

Application Number	Date of Appln	Committee Date	Ward
128018/FO/2020	9th Oct 2020	17th Dec 2020	Didsbury West Ward

Proposal Erection of a part three, part four storey building to provide 34 retirement apartments with associated communal facilities, landscaping and car parking following the demolition of the existing dwelling

Location Jessiefield, Spath Road, Manchester, M20 2TZ

Applicant McCarthy & Stone Retirement Lifestyles Ltd, C/o Agent

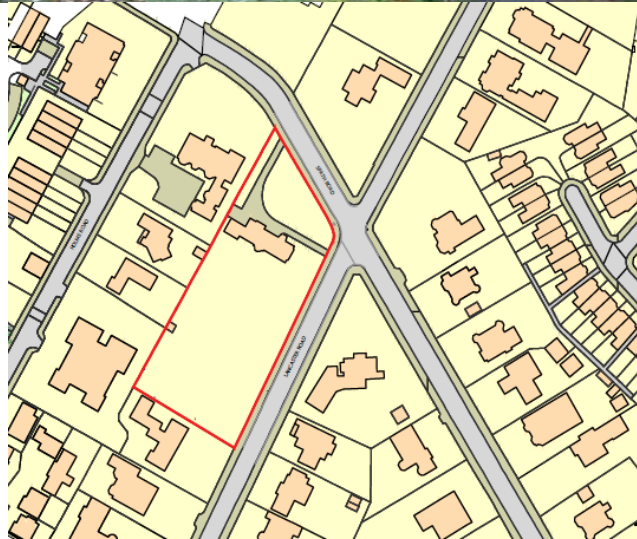
Agent Mr Chris Butt, The Planning Bureau, Unit 3 Edward Court, Altrincham Business Park, Broadheath, Altrincham, WA14 5GL

Executive Summary

The application proposals relate to the demolition of an existing detached residential property in West Didsbury and construction of 34 retirement apartments with associated car parking and landscaping. The proposals are being brought forward by a well known retirement apartment developer, to provide retirement living apartments without supported accommodation. 617 nearby properties were notified of the proposals and objections have been received from 116 residents from 102 separate addresses, with an additional petition with 50 signatures, two resident's associations, an MP and two ward Councillors relating to: loss of the existing building, scale and mass of the development proposals representing overdevelopment, detrimental impact on the character of the area, impact on highways and road safety, impact on residential amenity including overbearing, overlooking, loss of privacy and increase in noise disturbance; loss of green space, trees and associated impacts on ecology including bats. Full consideration of the matters raised is set out within the detailed report. The proposals would assist in providing an increase in much needed retirement accommodation in this part of South Manchester. However, the harm associated with the scheme, with regards to the scale and massing of the proposals and its impact upon the character of the area and the impacts of the proposals upon residential amenity is not considered to be acceptable.

Description

The application property is a large detached house built in 1937 within extensive grounds measuring c. 0.47 hectares at the junction of Spath Road and Lancaster Road. The area is predominately residential, characterised by large detached properties within large grounds, although Jessiefield has larger grounds than all surrounding property with a large wooded area to the south of the site. There are a number of tree preservation orders across the site. The property lies within the Didsbury West Ward.



The proposal is for the erection of a part three, part four storey building to provide 34 retirement apartments (16 one bedroom and 18 two bedroom) with associated communal facilities (such as resident's lounge, CCTV entry system, guest suite and alarm facility) landscaping and car parking for 26 cars (including 3 accessible spaces) following the demolition of the existing dwelling.

Consultations

Publicity – The development was advertised in the Manchester Evening News as a major development. A site notice was placed next to the site boundary. A map showing the extent of residents and businesses notified of the application is set out at the end of this report. 617 letters of notification were sent out.

116 letters of objections have been received from 102 separate addresses (some residents writing on multiple occasions) in relation to this application. There is also a separate petition with 50 signatures.

Reasons for objection are on the grounds that:

- There would be an adverse impact upon road safety as the access is located on a dangerous dimly lit bend. The proposals would be hazardous for families, cyclists and runners using Marie Louise Gardens. Access should be from Lancaster Road.
- Lead to noise and pollution in a quiet area

