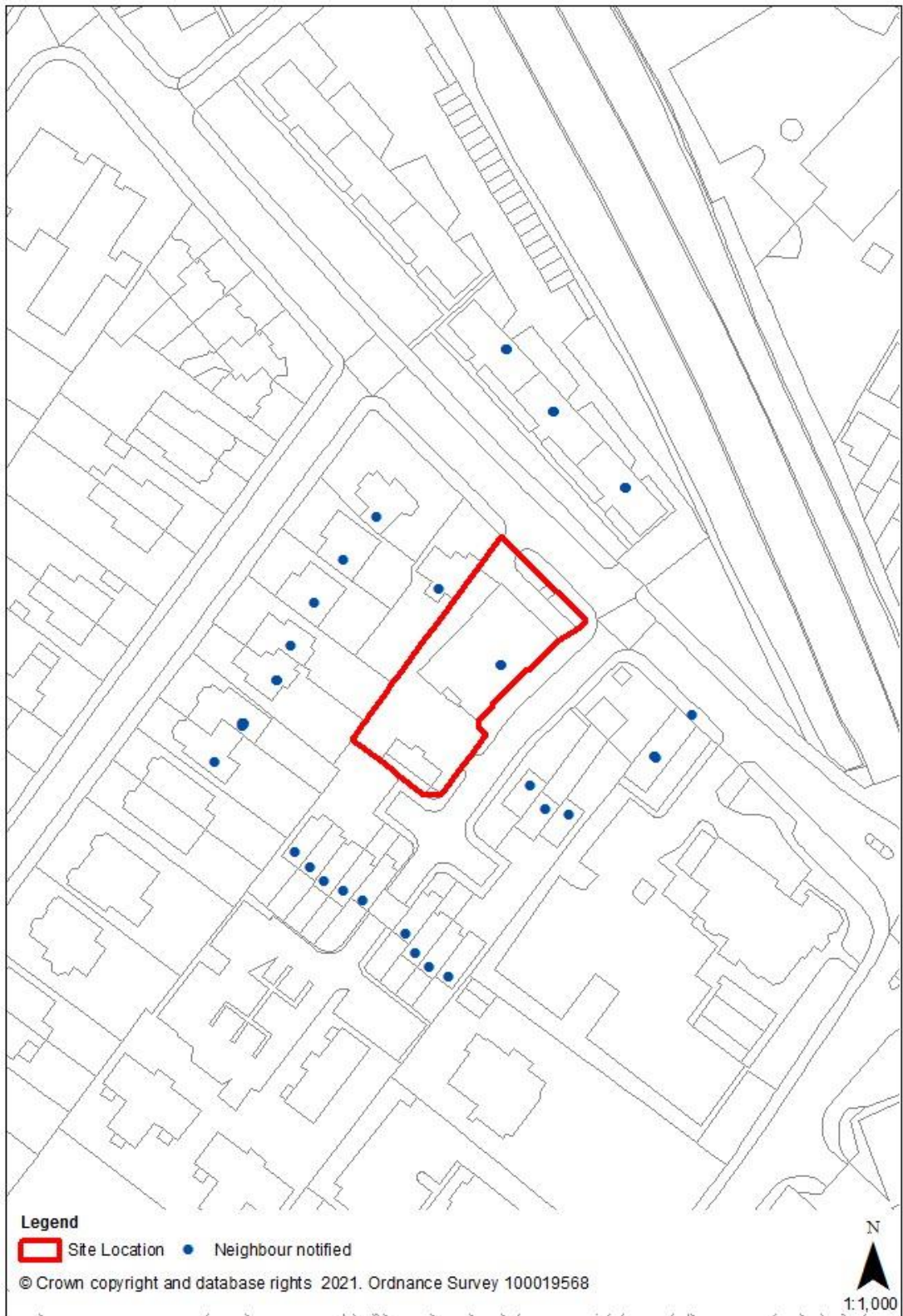
Didsbury Civic Society
West Didsbury Residents Association

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

Representations were received from the following third parties:

West Didsbury Residents Association

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



Application Number	Date of Appln	Committee Date	Ward
127769/FH/2020	8 Sep 2020	2 Sep 2021	Didsbury West Ward

Proposal Erection of single storey side and rear extension and re-cladding of existing rear dormer to form additional living accommodation

Location 91 Palatine Road, Manchester, M20 3JQ

Applicant Mr I Shezad , 91 Palatine Road, Manchester, M20 3JQ

Agent Mr Farhan Rama, Archirama Ltd, 3 Park Gate Avenue, Manchester, M20 3BZ

Executive Summary

This application is for the erection of a single-storey side and rear extension and re-cladding of an existing rear dormer to provide additional living accommodation.

The property is not listed but is sited within the westernmost boundary of the Ballbrook Conservation Area.

The main issues arising from the proposals are the impacts on residential and visual amenity including the impact on the conservation area.

A total of 19no. neighbours, conservation and resident's groups were consulted on the application and the proposal was advertised by the display of a site notice.

Five objections from local residents and a local ward member were received in relation to the amended scheme.

Most objections concern the modern design and materials of the proposal which objectors believe is out of character with the conservation area.

Concerns have also been expressed that the single storey side and rear extension is too large and that it will give rise to a loss of privacy and light.

Description

The application site relates to an early C20 Arts and Crafts style semi-detached dwelling situated on the eastern side of Palatine Road in the Didsbury West ward and within the Ballbrook Conservation Area.

The property is within a rectangular plot measuring 460m² and set back 15.5 metres off the Palatine Road frontage. There is access along the northern side to the rear garden.

It is of smooth red brick and render construction with a rosemary tiled cross-gable roof. There is decorative black and white applied timber bracing to a projecting front gable that spans both properties, terminating in a catslide roof.

There are full height canted black uPVC bay windows over both storeys with a black tile hung fascia between. The windows and fascia have been installed by the new owners to replace rotten timber frames. Similar frames have been replaced at the rear. It is noted that the property has been in a poor state of repair for several years until its sale to the applicant in 2017.

At the rear there is a low-profile shed type dormer that was installed without the benefit of planning consent by a previous owner. Retrospective consent sought by the current owner under application reference: 117915/FH/2017.



Rear elevation of 91 Palatine Road (R/h side) with No.93 on the left, from Danesmoor Road

Front elevation of 91 Palatine Road (L/h side) with No.93 on the right, from Palatine Road



The property is accessed via double vehicular gates on Palatine Road beyond which is space to park 1 or 2 cars.

The front boundary is a low stone wall with flat copers and gate piers of the same material.

To the north of the site is No.89, a large red brick detached building with distinctive domed roof on the corner of Sandleigh Avenue. This building has a long history in use as a medical centre but received the approval of the Local Planning Authority in 2015 for a change of use to a single-family dwelling house (109337/FU/2015/S2) which is understood to have been implemented. Windows on this building have recently been changed to a black-coloured material.

In August 2020, the application at the site originally sought the determination of the Local Planning Authority for a:

Single storey side and rear extension, 2-storey front extension, rebuilding of front bay window and rear dormer with Juliet balcony.

Original Proposal – Front elevation



Original Proposal – Rear elevation



The proposed works, particularly with respect to the front elevation were unacceptable due to their impact in a highly visible location on the Palatine Road frontage and which would dramatically unbalance the pair of semi's to the detriment of the street scene. The enlarged rear dormer was also considered to be unacceptable.

Following negotiations, the agent amended the scheme to omit the alterations to the front elevation which is now proposed to be retained intact as shown in the photo above left. The latest amendment before the Committee has also omitted the enlarged dormer, opting to re-clad the existing dormer instead.

The other half of the semi (No.93) is more or less original with the exception of a rear conservatory and uPVC materials applied to the original rear dormer window and fascia. The Google Street View image below taken from Danesmoor Road in 2014

shows the dormer at No.93 and the original dormer at the application site with a timber gable feature:



The character of the surrounding area comprises similarly scaled early C20 suburban dwellings. Most pairs of semi's have original features; a few also having original dual-pitched front and rear dormers. Other properties have been variously extended at roof level. Close to the site, Nos.2 and 4 Sandleigh Avenue to the north east both have shed-type front dormers; that at No.2 also has a rear shed-type dormer. There is no planning history for the front or rear dormers at No.2 (seen below on the right), whilst the front shed-type dormer at No.4 (seen on the left) was approved in 2016 (Ref:114227/FH/2016).



No.6 Sandleigh Avenue has a rear inset dormer with balcony for which there is no planning history.

Site History

There are 3no. applications relating to the site:

In 2014, application 114105/FO/2014 was submitted for the change of use from a single residential dwelling to 3 x no. self-contained flats with associated elevational alterations, bins store to the side, 2 x no. Juliet balconies to rear, associated car parking and installation of rear dormer and basement lightwells to front and rear. It was refused on 2 grounds; the loss of family accommodation and an over-intensive use of the property. The decision was not appealed by the applicant.

An application in 2015 (Ref: 110135/FO/2015/S2) to convert the property into 4no. self-contained flats, together with Juliet balcony at first floor, was refused by the Council on 3 grounds including overlooking from a proposed first floor Juliet balcony. It was appealed and dismissed (Ref: APP/B4215/W/16/3142188) against non-determination.

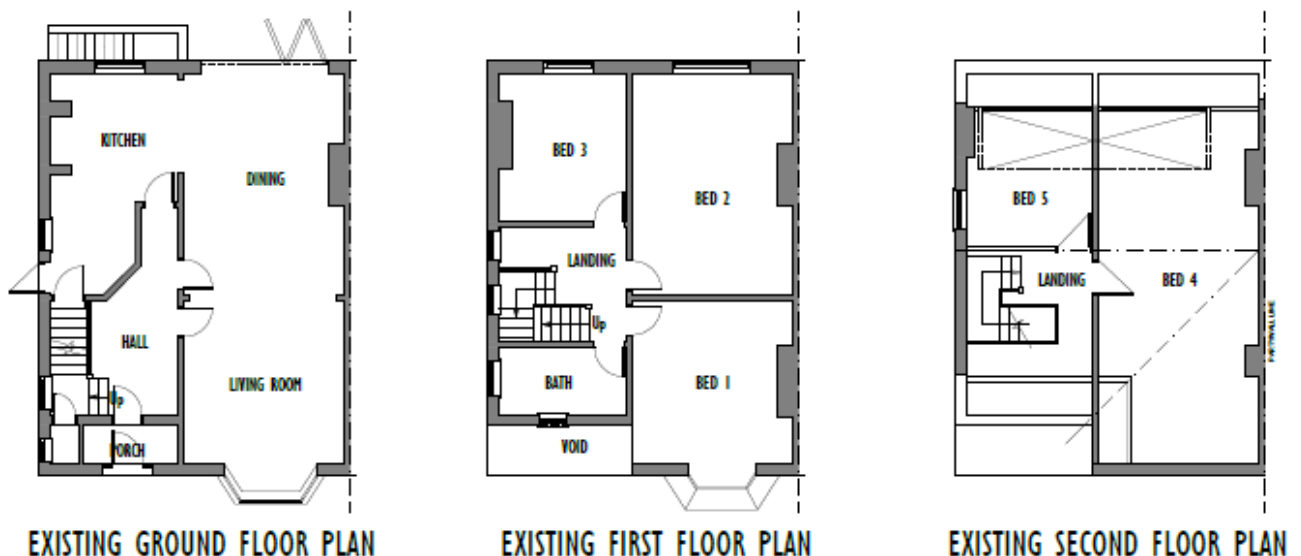
The rear dormer in situ was erected by the previous owner of the site, with consent granted to the present owner retrospectively under application 117915/FH/2017.

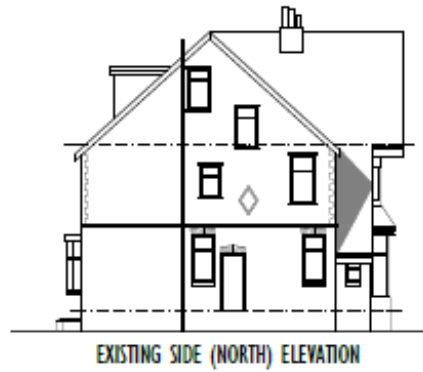
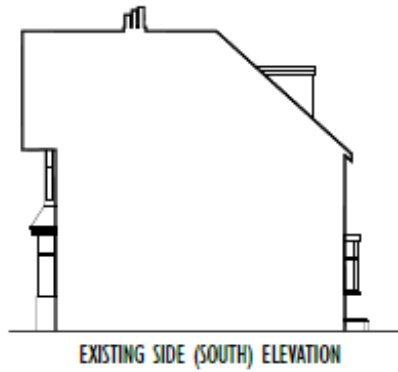
Proposal

The existing and proposed floorplans and elevations are presented below giving context to the proposals in this application.

The existing house comprises of a porch, hallway, living room, dining room and kitchen at ground floor, 3no. bedrooms and bathroom at first floor and 2no. bedrooms in the roof space. The existing floor plans are shown below:

Existing floor plans and elevations

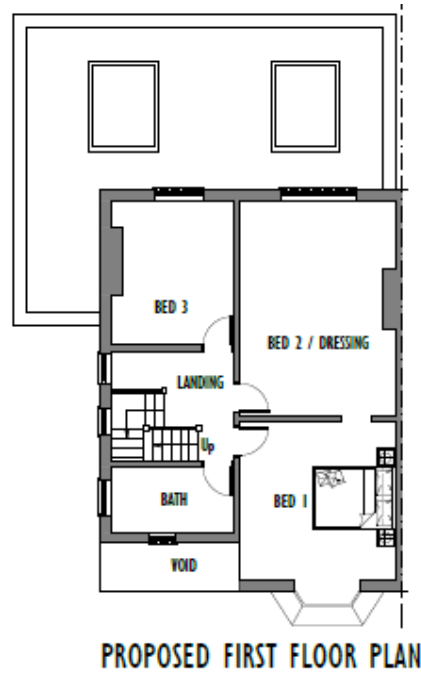
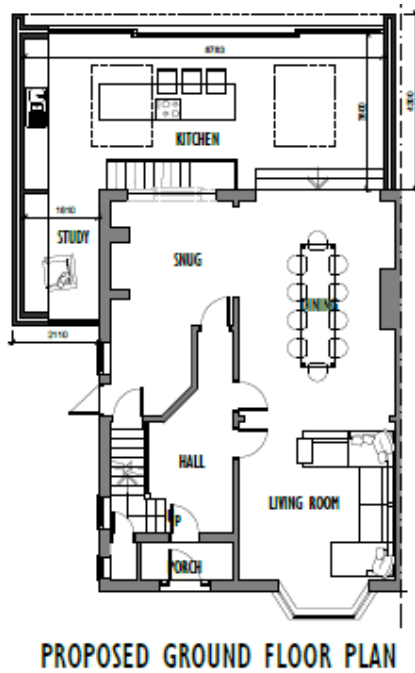


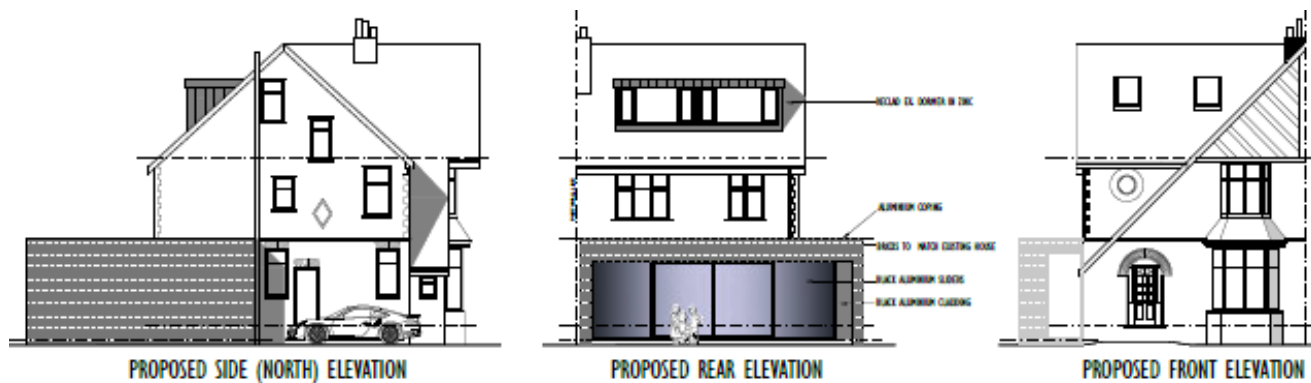


The proposals comprise an extended kitchen and study at ground floor and re-cladding an existing dormer serving bedrooms (4 and 5) in the roof space.

The proposed floorplans and elevations are shown below.

Proposed floor plans and elevations





Consultations

A total of 19no. neighbours, conservation and resident's groups were notified of the amended application. A public site notice was also displayed giving notification of the original scheme. A total of 5 comments from neighbours were received together with those from a conservation group and local ward member. The points raised on this amendment are summarised below:

Neighbour comments:

They are visually appalling in terms of sheer scale and unsympathetic materials;
They would result in a horribly unbalanced pair of semis.

This is unnecessary over-development, the scale and dug out cellar makes us fear that this is a precursor to future internal works to divide the newly larger footprint into flats. A condition requiring occupation by a single household (or some other safeguard) would seem to be prudent.

They are clearly the thin end of the wedge - imagine the rest of Didsbury covered with huge rear extensions such as this.

They will have a disproportionate impact on 91's close neighbours.

There will no longer be a 'typical' aesthetic to the conservation area.

The character of this house is slowly ebbing away.

The ground floor extension seems unnecessarily large and out-of-keeping.

There is no justification for the use of out-of-character materials like this. The existing (unauthorised) dormer is ugly, but at least the dormer cheeks are clad in tiles, which are in-keeping. Cladding it in zinc will draw the eye by making it more visually obtrusive and there will be a greater clash with the other half of this pair of semis.

Impact of the size of the rear extension on the amenities of neighbouring occupiers being very obtrusive.

The extension projects 2.5m along the common boundary [with No.93] and therefore will project out at least 1.5m further and possibly considerably more and will have an impact on light and privacy.

The planning proposal for the rear extension would be fine if it were for a vulgar place such as Las Vegas but we are talking Didsbury here – a conservation area to boot – not Las Vegas.

It would set a precedent for others to follow, and soon enough it would be farcical to be calling this a 'Conservation Area'.

The extension is entirely different in form and scale from our [the] property which it adjoins.

The use of unsympathetic materials such as zinc and aluminium is out of character for these Edwardian properties. This [also] applies to clad the dormer window.

The size of the extension would considerably increase the amount of living accommodation in the property. The size of the property would therefore increase enormously beyond its original scale.

The large rear and side extension [and] basement, would make the property in the future extremely attractive to developers wishing to convert it into several apartments or/ multiple occupancy.

Ballbrook Conservation Area Group

The Ballbrook Conservation Area Group is supportive of the statement that 91 Palatine Road is in 'desperate need of a major overhaul' even more desperate than it was a year ago.

The Group is pleased that the property [is being repaired] as a single residential dwelling. However, there are concerns that the proposals could increase the likelihood of the property becoming a house in multiple occupation.

The Group SUPPORTS the withdrawal of proposed changes to the front elevation of 91 Palatine Road, such that it continues to mirror the front elevation of 93 Palatine Road.

The Group SUPPORTS the removal from the plans of the 'new larger dormer' 'clad in profiled zinc and [with] a glass Juliet balcony in front of bi-fold doors' at the rear.

The shape of the existing dormer is out of character with that of its neighbour at 93 Palatine Road [but] received retrospective planning approval in November 2017.

It is disappointing that the proposed re-cladding material of the dormer - zinc - does not respond to the statement on the City Council's website that 'Property owners in the [Ballbrook Conservation] area are encouraged to retain the original character and detail of their houses. This should include the details, colour and materials of window frames, doors and other elements of the buildings.'

The plans for the proposed single storey side and rear extension at 91 Palatine Road show that it would protrude 4.3m into the rear garden immediately adjacent to the boundary with 93 Palatine Road and 2.11m to the side of the property, significantly increasing the footprint of the property by over 40m². Neighbours remain concerned that the size of the extension and resulting decrease in back garden space at the property will affect their properties in terms of reduction of privacy and light. The Group suggests that the applicant liaises with immediate neighbours about these concerns.

On balance, taking account of the comments above and the need to stem any further deterioration of the property, the Ballbrook Conservation Area Group SUPPORTS the further-revised planning application.

Councillor John Leech

The extension is too large

The proposed materials for the dormer are inappropriate in the conservation area.

The negative impact on the neighbouring properties.

West Didsbury Residents Association

No comments received. Any comments will be reported at the time of the Committee meeting.

Policy

Legislative requirements

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Section 72 of the Listed Building Act 1990 provides that in considering whether to grant planning permission for development that affects the setting or character of a Conservation Area the local planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of that area.

The National Planning Policy Framework July 2021 (NPPF) – The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;

or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In addition to the above, Section 16 (*Conserving and enhancing the historic environment*) is of relevance:

Paragraph 197 in Section 16 states that in determining planning applications, local planning authorities should take account of:

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

Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 201 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 total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

Paragraph 202 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, where appropriate, securing its optimum viable use.

Paragraph 206 states that local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Paragraph 207 states that not all elements of a Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm under paragraph 200 or less than substantial harm under paragraph 201, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole.

Paragraph 208 states that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with

planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Core Strategy

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.

Policy DM1 – Development Management

This policy is relevant to this application as it seeks to protect the amenity of an area from the adverse impact of development. The policy states all development should have regard to the following specific issues, amongst others:

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.

Community safety and crime prevention.

Design for health.

Refuse storage and collection.

Vehicular access and car parking.

Policy EN3 – Heritage

States that 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 listed buildings and conservation areas. The application relates to a site within the Ballbrook Conservation Area as set out within this report.

Unitary Development Plan for the City of Manchester (1995)

The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant and are relevant to consideration to the proposed extension to a residential dwellinghouse.

Saved policy DC18.1 – Conservation Areas

This policy states that the Council will give particularly careful consideration to development proposals within Conservation Areas.

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

- i. the relationship of new structures to neighbouring buildings and spaces;
- ii. the effect of major changes to the appearance of existing buildings;
- iii. the desirability of retaining existing features, such as boundary walls,

- gardens, trees, (including street trees);
- iv. the effect of signs and advertisements;
- v. any further guidance on specific areas which has been approved by the Council.
- b. The Council will not normally grant outline planning permission for development within Conservation Areas.
- c. Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance or 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.

Saved policy DC1 – Residential Extensions

This saved policy of the Unitary Development Plan seeks to accommodate the demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed.

DC1.1 The Council will have regard to:

- a. The general character of the property
- b. The effect upon the amenity of neighbouring occupiers
- c. The overall appearance of the proposal in the street scene;
- d. The effect of the loss of any on-site car-parking

Policy DC1.2 states extensions will be allowed subject to:

- a. They are not excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings)
- b. They do not create a loss of sunlight/daylight or privacy
- c. They are not out of character with the style of development in the area
- d. They would not result in the loss of off-street parking

Policy DC1.3 states that Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

Issues

Manchester Residential Quality Guidance – 2016

This document provides guidance on the direction that development within the City needs to take to deliver sustainable neighbourhoods. As design is a key component of sustainability, this guidance is of relevance to the present application.

Principle

The application is for an extension at ground floor and alterations to an existing roof extension to a dwelling house which has occupied the site for many years, within a residential setting.

Saved UDP policy DC1 makes provision for occupiers to extend their homes to meet changing household needs; the principle of the proposal against these policy objectives is therefore acceptable.

The development seeks to create an extended ground floor and replace the materials on an existing dormer which provides light and ventilation into 2no. attic bedrooms. The proposal is supported in policies SP1, DM1 and EN3 of the Core Strategy.

The application raised objections on all 3 notifications, with some support for the present proposal coming from a local conservation area group who are active in the area. The matters of concern raised by residents relate mainly to the effects of overlooking / privacy and the visual impacts of the extensions, including the impact of the proposal on the appearance of the conservation area. These are material considerations which are discussed in the sections that follow.

Residential Amenity

It is considered that the proposed side and rear extension is unlikely to have any unduly detrimental impacts on residential amenity for the following reasons;

The principle of householders extending their properties to provide additional living accommodation and meet changing needs is generally considered acceptable subject to further consideration of impacts on residential and visual amenity. As set out below the proposed development is considered to accord with the principle of extending a residential property as set out in saved UDP policy DC1.

The proposed single-storey side and rear extension would have a rearward projection of 4.3 metres along the boundary with No.93 to the south where there is a 2.5 metre length pitched-roof glazed conservatory. The extension would project beyond the conservatory by approximately 1.8 metres and would stand at a height of 3.5 metres to a flat roof.

Given that the site is orientated north of the adjoining property and that the height and rearward projection in relation to the conservatory on the adjoining land is relatively comparable, with only a small projection beyond, there are no concerns that this element of the proposal will lead to any overshadowing. Furthermore, any loss of light would not be so significant as to warrant a refusal of planning permission. Although the proposed extension is in excess of the guideline 3.65m, the potential impacts in this context are acceptable and would not warrant a refusal of planning permission.

Turning to the impacts on No.89 to the north, the Committee are asked to consider the single storey side and rear extension in the context of the side and rear extension at No.89 Palatine Road which is orientated north of the site. This extension has a rearward projection of 4.63 metres and width of 6.67 metres. It wraps around the south elevation of No.89 to the boundary with the site having a width of 3.41 metres at the side. Images on Google satellite indicate that the extension has been there in excess of 4 years and so has the benefit of a deemed consent. The proposal in this application almost mirrors the extension at No.89; this extension providing mitigation from any impacts arising from the application proposal, particularly in terms of overshadowing.



The Committee are also asked to consider that the proposal in this application has a lesser depth and does not extend as far to the boundary as the extension at No.89. In the proposal, the extension at the side leaves a gap for access to the rear and for the storage and manoeuvring of bins off the front elevation. This will be of benefit to the appearance of the dwelling and the wider street scene.

In the context of saved UDP policy DC1.4, and whilst the extension exceeds the 3.65 metre rearward guideline in this policy, the extension at No.89 establishes an extent of built form on the boundary that would result in any approval of the proposal having an acceptable and appropriate relationship with this site and with no loss of amenity to this occupier.

In terms of privacy and overlooking, the Committee are asked to consider that glazing, via full-height bi-fold doors is proposed at the rear, with brick elevations forming each side elevation. As the doors are at ground floor and would be sited 11.3 metres from the common boundary to the rear garden at No.1 Danesmoor Road, they would afford no more intrusive overlooking than any windows at ground floor at present. Furthermore, the doors would not directly face the side windows into habitable rooms of any property

The dormer is proposed to be retained in its current form with no alterations to the siting, scale and design and no Juliet balcony. The only alteration is to clad the

existing, approved dormer in a zinc finish. This is discussed in the sections on materials and impacts on the conservation area below.

Whilst assessment of the revised proposals for the dormer need not take account of any overlooking, this has been raised by neighbours as a point of concern. It is noted that as dormers are in evidence on several rear roof slopes as original features and in this case has a perpendicular relationship to the rear garden of No.1 Sandleigh Avenue 18 metres away, the effects of overlooking would be no more detrimental than that afforded by the upper floor bedroom windows present on all neighbouring dwellings which afford a degree of mutual overlooking.

For the above reasons, the proposal is considered to have an acceptable impact on residential amenity in accordance with the guidance contained within saved UDP policy DC1 and with policy DM1 of the Core Strategy.

Siting, Design, Height, Scale, Massing and Materials

The single storey extension extends 9.4 metres across the rear elevation towards the boundary with No.87 and wraps part-way to the side having a width of 2.11 metres on this elevation. It would be set back 7.7 metres off the front elevation and would be finished in a combination of traditional brick and zinc materials with a slim aluminium parapet.

The ground floor extension is sited in the most logical position to take account of internal constraints and opportunities to provide an extended family kitchen and small study whilst the dormer is as existing providing light and ventilation into 2no. attic bedrooms.

The ground floor extension would have limited visibility within the street scene, the exception being a small section of wraparound at the side which is set well back off the front elevation, whilst the existing rear dormer would be updated to respond to the new windows and materials within the extension.

