

Application Number	Date of Appln	Committee Date	Ward
123430/FO/2019	24 Jun 2019	18 Nov 2021	Didsbury West

Proposal Conversion and extension of nursing home to form a terrace of five 3 storey dwellinghouses and erection of a detached three storey dwellinghouse fronting Clyde Road, with associated landscaping and car parking

Location Clyde Court Nursing Home, 22 - 24 Lapwing Lane, Manchester, M20 2NS

Applicant Mr Gary Thompson , Wilmslow Road Investments Ltd, 3A Wynnstay Grove, Manchester, M14 6XG

Agent Mr J Arji, Urbane Forms, 17 Redhill Street, Manchester, M4 5BA

Executive Summary

The applicant is proposing to convert a former nursing home (nos. 22/24 Lapwing Lane) into five dwellinghouses and erect a detached dwellinghouse fronting onto Clyde Road. Part two and three storey extensions are also proposed to the side and rear of nos. 22/24 Lapwing Lane and numerous unsympathetic extensions to the nursing home would be demolished to facilitate the proposal.

Eight letters of objection have been received from local residents, along with one from West Didsbury Residents Association. Objections have been raised in respect of the impact on residential amenity, existing tree coverage, the character of the Albert Park Conservation Area and the exacerbation of existing parking problems.

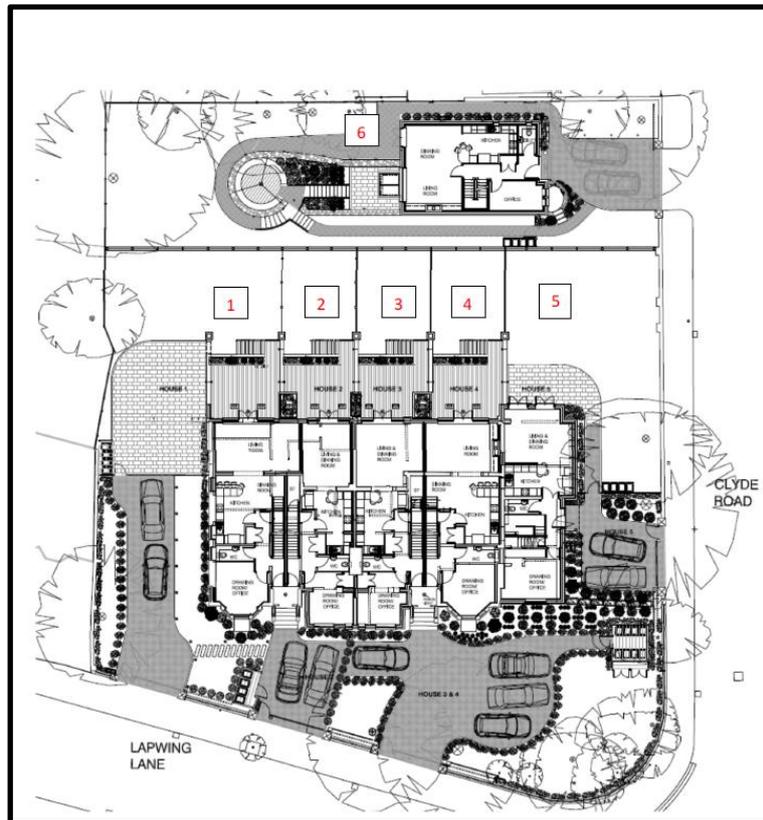
Description

Clyde Court Nursing Home (22/24 Lapwing Lane) is located at the junction of Lapwing Lane and Clyde Road. Originally a pair of semi-detached late 19th Century villas, they were converted to a care home in the late 20th Century and it now stands vacant, having been last used circa 2018. The building itself is undesignated but stands within Albert Park Conservation Area. The original villas have previously been extended to the side and rear to provide additional bedrooms in connection with the nursing home use. The site is home to several mature trees.