- Increase traffic to the site, which has been underestimated
- Not enough parking, elderly people have cars, especially affluent elderly people
- Impact on Lancaster Road, which is privately maintained and suffers from potholing
- Impact of construction traffic, with regards to road safety, noise disturbance and damage to surrounding roads
- Inappropriate as constitutes 'over the top' incongruous, unduly prominent and dominant overdevelopment of the site akin to a hotel or student accommodation
- Too large, in both height terms, in street scene terms and with regards to the footprint, which extends almost the full depth of the site near to boundaries resulting in extraordinary change
- Result in overlooking, loss of privacy, loss of light and have an overbearing impact upon surrounding property
- Loss of landscaping, green open space (and inappropriate use of the woodland area), and impact upon the trees and wildlife on site specifically, birds, bats and a fox family, which has been stated to be of particular importance during the pandemic. Other brownfield sites are said to be more appropriate.
- Inconsistencies in the submitted tree information have been pointed out, and queries about the drainage layout made with regards to its impact on protective fencing for trees.
- The bat survey and biodiversity report submitted has been questioned.
- Removal of lawn and gardens would lead to increase in water run off
- Arts and Craft historic building should be retained and adapted, loss of an attractive family house. Development pressure resulting in loss of large homes should be resisted.
- Climate Change – With zero carbon aspirations schemes should involve the retention of and recycling of building materials, reference is made to embedded carbon.
- Section 106 offered is not meaningful for affordable housing provision in this area (shouldn't 6.8 of the proposed flats be affordable?) and should also provide for works to Lancaster Road and traffic calming to Spath Road.
- Design of scheme does not have architectural interest
- A scheme for a block of 13 flats (of a smaller scale) on this site was previously refused, a scaled back plan may make people less likely to object. The appeal inspector in the previous refusal stated that "whilst I recognise that the proposed building would site in a context of large, mature trees, I find its 4 storey element to be excessive in scale compared to surrounding development, which is predominantly 2 storey in height, with pitched roofs; this includes Jessiefield, to which the proposal would be closely visually linked. Despite the articulation in the design of the proposed building, it would in my view appear over-dominant in the street scene."
- Lack of bin storage and how does the bin lorry access and turn within the site
- Increased pressure of sewage/drainage
- Location not suitable for elderly residents given distance away from shops and amenities and state of pavements that are impacted by tree roots. It is also difficult to access public transport across busy roads.
- McCarthy and Stone don't offer support to the elderly with only a daytime presence and a call care system.
- The units proposed offer very little amenity space for residents of the proposed development.
- There is no need for more apartments for senior living in Didsbury, there are some 2 minutes away on Palatine Road.

- Compliance with policy H10 has not been demonstrated
- Impact of increase in elderly population on GP surgeries
- HS2 route is very nearby
- Would devalue properties surrounding
- The scheme is contrary to policies H1, H6, H10, SP1 and DM1

1 neutral letter was received setting out comments relating to construction management and road safety in relation to this site.

Needham Hall and Dundreggan Residents Group also wrote to object to the application for the reasons as set out above and additionally outline specific detailed concerns and inconsistencies in relation to the impact of the development on trees, the bat survey submitted, the transport assessment submitted which suggests that people will be travelling at 20mph and state this is unrealistic and there is no effective speed enforcement on Spath Road and vehicles travel in excess of speed limits. They comment that there are a lack of pavements planned. Comments query reference in the transport report to a scheme in Halifax and its relevance. Comments are also made about the lack of lifts in the accommodation which would enable the transportation of waste. They also comment that they believe that feedback to the community consultation has been substantially disregarded.

West Didsbury Resident's Association have commented that although the proposed development is located beyond the area of WDRA's normal activity, they are satisfied that the proposal raises issues of broader community significance. They support the comments of Needham Hall and Dundreggan Residents Group.

Jeff Smith MP - Supports the principle of more specialist accommodation for older people in the area, however took the view that this application constitutes overdevelopment of the site.

The height of the proposed building is not in keeping with the area and would overlook neighbouring properties affecting their privacy and compromising their residential amenity.

Was also concerned about the removal of trees and would ask for a 3 for 1 replacement if the application is passed. Would like to echo local residents' comments that the development would have an overbearing impact on the street-scene of the development, so would ask for a condition that trees to be planted to shield the property from the road and mitigate the visual impact of any new development on the area.

Councillor Greg Stanton – Objects on the following grounds:

- Loss of an existing fine arts and craft-style house steeped in local history with heritage value
- Loss of trees, natural habitat, and conservation of well-established wildlife
- Overlooking, proximity to nearby properties and loss of neighbourly amenity
- Poor access, insufficient parking, and impact on traffic / safety
- General overdevelopment of site with high density buildings It is worth noting that the 2005 application to develop a considerably smaller structure than presently proposed was refused by Council and on appeal at the Planning Inspectorate

(077185/FO/2005/S2); whereas a more sympathetic application to develop two detached family homes was approved but not constructed. Supports and encourage the creation of new homes in the Ward and regrets the repeated failure of Government to build in the quantities required to house our growing population. Cannot in good conscience support an application that has been roundly rejected by residents that would live in close proximity and groups that represent those further afield from across our area. The extensive grounds of Jessiefield represent an opportunity to retain the existing house whilst also bringing forward a revised or indeed new proposal to overcome specific objections to the loss of mature trees and diminishment of neighbourly amenity through overlooking.