The extension is within a contemporary design language which, combined with the use of modern materials, seeks to create additions to the building with their own life and vitality; this is an appropriate design response to extensions in a conservation area which contrasts with the original design of the main house.

Current design guidance in the City is embodied within the Manchester Residential Quality Guidance document, (adopted 2016) which supports this approach: *“New development should investigate and reference its historical context; interpreting materials, styles and detailing in a contemporary context that can reinforce local distinctiveness and a sense of place”* (p43). It is considered that the proposal meets this guidance criteria utilising features which will forge an honest relationship between the older dwelling and the extension which can be clearly read and distinguished from the original as a C21 add-on.

The height, scale and massing fit the proportions of the plot. Taking the depth and height of the rearward extension into consideration, it should be noted that the rearward depth is only 0.65 metres in excess of the 3.65 metre guidance within saved UDP policy DC1, but is well below the 6 metre Permitted Development allowance under Class A for extensions where PD restrictions do not apply. At 3.5

metres, the height of the extension is also below the 4 metres allowed under current PD regulations for comparison.

The enlarged footprint creates a dwelling that is suitable for a growing family which contributes positively to the local housing stock, meeting the identified needs in Core Strategy policies H1 and H6.

Concern has been raised about the view of the extension by neighbouring occupiers. This however is not a material consideration in the present planning regulatory framework.

Materials

The proposed materials palette includes matching red brick, glazing, aluminium and zinc.

The introduction of zinc contrasts well with the red brick and rosemary tiles, enabling both the original dwelling to be fully expressed and the extensions to be read as modern interventions.

As with the design, the materials avoid a pastiche of the original whilst having a clean finish. There is also precedent in terms of the colour of the material as seen in the front-facing dormers at Nos.2 and 4 Sandleigh Avenue, the latter receiving approval in 2016, and in the recently installed windows across all elevations of No.89 Palatine Road.

The details of the final finish are required to be submitted by way of the materials sample condition appended at the end of this report, to ensure that the quality of the materials are of a high standard.

Impact on the Conservation Area

The NPPF requires that local planning authorities identify the significance of heritage assets and work to preserve and enhance them. This is echoed in saved UDP policy DC18.1 and Core Strategy policy EN3, whilst saved UDP policies DC1.1a and DC1.1d require that particular regard is paid to the character of the dwelling and the overall appearance of the street scene.

Part of the significance of the Ballbrook Conservation Area derives from the appearance of the dwellings in the street scene. One of the features of note in relation to roof slopes are the examples of original front and rear dormers.

As the dormer at the site is a modern intervention and is not of any heritage significance, the proposal does not entail the loss of heritage significance and the proposal is considered to be an opportunity to improve on the existing structure which is supported in the above policy framework.

The Council acknowledges that overwhelmingly, original dormers are discreet dual-pitched additions set well within the centre of the rear roof slopes. As the application site is the other half of the semi-detached property, consideration must also be given to the effect of the proposal on No.93 which has most visibility in the street scene.

There are views from both Danesmoor Road (see photo above) and, to a lesser extent, from the gap to the right of No.2 Sandleigh Avenue, as seen below.



From this aspect, the dormer would appear less obvious due to the darker zinc material than the existing white uPVC and red vertical hung tiles. The physical proportions are unchanged and are therefore not under assessment in this report, having previously been assessed and approved in the retrospective 2017 application.

The materials will harmonise with the other elements of the proposal at ground floor, giving a coherent and polished finish to the building to the benefit of the street scene. They will also respond to the colour palette of other windows across the building and in the street, including the dormer fascias at Nos. 2 and 4 Sandleigh Avenue and the colour of windows recently installed at No.87 Palatine Road.

Concerns have been raised with regards to the unbalancing impact of the dormer alongside the original form of the dormer at No.93. Whilst the Council does not dispute this effect, the proposal in this application strikes a balance between maintaining the existing situation which utilises materials of no particular significance and upgrading them to give the dormer a cleaner and smarter appearance.

The single storey extension has less visibility in the street scene, the most visible aspect being a 2.11-metre wide section that is set back 15.5 metres off the Palatine Road frontage. It is of a relatively simple, low-key appearance with brick materials to match the existing and a vertical window to the front elevation. As with the rear elevations, the simple flat-roof design contrasts with the original dwelling giving it an unobtrusive appearance which does not detract from the intentionally designed front elevation. As such, there is no perceived harm arising from this element of the proposal.

The cumulative impact of the proposal also needs to be weighed against the perceived harm to the wider conservation area. In this case, the effect of retaining, improving and investing in a neglected dwelling suitable for a growing family and creating a home fit for C21 living, overrides the concerns about the use of a modern material. As with the contemporary design approach to the ground floor extension, the modern materials are not only compatible with the design but represent a more honest intervention than a pastiche which can blur the lines between an original feature and modern addition.

On this basis, the proposal is considered to have a less than substantial harm to the appearance of the dwelling and the wider conservation area with the public benefits outweighing any harm, in accordance with saved UDP policy DC18.1 and Core Strategy policy EN3.

Other matters

Refuse storage

Access would still be maintained to the rear of the property from the north side, hence bins could still be stored away from the front elevation, to the benefit of the street scene.

Parking

Parking is unaffected by the proposal which does not encroach onto the front driveway in this revised proposal.

Trees

There are no trees located within the side or rear curtilage which could be impacted by the proposals in this application.

Vehicular gate

The applicant has stated that this gate does not form part of this application, they have been informed that what has been installed does require planning permission and this matter would be dealt with separately to the proposals subject of this report.

Errors within application drawings

Concern has been raised that the submitted drawings have inaccuracies which should indicate that all drawings in the submission are regarded with caution.

The Council has assessed the proposal on the revised set of drawings which do not contain any inaccuracies which would impact on the determination of this application.

Concerns regarding house in multiple occupation / flat conversion

Concerns have been raised about the development which, due to the depth of rearward extension and use of the basement area, indicate that the property is proposed to be used as a house in multiple occupancy or flats. Planning permission

would be required for the use of the property as a House in Multiple Occupation or the use as flats.

Conclusion

This application seeks to enlarge a property in order to create a larger family home, that maintains the existing character of this property within a conservation area.

The proposals are considered to have been sited and designed to minimise impacts on residential amenity and the visual amenity and character of the conservation area. On balance it is considered that the extensions are of a scale and design that is acceptable and that the development accords with the above Council policies.

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 Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation Approve

Article 35 Declaration

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the delegated report. The application received objections on notification of all revisions which has resulted in the amendments in the present scheme. It has been approved with appropriate conditions as set out below, in the interests of visual amenity and preservation of the conservation area.

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: 127769/FH/2020 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:

**Ballbrook Conservation Area Group
Ballbrook Conservation Area Group**

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:

Relevant Contact Officer : Linda Marciniak
Telephone number : 0161 234 4636
Email : linda.marciniak@manchester.gov.uk



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Application Number	Date of Appln	Committee Date	Ward
124335/JO/2019	25 Jul 2019	2 Sep 2021	Chorlton Ward

Proposal Vary part b of Condition 3 attached to Decision Notice Reference 093164/FO/2010/S1 to have the floodlights operational for 24 occasions, in each period between 1 August and 31 May (relating to a football season) between the hours of 7pm and 10pm on weekdays.

Location West Didsbury And Chorlton Football Club, Brookburn Road, Manchester, M21 8FE

Applicant West Didsbury and Chorlton AFC, C/o Agent

Agent Mrs Beverley Moss, Hourigan Connolly, 2nd Floor, 55 Spring Gardens, Manchester, M2 2BY

Executive Summary

This application seeks to increase the number of times the existing floodlights at the West Didsbury and Chorlton AFC site on Brookburn Road can be used on week days from 12 occasions to 24 occasions during the football season (1 August to 31 May). The site is within the Chorltonville Conservation Area as well as the Mersey Valley which is part of the Greater Manchester Green Belt. There have been 66 letters of objection, and 8 of support for the proposed development. Concerns relate to the impact that the additional usage will have on the amenity of residents, the character of the Conservation Area and the Green Belt and impact on areas that contain ecological interest. Supporters point to the positive benefits of improving sports facilities within the City. Local members have supported residents in their bid to have additional time to formulate their responses.

Description

This application was placed before the Planning and Highways Committee on the 29 July 2021 and at that meeting the Committee deferred deliberation in order to allow Members to undertake a site visit due to concerns relating to the impact of the proposed extension of the use of the floodlights on the residential amenity enjoyed by neighbouring occupiers.

This application relates to the site occupied by the West Didsbury and Chorlton AFC. The club moved to the ground in the mid to late 1990's taking over what was a derelict private sports club, which it is understood was originally provided for the residents of Chorltonville. The use of the site by the Club was not development for which planning permission was required. The site comprises a single football pitch, a single storey clubhouse and changing room block at the south east end of the site.



Adjacent to the clubhouse there is a temporary stand, and adjacent to the south west side of the pitch are two “dug outs” the pitch is surrounded by a rail. There are 6x15 metre high floodlighting columns, positioned one in each corner and one either end of the centre line. The site is accessed from a public footpath/bridleway from the end of Brookburn Road to Jackson Bridge on the River Mersey. An access road from the footpath /bridleway runs alongside the north east side of the pitch and gives access to a small car park adjacent to the clubhouse. There is also a grassed area on the north east side of the access road which is used for parking. The club claims they can accommodate up to 80 vehicles.

To the north west of the pitch is an area of lands also within the curtilage of the site which is unused and contains several trees and areas of undergrowth. The north west and south west boundaries are enclosed by green coloured weldmesh fencing. Along the north east boundary there is a mix of fencing and hedging forming the rear gardens of adjacent residential properties. The south east boundary is formed by the side fence to the rear garden of a residential property.

The site is located both within the Chorltonville Conservation Area and the Greater Manchester Green Belt.

The site is adjoined to the north east by the rear gardens of residential properties on Meadow Bank. The rear gardens of these properties slope down towards the club and the properties are at a higher level. Whilst nominally two storey dwellings when viewed from the front these properties have a full height basement when viewed from the rear and appear to be three storey.



Rear view of properties on Meadow Bank across the pitch

To the south east is the side fence to the rear garden of another property on Meadow Bank. To the south west is the Mersey Valley, the site was originally used as a refuse tip and was reclaimed for use as playing fields and is now in part owned by the club.

To the north west is a belt of trees and undergrowth forming part of the Mersey Valley.

The site has been the subject of a number of applications for planning permission. The one relevant to this application is 093164/FO/2010/S1, for the installation of 6 x 15 metre high floodlighting columns, the lighting only to be used between 3pm and 5pm on Saturdays and between 7pm and 10pm on no more than 12 additional weekday evenings between August and May in each football season. The application was approved in July 2010 subject to amongst others, the following conditions

1. The floodlights erected pursuant to the permission hereby granted shall not be used except:
 - a) between the hours of 3pm and 5pm on Saturdays and
 - b) on a maximum of 12 occasions in each period between 1st August and 31st May (relating to a football season) between the hours of 7pm and 10pm on weekdays. The applicant shall submit a statement at the end of each season outlining the occasions on which the floodlights were used for as long as the floodlights are in place.

Reason - To limit the capacity of the WD&CFC for more intense use of the football ground and thereby to limit the potential for any loss of amenity to the occupiers of the adjoining residential properties pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

2. The floodlighting hereby approved shall be maintained in accordance with the manufacturers specifications and be directed onto the playing surface at all times.

Reason - To prevent any loss of amenity arising from the floodlights being deflected and shining into nearby residential properties pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

This application seeks to increase the number of times the floodlights can be used on weekdays from 12 to 24, reduced from 30 in the initial submission. The hours of use would remain the same namely 7.00pm to 10.00pm and there would be a

requirement to submit a report at the end of the season on usage. The club currently operates and would continue to operate the following teams:

- Mens 1st Team 11 - North West Counties Division 1 South - Level 10 Step 6
- Mens Reserves - Cheshire League - Outside pyramid (Would be at Level 11 Step 7 if the team were to gain promotion into Premier league)
- Veterans - Cheshire Veterans League - Outside pyramid system
- Womens 1st Team 11 - NWRWFL - Level 5 Women's Pyramid
- Womens reserves – Greater Manchester Womens Football League
- Womens Development – Greater Manchester Womens Football League
- All Junior teams - Timperley Junior Football League
- Girls Junior team: South Manchester Girls Football League

In support of the application the following documents were submitted, a lighting survey, a noise survey and an ecology report.

The lighting survey concludes that -

“The lighting installation is suitable for the uses it has been designed for and although it has some nuisance effect on the neighbouring properties, it is of a limited manner and no greater than could be expected by houses opposite street lighting, etc. The lighting is for the playing of sports on the football pitch, therefore use should be limited to when in use and not be used for general access or security lighting.”

The noise survey concludes that-

“Taking all factors into account, we consider that the proposed extension of floodlighting use would not result in a change in noise levels or character of noise at nearest dwellings. The noise impact associated with the additional weekday evening matches will be no greater than for existing permitted weekday evening matches. Furthermore, even with the additional matches, there will still only be up to three evening matches occasionally per month during the ten-month football season. On this basis, noise impact will be of limited duration and will occur only on certain days, and therefore would not result in any demonstrable harm to residential amenity.”

The ecology report concludes-

“The original floodlights were fitted with overspill limiting backshields. There are to be no new floodlamps erected. If the lighting is ever to be replaced, the new installation should be consistent with the most recent guidance on artificial lighting schemes. Given the existing use of the floodlights and the timing of use, there is expected to be no deleterious impact on protected species and habitats with increased use.”

Since planning permission was granted for the installation of the floodlights according to club records they have been used, other than on a Saturday, on the following number of occasions-

2010/11 Season 0 times
 2011/12 Season 2 times
 2012/13 Season 5 times
 2013/14 Season 9 times
 2014/15 Season 9 times
 2015/16 Season 11 times
 2016/17 Season 13 times

2017/18 Season 15 times
 2018/19 Season 12 times
 2019/20 Season 9 times
 2020/21 Season 1 time (season abandoned)

In support of the application, the applicant has made the following comments.

- The site is not in an area with an intrinsically dark landscape; it comprises an established football ground which abuts an urban area.
- The lights can be used an existing number of times already, so the area is already characterised by the use of floodlights on occasions during the football season.
- The light levels in the area were altered when the original planning permission was granted in 2010. The current planning application doesn't seek to change these light levels, it simply seeks to increase the number of times the lights would be switched on. The impact from the increased use of the lights wouldn't be any more conspicuous than the current impact.
- The floodlights are not in or near a protected area of dark sky.
- The increased use of the lights would not have any safety impacts, nor would it have an impact on a protected site or species.
- The existing design measures limit the light pollution. This position would remain the same even if the lights were used more often.
- A suitable planning condition would limit the impact of the lights; this was the approach taken by the Council when granting the original permission.

Consultations

Ward Members

Councillors Eve Holt, Matt Strong and John Hacking have written in support of residents requests for an extension of time in which to make representations. The members are aware of the club's history and of the strength of feeling held by many who neighbour the club grounds around the use of flood lights. They have sought to facilitate meetings between the Club and residents.

Elected Members

Councillors Mandie Shilton Godwin (Chorlton Park Ward) and John Leech (Didsbury West Ward) have made representations supporting objectors to the proposed development. The issues raised are summarised below.

Councillor John Leech says "there was very significant opposition to the original application for floodlights, and the use was restricted to protect the amenity of nearby residents. This proposal will result in the floodlights being on practically every midweek during the football season. This will cause unreasonable disamenity to local residents and should be resisted. The existing conditions are already not adhered to, and numerous complaints have been made, but no action taken. Planning permission to intensify the use would undoubtedly result in additional problems."

Local residents

Local residents were notified in respect of the initial application which sought to use the floodlights on an additional 30 occasions and again when the number of occasions was reduced to 24. The issues raised are summarised below.

In response to the initial notification 50 letters were received objecting to the application, including one signed by 61 residents and 3 letters supporting the application.

Representations against

- The site is at a lower level and overlooked by houses approximately 20 to 25 metres away.
- The site was originally part of the Chortonville estate.
- The site is within the Mersey Valley and the floodplain of the River Mersey.
- The Club seem focused on a higher permanent total, despite their verbal arguments to residents that the increase is merely in the case of occasional circumstances arising that would require more week day evening games for their Men's 1st team. Residents remain concerned that Club would wish to exploit a higher permitted total to hold games for other teams and potentially for fund raising.
- Concern is expressed that the proposal would override the reason attached to the condition the applicant is seeking to amend.
- Residents are disappointed at the clubs lack of effort in communicating with them.
- This is a huge increase in the number of times the club can use the lights.
- There is no restriction in the frequency of matches.
- The application does not seek to justify the need to expand the number of times the floodlights can be used.
- It would severely alter the balance of amenities between club and local residents.
- The application is part of the football club's stated expansion ambitions – these are now completely disproportionate to the site and will get more so.
- The applicants have consistently and repeatedly breached previous conditions and inevitably cannot be trusted not to do so again.
- The club has previous recognized its obligations to the local residents, which would be breached by this expansion.
- The development will result in more noise.
- The club frequently breach the current conditions, twice they have been used out of season, twice outside of the permitted hours, and twice they have exceeded the limit of 12 games per season, two games in each of the 1016/17 and 2017.18 seasons.
- The club consistently fail to submit the end of season reports.
- The following statement appeared on the clubs website ...*Over the past few seasons the restriction in permissions has meant on occasions us having to move home league matches and give up home advantage in cup competitions. As well as losing home advantage, which puts us at a disadvantage in the matches, it also results in a loss of revenue for the club and local businesses and extra travel costs for the spectators who attend our away matches. In addition we are often approached to host local league cup finals and charity matches, which we must often turn down. The extra permissions would enable us to host a small number of those types of matches...*
- Residents do not want other clubs to use the ground.
- Matches cause disruption on the adjoining streets and damage the grass verges.

- Increased access will encourage fly tipping adjacent to the bridleway.
- The club has previously assured residents it had no plans to expand.
- The club uses the site in the summer for other activities including a pre school club giving residents no respite.
- The activities of the club are not compatible with a residential area and impact on the health and wellbeing of residents.
- Residents have measured noise levels in the upper 70's Dba range.

Representations for

- The football club have been good neighbours, as well as providing facilities for the area.
- In particular their stewarding of parking on match days has been excellent.
- there is a considerable value in supporting a local football team.
- It is great to see local families and the children enjoying themselves and it helps to foster a sense of community pride.
- It also adds a financial benefit to the area as people buy refreshments in the club house and surrounding area. The club supports local youth groups and offers a valuable community resource
- The club is well organised and managed.
- It is important that the club is in a position to offer facilities, amenities and standards that enables it to participate in the league on a comparable basis to the other clubs.
- The club provides a social , recreational and sporting service for the Chorlton community and is widely viewed as being both progressive and well run .
- It caters for at least 250 young people of both sexes providing them with healthy outdoor activities.
- The additional evening matches and additional spectator infrastructure will assist the club in keeping up with the standards required and of adding to a general improvement of the amenity.
- The lights are only needed on 6% of evenings this is not a problem.

In response to the re-notification 16 letters were received objecting to the application, one signed on behalf of 50 residents and 5 letters supporting the application.

Representations against

- Concern is expressed that matched not involving the club are taking place at the ground. Increasing the amount of noise, in particular swearing.
- The future intentions of the club need to be made clear
- These applications and their context of expansion are essentially urbanising encroachments into the open countryside from the built-up area of the Manchester conurbation. They are erosive of the essential countryside character of a small intimate region, which is also a very important 'wild countryside' resource for residents in the wider area. It was on this precise basis that the Council rejected a previous proposal for all-weather pitches on the adjacent meadows. This current expansion is amounting to a similar level of urbanising encroachment – in terms of its impact on environmental 'openness'.
- Whilst Chorltonville is not a 'town' it is a Conservation Area, well-defined, and an identifiable estate within wider area of Chorlton. Chorltonville affords its Conservation Area status as an historic example of the early 20th Century 'Garden Village' movement. Preserving its setting and special character is not only a heritage issue,

but also falls within this purpose of including land within the green belt in the first place.

-The application site is located both within the Conservation Area and the Green Belt and it is therefore doubly important to safeguard against encroachment as specified in paragraph 134 of NPPF.

-What started as a small local sporting facility for residents is now developing into a much larger and more invasive centre for football

-The stated original purpose of including a small recreational area within the estate was for the quiet enjoyment of residents (tennis and bowls were initial pastimes).

This purpose was a key feature of the original estate design (set out in Chorltonville's historic documents). This area has now been purchased by non-residents – but all Chorltonville owners are bound by commitments against public impacts on their neighbours. The character of this intended low key and countryside activity should be preserved, rather than be lost.

-The whole concept of Chorltonville and its heritage was to be an integration of city and country environments on the boundary of the urban area of Manchester and the surrounding open countryside to improve the health and wellbeing of urban residents. Blurring of this boundary through urbanising development completely undermines the historical concept of the Garden Village, conflicts with the reasons for having Conservation Area status, and will permanently damage the heritage asset. Safeguarding of the Conservation Area and its heritage is paramount to preserving its character.

-Residents are of the opinion that the club has a history of planning non compliance and do not see why the club would adhere to any new agreement.

-Increasing numbers of spectators are attending matches.

-No good reason has been given as to why the club needs extra usage of the floodlighting.

-Concern is raised that the lighting is not used at the specified lux levels.

-Question that validity of the Habitat Survey which concludes that the additional usage will not impact on wildlife,

-The noise assessment attempts to justify the proposal rather than providing an objective commentary on existing and proposed noise levels associated with the proposal.

-The noise report makes no reference to the public address system.

-The further use of the existing floodlights is not necessary in conjunction with use of the football field, rather it is desired by the applicant and suits their commercial aspirations.

-The proposal would have a negative impact on the character and appearance of the Chorltonville Conservation Area by virtue in increasing the visibility and intensity of the football field, a relatively new addition to the area in comparison to the c.1910 origins of the garden village.

-Residents ask if the club needs or has planning permission for the public address system.

-The club uses the floodlights in excess of what is permitted.

-The reduction from 30 to 24 was not the result of negotiations with residents.

-Granting consent will result in the reason attached to the original condition being breached.

-The additional usage of the floodlights will result in more traffic in the area.

-The club did not comply with the requirement to submit a usage report at the end of each season.

- It is queried if the lights can be used for other than the first team.
- This is not a suitable location for the club.
- There is no bat survey
- A more restrictive period may be better

Representations for:

- The football club have been good neighbours, as well as providing facilities for the area.
- In particular their stewarding of parking on match days has been excellent.
- there is a considerable value in supporting a local football team.
- It is great to see local families and the children enjoying themselves and it helps to foster a sense of community pride.
- It also adds a financial benefit to the area as people buy refreshments in the club house and surrounding area. The club supports local youth groups and offers a valuable community resource
- The club is well organised and managed.
- It is important that the club is in a position to offer facilities, amenities and standards that enables it to participate in the league on a comparable basis to the other clubs.
- The club provides a social , recreational and sporting service for the Chorlton community and is widely viewed as being both progressive and well run .
- It caters for at least 250 young people of both sexes providing them with healthy outdoor activities.
- The additional evening matches and additional spectator infrastructure will assist the club in keeping up with the standards required and of adding to a general improvement of the amenity.
- The lights are only needed on 6% of evenings this is not a problem.

Following publication of the report considered by Members at their meeting on 29 July 2019 three letters were received from local residents making the following points.

- Residents say the report infers that the noise reading taken by residents was recent. This is not the case and was taken in 2010.
 - A resident has offered to fund a noise survey during a match.
 - The noise assessment fails to mention how many spectators were present and is therefore meaningless. 50% of readings were taken out of matchtime. Residents say It is the peak noise experience and the fact that it is unpredictable and repeated that is so environmentally damaging for residents surrounding the ground – with impact extending widely to local streets.
 - The report also concludes that control and management of the noise from the PA system should be implemented, and yet noise from the crowd (of which we know not the size) is measured at only 0.6 dB lower. It therefore follows that the crowd noise also needs to be controlled as it is more or less at the same level and could be significantly higher, depending on the size of the crowd.
 - The noise survey was done in 2019 for a different application and residents therefore question its validity. It to residents that the applicant has copied a different document from another application, modified it slightly, and submitted it for a different purpose and completely different application.
- We wonder if that is allowable?

-Residents query the impact that as the floodlighting columns will have on residential amenity, heritage and the green belt. They feel if the lights are used for twice as long they will have twice the impact.

-The Club have given no argument to support a change circumstance except wanting it for 'contingencies'. Residents understand no material change in circumstance except that the Club wishes to expand further its activities, has already increased documented crowd sizes 6-fold, breached existing conditions of use on many occasions since 2010, and stated in writing they have no limit on their further expansion plans.

-The report fails to mention that there has been a six fold increase in attendance at matches. Further larger crowds result in more noise to the detriment of amenity.

-The site is defined in the adopted development plan as 'open countryside', neither 'urban' nor 'residential' and residents therefore, believe E2 is the appropriate category.

E2: Areas of low ambient brightness. Outer urban or rural residential areas.

The site is part of the green belt and the E2 description fits perfectly.

-Residents request a site visit to establish the zoning of the area and to assess the impact during a match.

-The club has persistently and regularly breached planning control by using the lights when it shouldn't, which residents claim is well documented, also, the club has failed every year for the last ten years to comply with condition 3b, namely: "The applicant shall submit a statement at the end of each season outlining the occasions on which the floodlights were used for as long as the floodlights are in place."

Chorlton Voice

Object to this application which will adversely impact on the amenity of residents as well as harming nocturnal wildlife.

Environmental Health

What the club are proposing is not onerous and Environmental Health have no grounds to recommend refusal of the extended use of the lights provided the remedial measures in terms of the light angles are implemented.

The additional light assessment show that the flood lights meet the ILP criteria for a suburban area pre-curfew, there are issues post curfew so it needs to be conditioned that the lights are turned off by 10pm.

There is an issue with the access lights and mitigation measures are required. A post completion report is required to confirm that the mitigation measures have been implemented and there is no impact to the residents from these lights.

Environmental Health have no concerns over the noise impact of the additional matches. The only noise that we see some potential issues with during the matches is from the tannoy and suggest a condition that controls the noise level of the tannoy.

Greater Manchester Ecology Unit

Greater Manchester Ecological Unit have no objections to the application on Ecology grounds. A restriction in the use of the floodlights so that they are required to be switched off at 22.00 hrs on each use should be maintained.

Policies

National Planning Policy Framework

The Framework is a material consideration in planning decisions and underlines that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The core message in the document is that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of development.

The Governments Guidance on Protecting Green Belts can be found in Paragraphs 133 to 142 of which paragraphs 133, 134 and 141 are relevant to this application.

Paragraph 133 sets out that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 134 sets out that Green Belt serves five purposes: a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 141 sets out that once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

In respect of proposals affecting the Green Belt the NPPF states at Paragraph 143 that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraphs 144 prescribes that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 145. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are: a) buildings for agriculture and forestry; b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land

within it; c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; e) limited infilling in villages; f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Paragraphs 170 through 173 address conserving and enhancing the natural environment.

Paragraph 170. Planning policies and decisions should contribute to and enhance the natural and local environment and should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.

Habitats and biodiversity are covered by paragraphs 174 to 177 of the NPPF Paragraph 175. When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest; c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

The NPPF's guidance on proposals affecting heritage assets is contained within paragraphs 189 to 202. The relevant sections are reproduced below.

Paragraph 189 says that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 190. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 192. In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness. Considering potential impacts

The Development Plan

Manchester's Core Strategy Development Plan Document forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan.

Policy SP1 (Spatial Principle)

This policy sets down the spatial principles that guide development in the City include the creation of neighbourhoods of choice. It also says "The City's network of open spaces will provide all residents with good access to recreation opportunities. The River Valleys (the Irk, Medlock and Mersey) and City Parks are particularly important, and access to these resources will be improved."