To the north of the site, on the opposite side of Lapwing Lane, there is an apartment complex, while to the south stands no. 1 Clyde Road, a three storey semi-detached dwellinghouse. To the east, stands no. 26 Lapwing Lane, a three storey end-terraced dwellinghouse, while to the west, on the opposite side of Clyde Road there are dwellinghouses and an estate agents. The site is shown below:



The applicant is proposing to convert the nursing home into a terrace of five dwellinghouses and erect a detached dwellinghouse fronting onto Clyde Road. To facilitate this, the modern extensions to the side and rear of the nursing home would be demolished and replaced with a part two/part three storey side extension and a three storey rear extension. Originally the applicant proposed to convert the nursing home into a terrace of six dwellings, as well as the dwellinghouse fronting Clyde Road, but following concerns about overdevelopment the proposal was amended, with the removal of a large part single/part two storey side extension, to that now before the Committee. Two of the properties would front Clyde Road, with the remaining four taking access from Lapwing Lane. The proposed site layout is shown below:



Consultations

Local Residents – Eight letters of objection have been received, three in relation to the revised scheme. The comments are summarised below:

- The potential build will affect the existing trees that are already there. Losing trees will have an impact on the many diverse birds nesting/ feeding in them which will in turn have a impact on other flora and fauna in the area.
- The area at the bottom of Clyde Road is already heavily congested and it's becoming increasingly dangerous to turn into the road, as a result of multiple HMOs and the closeness to Burton Road's shops and bars/restaurants. Parking is extremely tight in the area already. The loss of existing parking to make way for the new driveways onto Clyde Road will only impact an already problematic situation. The congestion is already extremely challenging and this new development will only amplify it to an unacceptable level in a residential area.
- The new build proposed doesn't preserve the historic environment and isn't in keeping with surrounding Victorian housing including the proposed 'metal grey railing'.
- The proposal would have an impact on the levels of privacy enjoyed by local residents.
- The proposal would drastically reduce the light that comes into neighbouring property.
- The additional house facing Clyde Rd is gratuitous and the planned architectural design is wildly at odds with the surrounding Victorian housing stock. It's not social/affordable housing and will benefit no one other than the house builder and the wealthy people that are able to purchase it.

- The original Victorian wall should be restored along the full length of the grounds' perimeter rather than being replaced with the planned 'metal grey railing' that will look out of place in a conservation area.
- The 2 new houses onto Clyde Rd will have a huge reduction in privacy.
- The reduction in trees will also have a detrimental impact on the wildlife in the area.
- This area of Didsbury has a historic car parking issue. This dates back to the historic nature of the area and the substantial developments on Clyde Road, Old Lansdowne Road and Lapwing Lane. Housing type has moved from family homes to a mix of family homes, houses of multiple occupancy, flat conversions and newer builds, this has created a densely populated area of West Didsbury. This has however created a car parking problem on these roads with multiple cars owned by each property. This makes the flow of traffic difficult regardless of the time of the day. The plans within this application will not help in this regard but instead add to the issue.

West Didsbury Residents Association (WDRA) – WDRA objection to the proposal on the following grounds:

- The proposal represents overdevelopment of the site to the detriment of the conservation area.
- Parking provision is insufficient and in places substandard.
- The proposal would lead to a likely increase in on-street parking on Clyde Road from visitors and providers of services to the house occupants.
- Insufficient provision has been made the welfare of existing site wildlife including
- hedgehog, bats and nesting birds, both during the build period and when occupied by residents.
- No proposals for planting of trees in mitigation for those proposed for felling have been presented. the 9 trees stated as for removal are as follows for arboricultural reasons- T2 elm, T5 elm T7 elm, T16 sycamore, T4 cypress. T17 Sycamore to facilitate the scheme T3 cypress, T11 sycamore, T12 birch (unclear disparity between map and schedule).
- Before any planning permission is granted we request a full and proper soft landscape scheme showing the position of those trees to be planted to replace any removed, their aftercare, site position, species etc.
- Tree protection and replacement planting needs to be integral to the sustainability of this development and fully considered at the outset, not as a later condition.
- If the large sycamore T16 at the Clyde Rd entrance is to be removed then we request a more substantial replacement specimen tree such as English Oak or Lime at the same location to make good its loss.