Councillor John Leech - Objects to the demolition of Jessiefield and the building of 34 flats in the garden of this house on the following grounds:

1. Overdevelopment of the site. A much smaller development was previously refused, and the proposal for 34 flats will dominate the site.
2. Lack of available parking spaces. Clearly 26 parking spaces for 34 flats is far too few. There will either be no parking for visitors, who are likely to be frequent, given that this is older person accommodation, or there will be even fewer spaces available for residents. The assertion from McCarthy and Stone that fewer residents will have cars is not the case. Other similar developments are much closer to local shops and amenities, and people living here would require a car to access shops and other services. Compare this to their Albany Road development in Chorlton, which is very close to 3 supermarkets, but there is still too few parking spaces, causing problems in the immediate area. Parking will spill over onto Spath Road which has a dangerous blind corner, and Lancaster Road, which is a private road. McCarthy and Stone may be able to force the work contractors not to park their vehicles, but they will not be able to stop residents and visitors from parking on Lancaster Road once the development is built.
3. Overlooking. Residents on Lancaster Road are very worried about the impact of overlooking into their property.
4. Loss of trees and wildlife - while most trees are marked to be retained, there will be the loss of a valuable hedgerow, which is a haven for wildlife. There are also genuine concerns that once built, attempts will be made to remove further trees, because the proposed building is too big and far too close the trees, and the developer will subsequently claim that the trees are too close to the building.
5. Loss of Jessiefield - any development of this site should retain the house, which is of significant architectural merit, and is a distinctive building on this section of Spath Road.

Housing

Support this type of development in Didsbury to ensure that there is a mixed market provision of older people's housing, especially where there is a higher level of affluence.

Highway Services

Do not object to the scheme and recommend conditions relating to off site highways (for alterations to the highway) works and construction management (which is

specific to the impacts of the scheme – with routing of construction traffic to avoid Holme Road and Dene Road West and a dilapidation survey).

They state that the site is considered to be adequately accessible by sustainable modes and is in close proximity to public transport facilities. Highways consider that the additional vehicle trips likely to be generated by this development can be accommodated on the adjacent highway network. They consider that the number of car parking spaces is acceptable given the sustainable location of the development site.

They have raised queries in relation to electric vehicle charging, the car parking layout, boundary treatment near the revised access and the swept path vehicle tracking for the refuse collection vehicle. Any responses to these queries will be reported to committee.

Environmental Health

Recommend conditions are attached to any approval relating to construction management, external lighting, external equipment insulation, refuse, air quality and contaminated land

Neighbourhood Team Leader (Arboriculture)

Had no objections from an arboricultural perspective subject to adherence to the method statement and protection of the retained trees information submitted. It was suggested that the appointed arboricultural consultant should be embedded into the scheme to ensure that supervision is overseen by a suitably qualified person during critical stages particularly to the parking bay installation on the north of the site.

MCC Flood Risk Management

Any comments received will be reported to committee.

Greater Manchester Police

Require the development to achieve Secured by Design accreditation and the submission and approval of boundary treatment plans that achieve the requisite security as recommended in the Crime Impact Statement.

Greater Manchester Ecology Unit

An Extended Phase 1 Habitat Survey and bat survey of the site was undertaken in Preliminary Ecological Assessment (PEA) of the site was undertaken in July 2020 (Report: Extended Phase 1 Habitat Survey, Inspection of Building for Bats and Dusk Emergence Bat Survey, Penny Anderson Associated Ltd, August 2020), which also included bat activity surveys of the building. The surveys appears to have followed best practice guidelines and been undertaken by suitably qualified ecologists.

The site does not have any nature conservation designations, nor are the proposals likely to impact upon any such site.

The building and lawn/formal garden areas are the dominant habitat on the site which will be directly impacts upon by the proposed development. The boundary vegetation including area of woodland to the rear of the site is proposed for retention with appropriate root protection zones.

Internal access to the building was not possible to inspect for the signs of roosting bats, due to Covid-19 precautions, however this was accounted for within the assessment of the site, and a dusk activity survey was undertaken in July 2020 to account for this limitation. No bats or evidence of bats roosting in the buildings were recorded during the survey results, and only low levels of bat activity were recorded during the nocturnal survey. No potential roost features were identified in any of the trees. No further survey work is recommended in relation to bats.

The trees and building on the site could support potentially support breeding birds, and the nests of all wild birds are protected under the Wildlife and Countryside Act, 1981 (as amended).

Rhododendron was identified on the site. This species is listed on Schedule 9 of the Wildlife and Countryside Act, 1981 (as amended) making it an offence to spread this species in the wild.

No other protected species were recorded on the site, although it is possible that species such as hedgehogs will be present in the area. Measures to enhance the site for biodiversity have also been identified within the report.

Greater Manchester Ecological Unit made recommendations about conditions about bat surveys, lighting, breeding birds, tree works in line with British standards, measures in relation to rhododendrons, enhancements for biodiversity including features for hedgehogs and an informative relating to bats, were the local planning authority minded to grant consent.

High Speed Two (HS2) Limited

The red line location plan boundary falls within sub-surface safeguarding for Phase 2b of HS2. Having reviewed the proposal, the development is not directly above the proposed sub surface tunnels and therefore it is unlikely that the foundations required to construct the proposed development will affect HS2 works in that location. HS2 Ltd have no objection to the proposal.

United Utilities

Recommend conditions relating to surface water drainage and sustainable drainage management.