Policy DM1 (Development Management)

This policy seeks to ensure new developments contribute to the overall aims of the Core Strategy. Issues which should be considered are those which will ensure that the detailed aspects of new development complement the Council's broad regeneration policies. These include the impact on amenity, including privacy, light, noise, biodiversity, landscape, archaeological or built heritage as well as Green Infrastructure including open space, both public and private.

Policy EN1 (Character Areas)

The policy says of the Mersey Valley Character Area, this is a wide, flat valley with heavily managed open space and tree cover largely found on the valley perimeter where there are localised significant changes in level. The Mersey Valley acts as an important visual break between the South Area and Wythenshawe Environs. Extensive long range views exist from the valley sides and the major road network which bisects and runs along the valley. Developers will need to ensure that any development within or to the periphery of the valley maintains the sense of openness and accessibility.

Policy EN3 (Heritage)

This policy says 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.

Policy EN9 (Green Infrastructure)

This policy says new development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function.

EN10 (Safeguarding Open Space, Sport and Recreation Facilities)

This policy says 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.

Policy EN12 (Area priorities for Open Space, Sport and Recreation)

This policy says South area: enhance the quality of existing provision and using opportunities to address deficiencies.

Policy EN13 (Green Belt)

This policy seeks to protect Manchester's Green Belt and aims to ensure that the visual amenities of the Green Belt are not injured by development. Having considered the impact of the proposal on the openness of the Green Belt,

Saved UDP Policies CB1, CB15, CB16, CB20, CB23, CB24, CB25, CB40 and CB44 seek to preserve and improve the character and appearance of the Mersey Valley area.

Saved UDP Policy DC18 seeks to protect the City's Conservation Areas from inappropriate development and seeks to manage change appropriately.

Saved UDP policy DC26 seeks to protect the amenity of an area from the adverse impact of noise generating developments.

Blue Green Infrastructure

The strategy lays the foundations for the preservation and improvement of green and blue infrastructure within the City.

Issues

Principle

This application seeks to increase the usage of the existing flood lights that were granted planning permission, reference 093164/FO/2010/S1, in July 2010 following a site visit by Committee members. The consent was granted subject to the following condition-

The floodlights erected pursuant to the permission hereby granted shall not be used except:

a) between the hours of 3pm and 5pm on Saturdays and

b) on a maximum of 12 occasions in each period between 1st August and 31st May (relating to a football season) between the hours of 7pm and 10pm on weekdays. The applicant shall submit a statement at the end of each season outlining the occasions on which the floodlights were used for as long as the floodlights are in place.

The reason for the condition was given as -

To limit the capacity of the WD&CFC for more intense use of the football ground and thereby to limit the potential for any loss of amenity to the occupiers of the adjoining residential properties pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

Having, previously granted consent for the principle of flood lighting the issue to be considered is the impact that the additional usage of the lights would have. The issues are discussed in detail in the following sections.

Future intentions of the club.

The site comprises an existing football ground and the proposals in this planning application will not alter the use of the application site. Improvements and alterations are necessary to enable the club to make best use of the existing ground and support the facilities and allow them to prepare in advancing to the next tier of the National League System in the future. The use of the floodlights is not limited to the first team and the club now runs a number of teams. The additional usage of the floodlights would facilitate the continued evolution of the club.

Whilst the original reason for the condition was to limit the potential for the more intensive use of the site and the consequential impact on the amenity of residents, the passage of time means that it is not unreasonable for this issue to be reconsidered as circumstances change.

Whilst any organisation or business would seek to plan for the future, circumstances do change and thus whilst in 2010 it may have been acceptable for the club to limit the use of the floodlights on 12 weekdays within the season, 10 years later it is not unreasonable for this to be reviewed

Intensification of use.

Currently the flood lights can be used on Saturdays between 3 pm and 5 pm during the football season which for the benefit of the planning permission runs from 1 August to 31 May, and on a further 12 weekday evenings between 7pm and 10pm. This application initially sought to increase the number of times the floodlights could be used on weekdays to 30, however, this has been reduced to 24.

The season lasts 305 days, the pitch could be used with floodlights for around 43 Saturdays, dependent upon how the season falls in the calendar. The pitch cannot be used with floodlights on Sundays, so excluding Sundays that would leave a possible 219 weekdays when the pitches could potentially be used during the season, subject to the availability of floodlighting. The current use of the floodlights

for 12 occasions throughout this season equates to approximately 6% of the available days and this would increase to approximately 12% should consent be granted for extended use on 24 occasions. Thus whilst the club are seeking a 100% increase in the number of weekdays on which the floodlights can be used, it remains a relatively small number of the total number of days within the season, and leave 185 days when the floodlights cannot be used, more if you include Sundays.

The planning system has no control over the size of crowds attending matches at the ground. Whilst the size of the crowd influence noise levels, the usage of the floodlights does not determine how many people will attend the match and the consequent level of noise generated.

On balance it is considered that the proposed increase from 12 to 24 is not significant when taken across the whole of the season.

Floodlighting assessment.

In preparing the assessment of the floodlighting the applicant's consultant identified the site as being within Environmental Zoning E3. This was accepted by Environmental Health as being an accurate assessment. The full list is reproduced below.

Zone rating	Description
E1	Areas with intrinsically dark landscapes National parks or residential areas with strict limits on light trespass Roads usually unlit
E2	Areas of low ambient brightness Outer urban or rural residential areas
E3	Areas of medium ambient brightness Urban residential areas
E4	Areas of high ambient brightness Urban areas, residential and commercial with high levels of night time activity

On the Mersey Valley Character Area the Core Strategy says "This is a wide, flat valley with heavily managed open space and tree cover largely found on the valley perimeter where there are localised significant changes in level. The Mersey Valley acts as a important visual break between the South Area and Wythenshawe Environs. Extensive long range views exist from the valley sides and the major road network which bisects and runs along the valley. Developers will need to ensure that any development within or to the periphery of the valley maintains the sense of openness and accessibility." It is considered that the Mersey Valley is a green finger bisecting residential areas and that therefore the E3 category is appropriate rather than E2 which relates more to areas on the fringe of urban areas.

Residential Amenity

The original consent was limited to 12 weekdays as that was what the applicant had applied for. In view of the passage of time it is not unreasonable for the club to bring forward proposals to change this. Residents have highlighted the issues of noise, parking and the intrusive nature of the floodlights and the impact these have on their amenity. In support of the application the applicant has provided a lighting and noise surveys.

Both reports have been assessed by Environmental Health and based on the reports it is considered that there would be not significant impact from either noise or the use of the floodlights, as long as the latter remain focussed on the playing area and are switched off at 10pm. Concern was expressed that the lighting used to ensure that the site can be vacated safely could impact on the amenity of residents, the report highlights measures that could be taken to ensure that the impact is not significant. Both the cut off time for the floodlights and the measures to improve the ancillary lighting can be addressed through condition.

Residents questions the validity of the noise report, however, the survey carried out by the applicant was prior to the submission of the application. It has been assessed by the relevant officers in the Council who have raised no issues with the validity of the report.

The season is approximately 43 weeks long and therefore equates to one match every other week plus three other matches, although there is nothing in the previous condition that would have prevented the club playing five games in one week.

Whilst the installation of the public address system does not require consent this application provides an opportunity as part of assessing the impact of the development on residential amenity to impose a condition to mitigate its impact should consent be granted.

On balance it is therefore considered that an increase in usage of the floodlights of 12 times per season would not significantly impact on residential amenity.

Impact on the character of the Conservation Area

The impact of the floodlighting columns on the character of the Conservation Area was assessed as part of the consideration of application reference 093164/FO/2010/S1. This application seeks only to increase the use of the lights and not to change their appearance or number. The proposed development will not therefore impact on the character of the Chortonville Conservation Area or cause harm to the significance of the designated heritage asset.

Impact on the Green Belt

The impact of the floodlight columns on the Green Belt were assessed as part of the original application reference 093164/FO/2010/S1, as there are no changes to the

lights it is not considered that the proposal will change the impact upon the Greater Manchester Green Belt.

Impact on Ecology

The Ecology report has been considered by the Greater Manchester Ecology Unit and they are satisfied subject to the imposition of a condition that the floodlights continue to be turned off at 10pm. The development will not have a negative or harmful impact on local ecology.

Breaches of Planning Control

Residents have highlighted breaches of planning control in respect of the usage of the floodlights and the failure of the club to provide the required end of season reports on floodlight usage. The alleged breaches are that twice the floodlights have been used out of season, twice outside of the permitted hours, and twice the club have exceeded the limit of 12 games per season, two games in each of the 2016/17 and 2017/18 seasons. The club have submitted an account of the midweek usage of the floodlights and this confirms that in 2016/16 one extra game was played in excess of the 12 and in 2017/18 three extra games were played. Whilst breaches of planning control are serious matters, in these instances they do not equate to a systematic breaching of the conditions that necessitate the taking of enforcement action. Enforcement action can only be taken in respect of ongoing breaches of planning control and this was not considered to be the case in relation to this site.

There have been other complaints in respect of breaches of planning control, including the use of the club house for a summer school and the installation of a generator. These issues have been resolved.

Whilst there may have been breaches on occasion in respect of the conditions attached to planning permission reference 093164/FO/2010/S1, there is no evidence that the club has continuously operated the floodlights in breach the conditions. Enforcement action can only be taken in respect of an ongoing breach and not an occasional lapse.

Undertakings by the Club

Residents claim that the club is in breach of undertakings it has given them in the past notably about its future plans for growth. From a planning perspective there are no Planning Obligations or conditions in place to this effect and the conditions in respect of the floodlights were imposed over ten years ago. It is therefore legitimate for the club to seek to vary the condition in the light of changing circumstance. Any agreements between residents and the club, verbal or otherwise are not a material consideration in the determination of the application, which must be considered on its planning merits.

Conclusion

The football club and the floodlighting are established features within the area and presumably will remain so irrespective of the outcome of this application. In

considering the proposed development the issue is the impact that the extra 12 nights use of the floodlights. Having regard to the technical advice submitted and that as a total of the football season as a whole the number of nights remains quite small, around 12% it is on balance considered that any additional harm arising from the extra nights is not so significant as to impact in 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 Director 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 the consideration of this application.

Conditions to be attached to the decision

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:

Lighting Report by ECS Consulting reference 22/074/LR/01/B received 24 July 2020

Noise Assessment by Hepworth Acoustics reference P19-459-R01v2 received 10 January 2020

Ecology Report by Rachel Hacking Ecology received 25 July 2019

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) The floodlights erected pursuant to the permission hereby granted shall not be used except:

- a) between the hours of 3pm and 5pm on Saturdays and
 - b) on a maximum of 24 occasions in each period between 1st August and 31st May (relating to a football season) between the hours of 7pm and 10pm on weekdays.
- The applicant shall submit a statement at the end of each season outlining the occasions on which the floodlights were used for as long as the floodlights are in place.

Reason - To limit the capacity of the WD&CFC for more intense use of the football ground and thereby to limit the potential for any loss of amenity to the occupiers of the adjoining residential properties pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester

4) The floodlighting hereby approved shall be maintained in accordance with the manufacturers specifications and be directed onto the playing surface at all times.

Reason - To prevent any loss of amenity arising from the floodlights being deflected and shining into nearby residential properties pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

5) Within three months of the date of this consent the recommendations of the revised lighting report by ECS Consulting reference 22/074/LR/01/B received on 24 July 2020 shall be implemented in full, and a verification report submitted to the Council for approval.

Reason To protect the amenity of the occupiers of adjacent nearby residential accommodation pursuant to Core Strategy policy DM1.

6) Within three months of the date of this permission a scheme shall be submitted to and approved in writing for the management , control of noise levels from the public address system should be designed, managed and controlled to a levels of the public address system. The approved scheme shall be implemented as part of the development and maintained thereafter

Reason- To protect the amenity of residents from excessive noise pursuant to Core Strategy policy DM1 and Save Unitary Development Plan policy DC26.

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: 124335/JO/2019 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

**Environmental Health
Greater Manchester Ecology Unit
Highway Services
Environmental Health
Greater Manchester Ecology Unit**

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:

Relevant Contact Officer : Dave Morris
Telephone number : 0161 600 7924
Email : dave.morris@manchester.gov.uk



Application Number	Date of Appln	Committee Date	Ward
129020/FO/2020	23 Dec 2020	2 Sept 2021	Fallowfield Ward

Proposal Erection of 1 no. 13 storey building and 1 no. part 4 and part 5 storey building to form purpose built student accommodation together with a single storey side and rear extension to the retained and refurbished Oakley Villa and conversion to form amenity and communal space together with associated landscaping, cycle parking, car parking and associated works following the demolition of existing office accommodation on the site

Location Oakley, 188 Wilmslow Road, Manchester, M14 6LJ

Applicant USDAW, Watkin Jones Group Ltd & Wilmslow Road Manchester Ltd, C/o Agent

Agent Miss Jenny Fryer, Turley, 1 New York Street, Manchester, M1 4HD

EXECUTIVE SUMMARY

The proposal is for the erection of 1 no. 13 storey building and 1 no. part 4 and part 5 storey building to form purpose-built student accommodation (PBSA) to provide 425 bedroom spaces together with the refurbishment of number 188 Wilmslow Road (Oakley House) and the demolition of existing extensions. There have been 246 objections to the statutory notification process together with objections from a number of local Civic Societies and residents' groups. Councillors Ali Ilyas, and Zahra Alijah have also objected together with Withington Councillors Chris Wills, Becky Chambers and Rebecca Moore.

Key Issues

Principle of use and contribution to regeneration - The development is not considered to meet the tests of Core Strategy Policy H12 which relates to Purpose Built Student Accommodation.

The site, whilst not in close proximity to the University Campuses, is located along Wilmslow Road which provides a high frequency public transport corridor serving the University Campuses.

The proposals would result in a high density development adjacent to domestic scale developments within Fallowfield, the height, scale and massing of the building would form an over-obtrusive feature within the street scene and the wider area. It is considered that the proposed 13 storey building would have a poor relationship with the retained Oakley House, a non-designated heritage asset.

Residential Amenity - The development would have a direct impact on the amenities of existing residents on Langley Road in terms of increased built form in close proximity and would give rise to an increase in activity and comings and goings throughout the day, seven days a week.

It is considered that there would be wider impacts on the area as a result of up to 425 additional student occupiers that would not contribute in a positive way to the areas vibrancy and would increase pressure on existing neighbourhood services to the detriment of existing residents. It is also the case that the proposed scheme would not deliver any significant regeneration benefits to justify the development and to outweigh the identified harm caused.

The proposals would retain the non-designated heritage asset Oakley House and re-purpose it for support accommodation for the wider redevelopment.

A full report is attached below for Members' consideration.

Description

The application site comprises the original early-19th century villa, known as "Oakley", along with three large office extensions constructed for the current occupiers, USDAW, in the late 1930s, c.1950s and the 1970s. The supporting information indicates that the first known record of the property being in occupation was 1837. The original villa is the last surviving of a number of large 19th century villas that were constructed on the western side of Wilmslow Road. The applicant has prepared a heritage statement to accompany the planning application and this confirms that the original building is considered a non-designated heritage asset, the Council is in agreement with this assessment of the building which retains a number of important original internal features.



View of the front of 188 Wilmslow Road, with later extensions on the left

To the centre, north and east of the site are remaining open grounds dating to the original residential use of the site, including stone and brick boundary walls and the remains of an early-20th century garden potting shed. There are a number of

substantial trees within the car parking area located to the Wilmslow Road frontage of the site that contribute towards the verdant feel of this section of Wilmslow Road between the northern edge of Fallowfield District Centre and the Southern edge of Rusholme District Centre. Since the submission of the application proposals and following the recommendation of the City's arborist a number of the trees on the site have been made subject of a Provisional Tree Preservation Order.



View east along Langley Road towards Wilmslow Road with the late 1930s extension to 188 Wilmslow Road fronting the street and the University of Manchester Owens Park Tower in the background

The site is currently in use as the head office for USDAW, a non-profit organisation providing advice and representation to businesses in a number of different industries including road transport, dairy and food shopping as well as major retailers. The USDAW Fallowfield Office is the head office of a wider network of 19 offices across the UK and the supporting information indicates that it employs circa 180 staff. The site was purchased by USDAW in the 1920's and have occupied it since then.



View south from Platt Fields Park towards the application site the original Villa to the left highlighted in the red box and later three storey extensions to the right



View south and east towards the rear of the application site with the two storey rear extension to 188 Wilmslow Road centre beyond the boundary wall and the Owens park Tower identified in the background with the red box.

Beyond the application sites boundaries to the north and east lies Platt Fields Park, to its south on Langley Road and beyond is an area of terraced housing and to the east on the opposite side of Wilmslow Road is the University of Manchester Fallowfield halls of residence. To the south extending along Wilmslow Road is the Fallowfield district centre that contains commercial activities and businesses.



The application site edged red

Proposal

The application proposals are for the erection of 1 no. 13 storey building and 1 no. part 4 and part 5 storey building to form purpose built student accommodation (425 bedroom spaces) together with a single storey side and rear extension to the retained and refurbished Oakley Villa and conversion to form amenity and communal space together with associated landscaping, cycle parking, car parking and associated works following the demolition of existing office accommodation on the site.

The proposals seek the reinstatement of the existing villa, this would involve the demolition of the twentieth century extensions together with the erection of modern contemporary single storey side and rear extensions. The villa would then be converted to be used for amenity and communal space to support the student accommodation proposed elsewhere on the site.



Proposed front elevation of refurbished and extended Oakley Villa

The demolition of the extensions would allow the redevelopment of the remainder of the site and this would be in the form of: 1 no. part four and part five storey building located on the southern side of the site facing onto Langley Road and wrapping around the western boundary of the site with Platt Fields park; and, a 13 storey building being sited along the northern boundary of the site with Platt Fields Park. The eastern part of the site currently containing hardstanding for car parking and landscaping including substantial trees would be converted to a landscaped area with the trees retained. The proposed buildings would wrap around the boundaries of the site and retain a central landscaped courtyard to provide outdoor amenity area for occupiers of the development.



The proposed part 4/part 5 building as viewed from Langley road – the extended Oakley Villa is on the right



The proposed part 4/part 5 building looking eastwards from Platt Fields Park with the proposed 13 storey building in the background to the left



The proposed 13 storey building (centre) looking southwards from Platt Fields Park with Oakley Villa to the left and the other proposed building to the right

Consultations

The application was subject of advertisement in the Manchester Evening News, by way of notices on site, and neighbour notification letters to 2049 addresses in the locality. As a result of this notification 246 objections were received together with representations from a number of residents groups local councillors and councillors of nearby constituencies.

Cllr Zahra Alijah - As a local councillor, I have seen the negative impact of high density student housing in the local area. I believe the proposal contravenes Core Strategy Policies H12 and H6 for those reasons. The proposed 13 storey structure overshadows an important park and streets of terraced housing. Platt Fields Park is a vital resource in this urban community: it is a park of historical significance, environmental importance and an essential health resource for local people. Additionally, the lack of on-site parking in the development will have a considerable impact in local streets where parking is already a problem.

Councillor Ali Ilyas - I am writing as the Councillor for Fallowfield Ward regarding the above planning application.

USDAW have always been a very positive presence in my ward, and myself and residents are sad about them leaving as they have a long history in the area.

However, I understand their offices are no longer suitable for them and it is hoped they can get a good return on the property and leave a legacy in the area the community can celebrate. However, I do not believe the current proposals will assist USDAW in their wishes to leave a positive legacy behind and it would unfortunately go against the councils and residents policies and ambitions for the area. In which our aims to create a more balanced community with mixed tenure of housing, rather than an area where there is a monoculture of single tenure and high density accommodation.

Any more high-density developments in the area would exacerbate existing issues in the ward, with the planning department and committee being aware of the policies

and strategies the council has put in place to re-balance the community. Alongside the monoculture of single tenure housing, there are many on-going issues with ASB, crime, community tensions and litter and pressure on services linked to high density accommodation. There is also a concern about parking, the developer states tenants will be encouraged to not have cars and use bikes and public transport. However, I don't believe this will be enforceable practically and will only add to parking pressures in the area.

The proposed development runs counter to Policy H6 of the Council's Core Strategy.

This states that "High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes." Clearly this development does not meet this requirement. Nor does it meet the other requirement of this policy: "Outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing."

The proposed development also goes against the councils policy on building more PBSA on and near the campuses around the City Centre and Oxford Road Corridor. As such, it also goes against Policy H12 of the Council's Core Strategy. Any proposed PBSA must meet a number of clauses. In particular, the proposed development does not meet the following clauses in the policy:

- a. "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."
- b. "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."
- c. "Proposals should be designed to be safe and secure for their users, and avoid causing an increase in crime in the surrounding area."
- d. "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 street scene either from the proposed development itself or when combined with existing accommodation."

There is a real potential for USDAW to leave a positive legacy for the community as the site does present an opportunity for the provision of affordable housing, social housing, and retirement housing. There is a real shortage of all of the mentioned types of housing in South Manchester, none of which appears to have been properly explored by the developer.

Furthermore, there is also concerns about the environmental impact to Platt Fields park, and the trees on and surrounding the property, as well implications for Oakley Villa which is a 19th Century villa and is disappointingly not a listed building but for all intents and purposes should be.

In summary, I do not believe the application in its current form is appropriate and therefore ask that the application is refused.

Withington Councillors Chris Wills, Becky Chambers and Rebecca Moore –

While the proposed development is in Fallowfield ward, the site is very near to the north west border of our ward. If approved, it would have a significant impact on our shared district centre, local amenities, public services and most importantly on many residents in the South-East Fallowfield part of Withington ward.

The Councillors have always had a positive relationship with USDAW. Their presence in Fallowfield has been a real positive for over a century. While sad to hear they were leaving their site on Wilmslow Road, it is fully appreciated that their existing offices are no longer fit for purpose, and that they need to seek appropriate remuneration for the site. Securing good value for their members should of course be a priority for USDAW. This is understood and would reiterate that USDAW's ambition to leave a positive legacy in the local area is appreciated. However, these proposals put forward by the developers are wholly unsuitable for the local area.

Our main concerns are as follows:

- 1) The proposed accommodation is for 425 student bedrooms. This is a high-density development that would exacerbate existing imbalances in the local community. The Planning Department and Committee will be very familiar with the issues our communities face due to imbalance, and be familiar with the policies and strategies that the council has put in place to mitigate over-studentification.
- 2) The height of the proposed tower block would make it by far the tallest building in the local area, once the existing Owens Tower is demolished. This would have a negative impact on visual amenity for nearby residents. It would also impact on visual amenity for users of Platt Fields Park.
- 3) The high density of this development would have a detrimental impact on local residential amenity and public services - including transport, parks and primary care facilities.
- 4) There is very minimal parking provision on site. While the developer states that this is to encourage tenants to use sustainable transport, the reality is that it will cause pressure on existing parking, with overspill onto residential roads, which already face traffic blight from student properties and local schools.
- 5) As Councillors, we are acutely aware of ongoing issues with crime, antisocial behaviour, litter, and community cohesion caused by over-studentification. All of these risk being exacerbated by the addition of this high-density new development. We are by no means anti-student. We strongly value the contribution that students make to our city. But our communities must be sustainable and more balanced.

Furthermore, the potential for increased noise and antisocial behaviour is not acknowledged in the Noise Impact Assessment.

6) The proposed development runs counter to Policy H6 of the Council's Core Strategy. This states that "High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes." Clearly this development does not meet this requirement. Nor does it meet the other requirement of this policy: "Outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing."

7) The proposed development also goes against the established trend of students moving away from Fallowfield and Withington, towards purpose-built student accommodation (PBSA) on and near the campuses around the City Centre and Oxford Road Corridor. The site is nowhere near the Oxford Road Corridor, the south boundary of which ends at Whitworth Park.

8) For this reason, it also goes against Policy H12 of the Council's Core Strategy. Any proposed PBSA must meet a number of clauses. In particular, the proposed development does not meet the following clauses in the policy:

a) "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."

b) "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."

c) "Proposals should be designed to be safe and secure for their users, and avoid causing an increase in crime in the surrounding area."

d) "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."

9) Councillors and the residents that we represent want to see a more balanced community, with former HMOs going back into family ownership. The developers have claimed that students would move into the PBSA from existing HMOs in Fallowfield. However, the proposed rents for these flats are significantly greater than the rent that students are currently paying in HMO accommodation. There would therefore be no incentive for them to move to the PBSA. What might instead be seen, however, would be a drift back into Fallowfield from students currently living in PBSA

in the City Centre. This would thereby reverse the positive trend we want to see continue.

10) Fundamentally it is believed that a mixed tenure would be far more suitable. The site does present an opportunity for the provision of affordable housing, social housing, and retirement housing. There is a chronic shortage of all of these types of housing in South Manchester. Disappointingly, none of these alternatives appears to have been properly explored by the developers.

11) There is concern regarding potential environmental damage that would be caused to established mature trees at the boundary with Platt Fields Park: both in terms of damage to the roots, and the blocking of sunlight caused by the tallest building in the development. There is also a lack of clarity regarding the impact of these proposals on both tree numbers, and on the boundary of Platt Fields Park.

12) The development would cause harm to the setting of Oakley Villa. The last surviving example of a number of 19th century villas, it is not currently a listed building. However, it should be seen as a local heritage asset. Under these proposals it would be overshadowed, and overwhelmed, by the surrounding development. In summary, the application in its current form is not appropriate and ask that the application is refused.

Afzal Khan MP - I am writing with respect to the above planning application for the site of the former USDAW Central Office at Oakley Villa adjacent to Platt Fields Park. I have been asked by constituents to write to you to ask that the Planning Committee, on determining the application:

1. To take appropriate and fair consideration of the views submitted to them by all local residents as well as representative organisations and institutions, and to consider whether appropriate consultation has been undertaken.
2. To consider, based on evidence submitted, the balance of the community in the Fallowfield and Rusholme wards in my constituency, and specifically within the immediate area of the Fallowfield Brow.
3. To consider the impact on Platt Fields Park (particularly with respect to the area round Shakespearean Gardens and to trees within the Park) and whether appropriate action has been taken to mitigate any impact on park users.
4. To come to a decision, taking into account all views and evidence, that is in accordance with the law and Manchester City Council's planning policies.

A summary of the responses received from residents is set out below:

The proposed development will create harm for the users of Platt Fields Park. The proposed high rise tower block will overshadow the park and spoil the visual amenity of natural tree lines which surround the park.

Concerned that many of the mature trees around the perimeter will be damaged during construction and this loss would have a detrimental effect on biodiversity for insects, birds and wildlife. Platt Fields is known to have many species of bats and

consider that the light and noise pollution from the proposed accommodation blocks will cause considerable environmental harm to wildlife.

The additional 425 students will add to the congestion on transport routes and thus contribute to more air pollution. This number of students is equivalent to six full double decker bus loads of extra people to be transported along the heavily congested bus route. Extra bus demand created by more students at Oakley will add to air pollution levels.

Oakley Villa is a heritage asset, one of few remaining in this area. Whilst it is not a listed building it has many fine Victorian features and is set in gardens which have provided calm to this area. In contrast the 13 storey tower and 4/5 building around the perimeter will not enhance the setting.

The demolition and large mass of buildings proposed to be highly energy intensive and costly to the environment in terms of carbon emissions. A significant reduction in carbon emissions could be achieved by upgrading rather than demolishing.

This site would be ideal for mixed housing, with the Villa itself converted into luxury accommodation. In this way, USDAW would leave a legacy of benefit to the neighbourhood and provide much needed family housing which would not harm the community or Platt Fields Park whilst also preserving the heritage of an important Victorian Villa.

The Villa is also set close to the boundary of the Park and it is considered that the tower in particular will spoil the views from Wilmslow Road and within the park. The tower block is particularly out of character to the surrounding area and would create an overbearing structure on nearby Platt Fields.

The building along Langley Road would cause harm to immediate residents on Langley Road and other neighbouring streets by the height and the number of student bedroom windows from which noise is bound to emanate (day and night).

The height of the tower contravenes the Tall Buildings Policy and is considered an incongruous feature in the street scene that would have an adverse impact on the visual amenity of the area.