Highway Services – Highway Services have made the following comments:

- The proposals are all contained within the private boundary to the development and do not impinge on the adopted highway. The addition of the six houses and the associated trips to and from the proposed development do not raise any highway safety or capacity concerns and the proposals are therefore accepted in principle.
- To ensure sight lines are maintained at driveways it is recommended that the Applicant funds the extension of the junction protection restrictions at the junction of Lapwing Lane/Clyde Road to cover the new and existing driveways.
- It appears that vehicles will have to reverse out of driveways onto the highway,
- driveway layouts should be reconsidered to accommodate vehicles exiting driveways in a forward gear.
- It should be confirmed that all gates open inwards and at the points of vehicle access/egress the boundary treatments are visually permeable from 600mm upwards.
- It is recommended that secure and weatherproofed cycle parking is provided at each property.
- The on-site locations for the refuse store is considered appropriate.

Environmental Health – Suggests the imposition of a waste management condition and an informative regarding contaminated land.

Neighbourhood Team Leader (Arboriculture) – There are no arboricultural objections to the proposal.

Greater Manchester Ecology Unit (GMEU) – GMEU have made the following comments:

- No bats or signs of bats were found during the survey work but the building was found to have a number of features suitable to support roosting bats and further surveys were recommended in the form of dusk emergence. Two dusk emergence surveys were undertaken on 15/07/2019 and 29/07/2019. During the survey on 15/07/2019 three Common pipistrelle bats were seen to emerge from the eastern elevation open eaves. During the dusk emergence on 29/07/2019 three Common pipistrelle bats were seen to emerge from the eastern open eaves and a single Common pipistrelle was seen to emerge from the fascia on the eastern elevation. The report concludes that the property is being used as a day roost for a small number of Common pipistrelle bats, the roosts will be subject to legal protection. It is our opinion that the roosts at Clyde Court Nursing Home are of low conservation significance and therefore will not be detrimental to the maintenance of the bat population in Manchester. However, prior to development commencing a detailed method statement would need to be prepared, submitted to the LPA, and once agreed implemented in full. A mitigation licence will also need to be obtained from Natural England. This should be conditioned.
- Two trees were identified in the report as having some potential to support roosting bats (sycamore, T1 and horse chestnut T2). Both trees are to be retained, however if plans change and the trees are to be lopped or lost then further surveys for bats would be required.

- A nesting blackbird was observed in the ivy at the rear of the building. The trees and shrubs on site also have the potential to support nesting birds. All birds, with the exception of certain pest species, and their nests are protected under the terms of the Wildlife and Countryside Act 1981 (as amended). GMEU recommend that building works and all tree works together with shrub clearance should not be undertaken in the main bird breeding season (March-August inclusive), unless nesting birds have found to be absent, by a suitably qualified person. This should be conditioned.
- In line with the requirements of the NPPF, GMEU would recommend that opportunities for biodiversity enhancement be incorporated into the new development.
- In conclusion GMEU are satisfied that the application can be forwarded for determination and that any permission if granted is supported by the conditions above.

United Utilities Water PLC – Suggest the imposition of two conditions designed to manage the risk of flooding and pollution.

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, Sections 5 (*Delivering a sufficient supply of homes*), 9 (*Promoting sustainable transport*) and 16 (*Conserving and enhancing the historic environment*) are of relevance:

Paragraph 60 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

Paragraph 69 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

Paragraph 104 states that transport issues should be considered from the earliest stages of plan-making and development proposals, so that opportunities to promote walking, cycling and public transport use are identified and pursued.

Paragraph 107 states that if setting local parking standards for residential and non-residential development, policies should take into account the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

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 H1, Overall Housing Provision – This policy states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors and goes on to state that new residential development should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed sites in sustainable locations and which takes account of the availability of developable sites in these areas;
- Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. Schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours.

Policy H6, *South Manchester* – 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 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 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 – 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.