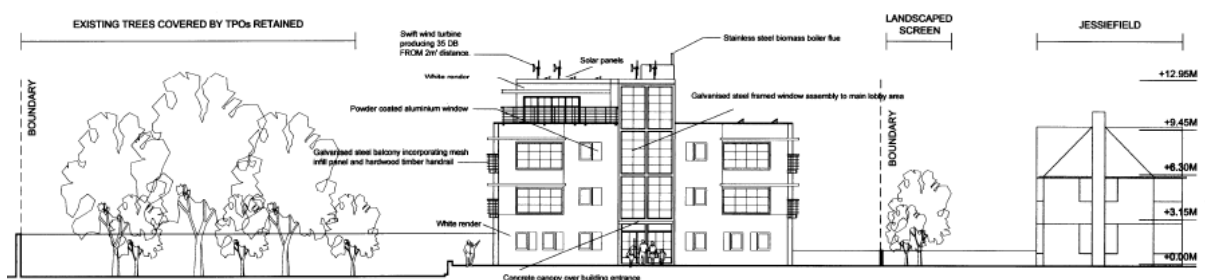
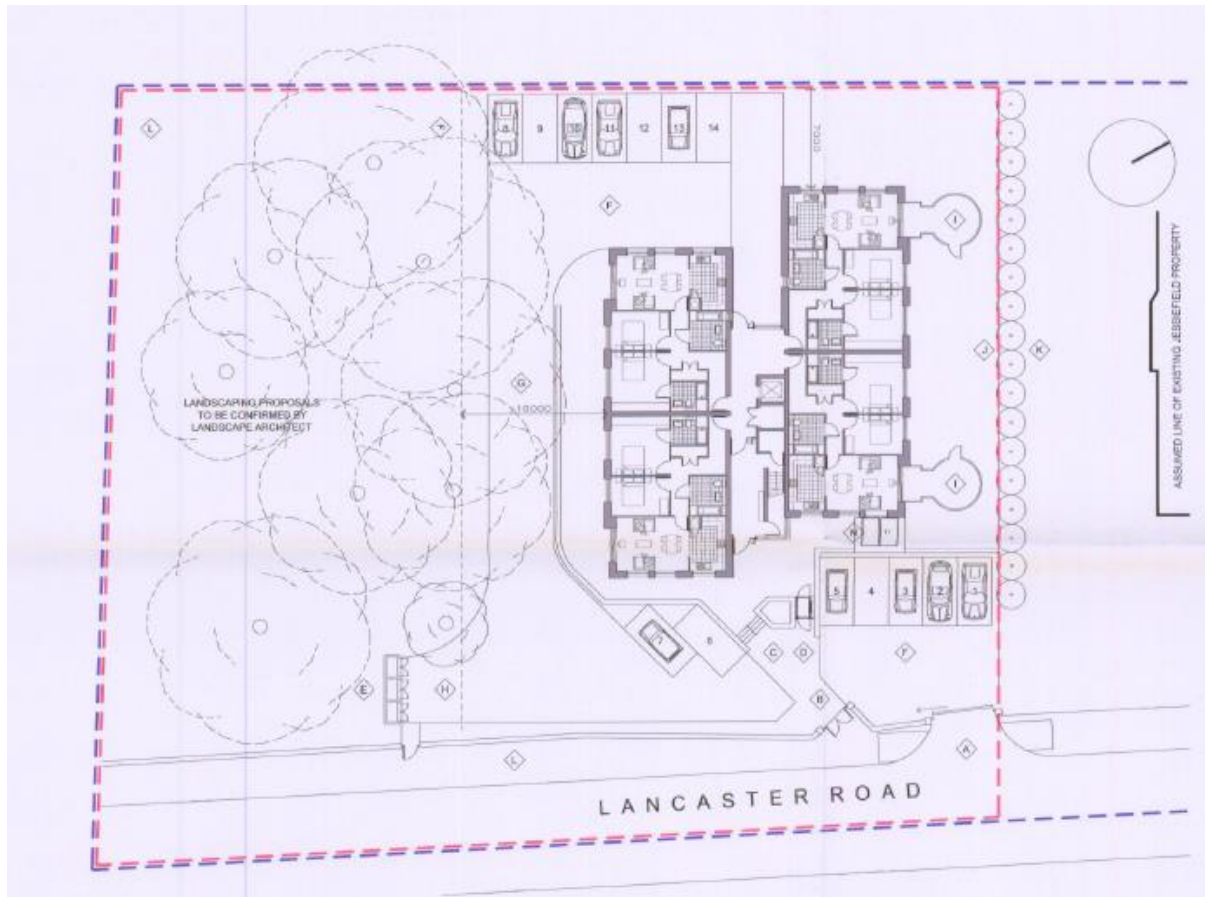
Issues

Planning History

The property appears to have been erected in the mid 1930's.

In 1975 planning permission was granted for a new porch and kitchen extension (F03625).

In 2005 an application (077185/FO/2005/S2) was submitted for the erection of a part 3/part 4 storey block of 13 apartments with associated landscaping and parking for 14 vehicles on land to the rear of the property.