The applicant suggests that whilst there might be a small dip in University student numbers due to the pandemic, the demand for PBSA will continue to rise in coming years. This is very speculative and likely to be very inaccurate. The pandemic is having long lasting consequences and it is likely that there will be profound changes to working practices.

The Owen's Park Redevelopment under construction is providing an additional 1 148 bed spaces (+ 64 at Chancellor's Hotel) to PBSA in Fallowfield which will add incredible strain to this area already under stress. Adding a further 425 student bed spaces next to Fallowfield Brow residential housing would create harm to the amenity of residents near the site as well as those in the wider area.

Students are not contained on campus and will spill into the community adding more noise, anti-social behaviour and attracting more criminal activity.

The height of the tower will also ruin what is currently a complimentary tree-lined boundary to the park, being much to the original design of the park when it was purchased over one hundred years ago.

Loss of trees on the boundary inside Platt Fields particularly six mature sycamores. The height and proximity of the proposed buildings to these trees will likely lead to their loss. A building of such size will have deep and damaging foundations which will cut through the root ball of those trees, and failing that the loss of light from a building so close and over twice the height will block out too much sunlight.

There are trees on the site which should be considered for TPOs

Noise and disturbance resulting from the use, the future occupiers will dominate the area immediately around the development where there is currently little infrastructure to provide for it.

Much of the site grounds will be developed and built on, offering only a small "Garden Courtyard" with very little light, occupiers will go to the park for use of outdoor space and dominate the area to the detriment of the existing park users.

The tallest block is extremely close to the boundary with the park. The siting of such a tall building in such a location is contrary to policy and will cause significant visual intrusion and harm to the visual amenity of the public from this and surrounding wards.

The 13-storey tower will blaze with light across the park disrupting the peaceful enjoyment of the park as well as foraging grounds for local wildlife (including badgers as noted in the report.) The appraisal also notes that light pollution is a significant issue for bats and will have a significant effect on mating and nesting activity (even if bats are re-located in the required manner), which is likely to lead in reduced diversity and public amenity.

Photographic montages provided by the applicant over-emphasise a comparison with Owens Tower at Fallowfield Campus (which is in any event threatened with demolition) and do so from a distance in an attempt to minimise the impact and place an inappropriate context of height on the development, which is as a matter of fact, overwhelmingly low-rise.

Holy Innocents Church – Our Parish has one of the largest populations in the Manchester diocese, of that population, nearly 75% are only present for 9 months or less of the year and change each year. The buildings they live in stand empty for the rest of the time. In the meantime, there are new and existing members of our church who cannot afford to live anywhere in the parish. This situation reflects the wider issue about rent rates and housing and the tolerance of speculation and rent profiteering.

Apart from Sainsburys and a new food store about to open, there are no shops selling basic goods. Instead, the Council appears to encourage suppliers of expensive low quality fast food and alcoholic drink to students.

There is a safety concern where students in the area attract gangs into the area to target them which impacts on other members of the community.

The Usdaw offices added unsightly additions to a once dignified house, instead of a creative re-think, the suggested development adds a tower block and other large light blocking buildings to the area and offer little positive contribution to the local community.

Withington Girls School – Are proud of our links to Fallowfield and Withington communities. They believe that this development would have a negative impact on our neighbours in the local community and our school. With such a dense development would come a significant increase in traffic both of cars that the students would inevitably bring and in terms of additional demand on buses, pavements and cycle lanes. This would increase journey times for our pupils and additional risks to them as pedestrians.

An additional 400 plus students would increase noise and anti-social behaviour, both of which have already increased exponentially with the development of new halls at the University of Manchester Fallowfield campus.

St James C of E Primary School - Object to the current plan in place for 188 Wilmslow Road which runs counter to Policy H6 and H12 of the Council's Core Strategy which protects district centres from high density development and prioritises student housing in the city centre rather than district centres. With such dense development, would come a huge increase of traffic which the area cannot support. The development itself provides very little parking, students would then be forced to park cars on surrounding streets, leading to congestion and increasingly hazardous roads. An additional 400 plus students would increase noise and anti-social behaviour, both of which have already increased exponentially with the development of Unsworth and Uttley behind Owen's Park. There would also, sadly, be increased litter in the area, leading to further issues of pest infestations, such as rats. There would be a huge impact on local infrastructure- buses, medical facilities, supermarkets, parkland, all of which are already pressured from the imbalanced community in Fallowfield and would become more so. The school is aware that families are increasingly struggling with the journey to and from school due to an increase in traffic volume from both students and parents taking their children by car to both of the Manchester Grammar Schools. Finally, they are very concerned about any effect this development would have on Platt Fields park. As children in a high density city, our children needs access to open green spaces. The development would mean that 400 students would have a piece of the park as their garden instead. The development would further imbalance the community, would have detrimental impact on trees, noise levels, traffic, infrastructure, and is at odds with the Council's core strategy

Friends of Platt Fields Park – Object to the proposals for the following reasons:

Loss of light and overshadowing - The proposed tower is more than double the height of the trees in the park on the northern boundary of the site. This will seriously overshadow the park grounds and deprive the vegetation of light to the detriment of the gardens and existing trees.

Loss of trees on the boundary - inside Platt Fields particularly six mature sycamores. Noise and disturbance resulting from use. The Design Landscape Development cites the opportunity for residents to use the park as an open outdoor space, but it is our concern that the residents will dominate the area immediately around the development. There is no assessment of the noise pollution from the proposed buildings over what is currently a quiet and peaceful secluded area of the park. Contrary to Core Strategy Policies H6, H12 and EN2

Loss of public amenity - The 13-storey tower looms over the park and especially the very immediate parts of it.

Heritage impact. -The additional height proposed along Langley Road (plus a steeply pitched and high roof) and the 13-storey tower rising immediately behind the villa would create a backdrop that would fundamentally compromise the setting of a designated asset

Sustainable development. The proposed development offers minimum compliance with Manchester City Council Core Strategy (2012) and Guide to Development in Manchester (SPD) (2007) regarding net improvements to the environment or progress towards sustainable development. We note particularly a lack of green infrastructure, mitigation to climate change, carbon efficiency, opportunities to enhance, restore or create new biodiversity, or adequate sustainable urban drainage schemes (SuDS). Environmentally, there is nothing sustainable regarding the development. Socially it contravenes council policy aiming for a greater mix of residents in Fallowfield.

Traffic generation - By deeming the development "car free" the developers seem to have washed their hands of this problem by not providing parking spaces. It is our belief that residents will simply park their cars on already crowded nearby residential streets, affecting parking availability for the existing residents and access for visitors to the park.

These above points contravene the objectives of the Friends.

Rusholme and Fallowfield Civic Society - there is no public or economic benefit to outweigh the very considerable harm that this proposal would do Platt Fields Park and the Environment, to the setting of Oakley Vila as a designated heritage asset and perhaps even more particularly, to the diversity and sustainability an otherwise already threatened local community.

The harm to the park and the environment – the erection of such tall buildings in close proximity to trees on the boundary with the park will do irrevocable damage not only to the trees themselves but also to the visual amenity and enjoyment of the park by the general public.

The harm to the setting of the villa - Oakley Villa is one of the diminishing number of fine villas for which the area is known. As with all such heritage assets, its setting is as important as the building itself. Given the recent history of the site, any redevelopment is an opportunity to maintain and enhance the character of the villa's setting and such an opportunity should not be lost. Rather than enhance the setting, these proposals will do major harm by dominating the villa both at great height to

the northern boundary and from behind on Langley Road.

The very significant harm to the local community – where City Council housing policy prioritises the creation and maintenance of stable and sustainable communities in predominantly family-base accommodation, the presence of a further so many more additional students in the area would threaten the local community on Langley Road and the streets behind with further and unsustainable imbalance from an increasingly transient population.

South East Fallowfield Residents Group - Endorse the comments submitted by the Rusholme and Fallowfield Civic Society. The primary issue with the application which relates to the harm this new student development will cause to our, already fragile, community. Although Fallowfield has been popular with students since Victorian times, the level of student density in the last 20 odd years has dramatically increased and there is now a situation where 64% of the local population are students in M14 6/M14 7 postcode and our neighbourhood has become highly unbalanced. SEFRG would like to emphasise at this point that they are not anti-students per se (many of us have been students ourselves and many of us have children who have been/are/will be students). SEFRG know that a neighbourhood involving a certain proportion of students can bring great benefits in terms of diversity and vibrancy but it is the sheer volume of students in our area which is causing the problems.

Many UK students actually choose to live in HMOs because it fits their idea of student life. PBSAs are seen as something you do in your first year because you are in an unfamiliar place and you want to meet loads of new people. In any event, the price point of £160pw is still more expensive than almost all the HMOs in this area. It is not common for UK students to spend their whole degree course in PBSA. Once students move into the area (either in the first or second years) a significant number will continue to stay here and move into the local HMOs in subsequent years.

The applicants' planning application states that because an average HMO in Fallowfield housed 4.1 students in 2011 this will mean that 100 houses will be freed up for local families. This assumes that every student moving into this new development will free a room in an HMO and that no other students will move into the area in their stead! The two universities alone have circa 75000 people and living in an HMO in Fallowfield has taken on an almost legendary status. As the applicants' themselves point out, demand for accommodation in Fallowfield is very high and if there's spare capacity, some, if not all of it, will be filled. Therefore, without specific action by the council (or the universities), there will not be any meaningful reduction in HMOs and there will be a net increase in the number of students in our area. Fallowfield is now so unbalanced that any increase at all would not be acceptable. In fact only a decrease in overall numbers will start to create the 'balanced' community needed.

The applicants assume that all these apparently empty HMOs will automatically turn back into family houses. This is highly unlikely. Since the advent of Airbnb landlords have turned student houses into Airbnbs because the yield is sometimes higher than with student occupation. Airbnbs cause many of the same problems as HMOs and go no way towards redressing the imbalance in our community.

The assumption that students living in PBSAs will not cause a problem to the community. Students living in PBSAs obviously live in the community too this means that an extra 425 young people will be regularly socialising in the area. The bars and takeaways have extremely late licensing hours in our area - many are open until 2/3am, 7 nights a week and some are open much later (There were 38 licensed premises in the district centre at our last count October 2020). This causes untold misery to local people.

The spotlight on local student halls during the pandemic has shown that, even with heavy security and on university land, it isn't always possible to control behaviour on site when large numbers are involved.

The 'high street' offering on Wilmslow Road is extremely poor in terms of both the quality and the variety of retail options; there are a proliferation of poor quality takeaways, bars, clubs and letting agents many of which have been linked to illegal activities. These establishments are 'fed' by the student pound and the more students, the more they will thrive. This, in turn, really affects local residents' lives - who feel increasingly alienated on our local high street. It is not normal for people in their 50s to be asked for their ID when they go for a drink in a bar, or for a local person in their early 20s to be told they cannot enter a bar if they're not a student, but this happens in Fallowfield. Moreover in the summer months, when the students leave, many local places actually shut shop. During the holiday periods, the area resembles a forlorn, out of season, seaside resort...but without the sea.

Some of the residents along Langley Road currently have a view of the 2 storey 1930s extension to Oakley Villa. The new development will, by contrast, be 2/3 storeys taller and run the entire length of the street. This will make Langley Road quite oppressive and gloomy. The sunlight reports in the planning application, mention the fact that there will be a reduction in sunlight to the terrace but state that this is within 'acceptable' limits when there is 'an efficient use of land'. This will harm the residents' enjoyment of their houses. Langley Road and half of Mabfield Road will be blighted by a huge 13 storey tower and a large L-shaped wrap around building in what is, a residential neighbourhood.

There will be 56 large windows on the new building on Langley Road. These are student bedrooms so it is very likely that the lights will be on for many hours. There will therefore be a combined total of 154 windows overlooking this small terrace, where there are currently 35 windows of varying sides on the old USDAW 1930s extension. This will obviously adversely affect the residents on Langley Road and will be especially disruptive at night when they are trying to sleep and result in a loss of privacy to the existing residential properties.

The level of proposed on site car parking is totally inadequate and SEFRG know, from experience that a lot of students (especially 2nd and 3rd years) bring their cars to university. They don't tend to use them much because of the very frequent bus services so they are left parked on residential streets for days on end. This lack of parking will severely impact on local residents many of whom already struggle to park because of the numbers of student households in the area. Moreover the applicants car parking 'solution' to the beginning and end of year pick-ups and drops-offs is derisory; allocating a few extra spaces and 20 minute time slots with marshalls to

supervise. How will this work? Parents will be queuing all around the residential streets and possibly even on Wilmslow Road, it will cause major disruption and really affect local residents and possibly even the wider traffic flow.

425 extra students walking to and from the development at all times of night and day. This will impact on the wellbeing of local residents - to be woken up night after night is extremely debilitating and it is becoming increasingly clear that sleep disruption can lead to various health problems. Residents who live near Owens Park have mentioned the increasing amounts of noise since the building of Unsworth Park and the proximity and sheer density of this development, is bound to have a similar, if not greater, effect.

The applicant has one presented two very poor options for the site, either one of dereliction or one of redevelopment for student accommodation. There are plenty of flats in the immediate vicinity which are largely occupied by long term residents; Appleby Lodge (0.4 miles from Oakley Villa) and Thorne House (0.3 miles from Oakley Villa) are just two examples. these developments are very fair comparisons to Oakley Villa. They are on the opposite side of the road from Oakley Villa i.e. on the same side as the Owens Park campus but they are only a short walk away. If Oakley Villa and the surrounding land was sympathetically developed . SEFRG think this would be very attractive to a variety of purchasers, especially bearing in mind its location, near the park.

Schuster Road and Park Range Residents Association - The Rusholme and Fallowfield Civic Society have submitted a detailed objection to the proposed development at Oakley Villa in Fallowfield. The submission reiterates many of the points raised by other residents association in particular impacts on: the local community; a sustainable community; environmental, and traffic considerations .

Manchester Urban Diggers and Platt Fields Market Garden- Can see no benefits to this development on the border of the park, only significant loss of amenity to the fabric, ecology, and users of Platt Fields.

Withington Civic Society - Withington Civic Society strongly opposes the application. Fallowfield has a disproportionate amount of student accommodation and, as a consequence, a limited retail and leisure offer, whilst also suffering a high incidence of anti-social behaviour, noise and public realm impacts. An additional 425 student homes will further erode the lack of diversity already present in Fallowfield.

Core Strategy H1 recognises the city centre as a suitable location for student accommodation and the need to expand the range of housing options in many areas. Fallowfield is over-represented with student accommodation, both purpose-built and shared houses, and has a shortage of affordable family homes.

There is no on-site provision for resident parking and this will inevitably surcharge on-street capacity in the surrounding area, thus reducing the amenity of local residents.

The large, transient student population is one of the principal factors in Fallowfield requiring multiple strategic and policy interventions in order to create conditions in which a sustainable community might begin to grow. More student accommodation

will only make this challenge greater. It will have a negative regeneration impact, not positive.

The Oakley Villa is retained in the proposals but is nevertheless dwarfed by the huge newbuild element.

Even acknowledging that design quality and appropriate locations are subjective, the proposal will clearly fail to deliver against many of the tall buildings' criteria laid out in Core Strategy policy EN2. The height of the proposed buildings demonstrably does not relate to the local context as explicitly require by the policy.

The proposal fails to celebrate the character of the existing built-environment and will detrimentally affect the adjacent park.

Fallowfield & Withington Community Guardians – Have submitted a detailed objection with supporting evidence indicating that the proposals would give rise to harm to the community. They indicate that students make up 64% of the population of Fallowfield in M14 (sub postcodes 6 & 7); there are existing problems of anti social behaviour in student accommodation on campus and that there would be further impacts on the general residential community as a result of the proposed additional 425 bed spaces; They are of the view that more Purpose Built Student Accommodation (PBSA) will not free up family homes and there are existing environmental problems impacting on the community.

Moon Grove Residents Association - Object to this planning application. They can see no benefits to this development on the border of the park, only significant loss of amenity to the fabric, ecology, and users of Platt Fields and residents of the local area. They would anticipate further significant numbers of students using the already overloaded public transport system along the bus route to the University - this will be seriously detrimental to local residents who very often have to struggle to travel during peak hours. MGRA also state that the proposals do not accord with Core Strategy Policies H6 , H12, and EN2. The 13-storey tower contravenes Council Tall Buildings Policy in many regards, including height relative to local buildings, location, and local microclimate. The harm to the park and the environment - the 13-storey tower dominates the park. The wooded skyline and parkland outlook will be lost. The tower looms over the park and users.

Currently the student population maybe displacing in the order of 17,000 residents from potentially affordable homes. The issue is recognised by council, who limit HMO and in December 2020 have effectively directed Planning Officers to consider PBSA in the City Centre, the Oxford Road Corridor, and certain other excepted areas only. Oakley Villa does not fall into any of these areas.

Chorlton Voice - Object to this proposal, which is considered to be over-development of the site. In particular, the proposed tower block will unduly dominate views from and across Platt Fields Park. The overlooking of the Park from so many elevated dwellings in such close proximity will detract from the user experience of the eastern end of the Park.

The University of Manchester - A copy of a letter provided to the applicant from the UoM has been submitted to the Council in response to the notification process. This confirms that the applicant has been working with the University for a number of months prior to the submission of the planning application and that: Overall the proposed scheme is situated in a sustainable, convenient location close to our Fallowfield Campus with excellent public transport links. It will offer students a good environment to learn and live in, benefitting from a high level of accessibility, the broad spectrum of local amenities and close to the pastoral support they deliver through the Fallowfield Campus.

Statutory consultee responses

Greater Manchester Ecology Unit -Bats- Buildings and trees on site were surveyed by an experienced consultancy, for bat roosting potential and one emergence survey, late in the survey season carried out on one building. No evidence of bats was found with all buildings proposed for demolition assessed as having negligible bat roosting potential, with the building for retention assessed as moderate risk, downgraded to low risk following the emergence survey owing to a high level of external lighting. In addition, as this building with low to moderate potential is to be retained, reasonable avoidance measures can be applied. GMEU recommend a condition is applied to any permission.

In addition, three trees proposed for removal were assessed as having low bat roosting potential and requiring further survey. Labelled as BT4 a semi-mature yew, BT5 a holly and BT7 a semi-mature yew, in the ecological report. Given they are low risk further and based on the photographs GMEU are content for further assessment to occur via condition.

Nesting Birds - Trees and shrubs will be lost as a result of the development, potential bird nesting habitat. All British birds' nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. GMEU recommend a condition be applied to any permission.

Mammals - Habitats on site were assessed as providing potential nesting habitat for hedgehog and grey squirrel dreys were recorded in some of the trees on the site. Hedgehog are a UK Biodiversity priority species and therefore a material consideration. GMEU recommend a condition is applied to any permission.

Invasive Species - Rhododendron was recorded on the site. Rhododendron ponticum is included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule.

It is quite probable that the Rhododendron on site are ornamental varieties not included under schedule 9 part 2. They are also unlike Japanese knotweed unlikely to propagate from plant fragments or to have a seed bank within the soil like Himalayan balsam, plus it is not illegal to grow rhododendron on a site such as this. GMEU are therefore satisfied that the risks of an offence are very low and can be covered by an informative applied to any permission.

Contributing to and Enhancing the Natural Environment - Section 170 of the NPPF 2019 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The main ecological impacts are loss of trees, loss of associated bird nesting habitat and loss of associated bat foraging habitat. (The site had high levels of common pipistrelle activity associated with the trees). Replacement tree planting should therefore be provided to mitigate for tree loss and in the long term restore bat foraging and bird nesting habitat.

Significant levels of new tree planting are proposed along the boundaries, as well as other planting that will be an improvement ecologically even if ornamental on the existing habitats on site. The proposals are likely to be adequate to mitigate and enhance the site in the long term and includes some native species such as beech and field maple. GMEU would however recommend that the ecological value is improved further by substituting non-native birches with silver birch (*B. pendula*). In terms of the short-term mitigation whilst the trees mature, GMEU recommend provision of bird boxes on mature retained trees for typical urban/suburban species and to enhance the site for foraging bat by ensuring that any new external lighting has less unnecessary impacts than the existing external lighting on the retained trees and retained building. The details can be conditioned via a landscape condition and a separate external lighting strategy condition.

MCC Neighbourhood Services (Arborists) - The applicant has proposed to retain a majority of the highly visual Cat A trees within this site development; however, to ensure the future safety of the trees during the proposed development it is recommended that these trees are TPO'd. The trees meet all the necessary criteria for TPO status.

There are some concerns regarding the excessive shading to the offsite tree stock positioned within Platt Fields Park, however, as the trees are of mature stature, it is considered that although this would have some negative impact on the trees (which are used to mostly direct sunlight) it would not cause the trees to fail.

The trees listed for removal within the site grounds would not be considered for TPO due to their suppressed form as a result of being positioned so close to each other and lack of prominence within the site.

There are no objections to the proposed development, however, we would seek to TPO the category A tree stock.

It is requested that an arboricultural consultant be embedded into the project to oversee any excavation works which could potentially affect the trees

MCC Highway Services - A high level of on-street parking has been observed on Langley Road during University term time, associated with the terraced properties. The route is subject to a 20mph speed limit, there are junction protection restrictions at Langley Road's junction with Wilmslow Road.

Access - Vehicular access to the Application Site is currently afforded via Langley Road. A new emergency access vehicular access point is also proposed to be provided to Langley Road.

The existing service vehicle access off Langley Road that services the office building would be closed and reinstated to footway. The dropped kerb adjacent to bus stop that previously allowed egress from the site should also be reinstated. Any changes to the adopted highway including reinstatements and new dropped crossings should be taken forward via a suitable highway agreement (S278). Dropped kerbs and tactile paving should be provided across the vehicle access points.

Any proposed gates should open inwards and not impact adopted footway. Barrier controls should be located a minimum 5m from the edge of the carriageway so waiting vehicles do not impede through traffic.

At the point of vehicle egress, any boundary treatment should be visually permeable from 600mm upwards.

Highway Safety - The accident information provided covered the most recent five-year period available from the database (01/11/2014 - 31/10/2019).

There have been a notable number of accidents involving cyclists in the area. There are 12 recorded incidents at the junction of Moseley Road and Wilmslow Road.

The proposed development will be adding additional cycle trips to the local network. It is recommended that the applicant review the layout of this junction in light of this high accident rate and fund measures to improve safety at the junction for all users and particularly cyclists. This should be conditioned.

Trip generation - The existing site operates as an office with circa 180 staff and 53 on-site parking spaces. The TRICS database has been used to predict that the existing office use has the potential to generate circa 55 two-way vehicle movements during the AM peak hour and 44 two way during the PM peak hour.

The information provided has been reviewed by TfGM and they have not raised any concerns regarding predicted trips.

Car Parking - Eight car parking spaces are proposed on-site

- 3 accessible spaces for students and staff
- 4 standard bays with electric vehicle charging points
- 1 standard bay.

The standard bays should be minimum 2.4m wide x 4.8m length and the accessible bays should be 3.6m wide x 6.0m length - bays should be separated by a 6m aisle width.

Car club bay - As there is no on-site car parking facility for student residents it is recommended that a car club bay is located nearby to the development and this is funded by the Developer. This will discourage car ownership and also assist residents who may require occasional use of a vehicle.

Student Parking Management Strategy - It is noted that a strategy is proposed so Students would not be permitted to bring their own cars to the site (or to the

University) as a condition of their tenancy, this is welcomed. This strategy should be conditioned.

Move-in/out Procedure - It is noted that all on-site car parking would be made available for students moving into/out of the site at the start/end of term time and demand for on-site parking during move-in /move-out events would be managed by the site operator. It is recommended that a Condition is attached to any subsequent Planning permission requesting that an Operational Management Plan is submitted to and agreed in writing with the Local Planning Authority, prior to first occupation of the development.

Pedestrians - It is proposed that the existing site access from Wilmslow Road would be used by pedestrians. An additional new pedestrian access point is proposed at the south-eastern corner of the Site off Langley Road, close to its junction with Wilmslow Road. It is recommended that all pedestrian routes are minimum 2m wide.

Public Realm/Materials - Commuted sums are required for any non-standard materials, street trees etc used on the adopted highway. To be agreed with MCC Highways S278 team as required.

Cycle Storage - Cycle stores for circa 172 cycles are proposed within the basement with access from the main pedestrian access off Wilmslow Road. A further 42 spaces are proposed close to the Wilmslow Road access. This represents a 50% allocation. The applicant should monitor usage of the cycle storage and provide additional as required - this should be included in the conditioned Travel Plan.

It is also recommended that the Developer promotes additional schemes to encourage sustainable travel such as bicycle hire etc.

Taxi pick up and drop off - No detail has been provided regarding this activity, details of a suitable location and how this will be managed should be included in the site management plan.

Waste/Servicing - It is proposed that servicing would be undertaken on-street on Langley Street and also within the car parking area.

Swept path assessments of refuse collection / delivery vehicle manoeuvres are provided which are acceptable in principle, to ensure servicing is appropriately managed it is recommended that a servicing management plan is conditioned.

Travel Plan - A draft Interim Travel Plan has been prepared to accompany the planning application. This is acceptable in principle, and it is recommended that a Condition is attached to any subsequent planning permission requesting that a Travel Plan is submitted to and agreed in writing with the Local Planning Authority, prior to first occupation of the development.

CMP - A construction management methodology plan has been submitted with the application. This will require on-going discussion and agreement with the MCC Network Resilience team. It is recommended that a CMP is suitably conditioned.

The applicant is also advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester .

Dilapidation surveys are also requested and the applicant should include photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

MCC Flood Risk Management Team - Have recommend conditions be attached to any approval relating to the submission and approval of a surface water drainage scheme and its ongoing maintenance and management.

GMP Design for Security - Recommend that a condition to reflect the physical security specifications set out in section four of the Crime Impact Statement should be added, if the application is to be approved.

United Utilities – Recommend conditions to cover drainage.

Environment Agency - Provided a commentary note directing the local planning authority to the EAs published Guiding Principles for Land Contamination which outlines the approach they would wish to see adopted to managing risks to the water environment from this site and consult.

MCC Environmental Health – Make recommendations in terms of conditions to be attached too any approval relating to: Construction Management; delivery and servicing times; lighting scheme to be agreed; acoustic insulation of the building; acoustic insulation of external plant and equipment; refuse storage (particularly as the proposals for the tower block element appear to be undersized); and, contaminated land remediation and verification.

Policies

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The adopted development plan consists of the Core Strategy (adopted 2012) and the saved policies of the Unitary Development Plan. Due consideration in the determination of the application will also need to be afforded to national policies in the National Planning Policy Framework (NPPF) which represents a significant material consideration.

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 SP 1 Spatial Principles – The proposal would be contrary to policy SP1 as it would not contribute towards the creation of a balanced neighbourhood of choice and would not create a high quality neighbourhood for residents to live in.

Policy H1 Overall Housing Provision – This site within South Manchester is not considered appropriate for PBSA as it would not meet the requirements of Policy H12.

Policy H 6 identifies High density residential development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes. The proposals are in an area identified as having a constrained supply of housing land but would not contribute towards the City's housing provision. The scheme is of a high density but does not contain a mix of uses.

Policy H12 Purpose Built Student Accommodation - the provision of new PBSA 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 PBSA are deliverable.

The development is considered to be contrary to policy H12 for the reasons set out in the Issues section of this report.

Policy T1 Sustainable Transport – The development would provide low levels of on site car parking which would assist in encouraging a modal shift away from car travel to more sustainable alternatives.

Policy T2 Accessible Areas of Opportunity and Need – The proposed development is in a highly sustainable location with good pedestrian, cycle and public transport provision.

Policy EN1 Design Principles and Strategic Character Areas - The proposal is considered to be of a height that would have a detrimental impact on the retained Oakley House, Platt Fields Park and the residential area to the immediate south.

EN2 Tall Buildings – Proposals for tall buildings will be supported where it can be demonstrated that they

- Are of excellent design quality,
- Are appropriately located,
- Contribute positively to sustainability,
- Contribute positively to place making, for example as a landmark, by terminating a view, or by signposting a facility of significance, and
- Will bring significant regeneration benefits.