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 – Given the predominantly residential nature of the neighbourhood in which it stands, there is no objection in principle to the redevelopment of the site for residential purposes. Notwithstanding this, the potential impact upon residential and visual amenity, existing ecological and landscape features, as well as the character of the Albert Park Conservation Area must be assessed.

Impact on Heritage Assets (Albert Park Conservation Area) – The requirement to preserve or enhance the Conservation Area is a key requirement within policy EN3 of the Core Strategy, saved policy DC18 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, which was designated in March 1988, is situated approximately four miles south of Manchester city centre, in West Didsbury. Albert Park as a residential suburb was established in the second half of the 19th Century on what was previously an outlying rural area. Development began along Palatine Road after it was opened in 1862, and from then until the close of the century, the area between Palatine Road, Barlow Moor Road and Lapwing Lane was developed with housing. These consisted mainly of three-storey pairs of semi-detached properties, slightly less grand than those fronting Palatine Road. Development accelerated with the opening of the Midland Railway's Withington and Albert Park railway station in 1880, which was sited directly opposite numbers 22-24 Lapwing Lane. Further expansion took place in the early 20th century, with the post-war period characterised by infill development. Though principally an area of housing, the conservation area 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 properties within the Albert Park Conservation Area generally have walls of red or orange-red brick with dressings in stone, moulded brick or a brick of a contrasting colour. Heavily moulded and strongly contrasting colours in terracotta or glazed ceramic ware are meanwhile reserved for the public buildings such as Withington Town Hall on Lapwing Lane and Cavendish Road County Primary School. The roofs of the Albert Park houses are predominantly of blue slate. Ridge tiles sometimes have decorative fins, while bargeboards and eaves boards are occasionally moulded and decorated with fretwork. Trees make a considerable contribution to the character of the area, both in the pavements and more significantly in private gardens.

22/24 Lapwing Lane are a pair of large semi-detached 1880s villas that are typical of the character of the Albert Park Conservation Area. Through their form, appearance and streetscene presence the submitted Heritage Statement concluded that they make a positive contribution to the character and appearance of the conservation area. However, the late 20th Century extensions to the front, side and rear, made during its role as a care home, mask much of their original form and appearance and the Heritage Statement has rightly confirmed that they make a negative contribution. As a result, there is no objection to the removal of these more modern additions.

In terms of the proposal, it is considered that the design, scale and siting of the extensions and detached dwellinghouse has been informed by the character of nos. 22/24 Lapwing Lane and the wider conservation area. The extensions contain features seen elsewhere on nos. 22/24 Lapwing Lane, while the detached dwellinghouse has the scale and massing of a more subservient coach house type building, the likes of which would have been seen within the grounds of the bigger houses in both Albert Park Conservation Area and the adjoining Blackburn Park Conservation Area. The detached dwellinghouse, though fronting Clyde Road, has been sited in such a manner to ensure that the sense of space between neighbouring properties is maintained.

To conclude, as the modern additions to nos. 22/24 Lapwing Lane do not contribute to the character of the Albert Park Conservation Area their demolition is considered acceptable. As the proposed works are considered to maintain the character of the Albert Park Conservation Area 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 retention and continued use of nos. 22/24 Lapwing Lane in good condition with the secondary public benefit being the provision of six good sized family homes.

Space Standards – The City Council adopted the Manchester Residential Quality Guidance in December 2016 and within that document reference is made to the use of a combination of the Nationally Described Space Standards and the London Housing Design Guide space standards to form Manchester’s space standards for residential developments.

The amount of floor space proposed for each dwellinghouse and that required under the guidance is detailed below:

- Dwellinghouse 1 - 4 bed 253m² (Space Standard – 106 to 130m²)
- Dwellinghouse 2 - 4 bed 185m² (Space Standard – 106 to 130m²)
- Dwellinghouse 3 - 4 bed 187m² (Space Standard – 106 to 130m²)
- Dwellinghouse 4 - 4 bed 253m² (Space Standard – 106 to 130m²)
- Dwellinghouse 5 - 4 bed 173m² (Space Standard – 106 to 130m²)
- Dwellinghouse 6 - 4 bed 170m² (Space Standard – 106 to 130m²)