This application was refused for the following reasons:

1. The proposed development constitutes overdevelopment, due to its size, massing and built form, which would have a detrimental impact upon the overall character of the street-scene and to the current levels of visual and residential amenity enjoyed within the vicinity of the site, contrary to Policies H2.2 and H2.7 in the Unitary Development Plan for the City of Manchester and the guidance contained within Planning Policy Guidance 3 (Housing) and Draft Planning Policy Statement 3 (Housing).

2. The proposed development, due to its size, siting and massing would have a detrimental impact upon the visual character of Lancaster Road and the current levels of visual amenity enjoyed along Lancaster Road, contrary to Policies H2.2 and H2.7 in the Unitary Development Plan for the City of Manchester and the guidance contained within Planning Policy Guidance 3 (Housing) and Draft Planning Policy Statement 3 (Housing).
3. The siting of the proposed development in close proximity to the dwellings on Holme Road would have a detrimental impact upon the current levels of residential amenity enjoyed by the occupants of those properties, particularly nos. 23 and 25 Holme Road, contrary to contrary to contrary to Policy H2.2 in the Unitary Development Plan for the City of Manchester.
4. The siting of elements of the car parking facilities to the front of the proposed building would have a detrimental impact upon levels of visual amenity, contrary to contrary to Policy H2.2 in the Unitary Development Plan for the City of Manchester and the guidance contained within The Guide to Development in Manchester 2 (2005).

There was an appeal against the refusal which was subsequently dismissed by the Planning Inspectorate.

The inspector concluded that the scheme would amount to overdevelopment of the site, identifying harm in the 4 storey nature of the proposal, which was considered to be excessive in scale compared to surrounding development, which is predominately 2 storeys in height. The inspector commented that despite articulation within the design that it appeared to be over-dominant in the street scene and went on to find harm to the character and appearance of the street scene. The scheme was also considered to cause harm to the residential amenity of neighbouring property due to the physical presence of the building and overlooking from it.

In 2009 planning permission was granted for the erection of two 3 storey detached dwelling houses with basement parking and associated landscaping on land to the rear of the property (089194/FO/2009/S2).

Policy Framework

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2018. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 117 indicates 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. Including giving substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

Paragraph 127 confirms that 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; 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 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The NPPF states that where proposed development accords with an up-to-date Local Plan it should be approved. The proposals would create additional residential accommodation in a sustainable location and as set out in this report are indicated as being in accordance with the up to date Core Strategy Development Plan Document and therefore accord with the main principles and expectations of the revised National Planning Policy Framework.

Manchester Core Strategy

Local Development Framework

The relevant development plan in Manchester is the **Core Strategy Development Plan Document 2012-2027 (the “Core Strategy”)**, adopted in July 2012, and the saved policies from the Manchester Unitary Development Plan (UDP), adopted July 1995. The Core Strategy is the key document 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, saved UDP policies and other Local Development Documents. The proposals are considered to be contrary to Core Strategy Policies EN1, SP1 and DM1.

Policy H1 – Housing

States that new residential development should contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing population. The design and density of a scheme should contribute to the character of the local area and should include usable amenity space and be designed to give privacy to both residents and neighbours. The guidance also refers to the delivery of policies that will result in significant increases to the supply of housing, specifically stating that housing applications should be considered in the context of the presumption in favour of sustainable development.

Policy H6 – Housing

States that South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes. Outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing.

Policy H8 – Affordable Housing

Sets out the Council's approach to assessing applications of greater than 15 residential units and provision of affordable housing or an equivalent financial contribution. Consideration of matters with regards to this policy are set out within the issues section of this report.

Policy EN1 - Design Principles and Strategic Character

States that development in Manchester will be expected to have regard to the strategic character area in which the development is located and opportunities for good design should be fully realised.

Policy SP1 - Spatial Principles

This policy sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including: creating well designed places, making a positive contribution to health, safety and well-being, considering the needs of all members of the community, and protecting and enhancing the built and natural environment.

Policy DM1 - Development Management

This policy seeks to ensure that new development contributes to the overall aim of the Core Strategy. The issues which should be considered are those which will ensure that detailed aspects of new development complement the Council's broad regeneration priorities in particular by contributing to neighbourhoods of choice. Issues relevant to this scheme are: siting, layout, scale, form, massing; impact on surrounding area in terms of design, scale and appearance and effects on amenity.

Saved policies of the Unitary Development Plan

Policy DC26 - Development and Noise

Is relevant to the proposed development due to its potential to generate noise and disturbance through the operation of the retirement living apartments. Assessment of this impact is reported below.

Other Material Considerations

Residential Quality Guide

Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2038, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures.

South Manchester Regeneration Framework

South Manchester is identified as an area with a rich and diverse group of

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

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

The SRF identifies a key issue for the area as providing a wider choice of housing to attract and retain residents. The SRF states future housing developments need to focus on providing high-quality family accommodation. It identifies that high-quality sustainable new housing developments should meet the housing needs of the existing and future population of South Manchester.

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.