A fundamental design objective will be to ensure that tall buildings complement the City's key existing building assets and make a positive contribution to the evolution of a unique, attractive and distinctive Manchester, including to its skyline and approach views.

Suitable locations will include sites within and immediately adjacent to the City Centre with particular encouragement given to non-conservation areas and sites which can easily be served by public transport nodes.

It will be necessary for the applicant/developer to demonstrate that proposals for tall buildings are viable and deliverable.

The development is considered to be contrary to policy EN2 for the reasons set out in more detail within the Issues section of this report.

Policy EN3 Heritage – It is considered that the building would have a detrimental impact on the setting of the retained Oakley House. This is discussed in more detail below.

Policy EN4 Reducing CO2 Emissions by Enabling Low and Zero Carbon Development - The proposals follows the Energy Hierarchy and the buildings' fabric shall be constructed to a high-performance standard, achieving high levels of thermal insulation and low air permeability. Energy efficient lighting and appropriate controls shall be employed throughout the development.

Policy EN6 Target Framework for CO2 reductions from low or zero carbon energy supplies – The development would comply with the CO2 emission reduction targets set out in this policy through the inclusion of air source heat pumps.

Policy EN 8 Adaptation to Climate Change - The energy statement sets out how the building has been designed to consider adaptability in relation to climate change.

Policy EN9 Green Infrastructure – The development incorporates a landscaping scheme and retention of category class A trees on the site.

Policy EN14 Flood Risk – The site falls within Flood Zone 1 and is at low risk of flooding. A Flood Risk Assessment and drainage strategy has been prepared.

EN15 Biodiversity and Geological Conservation – The development would provide an opportunity to secure ecological enhancement for fauna typically associated with residential areas such as breeding birds and roosting bats.

Policy EN 16 Air Quality - The proposal would not be reliant on cars and would therefore minimise emissions from any traffic generated by the development. An air quality assessment has been submitted alongside the application.

Policy EN 17 Water Quality - The development would not have an adverse impact on water quality. Surface water run-off and grounds water contamination would be minimised.

Policy EN 18 Contaminated Land and Ground Stability - A ground investigation report, which identifies possible risks arising from ground contamination has been prepared.

Policy EN19 Waste – The development would be consistent with the principles of waste hierarchy. The application is accompanied by a Waste Management Strategy although it is noted that Environmental Health would require a condition to agree the final details and space available for waste storage and disposal.

Policy DM 1 Development Management – This policy sets out the requirements for developments and outlines a range of general issues that all development should have regard to. Of these the following issues are or relevance to this proposal:

- appropriate siting, layout, scale, form, massing, materials and detail;
- design for health;
- adequacy of internal accommodation and amenity space.
- impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- that development should have regard to the character of the surrounding area;
- effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- accessibility to buildings, neighbourhoods and sustainable transport modes;
- impact on safety, crime prevention and health; adequacy of internal accommodation external amenity space, refuse storage and collection, vehicular access and car parking; and
- impact on biodiversity, landscape, archaeological or built heritage, green Infrastructure and flood risk and drainage.

The application is considered in detail in relation to the above issues within the Issues section below.

Saved Unitary Development Plan Policies

DC26.1 and DC26.5 Development and Noise – A noise assessment has been prepared to accompany the application. The noise impacts of the proposal are discussed in more detail below.

Relevant National Policy

The National Planning Policy Framework (July 2021) sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role. The NPPF outlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The following specific policies are considered to be particularly relevant to the proposed development:

Section 5 (Delivering a sufficient supply of homes) – High-density student accommodation is not considered appropriate on this site and would have a negative impact on the land available for delivering a sufficient supply of homes for the general population.

Section 6 – (Building a strong and competitive economy) - The proposal would create jobs during construction and occupation would support commercial premises within the local area.

Section 8 (Promoting healthy and safe communities) – The introduction of 425 additional students to this area may cause issues of noise and disturbance to the wider established residential community.

Section 9 (Promoting Sustainable Transport) – The proposal is in a highly sustainable location, albeit some distance from the main University campuses, the site is on a direct public transport routes to the University corridor.

Section 11 (Making Effective Use of Land) – The proposal would not make effective use of land as it would use land that would not assist in creating a balanced and sustainable community

Section 12 (Achieving Well-Designed Places) – It is not considered that the proposals reflect the local character or spaces adjacent the site and would not achieve a well-designed place.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) – The proposal would seek to achieve an ‘Excellent’ BREEAM rating. A sustainability statement indicates that the development would be designed and constructed to:

- Be a highly thermally efficient building fabric;
- Incorporate Air Source Heat Pumps for hot water heating;
- Include highly efficient lighting;
- Contain water saving sanitary fittings and appliances to deliver a water efficient development;
- Use materials with a low lifecycle environmental impact and embodied energy;
- Be of an efficient construction and operational waste management;

The site is within Zone 1 of the Environment Agency flood maps and has a low probability of flooding.

Section 15 (Conserving and enhancing the natural environment) – The documents submitted with this application have considered issues such as ground conditions, noise and the impact on ecology and demonstrate that the proposal would not have a significant adverse impact in respect of the natural environment.

Section 16 (Conserving and Enhancing the Historic Environment) - The proposal, due to its height and siting is considered to have an adverse impact on the settings of the non-designated heritage asset of Oakley House.

Other material considerations

Report to the City Council’s Executive on PBSA

The Council’s Executive endorsed a report regarding PBSA on 9 December 2020 following the outcome of a public consultation exercise with key stakeholders, on PBSA in Manchester. The report was endorsed by the Executive to help guide the decision-making process in advance of a review of the Local Plan. It was requested by the Council’s Executive that the report on PBSA in Manchester be considered as a material planning consideration until the Local Plan has been reviewed.

The report sets out that Core Strategy Policy H12 retains relevance in how PBSA is developed in Manchester. It sets out that the location of new PBSA should be close to University facilities. The report also highlights how location is a key factor in ensuring the quality, security, sustainability and wellbeing benefits in the provision of accommodation. The report confirms that accommodation should be located in the areas immediately adjacent to the core university areas, principally the Oxford Road Corridor area.

The PBSA report sets out numerous reasons why location is a significant consideration in determining the acceptability of new PBSA developments, such as how:

- New stock in appropriate locations represents an opportunity to deliver an improved student experience;
- The location of accommodation close to University facilities is a critical issue in ensuring the safety and wellbeing of students; and
- Given the current climate emergency and Manchester's commitment to be carbon neutral by 2038, it is increasingly important that the location of student accommodation in Manchester should continue to be driven by proximity to university campuses.

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

This Supplementary Planning Document supplements guidance within the Adopted Core Strategy with advice on development principles including on design, accessibility, design for health and promotion of a safer environment. The design, scale and siting of the proposed development is considered in more detail within the issues section of this report.

Manchester Green and Blue Infrastructure Strategy 2015

The Manchester Green and Blue Infrastructure Strategy (MGBIS) sets out objectives for environmental improvements within the City within the context of objectives for growth and development.

Manchester Residential Quality Guidance (July 2016) (MRQG) – This document provides specific guidance on what is required to deliver sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester. The proposal is not considered to be consistent with contributing towards the creation of a sustainable residential neighbourhood in this area.

Residential Growth Strategy (2016) – This recognises the critical relationship between housing and economic growth. There is an urgent need to build more new homes for sale and rent to meet future demands from the growing population. Housing is one of the key Spatial Objectives of the Core Strategy and the Council aims to provide for a significant increase in high quality housing at sustainable locations and the creation of high quality neighbourhoods with a strong sense of place as confirmed within other policies of the Core Strategy. It is considered that the proposed development would undermine achieving this growth priority.

Climate Change

Our Manchester Strategy 2016-25 – sets out the vision for Manchester to become a liveable and low carbon city that will:

- Continue to encourage walking, cycling and public transport journeys;
- Improve green spaces and waterways including them in new developments to enhance quality of life;
- Harness technology to improve the city's liveability, sustainability and connectivity;

- Develop a post-2020 carbon reduction target informed by 2015's intergovernmental Paris meeting, using devolution to control more of our energy and transport;
- Argue to localise Greater Manchester's climate change levy so it supports new investment models;
- Protect our communities from climate change and build climate resilience.

Manchester: A Certain Future (MACF) – This is the city wide climate change action plan, which calls on all organisations and individuals in the city to contribute to collective, citywide action to enable Manchester to realise its aim to be a leading low carbon city by 2020. Manchester City Council (MCC) has committed to contribute to the delivery of the city's plan and set out its commitments in the MCC Climate Change Delivery Plan 2010-20. Manchester Climate Change Board (MCCB) Zero Carbon Framework - The Council supports the MCCB to take forward work to engage partners in the city to address climate change. In November 2018, the MCCB made a proposal to update the city's carbon reduction commitment in line with the Paris Agreement, in the context of achieving the "Our Manchester" objectives and asked the Council to endorse these new targets.

The Zero Carbon Framework – This outlines the approach that will be taken to help Manchester reduce its carbon emissions over the period 2020-2038. The target was proposed by the Manchester Climate Change Board and Agency, in line with research carried out by the Tyndall Centre for Climate Change, based at the University of Manchester. Manchester's science-based target includes a commitment to releasing a maximum of 15 million tonnes of CO₂ from 2018-2100. With carbon currently being released at a rate of 2 million tonnes per year, Manchester's 'carbon budget' will run out in 2025, unless urgent action is taken. Areas for action in the draft Framework include improving the energy efficiency of local homes; generating more renewable energy to power buildings; creating well-connected cycling and walking routes, public transport networks and electric vehicle charging infrastructure; plus, the development of a 'circular economy', in which sustainable and renewable materials are re-used and recycled as much as possible.

Legislative requirements

Section 149 of the Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

Section 17 of the Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

Issues

Principle

It is considered that the principle of the redevelopment of the site and retention, refurbishment and re-use of Oakley House is in general acceptable. In this instance the proposals seek the sites redevelopment to provide 425 bedroom spaces for Purpose Built Student Accommodation (PBSA) in the form of two buildings, one 13 storeys in height and the other a part 4 and 5 storey building. An assessment of the proposals against Core Strategy policy H12 relating to PBSA development is set out in full below, however the proposals are not considered to accord with the criteria contained within it.

The proposals would introduce a building of height in a part of Fallowfield that has historically been of a more domestic scale with the tallest building being the Church of the Holy Innocents, it is acknowledged that 20th Century developments to the east have introduced taller buildings into the wider area and consideration of this is set out in more detail below. However, it is considered that the principle of the redevelopment of the site in the form proposed is unacceptable in this location.

Core Strategy Policy H12

Proposals for purpose built student accommodation (PBSA) are subject to compliance with Core Strategy Policy H12 'Purpose Built Student Accommodation.'

CS policy H12 sets out a number of criteria that proposals for PBSA should meet in order for them to be acceptable. The policy was introduced to ensure that proposals for student accommodation could be managed effectively, to ensure that they were located appropriately to support the Council's regeneration priorities and also to ensure that the provision of further bed spaces in purpose built student accommodation would assist in encouraging students to choose managed accommodation over HMOs.

In order for a proposal to be acceptable it is expected to satisfy all the criteria of the policy which are set out in full within the policy section of this report. The proposal has been assessed against each point of the policy as follows:

The site is not in close proximity to the University campuses but is adjacent a high frequency public transport route which passes through the University area. The Core Strategy defines 'in close proximity' as within 500m (easy walking distance). The application site is approximately 1500m from the University of Manchester Main Campus, Manchester Metropolitan University Oxford Road campus.

The report to the City Council's Executive of 9 December 2020 reinforces the importance of locating new PBSA close to University facilities and highlights how location is a key factor in ensuring the quality, security, sustainability and wellbeing benefits in the provision of accommodation. The report confirms that accommodation should be located in the areas immediately adjacent to the core university areas, principally the Oxford Road Corridor area. The proposal site is distant from the core university areas. It is acknowledged that the site is immediately adjacent the high frequency bus route along Wilmslow Road serving the University. A number of respondents to the notification process have highlighted current issues with the high demand on this bus route and some of the issues faced by school pupils and other

residents in using these routes and that these issues would worsen if the proposals were approved.

The proposed development has been designed to address the requirements of planning policy with regards to energy use and carbon reduction. The application is accompanied by a BREEAM pre-assessor that outlines that the development would be designed to achieve an 'Excellent' rating.

It is considered that the application proposals would not be compatible with existing developments of this area and would contribute towards existing on-street parking problems that are identified by Highway Services. There have been a number of developments of PBSA on the University of Manchester owned Fallowfield Halls of residence with the first phases recently being completed. In addition, the recent conversion of Chancellors from a hotel and conference facilities has added further student bedspaces into the location. As such the immediate area has seen an increase in PBSA, the application proposals would lead to a further concentration of PBSA within this part of Fallowfield.

Regeneration is an important planning consideration against policy H12. The site falls within an area that currently contains high levels of PBSA and Houses in Multiple Occupation with student occupiers. As described by residents this has put pressure on the area in a number of ways including the provision of local services and anti-social behaviour. It is considered that the proposals would add to these pressures and would not have a positive regeneration impact on Fallowfield. It is acknowledged that the proposals would retain, refurbish and re-purpose Oakley House a non-designated heritage asset and would create jobs through the construction phase, however such benefits are not considered to outweigh the harm set out within this report.

The proposal could achieve adequate security measures with appropriate conditions, and it would increase the surveillance of the area. However, as confirmed in responses from local residents and ward members, the area is subject to targeted crime as a result of high levels of students residing in the area and also anti-social behaviour. The submitted Crime Impact Statement also confirms that the area, when compared with other neighbourhoods within Manchester, has a significantly higher than average number of crimes. It identifies high levels of burglary, those involving the use or threat of violence, robbery and theft, particularly bicycle theft in the neighbourhood.

It is considered that the proposal could lead to unacceptable noise and disturbance to neighbouring residential properties due to the comings and goings of students. In addition, the scale of the building in close proximity to residential properties on Langley Road would result in overlooking and would have an overbearing impact on the residents of those properties.

Oakley House is considered a non-designated heritage asset. Its retention, refurbishment and re-purposed use is a benefit of the proposals. The building is the only remaining Victorian Villa constructed on the western side of Wilmslow Road in this area. However, the proposed construction of a 13 storey building in close

proximity is considered to give rise to harm to its setting and its appreciation within the area.

A waste management strategy has been submitted that would fall short of the standards for City Council in terms of its size. It is considered that if the proposals were considered acceptable in principle this matter could have been successfully resolved.

The applicant has not carried out a study on student need but has submitted a Market Student Demand Study and has identified the issue of need within a supporting Planning Statement, which indicate that a 2.2 student to bed ratio in Manchester suggests a deficiency in provision of PBSA. The University of Manchester provided a letter to the applicant prior to the submission of the current application and the University have forwarded this letter to the Council as their response to the notification process. This outlines that the University has been involved in discussions with the applicant prior to the submission of the application and are satisfied their comments have been taken on board.

For the reasons outlined above it is considered that the application proposal does not satisfy all criteria set out in Core Strategy Policy H12 as is required.

Core Strategy Policy EN2 'Tall Buildings'

The proposed development includes a building of 13 storeys in height. This is significantly taller than the predominant context of the area in which the site is located, as such the proposals are required to be considered against the adopted Core Strategy policy on tall buildings (EN2) the NPPF, and reference has also been taken to the advice contained within Historic England's published Advice Note 4 'Tall Buildings' (10 December 2015).

The effect of the proposal on key views, open space, listed buildings, scheduled Ancient Monuments, and Oakley House as a non-designated heritage asset has been considered, the application is supported by a Design and Access Statement, Heritage Statement and a Townscape and Visual Assessment of the proposal.

Sections 66 and 72 of the Listed Building Act 1990 provide that, in considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, and in determining 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. Section 16 of the NPPF establishes the criteria by which planning applications involving designated and non-designated heritage assets should be assessed and determined.

Where a development proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposals.

The site is not within a conservation area and is not in close proximity to a conservation area. The following listed buildings are potentially affected by the proposal:

- Platt Chapel (Grade II) – 110 metres to the north
- Hollings Building at Manchester Metropolitan University (Grade II) – 170 metres to the north east
- Behrens Hall (originally 'The Oaks') (Grade II) – 130 metres to the north east
- Ashburne Hall (Lees, Mary Worthington, Ward and Central block), including the Alice Barlow memorial gates to Wilmslow Road and Ashburne Hall Lodge (Grade II) 160 metres to the east
- 256 Wilmslow Road (Grade II) – 220 metres to the south
- Church of the Holy Innocents (Grade II) – 240 metres to the south
- The Holy Trinity Church on Platt Lane (Grade II*) - 580 metres to the north west
- Platt Hall (Grade II*) – 550 metres to the north west

There is one Scheduled Ancient Monument approximately 90 metres to the north of the site, which is Nico Ditch a section of an early medieval boundary ditch.

The site is identified as having a low potential for archaeology.

Platt Fields which lies immediately to the sites northern and western boundary is a major park serving Fallowfield and surrounding wards, it was formally opened in 1910 and forms one of Manchester's major outdoor event sites, the park has three dedicated show fields with a supported infrastructure for large scale national and small scale and local events. The grounds contain the Grade II* listed Platt Hall, home to Manchester's Costume Gallery. Given the location of the application site and the scale of proposed development there is the potential for there to be impacts on views into and from the park. Directly to the north and north east boundary of the application site is a belt of trees within the park (which includes the Shakespeare Garden) that extend east-west from Wilmslow Road towards the boating lake.

The trees to the front of the application site are significant and provide a verdant boundary to the site, with a continuation of large trees lining the western and eastern sides of Wilmslow Road which extend northwards towards the southern end of the Rusholme District Centre. Following advice of the City's arborists a provisional TPO has been placed on the category A trees to the Wilmslow Road frontage of the site.

The applicant has presented a number of key views within the submitted Townscape and Visual Impact Appraisal that presents a number of pre and post development views. It is considered that in relation to the identified designated heritage assets set out above the proposals impacts would be limited as a result of the distances involved, topography of the area and intervening built form.

Oakley House is identified as the last remaining Victorian Villa constructed on the western side of Wilmslow Road, it dates from the first half of the 19th Century and as a result of having the same custodians since the 1920s has been extended to provide additional office space required as part of its ongoing use. However, despite these 20th Century additions the original Villa does retain a number of key internal

and external features of interest whilst the extensions retain a similar height to the main house which have assisted its assimilation into the local context.

The Villa has a historical connection to Platt Fields Park beyond and is of a height similar to the residential area to its immediate south comprising of later Victorian terrace properties. To the east of the site on the opposite side of Wilmslow Road are the more institutional buildings associated with the Halls of Residence of the University of Manchester including listed buildings and more contemporary buildings including the 19 storey high Owens Park Tower that sits approximately 120m from Oakley House.



Visualisation provided by the applicant with the retained Oakley House to the right and the new blocks to the left and rear



Northern elevation of the proposed Tower with the retained and refurbished Oakley House to the left

The proposals would have a direct visual impact on Oakley House, a non-designated heritage asset. These impacts would arise from the proposed footprint of development of the site, the scale of buildings proposed on the site and the positioning of these elements in close proximity to Oakley House. Given this proposed relationship it is not considered that the proposals complement a non-designated building asset. It is acknowledged that the proposals would retain Oakley House and repurpose it to enable its ongoing use.

In terms of the design quality of the proposals Architectural Quality consideration of a building's scale, form, massing, proportion, materials and relationship to other structures is required. The Core Strategy policy on tall buildings (EN2) seeks to ensure that tall buildings complement the City's existing buildings and make a positive contribution to the creation of a unique, attractive and distinctive City. Proposals for tall buildings will be supported where it can be demonstrated, amongst other things, that they are of excellent design quality; are appropriately located; and contribute positively to place making.

Part of the application proposal is for the development of a 13 storey tower, this building would be set behind but have a close physical and visual relationship with the retained Oakley House and the more domestic scaled residential properties on Langley Road and to the south. It is considered that whilst the applicant proposes a high quality, sustainable buildings the proposed scale and massing would not make a positive contribution to place making and would appear as a dominant feature within a lower scale environment. Whilst large-scale towers do lie to east and north east of the site, the application site lies within an area of lower scale buildings.

The proposals seek the redevelopment of an existing employment site which provides the national headquarters for USDAW. Whilst there would be some direct benefit through construction jobs it is not considered that the proposals would generate significant regeneration benefits that would outweigh the identified harm identified above.

Given the above, it is considered that the proposal would have a scale, form, massing that is unacceptable and would be contrary to Policy EN2. Tall buildings Assessment.

Visual Amenity

There would be visual impacts on the character and street scene along Langley Road and residential properties to the south of the site. The proposed built form on Langley Road is four storeys in height with bedroom spaces within the roof with the front elevation being set back approximately 2 metres from the front boundary of the site.

The applicant has provided a number of images depicting pre and post development views some of these are in the vicinity of the building, those relating to the immediate environment are set out below.



View northwards along Riga Road towards the existing Usdaw offices



CGI of the View northwards along Riga Road towards the proposed development

The existing rear extensions to Oakley House are of two and three storeys in height with flat roofs and whilst having a close relationship to its Langley Road frontage the built form does not extend the full length of this road frontage. This provides a visual relief and break between the existing built form, the park beyond and residential properties opposite.



View west along Langley Road – USDAW offices to the right and residential properties to the left



Rear of Usdaw offices as viewed from Langley Road

The application proposals would see the development of the Langley Road frontage with a break of approximately 5m of the L shaped block from the retained Oakley House and a 5m gap with the rear boundary with Platt Fields Park, the built form at four storeys would extend for 50 metres along the road frontage. It is considered that

given the height, siting and extent along Langley Road the proposed built form fronting Langley Road would have a detrimental impact on the visual amenity of the area and the character of the streetscene. Given the relatively close relationship to the residential properties on the southern side of Langley Road it is considered that the proposed building would have an overbearing impact on these properties particularly those located to the western end of Langley Road.



The current rear extensions to the Usdaw offices are of a low scale and a low visual impact on the streetscene and Platt Fields Park. To the rear of the site the extensions are set in off the rear boundary wall to the park by 17 metres at the southern end and 12 metres towards the northern edge, these elements of built form are two storeys in height and have a width of 12m presenting a relatively narrow gable end to the northern boundary with the park. The applicant has presented a number of pre and post development images within the Townscape and Visual Impact Assessment that show the visual impacts of the development on visuals from the park, these are presented below.



Pre development view from the Shakespeare Garden with Platt Fields Park towards the rear extensions of the Usdaw offices, with the roofs of the terraced properties on Langley Road to the centre right



Post development view from the same viewpoint



Pre development view looking east towards the two storey rear extension of Usdaw (centre left)



Post development view from the same viewpoint



Pre development view from the Platt Fields park boating lake towards the application site (Owens Park tower is centre left)



Post development view with proposed tower to the left of the Owens Park tower

It is considered that given the scale of development in close proximity to the boundaries to the park this would give rise to impacts on the visual amenity and character of the area, this would lead to a greater urban character and experience to users of the Park particularly those elements of the park closer to the application site. Mitigation through the landscaping of the site is not considered to overcome the impacts on the wider area and character of the park. The proposals would introduce

unsympathetic and uncharacteristic development into this established residential street that fails to respect the established pattern and character of development.

Trees

The mature trees and gardens contribute to the character of the site and date back to the residential uses of Oakley Villa. The mature trees provide some containment to the site to the north, east and west and contribute to the leafy appearance of Wilmslow Road. The category A trees to the front of the site are all subject to the recently made TPO due to their high visual amenity value, the highly prominent position on Wilmslow Road and their contribution to the street scene and wider urban landscape character of the area. A further Sycamore tree, located to the northwest corner of the site has also been included in the TPO in all 12 trees are subject to the provisional TPO.

The application has been accompanied by a Tree Survey and arboricultural impact assessment. The City Arborist does not object to the proposals but do raise concerns on impacts on existing trees within Platt Fields park from excessive overshadowing from the proposed development, the closest trees are identified as a Group of Category A trees and are of high amenity value. This issue has been raised by a number of objectors to the proposals. The City Arborist has advised that they do advise against planting young trees in complete shade on new developments. They along with the Council's specialist ecologists at Greater Manchester Ecology Unit are not aware of a test that would give a definite answer due to the sheer number of variables to take into consideration such as soil conditions, species, age and past pruning etc. They do acknowledge that a lack of natural light would have some negative impact, but how much of a negative impact is difficult to determine at this point. Given the relative lack of research on this matter it is unclear what impact a tall building in close proximity to the south of existing mature trees would have. If there were no other overriding objections to the applications proposals, further information would be requested from the applicant to address this matter to provide assurances on impacts. The age, and high visual amenity provided by the belt of trees within this part of the to these trees park is significant, the uncertainty of impacts on them is considered to be a substantial concern.

Residential Amenity

As indicated in other sections within this report, the proposed built form is considered to give rise to impacts on residential amenity particularly on residents of Langley Road from the scale and proximity of the built form proposed.

Whilst residential properties facing each other across a street is a character of many residential areas, including the terraced streets in this part of Fallowfield, the proposals would introduce significant numbers of windows serving bedroom spaces facing towards existing residential properties. Given the nature of the occupancy of the proposed bedroom spaces the perception of overlooking and loss of privacy of existing residential properties is considered to be significant.



Proposed Langley Road elevation

The existing residential properties on Langley Road are relatively modest in scale with one window at ground and first floor and ground floor entrance. The introduction of built form as set out in the proposed development would introduce a significant street frontage with a substantial element of glazing and this is considered to give rise to a real and perceived loss of privacy and overlooking of the existing established residential properties on Langley Road.

The proposed occupation of the site by 425 students would give rise to an increase in the activity to and from the site throughout the day and week. The use of natural ventilation of rooms and spaces within the buildings would also add to the potential noise on the street. The proposals incorporate three pedestrian accesses from Langley Road via access controlled gates and further accesses from Wilmslow Road. Testimonies from ward members, residents and residents' groups have indicated the issues faced in the local area in respect of student accommodation and impacts on residential amenity. It is recognised that a vibrant and active student population does have the opportunity to positively contribute to a local area, however, it is also noted that a concentration of student occupation in an area does give rise to impacts on residential amenity through noise, anti-social behaviour and other negative impacts on a neighbourhood. In this instance it is considered that the addition of a further 425 students within this neighbourhood would give rise to unacceptable impacts on the residential amenity of the area and would fail to support adopted Core Strategy policy SP1 which seeks development to make a positive contribution towards the creation of neighbourhoods of choice.

Car Parking

The immediate area around the site is identified as having on-street car parking issues. This is as a result of limited off street parking available to the existing housing stock in the area and the existence of multi-occupancy dwellings.

The application proposals include off street parking of the order of 3 accessible spaces plus 4 spaces with electric vehicle charging points. The applicant proposes a restriction on tenancies that would not permit the ownership of a car on the site. It is indicated that this model reflects similar ones in place for the Halls of Residence of the University of Manchester and Manchester Metropolitan University. It is considered reasonable to expect, given the level of proposed occupation, that a proportion of occupiers would have access or ownership of a car irrespective of the sustainability of the location. Such demands would have to be almost exclusively accommodated on the public highway around the development.

Ecology

The application is accompanied by an Ecological Appraisal which has been assessed by the Council's specialist ecology advisors at the Greater Manchester Ecology Unit who raise no significant objections to the proposals on ecological grounds save for a number of matters that could be resolved by way of conditions attached to a planning approval.

As discussed above there is some uncertainty on the impacts on category A trees within Platt Fields Park from the proposed development. These are noted within the Ecological Appraisal as being a habitat of principle importance and contain features suitable for roosting bats although it is noted they were not accessed for surveying. The uncertainty of whether the trees within the Park would be negatively impacted could have other implications on the ecology of the area, if the proposals were considered acceptable this matter would require further consideration and investigation to understand the full implications on ecology.

Impact on the area

The core development principles set out in the Core Strategy expect development to make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character; and make a positive contribution to the health, safety and wellbeing of residents.