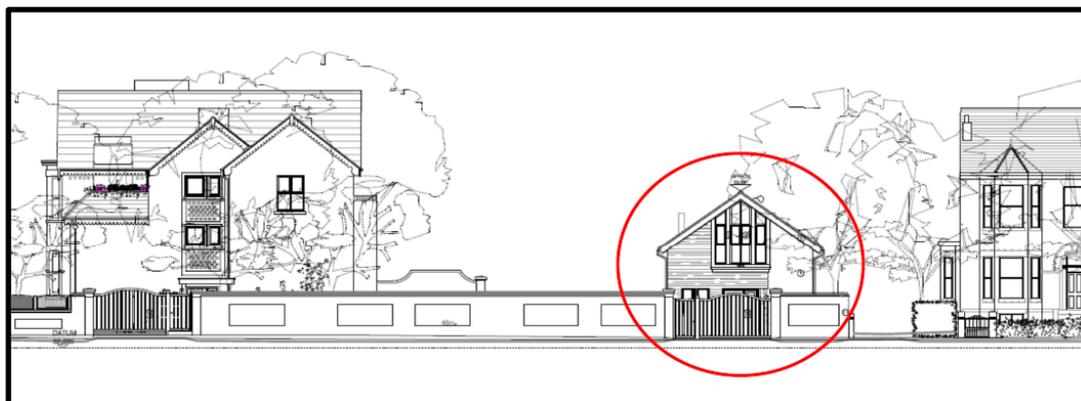
Given the above, the proposal complies with Manchester’s space standards.

Disabled Access – The new build units (dwellinghouses nos. 5 and 6) would have level access, while dwellinghouses nos. 1 to 4 would be accessed via the existing steps that front Lapwing Lane. Though the proposed accommodation complies with the City Council’s space standards it would only be accessible to the ambulant disabled due to the lack of lifts or the elevated nature of the existing buildings. Given this, the overall provision is considered acceptable in this instance.

Design – The proposed extensions to 22/24 Lapwing Lane have taken their design cues from the existing building, with the side extension, which is subservient to the former nursing home, mirroring the eaves details, window sizes and gabling seen elsewhere on the site. The proposed rear extension, while also including typical gable features is more contemporary in that it offers balconies and raised decking areas. Both extensions would be constructed from matching materials. The image below shows the side extension (ringed in green), which forms dwellinghouse no. 5, in relation to the existing building. The image also shows as a comparison, the original scheme with the side extension (highlighted by the red rectangle) that was deleted. The removal of this eastern side extension and improvements to the design of the western side extension, namely banding and improved window and eaves detailing, has ensured that the spacious nature and character of the conservation area has been retained.



The detached house (dwellinghouse no. 6), while also offering accommodation on three floors, is smaller in height in order to give it the appearance of a more subservient coach-house type building that would have been seen throughout the conservation area. The design of this building is more contemporary but successfully replicates the appearance of a coach-house type building with loft accommodation. Dwellinghouse no. 6 is shown below in relation to 22/24 Lapwing Lane and no. 1



Clyde Road:

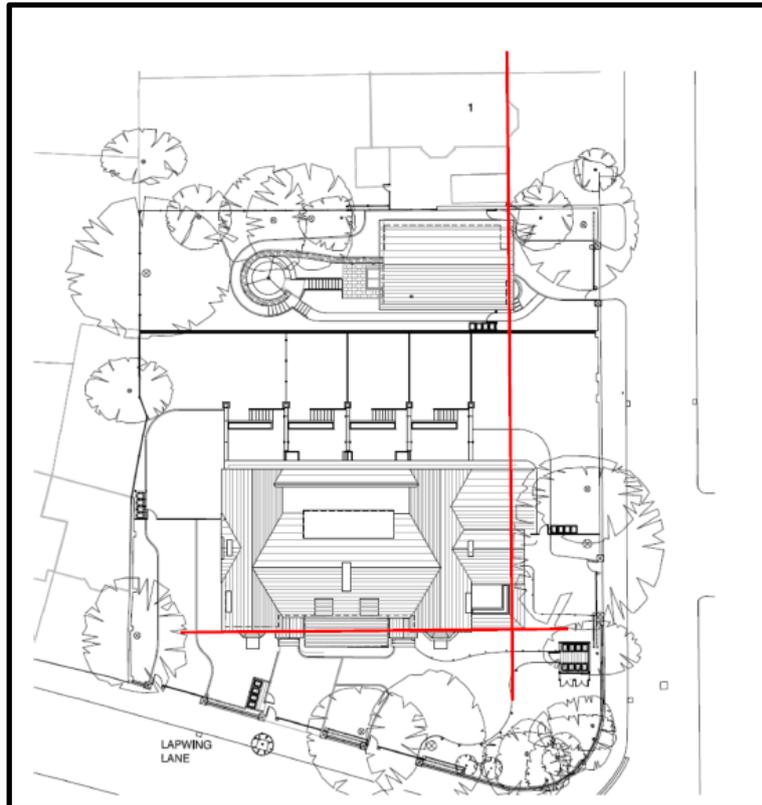
As significant improvements have been made to the original scheme and the design of the proposal is considered acceptable.

Scale and Massing – Albert Park Conservation Area in this location is characterised by predominantly large Victorian/Edwardian two and three storey dwellings. 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.

As can be seen in the previous images, the scale and massing of the extensions and detached house respects the scale and massing of the adjoining properties, as a result the scale and massing of the proposal is considered acceptable.

Siting – The detached dwellinghouse fronting Clyde Road lines up with the adjoining property and as a result its siting is considered acceptable.

Dwellinghouse no. 5 is slightly in front of this established building line but it does line up with the Lapwing Lane building line as can be seen below. It is not unusual for properties located on corners to be sited more prominently and in this case as it is not considered this siting impacts on existing levels of visual amenity or upon the character of the Albert Park Conservation Area the siting of dwellinghouse no. 5 is considered acceptable.



Pedestrian and Highway Safety – It is not considered that the additional dwellings would generate such significant levels of traffic or concentrated traffic movements so as to prove detrimental to the levels of pedestrian and highway safety currently enjoyed along Lapwing Lane or Clyde Road. Highway Services have confirmed that the level of proposed development is acceptable and have raised no highway safety or capacity concerns.

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

Sunlight and Overshadowing – Due to the size of the extensions and the detached house and their orientation to the adjoining properties, it is considered that they would not lead to the overshadowing of those neighbouring properties or a reduction in the levels of sunlight enjoyed in the associated private amenity areas. Although the proposed detached coach house is to the south of the nearest neighbouring house it is of a smaller scale to that existing house and the relationship is similar to many others within the immediate area. There is also a garage adjacent to the proposed house which reduces any impacts.

Impact upon Privacy – There are only two windows at first and second floor level facing no.26 Lapwing Lane and these would be obscurely glazed as they are WC/bathroom windows. There is only one habitable room window in the front elevation of dwellinghouse no. 5, i.e. the elevation facing Clyde Road but given that this faces the public highway it is not considered that this would lead to a reduction in privacy.

There are numerous habitable room windows in the rear extension to nos. 22/24 Lapwing Lane. However, given their orientation and the fact they would be 23 metres away from the rear boundary with no. 1 Clyde Road and 15 to 21 metres away from the side boundaries of the dwellinghouses to the east, they would not unduly impact upon the levels or privacy enjoyed by adjoining neighbours. This elevation also contains decking and a balcony area and to protect the amenity of the residents of no. 26 Lapwing Lane a condition requiring the installation of a privacy screen is suggested.

There are no windows at first floor level in the side elevations of the detached house so the privacy currently enjoyed by the residents of the neighbouring house on Clyde Road would be protected.

Noise – Given the relatively small number of units proposed, it is not considered that the proposal would be an inherently noise generating development.

In conclusion, it is not considered that the proposal would 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 Lapwing Lane and Clyde Road.