Issues

Principal (including principal of loss of building)

The existing building on the site is an attractive five bed detached family house and its loss would be regrettable. However, the house has no formal designation and has been assessed as not being worthy of being classified as a non-designated heritage asset. The property does not lie in an area of any designation. The loss of the house in itself, if it were to accommodate an appropriate scheme for redevelopment for retirement living apartments would be acceptable in principle. It is noted that the scheme is not a supported housing scheme and as such there is no reference to policy H10.

There is no objection to an apartment scheme for retirement living in principle having regard to policy H6 of the Core Strategy, as the development would satisfy an exception to the policy which aims to locate apartment led development within district centres as part of mixed use developments. The scheme would provide social benefits, through trying to meet a particular need, which is evidenced as required in comments received from housing. The scheme would provide economic benefit, through spending of the occupants in the local and district centre, which are within close proximity and would result in the freeing up of family housing. In the short term the scheme would also lead to construction jobs.

There is no resistance to promoting efficient use of land with regards to the National Planning Policy Framework. Historically a scheme for two houses within the gardens and a scheme for extensions to the house have been deemed as appropriate.

Scale of the Development Proposal



View from Spath Road and Lancaster Road



Front and Rear Elevations and Side Elevations

The existing house on the site is finished in a mix of red brick, vertical hanging clay tiles and white render to the elevations with clay roof tiles to the roof, set in large, landscaped grounds.

The design and access statement submitted with the application sets out that neighbouring properties are generally detached, with a couple of semi-detached dwellings that are mostly 2 to 2.5 storey in height utilising the same palette of materials as described above.

Reference is then made to a buildings of scale of 3.5 /4 storey property at the junction of Spath Road and Holme Road. Which the applicant believes sets a precedent for larger scale massing. Stating that they are accommodated within their site without impacting upon the amenity of neighbouring property. Please see the buildings referenced depicted below:



What can be seen from the image above is that whilst development of scale has been accommodated, it is not as proposed in this application.

Taking each property in turn, Lynwood to the north east corner of the junction is a part two / part three storey original family house.



1 – 36 Spath Holme flats to the north west corner of the junction are historic apartments, which are three storey and linear.



To the south east corner of the junction lies a development for apartments within the grounds of Needham Hall granted consent in 2007 (082214/FO/2007/S2). The scale and massing of development of the site was broken into separate buildings which were set well back from site boundaries to prevent adverse impacts upon neighbouring residential property.



To the south east corner lies Cairncroft, which had consent in 2003 (068834/FU/2003/S2) for the conversion of the existing building and erection of a part 2/3 storey extension to form 16 apartments with 16 parking spaces and access from Holme Road.



It is not considered that any of the above buildings would justify the scale and massing of the application submitted.

The building proposed would present a four storey c. 14.4m high frontage of 34 m width to Spath Road. Whilst this would be set back from Spath Road c.7.8m further into the site than the front part of the building currently on site, this would be an

increase in height over the existing house, which has variegated height between the main ridge, the lower projecting gables a lean to hip to the east and a lean to garage to the west.



Proposed Elevation to Spath Road



Existing Elevation to Spath Road

This increased mass would sit behind a substantial car parking area that would be visually prominent from Spath Road and would not contribute positively to the character of this particular residential area.

To the Lancaster Road frontage the scheme would present a part four storey, part five storey frontage measuring c.41.3m length.



Proposed Elevation to Lancaster Road



Existing Elevation to Lancaster Road

The scheme proposed would be far more visually dominant from Lancaster Road, despite mature screening to the boundary. The elevation would sit back from the site boundary by only c.3.5m at one point at the corner of Lancaster Road and Spath Road, with a maximum distance to the site boundary at c.9.5m, along the 41.3m length.

The applicant seems to rely on the setbacks of the building proposed from the back of footpath, the mature screening offered by existing trees, the retention of the woodland to the south of the site, the drop down in the height of the rear section of the proposal and the scale of neighbouring developments (as assessed above) to justify the scale and massing of the scheme, rather than an assessment of the historic pattern of development.

Design

The building would be constructed utilising a red brick palette and a grey/buff brick to the front elevation which the applicant describes as separating the front of the building into two villas. It is not considered that the material selection would have this effect.

The scheme has incorporated projecting gables aiming at a contemporary reinterpretation of a Victorian villa, with the use of decorative brick detailing, including projecting balconies. Plain clay roof tile have been selected for the roof material.

Combined comment on Scale and Design

The combined effect of the selection of a limited selection of traditional palette of materials, the large number of windows and balconies and the extent and height of the building proposed is institutional in scale. The extent of the elevations of a non-variegated height without sufficient articulation make the physical presence of the building imposing and overly dominant. There is no precedent for a building of such a design or scale. The location at the confluence of two minor roads in a residential setting does not offer justification for a building of such a scale and despite the setback of the building into the site and presence of mature screening to the boundaries, the building would be incongruous to the detriment of the visual amenity and character of this particular residential area.

Some comments have been made by the applicant about the approval of a large single storey extension in 2019 to accommodate a swimming pool for the use of the existing house. The scale and footprint of this structure is not comparable to the scheme that is the subject of this application.