It is recognised that Fallowfield has a long association with providing residential accommodation for students in purpose built accommodation, halls and within private sector rental properties. There is also a long recognised impact that this has had on the social and physical fabric of the area. Planning policies and other mechanisms such as the Article 4 direction removing permitted development rights for residential properties to convert to Houses in Multiple Occupation without planning permission have been put in place to ensure that an appropriate balance can be reached. Whilst there have been developments for student accommodation such as at the University of Manchester's Fallowfield Halls of Residence, these have accorded with adopted policies that envisaged such developments being brought forward.

Other impacts arising from a detrimental mix within the community, alluded to by residents, is in the provision of services and facilities within the District Centre. Again policies have sought to ensure that where the planning system can intervene such as through adopted policy on the night time economy and supplementary policy on hot food take away.

The provision of further purpose built student accommodation reinforces the imbalances present in the area and impacts on the ability to ensure overriding policy objectives are met. As outlined in previous sections of this report it is not considered that the proposals would make a positive contribution to the creation of neighbourhoods of choice and therefore fail to accord with adopted planning policies in place.

Regeneration Benefit

The applicant has provided an economic impact assessment and Planning Statement alongside the application which set out the benefits that could be derived from the

application proposals. These detail the potential monetary expenditure captured within the local economy as a result of increase student occupation, jobs created through the construction and operational phase, the retention of Usdaw staff within Manchester and Greater Manchester, and the potential for the re-occupation of HMOs in Fallowfield to residential uses. In addition to this the development would retain and refurbish the non-designated heritage asset of Oakley House and repurpose it. These identified benefits are acknowledged, however, the proposals would not address an identified need for additional residential housing in South Manchester and as set out in this report are not considered to outweigh the identified harm that the proposals would give rise to identified within this report.

Conclusion

The proposal is on a site that is not in close proximity to the University campuses as defined in policy H12 but is located on a high frequency public transport route which passes through them. The applicant has relied on the Council executive report of December 2020 indicating a need for Purpose Built Student Accommodation in the City and a market demand assessment. The application documents indicate there is no formal agreement in place with the Universities although the University of Manchester has been involved in discussions with the application prior to the submission of the application and have offered their written support. The applicant has relied on their schemes delivered elsewhere in the country to demonstrate that their proposal for PBSA are deliverable. The proposal does not demonstrate a positive regeneration impact in its own right and as indicated in this report is not considered to positively contribute towards neighbourhoods of choice. Given the low level of on-site provision for car parking to service the development it is considered that the proposals would give rise to an increase in demand and requirement for on street car parking in the vicinity of the development in an area already experiencing high levels of on-street car parking.

The development would adversely impact upon the amenity of residents in the area , the visual amenity and character of the area it is located, and, is therefore considered, for the reasons set out in this report, to be contrary to policies SP1, H12, EN2, and DM1 of the Core Strategy for the City of Manchester and the NPPF.

The proposal is for a tall building adjacent to smaller scale residential buildings and non-designated heritage asset, which it would tower above with very little separation distance, having an overbearing impact on existing residents and providing a significant urbanising effect on the edge of Platt Fields Park. It would form an over-dominant feature within the street scene and area, which would have a detrimental effect on visual amenity. It is therefore considered to be contrary to policies SP1, EN1, EN2, EN3 and DM1 of the Manchester Core Strategy, guidance contained in the Guide to Development in Manchester Supplementary Planning Document and Guidance and the NPPF.

Due to the height of the proposal there is the potential for the development to overshadow adjacent trees that form an important habitat and have a high visual amenity within Platt Fields Park. In the absence of evidence that the development would not adversely impact on adjacent trees, it is considered that the proposed building, by reason of its scale and height, could have a detrimental impact on

existing adjacent trees contrary to policy EN9, EN15 and DM1 of the Manchester Core Strategy.

Given the above, it is considered that the proposal for PBSA within a tall building on this site would be inconsistent with national and local planning policy and should be refused for the reasons set out below.

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 Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation REFUSE

Article 35 Declaration

Officers work with applicants in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with planning applications. However, in this instance the proposals are not considered to accord with adopted planning policies and the applicant has been advised that the local planning authority does not consider this to be an appropriate location for purpose built student accommodation or an acceptable proposed development for the location

Reasons for recommendation

- 1) The proposal would not give rise to a positive regeneration impact or address the requirement for housing in the area. The proposals do not contain a mix of uses that would support Fallowfield District Centre, would not closely integrate with existing neighbourhoods and are considered to give rise to unacceptable impacts by reason of the density of development and level of proposed occupation. As such the proposals are not considered to accord with policies H6 and H12 of the Core Strategy.
- 2) The applicant has not demonstrated a formal agreement is in place with a University, or another provider of higher education for the supply of all or some of the proposed bed spaces, or that there is a need for additional student

accommodation within this location, as such it is not considered that the proposals satisfy policy H12 of the Core Strategy.

- 3) The scale and massing of the proposed development in close proximity to lower scale residential buildings and the non-designated heritage asset of Oakley House, would give rise to an overbearing visual impact and provide a significant urbanising effect on the edge of Platt Fields Park. It would form an over-dominant feature within the street scene and area, which would have a detrimental effect on visual amenity and character of the area. It is therefore considered to be contrary to policies SP1, EN1, EN2, EN3 and DM1 of the Manchester Core Strategy, guidance contained in the Guide to Development in Manchester Supplementary Planning Document and Guidance and the NPPF.
- 4) Due to the height of the proposal there is the potential for the development to overshadow adjacent trees that form an important habitat and have a high visual amenity within Platt Fields Park. In the absence of evidence that the development would not adversely impact on adjacent trees, it is considered that the proposed building, by reason of its scale and height, could have a detrimental impact on existing adjacent trees contrary to policy EN9, EN15 and DM1 of the Manchester Core Strategy.
- 5) The proposed development would introduce up to 425 students into an area already experiencing high levels of student accommodation and occupation. It is considered that this provision would give rise to unacceptable impacts on the residential amenity of nearby residential occupiers by reason of noise, disturbance and general activity associated with the comings and goings and occupation of the proposed development contrary to policy H12 and DM1 of the Core Strategy.
- 6) The windows within the south facing elevation of the proposed development would result in overlooking over a short distance to the living room windows of existing residential properties on Langley Road to the detriment of the reasonable amenity and privacy of the occupiers. As such the proposal is contrary to policies SP1, DM1 and H12 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: 129020/FO/2020 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

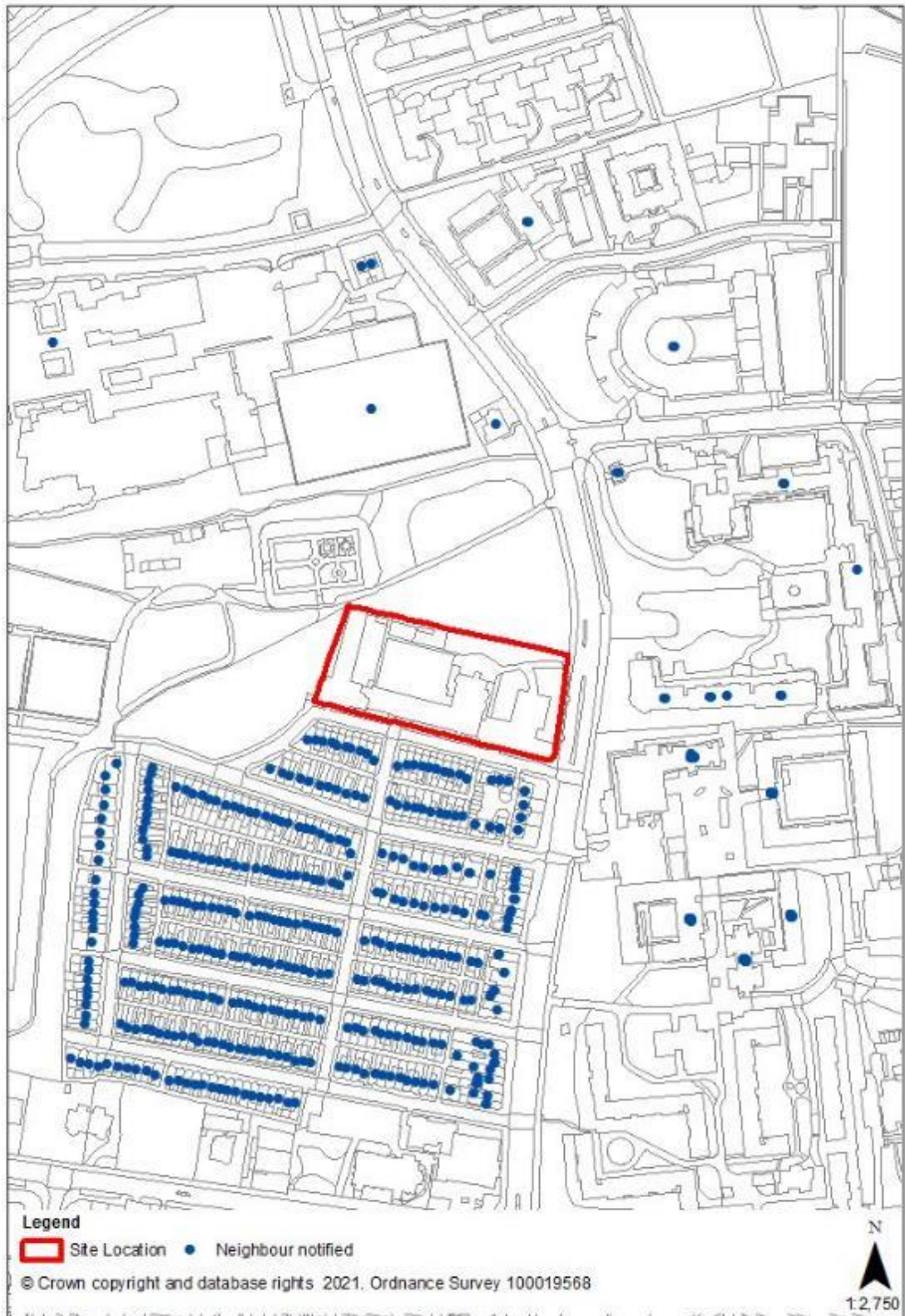
Environmental Health
 Neighbourhood Team Leader (Arboriculture)
 Parks & Events
 MCC Flood Risk Management
 Greater Manchester Police
 United Utilities Water PLC
 Transport For Greater Manchester
 Greater Manchester Ecology Unit
 South East Fallowfield Residents Association
 Rusholme, Fallowfield & Moss Side Civic Society
 Environmental Health
 Manchester Metropolitan University
 University Of Manchester
 Environment Agency

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:

MCC Highway Services
 MCC Environmental Health
 MCC Neighbourhood Team Leader (Arboriculture)
 MCC Flood Risk Management
 Greater Manchester Police
 United Utilities Water PLC
 Greater Manchester Ecology Unit
 South East Fallowfield Residents Association
 Rusholme, Fallowfield & Moss Side Civic Society
 University Of Manchester
 Environment Agency

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



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Application Number	Date of Appln	Committee Date	Ward
130515/MO/2021	21 May 2021	2 Sep 2021	Levenshulme Ward

Proposal Reserved Matters Application for the approval of appearance, layout, scale and landscaping, following the approval of outline permission referenced 122042/OO/2018 (allowed under appeal ref. APP/B4215/W/19/3230640) for the erection 57 two storey dwellings with associated access off Cringle Road, car parking, landscaping, boundary treatment and other associated works

Location Land Off Cringle Road, Manchester

Applicant Towerhouse Systems Ltd, C/o Agent

Agent Mr Julian Austin, Paul Butler Associates, 31 Blackfriars Road, Salford, M3 7AQ

EXECUTIVE SUMMARY

The proposal is for 57 homes of which 29 would be 4 bedroom and 28 3 bedroom. 11 of the new homes (9, 3 bed and 2, 4 bed) would be affordable (equating to 20% of the scheme), available on a shared ownership basis and would be delivered by the applicant alongside Southway Housing.

Threes supports, 4 neutral and 8 objections have been received from a local resident.

Key Issues

Principle of the proposal and the schemes contribution to regeneration The development is in accordance with national and local planning policies, and the scheme would bring economic, social and environmental benefits. The principle of the use of the site for residential purposes was established at appeal. This proposal seeks to approved the Reserved Matters. The proposal is in a highly sustainable part of the City and would contribute to the supply of high quality homes.

Economic Jobs would be created during the construction process. The provision of new homes at the site would support the growing population in an area identified for medium to high density development.

Social A local labour agreement would ensure that Manchester residents are prioritised for construction jobs. The provision of high quality affordable homes is vital to support a growing population.

Environmental This would be a carbon neutral development in a highly sustainable location. The development would balance car parking provision with active travel and encourage public transport use. All homes would be fitted with an electric car charging point. There are no unduly harmful impacts on local air quality. New planting, trees and bird and bat boxes would improve biodiversity. A drainage

scheme includes sustainable principles and minimises any impact on the adjacent canal. The ground conditions are not complex or unusual.

The height, scale and appearance would be innovative and contribute positively. Secured by Design principles would ensure the development is safe and secure. Waste management would prioritise recycling to minimise the amount of waste going to landfill.

Impact on local residents The impact on daylight/sunlight and overlooking are considered to be acceptable in this context. Construction impacts would not be significant and can be managed. Noise outbreak from plant would meet relevant standards.

A full report is attached below for Members consideration.

Description

The application site is approximately 1.66 hectares and forms an area of open land which was formerly used for the grazing of animals. The land also forms part of a wider area of semi natural open space 'Highfield Country Park', together with open space which straddles the Manchester and Stockport administrative boundaries.

There are two main plots of land which form part of this planning application:

- Plot 1 to Cringle Road which is approximately 0.3 hectares and consists of a series of low rise buildings and associated structures forming a small enclosure where animals are grazed. There is a public entrance to the site during the summer months as part of an animal farm. The site is secured by a low boundary fence;
- Plot 2 (to the rear of plot 1) is approximately 1.3 hectares and is used for equestrian grazing.

The plots are bounded by Cringle Road to the south, a footpath/access road known as Nelstrop Road North to the east and Highfield Country Park to the north and west.

The topography of the site is relatively flat. There is currently no formal means of vehicular access to the site with minor servicing taking place from Nelstrop Road North. There is a significant and mature tree line which bounds the site to the north of the site together with more limited coverage to the east, south and west boundaries. This tree and vegetation coverage form a mature landscape setting to the application particularly when viewed in the context of the wider Highfield Country Park.

Beyond the Country Park, the surrounding area is characterised by two storey residential properties. The properties located along Cringle Road, Wilsthorpe Close, Red Rose Crescent, and Lingcrest Road are semi-detached in nature. Immediately to the east of the site (beyond the eastern footpath and into Stockport's boundary) there is also an area of open land which forms part of a 'green chain' and strategic open space within the Stockport Development Plan.

The Highfield Country Park, which bounds the site to the north and west, forms part of an area identified as an area of Natural and Semi-natural open space within the Manchester City Wide Open Spaces, sports and recreation study. The entire area (including the application site) is subject to a saved policy LL3 within the Unitary Development Plan for the City of Manchester (1995).

The application site has been the subject of two previous outline planning applications for the redevelopment of the site for 57 new dwellings (116474/OO/2017 and 122042/OO/2018).

An appeal was made against the refusal of planning application 116474/OO/2017 and although this appeal was dismissed, the principle of the need to protect the land from development was not sustained. The reason the appeal was dismissed was that there was no agreement in place between the parties with regards to a financial contribution to mitigate against the additional pressures the development would have on the adjacent Park.

The applicant appealed against the non-determination of planning application 122042/OO/2018. At the Planning and Highway Committee on the 27 June 2019, the committee resolved that had they been able to determine the planning application they would have been minded to approve the planning application.

The appeal was subsequently allowed given the principle of development was in effect established by the previous appeal and an agreement had been reached, to the satisfaction of the Planning Inspector, between the parties relating to a financial contribution towards the adjacent park. This agreement also included the provision of 20% on site affordable housing.

Since the outline planning application was granted, the applicant has subsequently sought retrospective planning permission for the retention of 1.8 metre high fencing to Cringle Road and Nelstrop Road North for a temporary two year period. This was approved by the Planning and Highways Committee on the 18 February 2021 (ref. 128920/FO/2020).

The proposal

Planning permission has been granted for 57 family homes with vehicular access from Cringle Road through the approval of the Outline Approval. This application is for reserved matters which in this case are the details of layout, scale, design and external appearance and landscaping.

This proposal would provide 57 family homes of which 29 would be 4 bedroom and 28 3 bedroom. 11 of the new homes (9, 3 bed and 2, 4 bed) would be affordable (equating to 20% of the scheme) and available on a shared ownership basis and would be delivered by the applicant alongside Southway Housing. The affordable homes would be spread across the site and delivered to the same standard as the open market homes.

Each house would have a car parking space fitted with an electric charging point. The rear garden would contain the refuse area and bike shed.

The proposed dwellings would be arranged around a new circular internal access road with the principle access to the site from Cringle Road. A small cul de sac would be provided in the south eastern corner of the site. In the north eastern corner, four properties would be access off a small shared surface.



Proposed layout

The properties would be two storeys in height and comprise of 4 different house types across the site.

House Type A/B comprises either a semi-detached or detached property with a front gable and pitched roof. The façade would be masonry with dark grey roof tiles. There would be a flat roof section for these property types would consist of a green roof. Windows would have a vertical emphasis set within deep reveals.

House Type C/D is a smaller than house type A and B with the gable to the side of the property, a lower ridge height and shallower roof pitch. The front elevations include a box bay window.

The facades of the dwellinghouses would be masonry consisting of either buff/cream brick with a contrasting grey brown brick or red/buff brick with contrasting red brick. Window frames would be grey to contrast with the brick types.



Indicative image of the proposed dwellings

Each property would benefit from a front and rear garden area. The front garden would consist of a grass lawn and driveway. A front boundary brick wall would define the front of the property with a hedge behind. Permeable block paving would be laid for the driveways to manage surface water.

Photovoltaic panels would be provided to the roof of each property providing a source of renewable energy.

The rear of the properties would consist of a patio and lawn area along with refuse and cycle store. New trees would be planted in the front and rear gardens. The boundary treatment to the rear would be close boarded to provide privacy and security.

64 new trees would be planted at the site to mitigate against the loss of the 8 trees which were permitted to be removed as part of the outline approval.

The planning submission

This planning application has been supported by the following information:

- Detailed drawings and landscaping proposals;
- Updated Below Ground Drainage Strategy;
- Planning Statement;
- Arboricultural Impact Assessment & Method Statement
- Ecological Statement
- Crime Impact Statement
- Environmental Standards Statement – Supplementary Note

Consultations

Local residents/public opinion

The proposal has been advertised as a major development and as being of public interest. A site notice was displayed. Notification letters have been sent to an extensive area of local residents and businesses.

3 letters of support have been received in respect of this planning application. The comments can be summarised as follows:

- This development should be approved as it will not only provide affordable housing but promote and enhance the living lifestyles and strengthen the neighborhood ties;
- Levenshulme is a safe and upcoming neighbourhood that is can flourishing and one day compete with other known high class place such as Didsbury and the like;
- the houses to be built would be surrounded with the greenery seen and would provide beautiful nature as well as peace and calmness for the home owners;
- This development would add a lot of value to the area and believe this development will be of the highest quality.
- It is welcomed that the developers are going to take a piece of land that is vacant and turn it into residency for the local community.

4 neutral comments have been received which neither object or support the planning application. The comments can be summarised as follows:

- The development would cause environmental damage through flooding and water logging in the area, road congestion and higher pollution levels, strain on local medical and education services and detrimental impact to trees and wildlife;
- It is disconcerting to see this development continue after the initial rejections based on the proposal that the green space should be preserved to retain standards for current residents, and that the appeal was upheld because of what essentially seems like a lack of steam in maintaining this argument from the council.
- There are concerns about increase in traffic on Cringle Road, during construction and for the potential increase in vehicles use afterwards, for an avenue that is already subject to anti-social behaviour;

- This development will bring a lot more traffic and activity to the area. The crossroads at the junction of the A6 and Lloyd Road are already congested and log jammed due to the traffic queuing to go into KFC and McDonalds. It is also very congested in peak times. This whole junction needs to be rethought and it would be much worse with extra traffic from this development.
- The junction of Cringle Road and the A6 is very poor and very congested particularly in peak times. Traffic queues back from the junction with Broom Lane and the access and exit gets log jammed. This will only be compounded.
- There would be further pressure on resources like GP's, schools etc which are already overcrowded.
- There would be increased noise along the Cringle Road corridor.
- The proposal would have a negative effect on Highfield Park as it will detract from the appearance of the area;
- Clarification on the final date for the approval of reserved matters.

8 objections have been received in respect of this planning application. The comments can be summarised as follows:

- The proposal would have an impact on the local area and loss of community resources like Shore Fold Farm, which has a large number of community benefits;
- The site is a valued green space. Brownfield sites in the area should be used for developments such as this;
- The style and materials to be used do not reflect or are in keeping with the surrounding properties. The cream pale coloured bricks suggested do not compliment the surrounding area at all. The modern contemporary style of property whilst supporting eco friendly ideas does not suit the area and would very quickly date and look out of place. This is in conflict with the NPPF;
- The planting proposed for the gardens unless maintained will become overgrown and look untidy. Would there be a maintenance company to oversee and look after these areas?
- The access road would be close to the front of the houses on Wilsthorpe Close and would affect outlook and be subject headlights into existing residential properties;
- There would be traffic noise from the development;
- Houses are now in a different position than previously shown which now has a detrimental impact on existing properties;
- The applicant has removed a well established hedgerow and several trees along the boundary. This was a well established habitat and thriving ecosystem that has been destroyed;
- There is also significant flooding of Nelstrop Road North and the adjoining field on either side of the road. This was a result of the removal of the established hedgerows and trees leading to the water no longer being absorbed from the ground into the established plants, hedgerow and trees. This left the Nelstrop Road North impassable by foot unless you were prepared to wade through water of up to 6 inches deep.
- The hedgerow and wildlife was a lovely addition to the area and has now been replaced by an ugly, metal fence;
- Its not clear how drainage would affect levels and the scale of the development;

- The development does not provide connections to the nearby high-quality cycling infrastructure. There should be an upgrading of the access to the existing footpath on the southern boundary so that it can be used for walking and cycling or an opening up of the access between the development and Nelstrop Road North;
- The cycle storage for the homes should be fit for purpose.

Highway Services advise that the proposed new vehicular access gained from Cringle Road to the south the site is acceptable and this has adequate visibility in the interest of pedestrian and highway safety. The traffic calming to Cringle Road and details to adopted the internal access road were agreed at the outline application stage. 84 car parking spaces are proposed equating to 147% provision which is acceptable given the size of these family homes. Electric vehicle charging and cycle provision should be proposed. Boundary treatment and driveway gates should not impede pedestrian and vehicle movements. Refuse arrangements are acceptable. Travel Planning and Construction Management Planning should form part of the conditions of approval.

Flood Risk Management Team advise that whilst further information has been submitted with regards to the drainage strategy for the site as part of the Reserved Matters application, further details are required to satisfy the condition imposed at the outline stage.

Environmental Health advise that they have no additional comments to those made at the outline stage.

Neighbourhood Services (Trees) advise that there would be minimal impact on off site trees as a result of the layout of the development and there would be no excavation works required within the majority of the root protection zones. The mitigation planting plan and species selection appear to be suitable for the site and there are no objections to the proposals.

Greater Manchester Ecology Unit (GMEU) advise that matters of ecology were resolved and covered by the outline planning permission. The details provided in respect of this application for birds, bats and hedgehogs is acceptable. There is limited information in the submission in relation to landscaping scheme and the benefits for biodiversity. There should also be adequate provision for off site improvements at Highfield Country Park in this regard to mitigate against the loss of the amenity grass associated with the application site.

Design for Security at Greater Manchester Police recommend the security measures within the Crime Impact Statement are implemented.

Policy

The Development Plan

The Development Plan consists of The Manchester Core Strategy (2012); and Saved policies of the Unitary Development Plan for the City of Manchester (1995). The Core

Strategy is the key document in Manchester's Local Development Framework and 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 and saved UDP policies as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 unless material considerations indicate otherwise.

The relevant policies within the Core Strategy are as follows:

Strategic Spatial Objectives - The adopted Core Strategy contains Strategic Spatial Objectives that form the basis of its policies, as follows:

Manchester Core Strategy Development Plan Document (July 2012)

The relevant policies within the Core Strategy are as follows:

SO1. Spatial Principles –The proposal would deliver high quality homes in a highly sustainable location with 20% of the homes being affordable together with a commuted sum for off site improvement works at Highfield Country Park.

SO2. Economy – High quality homes in this sustainable location would support economic growth. The construction would create local job opportunities with 20% of the homes being affordable and available on a shared ownership basis.

SO6. Environment – The development would be low carbon and highly sustainable using up to date energy efficiency measures in the fabric and construction. There would be a travel plan and 100% cycle provision. Trees and planting are proposed.

Policy SP1 'Spatial Principles – The proposal would contribute positively to the visual amenity and the character of the area. The buildings would be a high quality addition to the street scene.

Policy T1 'Sustainable Transport' – There is access to all public transport modes.

Policy T2 'Accessible areas of opportunity and needs' - A transport assessment and travel plan demonstrate that the proposal would have minimal impact on the local highway network and would encourage the use of sustainable transport.

Policy H1 'Overall Housing Provision' – This development provides a suitable density for this low rise residential area. Family housing would be provided in a highly sustainable area available both to the open market and on a shared ownership basis (20%). Amenity spaces and cycle and waste management arrangements would ensure this is a sustainable and high quality development.

Policy H4 'East Manchester' – The proposal would provide 57 new homes in a range of tenures and sizes. All the homes would be suitable for families.

Policy H8 ‘Affordable Housing’ – The proposal would provide 57 new homes available to families of which 20% would be affordable available on a shared ownership basis. The affordable housing provision was agreed at the outline planning stage and secured by way of Unliteral Undertaking.

Policy EN1 ‘Design principles and strategic character areas’ - This high quality scheme would complement the character of this local neighbourhood.

EN4 ‘Reducing CO₂ emissions by enabling low and zero carbon development’ – The proposal would have energy efficient fabric. A travel plan and cycle provision is proposed with electric car charging points. The proposal includes renewable technologies to ensure energy demands are sustainable and low carbon.

Policy EN5 Strategic Areas for low and zero carbon decentralised energy infrastructure The development has a robust energy strategy. There are no plans for district heating or other infrastructure in the local area.

Policy EN6 ‘Target framework for CO₂ reductions from low or zero carbon energy supplies’ - The buildings functions would reduce overall energy demands. The building fabric is considered to be high quality and energy costs should remain low. Renewable energy would be used on site.

Policy EN9 ‘Green Infrastructure’ –The development would provide tree planting and landscaping. Green infrastructure would improve biodiversity. There would also be an off site contribution for improvements at Highfield Country Park which was secured by way of Unliteral Undertaking at the outline stage.

Policy EN14 ‘Flood Risk’- A scheme to minimise surface water runoff would be agreed. The design would not exacerbate existing flood risk and the risk to residents has been minimised.

Policy EN15, ‘Biodiversity and Geological Conservation’ - Trees and planting would enhance biodiversity. No clearance of the limited vegetation at the site should take place during bird nesting season.

Policy EN16 ‘Air Quality’ The impact on air quality would be minimised through careful control of construction activities. Other measures to minimise the impact of the operations of the development include a travel plan, 100% cycle provision and use of electric car charging points.

Policy EN17 ‘Water Quality’ - Water saving measures would minimise surface water runoff. The sites historic means that below ground contamination could impact on ground water. Remediation measures are required to minimise any risk to below ground water quality. There would be no worsening of water quality conditions subject to mitigation.

Policy EN18, ‘Contaminated Land’ – The ground conditions can be addressed. The former use of the site require extensive remediation and conditions would protect ground water and ensure the site is appropriately remediated.

EN19 'Waste' – The waste management strategy incorporates recycling principles.

Policy DM1 'Development Management' - Careful consideration has been given to the design, scale and layout of the buildings along with associated impacts on residential amenity from loss of privacy and daylight and sunlight considerations.