Car Parking – Two parking spaces are proposed per dwelling and this level of provision is considered acceptable. Concerns have been raised that future occupants of dwellinghouse nos. 1, 2, 5 and 6 would not be able to exit their respective parking areas in forward gear. While not ideal, this arrangement is not uncommon throughout this area of south Manchester and very few properties have the space to allow vehicles to enter and exit in forward gear. Dwellinghouse nos. 3 and 4 share a parking area and would be able to exit the site in forward gear. Given the small number of units proposed the parking arrangements are considered acceptable in this instance.

Concerns have been raised that the proposal, due to the creation of an additional driveway onto Clyde Road, would reduce the number of available on-street parking spaces for neighbouring residents. While this would be the case, it is believed that sufficient on-street parking is available within the wider area to off-set this loss. In addition, the loss of one or potentially two on-street parking spaces would not be reason alone to justify refusal of the proposal.

Electric Vehicle Charging – It is expected that vehicle charging points would be provided for all the properties. The applicants have been requested to provide details of the charging infrastructure and this will be reported at the committee.

Cycle Storage – Given the size of the proposed houses and their respective garden area, sufficient space exists within the curtilage of each property to provide cycle storage should the future occupant require it.

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 would ensure that appropriate dust management measures are implemented during the construction phase.

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

As a result of the above findings it is considered that the proposal would not have a detrimental impact upon the air quality levels experienced throughout the site and within the vicinity of it.

Trees – Of the 21 trees surveyed on the site it is proposed to fell the following 5 trees:

- Category U trees T2, T5, and T7, all Elm trees suffering from die-back from Dutch Elm Disease.
- Category U tree T16, Sycamore with die-back and significant stem damage on lower trunk.
- Category C tree T17, Sycamore with root severance.

Given their condition, the loss of these trees is considered acceptable. To compensate for their loss the applicant is proposing to undertake a comprehensive planting scheme which includes 22 Juniper conifer trees. While the number of trees is welcomed it is recognised that their primary function would be to screen or form boundaries between properties and therefore they might be limited in size by regular pruning. As these are not considered to be suitable replacements the applicant has been requested to include some broad-leafed trees in the rear garden area. The outcome of the request will be reported at the committee.

All trees to be retained would be protected during construction by suitable fencing, the installation of which would be the subject of a planning condition. The submitted arboricultural report also states that where required hand digging would also ensure that the existing roots systems are protected and in some circumstances improved upon, as existing hardsurfacing is to be replaced with soft landscaping.

Landscaping – Notwithstanding the request to investigate the inclusion of broad-leaved trees into the landscaping scheme, the level of planting proposed is considered acceptable and would ensure that elements of the site previously given over to hardstanding would be successfully softened.

The proposed boundary treatment would be a combination of the retained wall to Lapwing Lane being topped with railings and the existing wall to Clyde Road being retained and rebuilt where it is currently missing.

Ecology – The submitted ecology surveys did highlight the presence of Common pipistrelle bats and nesting Blackbirds within the site. Despite this, GMEU is of the opinion that the roosts at Clyde Court Nursing Home are of low conservation significance and their loss/disturbance would not be detrimental to the maintenance of the bat population in Manchester. Given the findings 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 regarding the requirement for a bat licence, the provision of bio-enhancements and the timing of vegetation clearance would be attached to any approval granted.

Sustainability – The energy efficiency rating of the proposed development would comply with Building Regulations Part L which is the equivalent of Code level 4 in the Code for Sustainable Homes.

The proposal would include the following:

- Minimised reliance on energy produced by gas or electric equipment by maximising the use of energy efficient design for heating, cooling, lighting and natural ventilation.
- The use of energy and water efficient appliance and systems.
- Integration of energy efficient lighting in the landscaping design utilising photovoltaic fittings.
- Incorporation of a sustainable drainage system.

Overall the level of provision is considered acceptable.

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

Waste Management – Environmental Health have confirmed that the submitted Waste Management Plan is acceptable and should be conditioned accordingly.

Each property would have the four 240 litres bins providing general waste storage and recycling storage for food/garden waste, paper/cardboard and glass, cans and plastic. In addition, a kitchen food caddy would be provided.