Residential Amenity

There is currently one residential property on the site, which would be replaced with 34 (16 one bedroom and 18 two bed) retirement living apartments with a House Managers office, residents lounge and guest suite.

There would be an increase in activity on the site and an increase in the numbers of vehicles within the application site.

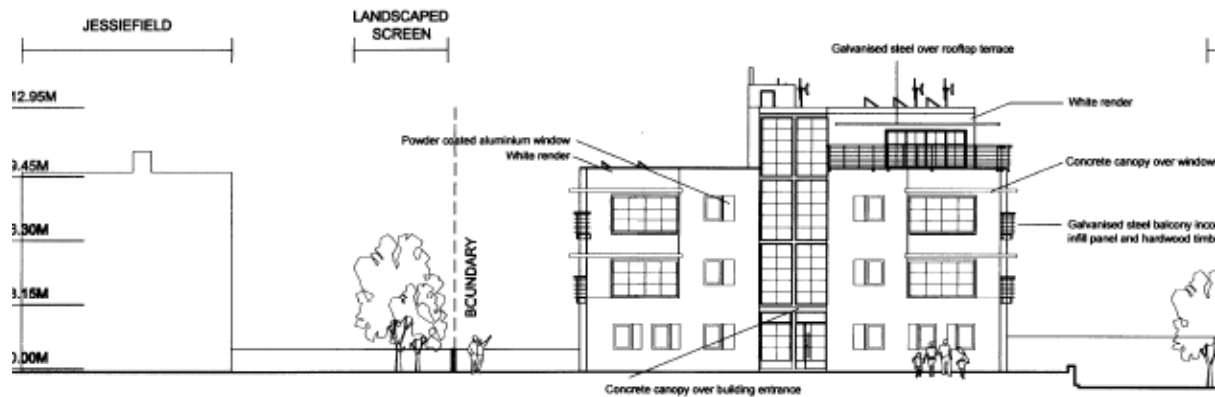
The property on site presently has a number of cars accommodated on the large driveway accessed from Spath Road. The development proposals include parking for 26 cars accessed from the same access from Spath Road, which would be widened (including the loss of two trees).

The development would lead to an increase in activity on site and in the numbers of comings and goings from the site causing noise disturbance in this residential area. This would cause harm to the residential amenities of surrounding property, contrary to policy DM1 of the Core Strategy, saved policy DC26 of the Unitary Development Plan and the National Planning Policy Framework.

Comments have been received from residents expressing concerns relating to the physical presence of the build and the potential for the scheme to have an overbearing / overdominant impact and lead to a loss of privacy through overlooking.

Holme Road

At the time of the previous appeal scheme for development of the site, the appeals inspector found that the proposals at that time, were harmful, specifically in relation to being overbearing and resulting in overlooking and loss of privacy to the properties at No. 23 Holme Road, as the building would be located 7m from the rear boundary and No. 25 Holme Road, as the building would be located 11m from the rear boundary. The scheme for development was three storey with a partial four storey roof extension, with Jessiefield retained, as below:



This first gable of the scheme now proposed depicted below would be located some 6m from the shared boundary with Cairncroft at four storey in height. The second gable of the scheme depicted below would be located 12m from the shared boundary with No. 23 Holme Road. The three storey element would be located c. 15m from the rear boundaries to properties on Holme Road.



It is considered that the scheme proposed would be overbearing to, and despite mature dense screening to the boundary, provide overlooking and loss of privacy to the residents of properties on Holme Road.

It is not considered that the scheme would be detrimental to the amenities of property on Lancaster Road and Spath Road, by virtue of the separation distances in excess of 27m plus.



Highways

The case has been submitted that the profile of the occupant is such that there is limited car ownership. There are 26 spaces (including 3 accessible parking spaces) for 34 units.

These units are not occupied those with supported care needs and are for retirement living, which would mean car ownership levels would be higher than for those with care needs, however it is not considered that parking requirement would be 100%. Given the sustainable location of the development site, it is considered that this level of car parking is appropriate.

A number of residents have raised concern about the safety of the existing access and the impact that the increase on the amount of traffic to the site would have upon road safety. The scheme has been assessed and Highways have not raised safety concerns about the operation of the highway.

Whilst the applicant identifies the condition of Lancaster Road in their submission and states that they will undertake health and safety risk assessments to inform their construction management plan, they do not state that they will undertake a

dilapidation survey, which would be a pre-requisite is the City Council were minded to support redevelopment of the site.

A number of queries from Highways have been shared with the applicant as per their comments included above, any response will be reported to committee.

Construction Management

If the City Council were to support redevelopment of the site, it would be the subject of a condition requiring a Construction Management Plan that would control the impacts of construction of the amenity of neighbouring premises and upon the highway network.

Trees, Landscaping and Ecology

Trees and hedging have largely been retained as part of the development proposals with the exception of those that need to be removed due to their condition or that are not of sufficient quality to retain. No tree that are the subject of a protection order are impacted.