For the reasons given above, and within the main body of this report, it is considered that the proposal is consistent with the policies contained within the Core Strategy.

The Unitary Development Plan for the City of Manchester (1995)

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

Saved Policy DC7 'New Housing Developments' – The proposal represents a high-quality accessible development.

Saved policy DC26, Development and Noise - The impact from noise sources would be minimised and further mitigation would be secured by planning condition.

Saved Policy LL3 'Environmental Improvements and Protection' states that the Council will protect from development and improve the major existing areas of open land on the boundary of the area with Stockport. Priority will be given to upgrading Highfield Country Park'. The principle of using the application site for residential purposes has been established in outline under appeal ref APP/B4215/W/19/3230640.

For the reasons given below, it is considered that the proposal is consistent with the policies contained within the UDP.

Other material policy considerations

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

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

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

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

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

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

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

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

Chapter 11 ‘The City’s Character Areas’ – the aim of this chapter is to ensure that new developments fit comfortably into, and enhance the character of an area of the City, particularly adding to and enhancing the sense of place.

Manchester Residential Quality Guidance (2016)

The City Council’s Executive has recently endorsed the Manchester Residential Quality Guidance. As such, the document is now a material planning consideration in the determination of planning applications and weight should be given to this document in decision making.

The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a City of high quality residential neighbourhood and a place for everyone to live.

The document outlines nine components that combine to deliver high quality residential development, and through safe, inviting neighbourhoods where people want to live. These nine components are as follows:

- Make it Manchester;

- Make it bring people together;
- Make it animate street and spaces;
- Make it easy to get around;
- Make it work with the landscape;
- Make it practical;
- Make it future proof;
- Make it a home; and
- Make it happen.

Manchester Green and Blue Infrastructure Strategy 2015

The Manchester Green and Blue Infrastructure Strategy (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.

National Planning Policy Framework (2021)

The revised NPPF re-issued in February 2021. The document states that the '*purpose of the planning system is to contribute to the achievement of sustainable development*'. The document clarifies that the '*objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs*' (paragraph 7).

In order to achieve sustainable development, the NPPF states that the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 5 '*Delivering a sufficient supply of new homes*' states that *a sufficient amount and variety of land should come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay*' (paragraph 60).

Para 65 states that at least 10% of housing should be for affordable homeownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

This proposal would provide a mixture of new family homes (2 and 3 bedrooms). 20% affordable housing, on a shared ownership basis, would be provided having previously been agreed at the outline stage.

Section 8 '*Promoting Healthy and Safe Communities*' states that *planning policies and decisions should aim to achieve healthy, inclusive and safe places* (paragraph 92).

The proposal would be safe and secure. Cycle parking is provided along with car parking. Green infrastructure would be provided with monies secured by the outline planning permission for improvements to the adjacent Highfield Country Park.

Section 9 '*Promoting Sustainable Transport*' states that '*significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health*' (paragraph 105).

In assessing applications for development, it should be ensured that: appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; and, the design of streets, parking areas, other transport elements and the content of associated standards reflects national guidance including the National Design Guide and National Model Design Code; any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree (paragraph 110).

Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 111).

Within this context, applications for development should: give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public

transport services, and appropriate facilities that encourage public transport use; address the needs of people with disabilities and reduced mobility in relation to all modes of transport; create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; allow for the efficient delivery of goods, and access by service and emergency vehicles; and, be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. (paragraph 112)

All developments that generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (paragraph 113).

The site is well connected to all public transport modes which would encourage sustainable travel. There would be no unduly harmful impacts on the traffic network with physical and operational measures to promote non car travel. A travel plan and operational management would be secured as part of the conditions of the approval.

Section 11 '*Making effective use of land*' states that '*planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions*' (paragraph 119).

Planning decisions should: encourage multiple benefits from urban land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation; recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production; give substantial weight to the value of using suitable brownfield land within settlements for identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively; and, support opportunities to use airspace above existing residential and commercial premises for new homes. (paragraph 120)

Local Planning Authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specified purpose in plans, where this would help to meet identified development needs. In particular they should support proposal to: use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or site or the vitality and viability of town centres, and would be compatible with other policies in the Framework; make more effective use of sites that provide community services such as schools and hospitals (paragraph 123)

Planning policies and decisions should support development that makes efficient use of land, taking into account: the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; local market conditions and viability; the availability and capacity of infrastructure

and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; the important of securing well designed, attractive and healthy spaces (paragraph 124).

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. Paragraph 125 (c) states that Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

The proposal would use land which has been deemed suitable for residential purposes and provide 57 new family dwellinghouses in a popular part of the City. The site is close to sustainable transport infrastructure. A travel plan would encourage the use public transport, walking and cycle routes to the site.

Onsite parking would be provided but the overall objective would be to reduce car journeys. Electric car charging would support a shift away from petrol/diesel cars.

Section 12 ‘Achieving Well Designed Places’ states that ‘the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interest throughout the process’’ (paragraph 126).

Planning decisions should ensure that developments: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public spaces) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience (paragraph 130).

Trees make an important contribution to the character and quality of urban environments and can also help to mitigate and adapt to climate change. Planning decisions should ensure that new streets are tree lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to ensure the long term maintenance of newly placed trees and that existing trees are retained wherever possible (paragraph 131).

Development that is not well designed should be refused, specifically where it fails to reflect local design policies and government guidance on design. Conversely, significant weight should be given to: development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative design which promote high levels of sustainability, or help raise the standard of design more generally in an area so long as they fit in with the overall form and layout of their surroundings (paragraph 134).

The design would be highly quality and complement the distinctive architecture within the area. The buildings would be sustainable and low carbon. Biodiversity, green infrastructure and water management measures are included within the public realm.

Section 14 '*Meeting the challenge of climate change, flooding and coastal change*' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 152).

New development should be planned for in ways that: avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and can help to reduce greenhouse gas emissions, such as through its location orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards (paragraph 154).

In determining planning applications, Local Planning Authorities should expect new development to: comply with any development plan policies on local requirements of decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption (paragraph 157).

The buildings fabric would be highly efficient and it would predominately use electricity. The landscaping scheme would include trees and planting, Efficient drainage systems would manage water at the site.

Section 15 '*Conserving and Enhancing the natural environment*' states that planning decision should contribute and enhance the natural and local environment by protecting valued landscapes, minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability and remediating contaminated land.

The high performing fabric of the building would ensure no unduly harmful noise outbreak on the local area. Biodiversity improvements would be provided in the form of trees and landscaping which is a significant improvement based on the current condition of the application site.

Paragraph 183 outlines that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination (a).

There is contamination at the site from the former land uses/buildings. The ground conditions are not usual or complex for this part of the city and can be appropriately remediated.

Paragraph 185 outlines that decisions should ensure that no development is appropriate for its location taking into account the likely effects of pollution in health, living conditions and the natural environment.

There would be some short term noise impacts associated with the construction process but these can be managed to avoid any unduly harmful impacts on amenity. There are not considered to be any noise or lighting implications associated with the operation of the development.

Paragraph 186 states that decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

The proposal would not worsen local air quality conditions and suitable mitigation can be put in place during the construction process. There would be a travel plan and access to public transport for occupants of the development along with 20% of the car parking spaces being fitted with electric vehicle charging points.

Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Planning Policy Guidance (PPG)

The relevant sections of the PPG are as follows:

Air Quality provides guidance on how this should be considered for new developments. Paragraph 8 states that mitigation options where necessary will be locationally specific, will depend on the proposed development and should be proportionate to the likely impact. It is important therefore that local planning authorities work with applicants to consider appropriate mitigation so as to ensure the new development is appropriate for its location and unacceptable risks are prevented. Planning conditions and obligations can be used to secure mitigation where the relevant tests are met.

Examples of mitigation include:

- the design and layout of development to increase separation distances from sources of air pollution;
- using green infrastructure, in particular trees, to absorb dust and other pollutants;
- means of ventilation;
- promoting infrastructure to promote modes of transport with low impact on air quality;
- controlling dust and emissions from construction, operation and demolition; and
- contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development.

Noise states that Local planning authorities' should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other
- form – the shape of buildings
- scale – the size of buildings
- detailing – the important smaller elements of building and spaces
- materials – what a building is made from

Health and well being states opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation);

Travel Plans, Transport Assessments in decision taking states that applications can positively contribute to:

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;
- creating accessible, connected, inclusive communities;
- improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

Other legislative requirements

S149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Issues

Principle of the redevelopment of the site

The principle of residential development at the application was established by appeal decision APP/B4215/W/19/3230640 (ref. 122042/OO/2018) which granted planning permission for the use of the site for up to 57 new homes. This planning permission also established the means of access to the application site from Cringle Road. All other matters (layout, scale, design and external appearance and landscaping) were reserved for approval at a later stage. This application now seeks approval of those reserved matters.

The proposal seeks to provide 57 dwellings within 4 house types. 29 new homes would be 4 bedroom (117.5 sqm) and 28, 3 bedroom (93 sqm). This is within the

broad parameters set at the outline stage. This is considered to be a suitable mix and would meet the City Council's space standards.

The outline planning permission was subject to a Unliteral Undertaking which secured 20% of the homes at the site for affordable housing on a shared ownership basis. This equates to 11 of the new homes at the site and would comprise 9, 3 bedroom homes and 2, 4 bedroom homes. Southway Housing are partnering with the applicant to deliver the affordable homes at the site. These homes would be spread across the application site and delivered to the same standard as the open market homes.

Mitigation for the loss of the amenity grass land at the application site was secured by way of financial contribution towards enhancing and improving access to Highfield Country Park.

Climate change, sustainability and energy efficiency

The proposal would be a low carbon development in a highly sustainable location with excellent access to public transport. The site is close to amenities and transport links along Stockport Road which provides direct bus links into the city centre.

Sustainability principles would be incorporated into the construction process and minimise and recycle waste, efficiency in terms of vehicle movements and sourcing and use of materials.

Each house would have a parking space fitted with a 7kw fast charging electric car charging point. There would be a site wide travel plan which would encourage residents to use public transport and reduce vehicle trips from the site. Each property would have a secure cycle store within the rear garden to encourage cycling due to the excellent cycle ways near to the site.

The development would be low carbon with a highly efficient thermal envelop and low carbon sources for heating and hot water. A fabric first approach provides a whole house extract system. Each home would also be fitted with photovoltaic panels which would provide a source of renewable energy for each home.

These measures would achieve a site wide reduction in CO2 over Part L (2013) of the Building Regulations of 12.2%. This reduction exceeds the requirements of policy EN6 which seeks to achieve a 9% reduction in CO2 on Part L (2013) Building Regulations. This would decrease further as the grid decarbonises. A post construction review would form part of the planning conditions to verify that this reduction has been achieved.

The development has also been adapted for climate change by incorporating sustainable drainage measures, permeable pavements and drains and enhancing biodiversity at the site through landscaping and tree planting along with bat and bird boxes and provision for hedgehogs.

Layout, scale, design and external appearance

Policies EN1 and DM1 of the Core Strategy, along with the Guide to Development in Manchester SPD and the Residential Quality Guide, requires consideration be given to the layout of new developments ensuring that they respond to the surrounding context and maximise frontages with the street scene and other important features of sites in order to create neighbourhoods of choice and a sense of place.

Access to the site would be from Cringle Road via a new vehicular access. The indicative layout shows that natural surveillance is provided to Cringle Road through the siting of a double fronted dwellinghouse.



Indicative image from the new access road

From Cringle Road, the new access road will create a loop road and all of the proposed new homes would front this road which is acceptable. A short area of shared surface would be created in the northern part of the site which would be fronted by 3 dwellings

In curtilage parking would be provided for each new homes. Whilst in most cases this is provided to the front of the dwelling, the size of the plot frontage together with boundary treatment and soft landscaping provides an appropriate frontage to the access road.

A rear garden would be provided to each plot which would be appropriately sized for a family dwellinghouse.

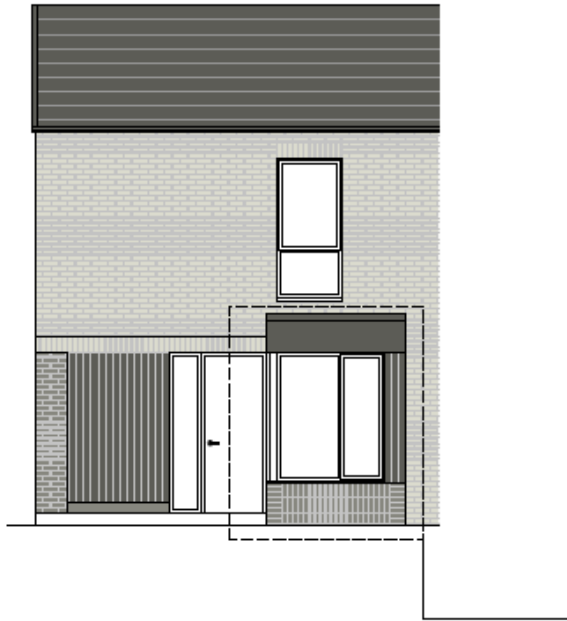
The proposed dwellings would be two storeys in height which complements the character of the local area which is dominated by two storey properties. The layout contains 4 different house types and are either detached or semi-detached. The properties are form with either a strong main gable feature or traditional pitched roof.



House type A

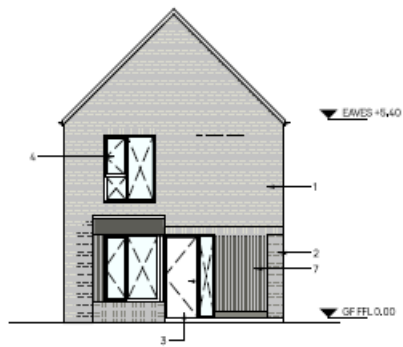


House type B



House type C

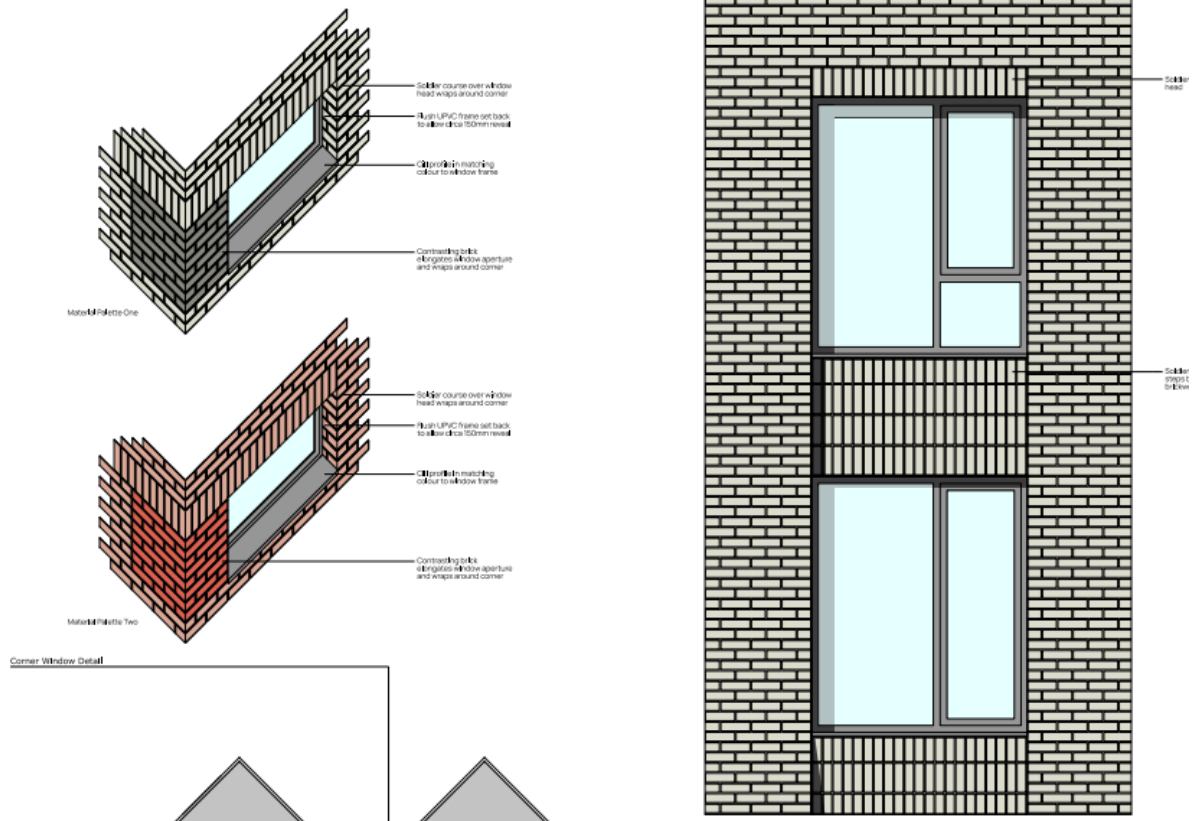
FRONT ELEVATION



House type D

Architectural detailing is provided by deep window reveals, soldier coursing and projecting bays (to house type C and D).

The facades of the new homes would be masonry consisting of either buff/cream brick with a contrasting grey brown brick or red/buff brick with contrasting red brick. Window frames would be grey to contrast with the brick types.



The layout and scale would complement the character, scale and order of development in the surrounding area and be an appropriate response to the adjacent Highfield Country Park. The scale, mass and density would form an appropriate architectural response along in this context.

The design is considered to be high quality providing a contemporary residential development in this popular part of Levenshulme. The materials deliver a simple and effective façade treatment. Conditions of the planning approval will ensure that the materials are appropriate and undertaken to the highest standard.



Indicative image showing house types A, B and C

Landscaping and boundary treatment

Policy DM1 of the Core Strategy requires that green infrastructure including open space (both public and private) is a key consideration in the determination of planning applications. Further detail in this regard is provided by the Guide to Development in Manchester SPD which outlines the need for high quality public realm and together with creating a sense of place and spaces having purpose.

Private rear gardens would be created for the new dwelling houses. These vary in size depending on their position within the application site. A patio and lawn area is proposed together areas for planting. There would also be trees planted in the front and rear gardens. The rear garden area would also contain the bin and cycle store area.

In line with paragraph 10.9 of the Guide to Development in Manchester, it is considered that the amenity spaces provided would allow the residents to enjoy useable private amenity space and the size of the spaces appear to be consistent with the character of the area. In addition, it is considered that the gardens would be functional allowing for children to play, outside storage, drying of the clothes and a place to relax.



Proposed landscaping layout

A low boundary wall with a hedge behind would be provided to the front of each property. This would help to delineate the public and provide areas and providing a setting to the new homes. Close boarded fencing would be provided to the rear in the interest of privacy and security.

64 new trees would be planted across the site (including street trees). This would adequately mitigate against the 8 trees which are proposed to be removed to facilitate the proposals. 21 existing trees would be retained.

In granting the outline planning permission, the Inspector acknowledged that the new homes associated with this development would bring new visitors to the park. Accordingly, without appropriate mitigation, the development would cause further deterioration to the park. An appropriate sum has been agreed for improvements to the Country Park. This mitigation will be secured through a legal agreement associated with the outline planning permission.

The private amenity space for the dwelling is comparable with the local context. Appropriate boundary treatment would help to define the front of the properties and secure the rear gardens.

Means of access, Impact on the highway network/car/cycle parking and servicing

A transport statement was submitted with the outline application which considered the sites sustainability in terms of proximity to public transport, together with an assessment of the impact of the proposal on the local highway network.

This assessment concluded that there would not be an unduly harmful impacts on the local highway network as a result of the development. The means of access was agreed at the outline stage from Cringle. There was no objection to the principle of with the applicant be able to demonstrated that any access would be safe for pedestrians and vehicles.

Residents of Wilsthorpe Close have raised concerns about the position of the access. Similar comments were raised at the outline stage. Highway Services have assessed the access and do not considered there would be any conflict with highway and pedestrian safety. The location of the point of access was approved as part of the Outline Approval.

Traffic calming measures were agreed along Cringle Road at the outline stage to slow the traffic along the road. Details at this stage include the provision of 2 sets of speed cushions, either side of central flat top hump in an appropriate location respective of pedestrian desire lines. Given the width of the road, 3 cushions are included per set to fully deter vehicle speeds.

The new homes are arranged around a new internal looped access road. The carriageway and footway has been designed to adoptable standards in order to create a safe pedestrian environment. Each property would have a driveway to the front which in some instance can accommodate up to two cars. Electric car charging points would be fitted to each property along with a secure cycle store.

Highway Services are satisfied that the proposed layout would be acceptable maintaining adequate visibility at junctions, suitable driveways lengths and carriageway widths.

Accessibility

All main entrances to the dwellings would have level access and even surfaces around the dwellinghouses for ease of movement. The homes have been designed to be space standard compliant which provides sufficient room for manoeuvring internally and allow the homes to be adapted where necessary in the future.

Effects on the Local Environment/ Amenity

The proposed development is sufficiently separated from existing residential properties to prevent any loss of privacy from overlooking or any overbearing or overshadowing impacts.

There are also sufficient distances between each of the proposed dwelling which are either separated from each other by the new internal access road or have adequate distances between rear elevations.

Designing out crime

Policy DM1 of the Core Strategy requires that consideration be given to community safety and crime prevention. The outline planning application was supported by a

Crime Impact Statement (CIS), prepared by Design for Security at Greater Manchester Police. This assessed the proposal in terms of crime prevention and safety.

The detailed layout proposal would bring natural surveillance to the area. All the dwellings front the new section of road and are secured by boundary treatment to provide defensible spaces.

Public opinion

A wide variety of opinion has been received in respect of this matter much of which raises comments similar to those received at the outline planning stage.

Matters relating to the removal of the hedge and vegetation was considered and mitigated by planning permission 128920/FO/2020. Additional green infrastructure would be secured by this planning permission as part of the landscaping scheme. A drainage scheme would be agreed for this development which would ensure that the scheme does not pose any unacceptable risk to flood from surface water.

The development would not result in any unacceptable impacts on surrounding residential properties from loss of privacy as a result of overlooking or any overbearing or overshadowing impacts.

Matters relating to traffic generation and means of access together with suitable mitigation, was agreed at the outline planning stage. There would be suitable cycle storage as part of the development and cyclist would be easily be able to access the cycle network in the area.

Other Matters

Matters relating to the loss of trees and green infrastructure, affordable housing, impact on air quality, noise, surface water and drainage, waste management, ground conditions, impact on ecology, construction management and removal of permitted development rights were considered at the outline stage. Conditions are contained in the outline planning permission which deal with these issues.

Conclusion

The proposal conforms to the development plan taken as a whole as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 and there are no material considerations which would indicate otherwise.

The proposal would provide a high quality development, consisting of 57 new homes (of which 20% would be affordable), in an established residential area. The layout, scale and appearance would be acceptable and a landscaping would offer a mature setting to the development with a significant net gain of new trees. The homes would be designed to be low carbon.

There would be minimal impact on the surrounding buildings in terms of daylight and overlooking distances are reasonable and would not result in a loss of privacy.

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 Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development. Further work and discussion have taken place with the applicant through the course of the application. The proposal is considered to be acceptable and therefore determined within a timely manner.

Condition(s) to be attached to decision for approval

1)The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

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:

L(-2)110 Rev 02, L(-2)210 Rev 01, L(-4)100 Rev 01, L(-4)101 Rev 01, L(-4)102 Rev 02 and L(-4)200 Rev 01 stamped as received by the City Council, as Local Planning Authority, on the 13 August 2021

L(--)010 Rev 01, L(-2)310 Rev 01 and L(-4)003 stamped as received by the City Council, as Local Planning Authority, on the 6 August 2021

L (--)000, L(--)011, L(--)012, L(--)013, L(--)014, 101 Rev F, 202 Rev B, 203 Rev B, 204 Rev B, L(-2)410, L(-3)100, L(-3)200, L(-4)001, L(-4)002, L(-4)301, L(-4)400 and WECE-258-E-01 REV P2 stamped as received by the City Council, as Local Planning Authority, on the 21 May 2021

2714 201C, 2714 203C and 2714 204C stamped as received by the City Council, as Local Planning Authority, on the 18 June 2021

Response note from Paul Butler Associates dated 6 August 2021

Ecology Statement, Drainage strategy, refuse swept path (SCP_200217_ATR04), Design and Access Statement, ESS supplementary Statement, Planning Statement and Crime Impact Statement Rev B stamped as received by the City Council, as Local Planning Authority, on the 21 May 2021

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) The window reveals and soffits for the development shall be carried out in accordance with drawing L(-4)102 Rev 02 stamped as received by the City Council, as Local Planning Authority, on the 13 August 2021

The extent of the window reveals and detailing will be as follows:

- Minimum window reveal 150 mm and brick soffit

Reason - In the interest of preserving the architectural detailing on the scheme pursuant to policies EN1 and DM1 of the Manchester Core Strategy (2012).

4) The development shall be carried out in accordance with the , ESS supplementary Statement stamped as received by the City Council, as Local Planning Authority, on the 21 May 2021. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

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 and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

5) The development shall be carried out in accordance with the Crime Impact Statement Rev B prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 21 May 2021. 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.

6) The landscaping scheme shall be carried out in accordance with drawings 201C, 203C and 204C stamped as received by the City Council, as Local Planning Authority, on the 18 June 2021 and drawings 101 F and 202 B stamped as received by the City Council, as Local Planning Authority, on the 21 May 2021

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.

7) Notwithstanding drawing L(--)-012 stamped as received by the City Council, as Local Planning Authority, on the 21 May 2021, prior to the first use of the development hereby approved, details of the siting, scale and appearance of the solar panels to the apartments (including cross sections). The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the solar panels are installed and to ensure that they are appropriate in terms of visual amenity pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

8) The boundary treatment shall be carried out in accordance with drawing L (--) 014 stamped as received by the City Council, as Local Planning Authority, on the 21 May 2021 and drawing L(-4)003 stamped as received by the City Council, as Local Planning Authority, on the 6 August 2021.

The approved scheme shall then be implemented and be in place prior to the first occupation of the development. The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

Reason - In the interest of visual amenity and security of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

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: 130515/MO/2021 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.