The level of provision is considered acceptable.

Crime and Security – The standard *Secured by Design* condition would be attached to any approval issued to ensure the proposal offers secure accommodation.

Conclusion

Given the design, siting and scale of the proposal, it is not considered that the development would have a detrimental impact upon the existing levels of residential and visual amenity enjoyed within the vicinity of the site or upon the overall character of the Albert Park Conservation Area. The scheme represents the reuse of an existing important building within the Conservation Area which would deliver good sized family housing with associated car parking and amenity areas representing a positive addition to this part of Didsbury.

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 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 nos. 18004, (0-)09 REV B, 10 REV B, 11 REV B, 12 REV B, 13 REV B, 14 REV B, 20 REV B and 21 REV B, stamped as received on 24 June 2019

- b) Drawing nos. 18004 (0-)42 REV C and 43 REV E, stamped as received on 4 August 2020.
- c) Drawing nos. 18004 (0-) 06 REV D, 29 REV F, 30 REV F, 31 REV F, 32 REV F, 33 REV F, 34 REV F, 40 REV F and 41 REV F, stamped as received on 17 August 2021.
- d) Drawing nos. 18004, (9-)01 REV F and 02 REV E, stamped as received on 17 August 2021.

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) 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.

4) No above ground works shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured by Design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.

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

5) 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.

6) Prior to the occupation of the residential accommodation hereby approved, the electric vehicle charging points shown on drawing no. _____ and in the accompanying vehicle charging specification document, both stamped as received on _____ 2021, shall be installed 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.

7) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 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, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for private residential purposes and to ensure the achievement of the public benefit identified pursuant to policies SP1, DM1, EN3 , H1, H6 and H11 of the Manchester Core Strategy and the guidance contained within National Planning Policy Framework including section 16.

8) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on drawing no. 18004 (0-)29 REV F, stamped as received on 17 August 2021, and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

9) No development shall commence until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied.

If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy.

10) Prior to the commencement of above ground works, drawings detailing the rebuilding of the boundary wall fronting Clyde Road shall be submitted to and be approved by the City Council as local planning authority. The boundary wall shall then be rebuilt and thereafter retained prior to the occupation of the residential accommodation hereby approved.

Reason - In the interests of visual amenity and the character of the Albert Park Conservation Area, pursuant to Policies DM1 and EN3 in the Manchester Core Strategy and saved UDP Policy DC18.

11) No development shall commence on site until the following has been submitted to and approved in writing by the City Council as local planning authority

a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or

b) A statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/ development will require a licence.

Reason - To ensure the protection of species or their habitat 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.

12) 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.

13) 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.

14) Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the City Council as Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. No surface water should discharge directly to the surface water network.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme

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

15) Foul and surface water shall be drained on separate systems.

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

16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages, outbuildings or extensions shall be erected other than those expressly authorised by this permission.

Reason - To ensure the satisfactory development of the site and in the interest of residential and visual amenity, pursuant to policy DM1 of the Manchester Core Strategy.

17) Above-ground construction works shall not commence until drawings and specifications of the rear terrace and privacy decking screens have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the screens shall be installed prior to first occupation of the residential accommodation and remain in-situ in perpetuity.

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.

18) The Waste Management Strategy in the Environmental Strategy (stamped as received on 26 April 2019) shall be implemented as part of the development and shall remain in situ whilst the residential accommodation is occupied.

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

19) 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:

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Expected number and type of vehicles accessing the site: Deliveries, waste, cranes, equipment, plant, works, visitors; Size of construction vehicles; The use of a consolidation operation or scheme for the delivery of materials and goods; Phasing of works;
- 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;
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway;
- 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: 123430/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
Neighbourhood Team Leader (Arboriculture)
Greater Manchester Police
Greater Manchester Ecology Unit
West Didsbury Residents Association
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 Ecology Unit
West Didsbury Residents Association
United Utilities Water PLC
Neighbourhood Team Leader (Arboriculture)

Relevant Contact Officer : David Lawless
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