The scheme would see the removal of 6 trees, a variegated holly (tree 10) and magnolia tree (tree 40), it would need some minor pruning works to trees (14-17), the widening of the access would result in the removal of a group of holly and cherry laurel shrubs (tree 1) and an ash (tree 44) and magnolia tree (tree 8) would be lost to accommodate the parking area. A sycamore tree close to the shared boundary showing lack of vitality would also be removed.

The City Council Arboriculturalist had no objections subject to adherence to the method statement and protection of the retained trees information submitted and subject to a condition that an arboricultural consultant should be embedded into the scheme to ensure that supervision was overseen by a suitably qualified person during critical stages particularly to the parking bay installation on the north of the site.

A large amount of lawned area and soft landscaping is replaced to accommodate the building proposed and the car parking area to the Spath Road frontage. This large expanse of hard landscaping required to accommodate the development and the parking associated is indicative of the level of overdevelopment of the site and is not appropriate, but does not form a reason for refusal in its own right.

Despite the comments of concern from a number of local residents, Greater Manchester Ecology Unit did not object to the scheme and its impact on protected and non-protected species subject to the imposition of conditions.

Were the scheme acceptable in other regards landscaping proposals could be negotiated to secure appropriate replanting and biodiversity gains.

Sustainability

The location of the site is sustainable within walking distance of amenities.

The proposal includes some detail about the efficiency of the building taking a fabric first approach with a 1% improvement over the target CO2 emissions and a 20% improvement over the target energy usage.

A scheme for 13 apartments on land to the rear of Jessiefield refused consent in 2005, upheld at appeal, was a zero carbon scheme, that the inspector considered couldn't overcome the material harm of that much smaller scale scheme.

Accessibility

The scheme has been designed to be accessible for the occupants of the proposals. The apartments are designed to lifetime homes standards and are capable of wheelchair adaptation and meet part M of the Building Regulations. There is a lift core in the building located centrally. There are 3 accessible car parking spaces and a mobility scooter store at the entrance.

Amenity space

The occupants of the proposed development would have access to private balcony areas and to landscaped grounds and the woodlands, and as such they would have sufficient access to amenity space.

Crime

Greater Manchester Police had no objection to the scheme subject to the imposition of a condition that the scheme meet Secured by Design standards the submission and approval of boundary treatment plans that achieve the requisite security as recommended in the Crime Impact Statement. Were the City Council minded to approve a scheme negotiations with regards to boundary treatments could be undertaken.

Affordable Housing

The scheme submitted was accompanied by a financial viability assessment setting out an offer for off-site affordable housing provision, which is being assessed. However, as there are concerns relating to the scale of the proposals and the impacts of the development upon residential amenity, it is not considered that the offer of an affordable housing contribution would be of such materiality that it would outweigh the harm identified elsewhere in this report.

Conclusion

The City Council have weighed the benefits of the scheme such as the social benefits of the provision of retirement living apartments, the contribution to affordable housing provision, the economic benefits of the location of the proposed occupants near to local and district centres, the freeing up of family housing, construction jobs and the sustainability of the buildings against the impacts of the development.

Despite the benefits of the scheme, it is not considered that these considerations outweigh the significant harm of the scale of the development proposals to the

character of the residential area within which it would be located. The building proposed would be overly dominant and incongruous.

The number of units proposed and the comings and goings to the site and associated noise disturbance would cause harm to the residential amenities of the occupants of neighbouring property.

It is considered that the scheme would be harmful to the residential amenities of those properties on Holme Road looking towards the development proposals by virtue of the scheme being overbearing and offering overlooking and loss of privacy.

It is considered that the development proposed would be contrary to policies DM1 and SP1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

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 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 have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of pre-application and during the processing of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

Reasons for recommendation

1. The scale and massing of the development proposed would cause harm to residential amenity by virtue of providing an overbearing structure that would

also give rise to overlooking and loss of privacy to properties on Holme Road, contrary to policy DM1 of the Core Strategy.

2. The demolition of the family dwelling house and creation of 34 retirement apartments and the creation of a car park within the front garden, will result in unduly harmful levels of activity and general disturbance from the increase in comings and goings from the development due to increased levels of domestic activity taking place on site. This will lead to an increase in noise disturbance which would cause unacceptable harm to the residential amenity of existing occupants within the surrounding area, which is contrary to Policies SP1, H1 and DM1 of the Manchester Core Strategy (2012), saved policy DC26 of the Unitary Development Plan, the Guide to Development in Manchester (2007) and the National Planning Policy Framework (2019).
3. The design of the development constitutes an overly dominant incongruous structure in the street scene to the detriment of the visual amenity and character of the area, by virtue of the height and the extent of the building, contrary to policies SP1 and DM1 of the Core Strategy and 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: 128018/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)
MCC Flood Risk Management
Greater Manchester Police
Greater Manchester Ecology Unit
High Speed Two (HS2) Limited**

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

Relevant Contact Officer :	Jennifer Connor
Telephone number :	0161 234 4545
Email :	jennifer.connor@manchester.gov.uk