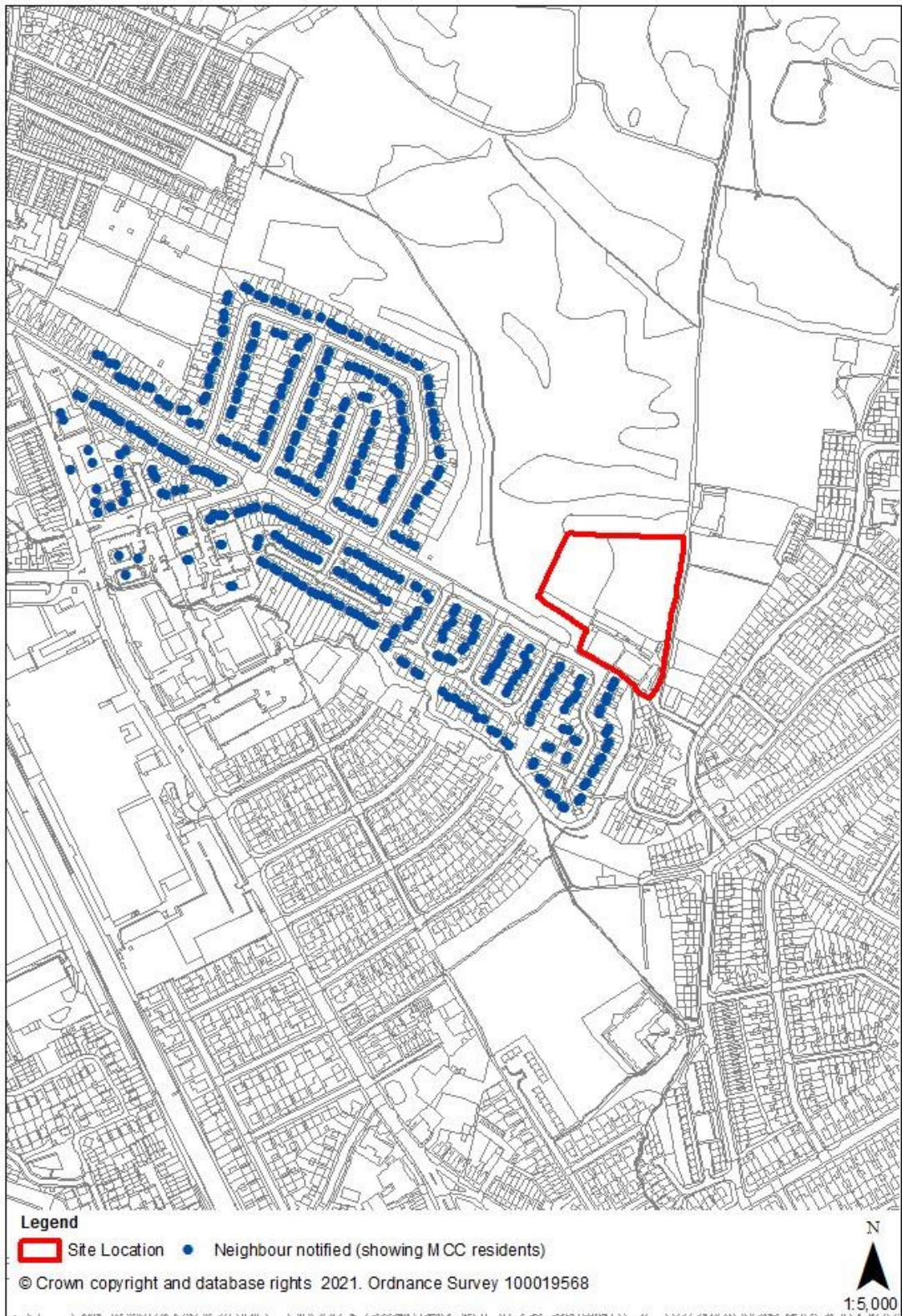
The following residents, businesses and other third parties in the area were consulted/notified on the application:

**Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC
Greater Manchester Ecology Unit
Stockport Metropolitan Borough Council**

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:

Relevant Contact Officer : Jennifer Atkinson
Telephone number : 0161 234 4517
Email : jennifer.atkinson@manchester.gov.uk



Application Number	Date of Appln	Committee Date	Ward
129685/FO/2021	26 Mar 2021	2 Sep 2021	Levenshulme Ward

Proposal Change of use to form a 12 bedroom care home (Class C2),

Location 209 Slade Lane, Manchester, M19 2AE

Applicant Dr Salam Fahad, 13 Redwood, Manchester, M33 5RD,

Agent

Executive summary

Proposal - The planning application relates to a 2-storey building with roof space accommodation located at the junction of Slade Lane and Albert Road. The site is located in a residential context. The property has previously been used as an unauthorised HMO.

The development relates to the provision of a 12 bed unit for the care of adults (18+) experiencing or recovery from acute mental issues and requiring care. Two forms of care would be provided:

- i. Step down care – For individuals leaving mental health wards and care settings and requiring support prior to returning home or relocating to alternative accommodation as part of a transition towards independent living. This form of care would be co-ordinated with individual GPs, hospitals and on-going health care support;
- ii. Step up care – For individual experiencing acute mental health difficulties and requiring emergency care for brief periods following either general practitioner (GP) and hospital referral. This form of care provision seeks to relieve pressure on health care resources, including hospital bed availability.

The operation of the unit would be co-ordinated by the applicants as the unit medical doctor and care manager respectively. Care would be provided in two shifts:

Daytime: 8.00 am to 8.00 pm – 4 staff;

Overnight: 8.00 pm to 8.00 am – 2 to 3 staff.

The applicant has indicated that the premises would have the capacity for 4 cars and there is an existing cycle store.

The Supporting Needs Monitoring Group (SNMG) supports the development.

Objection - One email of objection has been received expressing concern regarding the nature of the proposed use and related activity, concern regarding management arrangements and traffic generation. It is considered that the property is unsuitable for such an intensive use and its operation would be harmful to residential amenity and the character of the area.

Principle - The application property, through its previous HMO use, has a history of shared residential occupation with characteristic activity, which would be comparable to the proposed use. The development has received support from the Supporting Needs Monitoring Group (SNMG), as it would respond to an identified adult social care need. It is therefore considered that the principle of the development is acceptable.

Key Issues

- i. Balancing an identified need for residential care and support for people with mental health issues, whilst minimising any harm on the amenities and character of the surrounding area. This has included an assessment of existing social care provision in the locality;
- ii. The provision of satisfactory operational arrangements to ensure that the development meets the needs of residents and is managed appropriately to reduce and potential harm to the character and amenity of the surrounding area.

A full report is attached for Members consideration.

Description

This planning application relates to a white rendered detached house with a distinctive pitched roof configuration composed in red tiles. The internal layout provides accommodation over 3 floors.



Fig. 1 – 209 Slade Lane from Slade Lane and Albert Road

The property is located at the junction of Slade Lane and Albert Road and is set within a hard-surfaced garden area. There are related vehicular access points within the Slade Lane and Albert Road boundaries, which are demarcated by red brick walls and hedges. Double yellow lines are positioned on the adjacent section of highway to Slade Lane and Albert Road. The property has previously been in use as

a house in multiple occupation, albeit without planning permission. An application for a certificate of existing lawful development for use of the use of 209 Slade as a 12 bedroom house in multiple occupation (Ref: 129262/LE/2021) has been submitted and seeks to regularise this circumstance. The claim is that the HMO use commenced in 2004.

Description of development

The planning application relates to a 2-storey building with roof space accommodation at the junction of Slade Lane and Albert Road in a largely residential area. The development relates to the provision of a 12 bed unit for the care of adults (18+) experiencing or recovery from acute mental health issues and requiring care. Registration with the Care Quality Commission (CQC) would be pursued following the granting of planning permission and the establishment of the unit. The proposed internal layout is shown in Fig. 2 and comprises two, six and four bedrooms on the respective ground, first and second floors. A staff office would be located on the first floor with ancillary storage in the basement. The applicant has indicated that the premises would have the capacity for 4 cars and an existing six space cycle store would be retained.

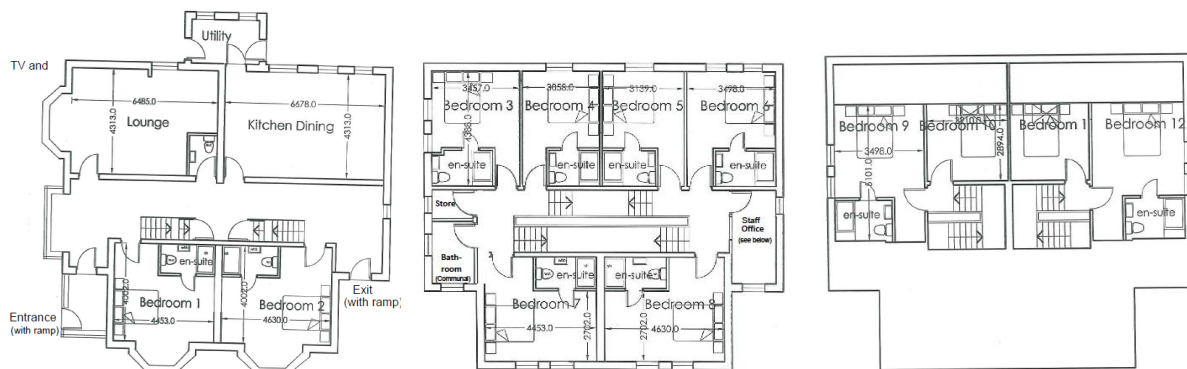


Fig. 2 – Ground, first and second floor layout.

Two forms of care would be provided:

- i. Step down care – For individuals leaving mental health wards and care settings and requiring support prior to returning home or relocating to alternative accommodation as part of a transition towards independent living. This form of care would be co-ordinated with individual GPs, hospitals and on-going health care support;
- ii. Step up care – For individual experiencing acute mental health difficulties and requiring emergency care for brief periods following either general practitioner (GP) and hospital referral. This form of care provision seeks to relieve pressure on health care resources, including hospital bed availability.

The operation of the unit would be co-ordinated by the applicants as the unit medical doctor and care manager respectively. Care would be provided in two shifts, namely:

Daytime: 8.00 am to 8.00 pm – 4 staff;
 Overnight: 8.00 pm to 8.00 am – 2 to 3 staff.

Consultation

Local residents - One email of objection has been received and raise the following concerns:

- i. The application property is unsuitable for occupation of a care home and there is concern that its occupation by 12 residents would be excessive resulting in increased activity and disturbance. The development would be supported with limited internal communal space and external amenity areas, which would be detrimental to residents' well-being;
- ii. The proposed car parking provision would insufficient and combined with its inappropriate configuration may result displacement of vehicles on to the highway. The resulting congestion would be particularly problematic due the close proximity of the site to a traffic light controlled junction. Additional traffic would also be disruptive the operation of the highway as vehicles access and egress the site;
- iii. There is concern regarding the future management of the unit and how the health issues presented by residents may impact upon local amenity and the character of the area, particularly with regard to loss of privacy and additional noise, activity and disturbance;
- iv. There is concern that the applicants have not engaged with the community to explain the nature of the proposed use and how it may be managed to minimise disturbance to local residents.

Supporting Needs Monitoring Group (SNMG) – The SNMG has assessed the development and does not consider that it would have any potentially adverse impact on social care provision and related supporting infrastructure in the surrounding area. Following clarification of the operation of the development and it related care model, the SNMG has confirmed its support for the proposal.

Highway Services – The following comments have been received:

- i. The existing location of pedestrian and vehicular access points would be retained, which is considered to be acceptable;
- ii. Four on-site car parking spaces are to be proposed. A swept path analysis of the vehicular access and egress is recommended that appropriate arrangements are provided;
- iii. Clarification of the allocation of car parking has been requested;
- iv. The installation of an electric vehicular charging point is recommended;
- v. The applicant has indicated the provision of six cycle storage. An increase in provision is recommended along with confirmation that a secure and sheltered cycle storage enclosure would be provided;
- vi. The proposed temporary access ramps should be DDA compliant;
- vii. The location of waste storage areas within the site is considered to be acceptable. Details of the collection arrangements should be confirmed as part of the development.

Environmental Health – Recommends conditions that:

- i. Limit servicing and deliveries to 7.30 am to 8.00 pm, Monday to Saturday;
- ii. Secure amendments to the waste management plan to confirm details of the storage and collection of clinical waste and bin capacities for segregated waste and recycling. It is recommended that the proposed bins capacity should be increased from 240 litres to 1100 litres for each waste and recycling streams.

Greater Manchester Police – No objection to the development but the following recommendations have been made:

- i. Side and rear gardens should incorporate walls or fencing to a minimum height of 1.8m;
- ii. Any new fittings, including shutters, windows or doors should meet Secured by Design standards;
- iii. Access to the side and rear of the property should be restricted
- iv. Entrance to the building should be a video intercom system and visitors should gain access via the main lobby area, passing the staff office;
- v. Staff should be given the necessary personal safety training;
- vi. Bins should be stored within a lockable enclosure;
- vii. 'Dusk 'til dawn' lighting should be installed to all external doors;
- viii. Parking spaces to be clearly demarcated.

United Utilities (UU) – Initially requested that the development be related to a drainage condition. UU were advised that the development would involve a change of use with no building operations. No further comments have been received.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It provides a mechanism through 'which locally-prepared plans for housing and other development can be produced.' It states that 'at the heart of the Framework is a presumption in favour of sustainable development.' However, the Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Furthermore, the statutory status of the development plan remains as the starting point for decision making. In 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion (paragraph 92). The development would be beneficial to the well-being of potential residents accessing the provided residential mental health care and

support. Consideration has also been given to the layout of the development and the incorporation of measures that might be required to address issues of security and potential opportunities for criminal and anti-social behaviour. The property is visible from Slade Lane and Albert Road and existing boundary treatments and gates to the side of the house would be retained. The applicant has been advised of the recommendations of GM Police Design for Security and a condition has been included to ensure that the development is supported with appropriate security measures. On balance, it is considered that the development would be appropriately related to a residential setting that is characterised by pedestrian and vehicular activity at the junction of Slade Lane and Albert Road. Chapter 8 would thereby be accorded with.

Chapter 9: Promoting sustainable transport - States that in assessing specific applications for development, it should be ensured that:

- i. The potential impact of development on transport networks can be addressed;
- ii. Provide opportunities for walking, cycling and public transport use (Paragraph 104).

It is considered that, given the magnitude of the development, the generation of traffic and vehicular movement would be predictable and capable of being accommodated within the local highway infrastructure. The site has some parking provision and is in a sustainable location, in terms of access to public transport. A condition has been included relating to the provision of a staff travel plan to further reduce reliance of private car usage and encourage sustainable transport options. The development would thereby be positively related to Chapter 9.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource and is relevant to key planning issues of significance to applicants and local authorities. In considering this application the following aspects of the PPG have been appropriately responded to:

- i. Consultation and pre-decision matters;
- ii. Health and well-being;
- iii. Noise;
- vii. Travel plans.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.'

The following Core Strategy policies are relevant to the development:

Policy SP 1 (Spatial Principles) - Policy SP1 specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

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

It is considered that the scale and nature of the development would be consistent with the residential character of the surrounding area. It would also meet an identified care need and support the well-being of future residents. The site benefits from access to local transportation routes, which would support access to the employment opportunities presented by the development. The development would thereby comply with policy SP1.

Policy EN 14 (Flood Risk) - Policy EN 14 states that in line with the risk-based sequential approach, development should be directed away from sites at the greatest risk of flooding and towards sites with little or no risk of flooding. The application site is located in Flood Zone 1 and therefore there no requirement additional attenuation against flood risk.

Policy EN19 (Waste) - Policy EN19 requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. The sustainable waste management needs of the end user will be met.

The applicant has identified a suitable location of a waste storage enclosure adjacent to the northern site boundary. It is considered that a storage enclosure can be suitably designed and sited with sufficient capacity to ensure appropriate arrangements, including the storage of segregated waste streams within the site. The applicant has indicated that clinical waste would be stored within a basement area prior to removal be a specialist contractor. It is considered that appropriate arrangements are capable of being by condition to secure compliance with policy EN19.

Policy H 10 (Housing for people with additional support needs) - Identifies a number of supported housing needs, including the needs of people experiencing issues with mental health and well-being. It also states that proposals for accommodation for people with additional needs will be supported where:

- i. There is not a high concentration of similar uses in the area already;
- ii. The development would contribute to the vitality and viability of the neighbourhood;
- iii. There would not be a disproportionate stress on local infrastructure, such as health facilities.

The SNMG has confirmed its support for the development. It has not identified the surrounding locality as an area with a high proliferation of supported needs accommodation. The applicant has indicated that a high degree of in-house care would be provided with residents would maintain contact with their registered GPs and established health care support throughout their stay. It is therefore unlikely that the development would have any significant implications for the local health care infrastructure or adversely affect vitality and viability of the surrounding neighbourhood. It is therefore considered that the development would comply with policy H10.

Policy T1 (Sustainable transport) - Policy T1 relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport. In this case that development incorporates in curtilage car parking, with the site benefitting from access to nearby public transport links along Slade Lane and Albert Road. Levenshulme Railway Station is within walking distance from the site. Given the nature of the development traffic generation and demand for car parking would be related to staff and visitors rather than residents. It is considered in this case that any impact would be predictable and capable of being managed through a travel plan condition thereby securing compliance with policy T1.

Policy T2 (Accessible areas of opportunity and need) - Policy T2 states that the Council will actively manage the pattern of development to ensure that new development is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities. Policy T2 requires that appropriate car parking and cycle storage is provided. The application site is in a sustainable location, in terms of access to public transport. Some on-site car parking and cycle storage would be provided. It is considered that the development would be suitably related to policy T2, particularly as a staff travel plan has been recommended.

Policy DM1 (Development Management) - Policy DM1 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. Relevant considerations in this case are:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas in terms of the magnitude of the development and its impact on the character of the surrounding area;
- c. Effects on amenity, including privacy, light, noise and road safety and traffic generation;
- d. Accessibility relating to inclusive access for people with disabilities and access via sustainable transport modes;

- e. Community safety and crime prevention;
- f. Design for health;
- g. Adequacy of internal accommodation and external amenity space;
- h. Refuse storage and collection.

The development would be related to an existing property without the formation of any related extensions. The development would be conditioned to limit occupancy to 12 residents with support staff to safeguard residential amenity and to ensure that the use would be related to the capacity and constraints of the site. The residential character of the area would thereby be maintained. It is also considered that activity in and around the site would be predictable and manageable, including traffic generation. Any noise associated with the development would be consistent with residential use and, in this case, the property has been historically used as shared occupation with related levels of noise and activity. The applicant has confirmed that appropriate security measures would be put in place. The proposed quality of living space within the reconfigured property would be acceptable. It is acknowledged that external amenity space would be limited but this would be offset by the positive benefits of the development. A condition has been included to ensure that the proposed waste management arrangements would adequately accommodate segregated waste streams. It is therefore considered that the development would comply with policy DM1.

Unitary Development Plan (UDP) saved policies -The following saved policies are relevant to the assessment of the development:

Policy DC2 (Rest Homes and Nursing Homes) - Relates to the assessment of planning applications for rest homes, nursing homes and other uses within Class C2 of the Use Classes Order and requires that consideration is given to:

- a. The effect of the operation of the business on the amenity of neighbouring residents;
- b. The standard of accommodation for the intended occupiers of the premises, including the availability of private outdoor amenity space;
- c. The effect of the proposals on visual amenity;
- d. The availability of adequate, safe and convenient arrangements for car parking and servicing;
- e. The ease of access for all, including disabled people;
- f. The desirability of avoiding an over-concentration of special needs or housing in any one area of the City;
- g. The desirability of broadly maintaining the existing character of a residential street or group of adjoining streets.

It is considered that the proposal would achieve these objectives through the provision of care facilities that would respond to a recognised care need for adults requiring immediate and more comprehensive residential care. It would also support residents in transition towards independent living. The applicant has demonstrated that the development can be appropriately managed as a small-scale care home without unduly affecting the residential character of the surrounding area. The development would also be supported with an appropriate standard of

accommodation and an operational management plan. Policy DC2 would thereby be accorded with.

Policy DC26 (Development and noise) - Requires that consideration be given to the likely generation of noise attributable to new development. It also identified the associated need to manage the potential impact of noise through the implementation of any identified attenuation measures.

In this case, the development would be restricted to 12 residents by condition thereby achieving a level of occupancy that would limit potential noise and disturbance to a level consistent with shared occupation. The unit would have staff on-site on a 24-hour basis to ensure appropriate supervision, including management of noise and disturbance. The development is therefore capable of achieving accordance with policy DC26.

Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance - The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester.

The following paragraphs are relevant:

- i. Section 3 Accessibility;
- ii. Section 8 Community Safety and Crime Prevention.

For the reasons set out in this report, it is considered that the development would positively respond to the above guidance.

Positive and proactive engagement with the applicant - An amendment to the Development Management Order, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application.

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, officers have engaged with the applicant to secure clarification of the characteristics of the proposed use leading agreement that it should be considered as a Class C2 development. The impact of the development on the character of the area and local health care infrastructure has been appropriately assessed. Further discussions have ensured the submission of sufficient information, including details of staffing arrangements, to allow the development to be appropriately considered.

Principle of the development – Although to date not lawfully established the property appears to have a history of shared occupation with a resulting level of activity. Regardless of the past HMO use, this is a relatively large detached property with spacious accommodation. Externally, it can accommodate a number of parking

spaces and its relationship to existing dwellings is such there is unlikely to be any undue impact from the proposed use.

Even with the presence of staff in addition to residents, this would be proportionate and necessary to secure both care and the management of the unit.

Residential amenity - The proposed referral of residents by GPs and other health care providers is a central theme of the management plan for the site. Capacity would therefore be controlled and these arrangements would also ensure that the arrival of residents and their admission would be suitably managed. Incidences of emergency admissions would be similarly managed and it is not considered this would in any respect give rise to undue harm. The applicants care model seeks to provide care for local people who, upon discharge, can access the established support of family, friends and health care providers. The operation of the development would be related to a condition to ensure the implementation of the submitted management plan supplemented with details of arrangements for servicing and deliveries.

It is considered that the development is capable of being suitably managed through the recommended conditions and the development would be appropriately related to the surrounding residential context.

Staffing arrangements – The operation of the unit would be co-ordinated by the applicants as medical doctor and unit manager. Care would be provided in two shifts, namely:

Daytime: 8.00 am to 8.00 pm – 4 staff;
Overnight: 8.00 pm to 8.00 am – 2 to 3 staff.

As stated, registration with the Care Quality Commission (CQC) would be pursued following the granting of planning permission and the establishment of the unit. In addition to the arrangements set out in the submitted management plan, the requirements for CQC registration would give further assurances regarding the quality of care to be provided. The applicant has indicated that care would be provided in-house and without reliance upon additional support from outside agencies. This would help to reduce activity around the site. The applicant also proposes to provide employment and training opportunities to local people thereby delivering an added community benefit.

Site management - The operation of the unit has been related to the submitted management plan, which details the arrangements set out above. It is recommended that these details are related to the development by a condition, that would be supplemented with confirmation of arrangements for undertaking servicing and deliveries. On this basis, it is considered that the requirements of Highway Services would be addressed.

Car parking, cycle storage and highways issues – The development would utilise the existing vehicular and pedestrian access and egress arrangements. Although there is limited car parking capacity, given the nature of the proposed use, it is likely that any demand for car parking would itself be limited staff and visitors. Furthermore, it is

considered that any traffic generated would be comparable to the continued use of the property as a house in multiple occupation.

Traffic visiting the site would be controlled through the presence of yellow lines on the adjacent sections of Slade Lane and Albert Road. The inclusion of a condition relating to the operation of the development in accordance with a travel plan would also aid the management of private car usage. The applicant has indicated the retention of an existing covered cycle shelter with a capacity for 6 cycles.

A condition has been recommended about the arrangement of the car parking spaces and a review of cycle storage to determine if further provision can be accommodated.

Electric vehicle (EV) charging points – A condition is recommended to explore options for the inclusion of an EV point.

Staff travel plan - The applicant has sought to reduce reliance on private car usage through the retention of an existing cycle store. The site also benefits from its walking distance proximity to bus routes and Levenshulme Railway Station. The provision of cycle storage and availability of public transport give confidence that an appropriate staff travel plan could be delivered to further reduce private car usage. It is recommended that the development be conditioned accordingly.

Amenity space and landscaping - The existing gardens would be retained, including hard surfaced areas to the front of the site.

Waste and recycling management - The proposed waste storage enclosure would be located adjacent to the northern site boundary of the site. This has the capacity to accommodate waste and recycling, including clinical waste (1100 litres for each waste and recycling stream)

The applicant has indicated that clinical waste would be appropriately stored in the basement. A condition has been recommended to ensure that appropriate bin capacities are provided within the external storage and lockable enclosure area. The condition would also ensure appropriate arrangements are made for the collection of all forms of waste, including clinical waste.

Servicing hours - Consideration has been given to the Environmental Health request for a condition to manage times for undertaking of services and deliveries. Given the proposed use shares many of the characteristics of larger scale residential occupation it is not considered this is necessary in this instance case.

Crime and security – In response to the comment of GM Police Design for Security, a condition has been recommended relating to a review of the existing security arrangements and the provision of additional measures to improve on-site security and to reduce the risk of crime.

Accessibility - The applicant has set out indicative details to improve access to the property, this includes removeable ramps. Two of the proposed bedrooms would also be located on the ground floor.

A condition has been recommended relating to the submission, approval and implementation of access arrangements to the ground floor of the property, including details of the siting and appearance of access ramps, balustrades and level thresholds to external doorways and confirmation of door set widths to facilitate access. The condition requires that approved scheme be fully implemented upon commencement of the authorised development and maintained in situ thereafter.

Flood risk and drainage - The site is located in Flood Zone 1 and therefore has a low risk of flooding. The development is consistent with a residential use and therefore there would be no requirement for any additional drainage mitigation.

Conclusion - It is considered that the proposal represents a welcomed provision of care that addresses a specific need and demand within the city. Notwithstanding potential impacts on the area have been considered and through the proposed management arrangements set out in this report, it is considered the use is unlikely to cause undue harm.

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, officers have engaged with the applicant to secure clarification of the characteristics of the proposed use leading agreement that it should be considered as a Class C2 development. The impact of the development on the character of the area and local health care infrastructure has been appropriately assessed. Further discussions have ensured the submission of sufficient information, including details of staffing arrangements, to allow the development to be appropriately considered.

Condition(s) to be attached to decision for approval

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 by the City Council as local planning authority on 11 March 2021 and 22 March 2021:

Planning application forms;
 Location plan with a red edge;
 Proposed basement plan;
 Proposed ground floor plan;
 Proposed ground floor plan with access details;
 Proposed first floor plan;
 Proposed second floor plan;
 Planning permission statement: 209 Slade Lane, Levenshulme, Manchester, M19 2AE by Steinbeck Group dated 11 March 2021 and amended by email from Salam Fahad dated 16 June 2021.

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 for the City of Manchester.

3) The planning permission hereby granted relates to the use of 209 Slade Lane as residential care home (Class C2) for occupation by a maximum of 12 residents with support staff providing 24-hour care, Monday to Sunday (inclusive).

Reason - For the avoidance of doubt and in the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

4) Before the occupation of the development, a supplement to the authorised operational plan referenced: Planning Permission Supporting Statement Property Address: 209 Slade Lane, Levenshulme, Manchester, M19 2AE dated 11 March 2021 by the Steinbeck Group shall be submitted to and approved in writing by the City Council as local planning authority detailing the arrangements for servicing and deliveries, including the collection of segregated waste and recycling, including clinical waste. The approved documents shall comprise the operational plan to be implemented upon occupation of the development and maintained in situ at all times thereafter.

Reason - For the avoidance of doubt and in the interests of residential amenity pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

5) Before the occupation of the authorised development a scheme shall be submitted to and approved in writing by the City Council as local planning authority detailing the provision of arrangements to the ground floor of the property, including details of the

siting and appearance of access ramps, balustrades and level thresholds to external doorways and confirmation of door set widths to facilitate inclusive access. The agreed scheme shall be fully implemented upon commencement of the authorised development and maintained in situ thereafter.

Reason – In order to secure inclusive access to the property and in the interests of residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

6) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the provision and demarcation of car parking spaces and cycle storage together with details relating to arrangements for vehicular access arrangements. The approved scheme shall be implemented upon first occupation of the development and maintained in situ at all times thereafter.

Reason – In the interests of residential amenity and highway safety pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

7) Before the occupation of the authorised development, a scheme detailing the provision, siting and specification of an electric vehicle (EV) charging point. The approved scheme shall be fully implemented before the occupation of the building and maintained in situ at all times thereafter.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution pursuant to policies SP1, EN16 and DM1 of the Core Strategy for the City of Manchester.

8) Before the occupation of the development, a scheme for the storage (including bin capacities for segregated waste recycling, general waste and clinical) and collection of refuse and recycling has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall include details of the siting and appearance of a lockable external enclosure for the storage of segregated waste and recycling bins. The approved details shall be implemented upon occupation of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

9) Before the development hereby approved is first occupied a staff travel plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a staff travel plan means a document which includes:

- i) The measures proposed to be taken to reduce dependency on the private car by those 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 staff 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 staff travel plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the authorised development is in use.

Reason - To assist promoting the use of sustainable forms of travel to the authorised care home (Class C2), pursuant to policies SP1, T2 and DM1 of the Core Strategy for the City of Manchester and the Guide to Development in Manchester SPD (2007).

10) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the provision of measures to improve on-site security and to reduce the risk of crime. The scheme shall review existing security arrangements and detail related improvements that can be incorporated into the development. The approved scheme shall be implemented prior to the occupation of the development and maintained in situ at all times thereafter.

Reason - To reduce the risk of crime, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

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: 129685/FO/2021 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

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:

Relevant Contact Officer : Carl Glennon
Telephone number : 0161 234 4530
Email : carl.glennon@manchester.gov.uk



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