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| Application Number | Date of Appln | Committee Date | Ward |
| 121695/FO/2018 | 29th Oct 2018 | 13th Dec 2018 | Didsbury East Ward |

Proposal Erection of two, three storey detached dwellinghouses (six bedrooms) with associated landscaping and car parking following demolition

Location 21 Didsbury Park, Manchester, M20 5LH

Applicant Mr Kieran Hedges , 21 Didsbury Park, Didsbury, Manchester, M20 5LH,

Agent Sixtwo Architects, Sixtwo Architects, 29 Bow Lane, Manchester, M2 4FW



Photograph 1: 21 Didsbury Park

The application site relates to a large detached dwellinghouse that is located within Didsbury St James Conservation Area. The property is set back from the highway and benefits from large gardens.

The property has been subject to three previous planning applications, in 2008 an application was refused for a first floor side extension above existing ground floor to contain a granny flat and erection of single storey side extension to form double garage (application reference: 086620/FH/2008/S2) and in 2009 an application was approved for a single storey side extension to form garage, raising of roof to existing side extension and first floor rear extension including elevational alterations to roof to form additional living accommodation (application reference: 088738/FH/2009/S2)

The most recent application (application reference: 117911/FH/2017) was approved in January 2018 for a two storey extension to the front; erection of rear dormer roof extension to side; erection of a part single/part two storey rear extension; erection of a rear extension to house swimming pool; installation of vehicular access gates together with associated elevational alterations following demolition of existing extensions to the rear of the property.

The immediate adjacent streets are characterised by detached residential properties in a range of styles and uses from early and late Victorian Villas of three storeys properties to more contemporary houses. The application site is also in close proximity to two listed buildings. Pine House (no.23 Didsbury Park), is a grade II listed residential property and is located to the north of the site and shares a common boundary with the application site. Didsbury Park House is located to the north east of the application site, on the corner with Sandhurst Avenue and is also a grade II listed property.

Description

The proposal comprises the demolition of the existing family house and subdivision of the plot to accommodate two, three storey detached family houses with basements and garages.

The proposed new dwellings would be constructed principally of a textured white brick with recessed header detailing around openings, the secondary envelop of the houses (to the sides) would be clad in dark grey stained timber, vertically arranged with dark grey metal projecting reveals. Windows would be dark grey PPC aluminium and roof tiles would be natural slate.

The front boundary would be red brick with sandstone copings and fencing to the front between the two houses would be natural timber. The driveway would be resin bound gravel.

Consultations

Local Residents/Public Opinion – Five representations have been received from local residents, three object and two are in support to the proposed development. Comments are summarised below:

Object

- Do not object to the principle, but do not believe that the proposed development represents the correct approach to the site as it fails to conserve or enhance the conservation area;
- The proposal will have a negative impact on the setting of a listed building and does not comply with both development plan and national planning guidance;
- The plot sizes along the western side of Didsbury Park are larger than the two plots proposed. The area is characterised by two storey semi-detached Victorian villas set within large plots that allow for large dwellings yet they retain spaciousness around them;
- The pre-application comments have not been taken into account;

- Concerns raised regarding the siting and scale of the property in relation to the neighbouring properties;
- Rear first floor terrace will result in the loss of privacy from overlooking on the adjoining properties
- The proposed design of the new dwellings are out of character with the other houses on Didsbury Park;
- The area is overdevelopment and the new buildings would make this situation worse but also further degrades the local environment which has suffered as a result of the new development in the area;
- Two out of the three representations have object to the loss of the trees on the site;

Support

- Two dwellinghouses on this site is considered to be appropriate ;
- Modern properties will complement the general street scene;
- Soft landscaping, trees and hedges should be retained to provide privacy for the occupiers and neighbours.

Manchester Conservation Areas and Historic Buildings Panel – No objections.

Comments:

The Panel advised the proposed building has more personality than the previous scheme. They felt it better addresses the curve in the road and the back of pavement. They considered it to be a good contemporary reinterpretation of some of the existing buildings on the road. They stated that the building massing looks right and sits well in the street scene. The Panel felt there was good brickwork detail in the proposal but they had some concerns that the timber detail does not work as well and will deteriorate.

Highway Services – No objection.

Comments:

Traffic Impacts The proposals are all contained within a private boundary to the development and do not impinge on the adopted highway. The addition of the 1 additional house (2 in total) 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.

Access to the houses is from the Didsbury Park highway, new dropped kerbs/reinstatements will be required.

Gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

Fencing / railings should be visually permeable from a distance of 900mm upwards to ensure that child pedestrians are visible when accessing / egressing driveways.

Car Parking As well as single garages, each house has on-site car parking for 3 vehicles, this allocation is considered appropriate.

Cycle Parking No detail is provided regarding cycle parking at the houses. To encourage sustainable travel it is recommended that cycle parking is provided.

The proposed bin storage to the side of the houses is considered appropriate and residents are to transfer the bins from the storage area to the kerbside of Didsbury Park on collection days and returned them to the storage area after collection. This arrangement is therefore accepted in principle by Highways and will ensure that bins are not left out or stored on the adopted highway.

Environmental Health – No objection.

Comments:

Requested conditions relating to refuse storage, contaminated land, construction management plan and wheel washing during construction periods is attached to any approval.

Neighbourhood Team Leader (Arboriculture) – Object.

Comments:

The loss of tree cover to the front will negatively impact the street scene, in addition the impact on retained trees will present itself in later years potentially leading to further tree loss to the front regardless of method statement.

There are no proposals within the soft landscaping scheme for additional tree planting, so the net-loss of tree cover would be substantial.

Greater Manchester Ecology Unit (GMEU) – No objection

Comments:

Bats

GMEU have reviewed the survey (July 2018) submitted with the application and found that no bats or signs of bats were observed during the survey and the two other buildings on site (summerhouse and shed) were considered to be negligible for the potential to supporting roosting bats and no further surveys were considered necessary.

An emergence survey was undertaken on the residential property in August 2018, no bats were seen to emerge from the property and only low levels of commuting and foraging activity by common pipistrelle, soprano pipistrelle and Noctule bats was recorded through the site. No further surveys are therefore considered necessary and works can commence with a low risk to roosting bats.

Recommended an informative

Birds

The buildings, trees, hedgerow and scrub 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 a condition is attached to any approval requiring that the demolition works together with all tree/hedgerow works and shrub clearance should not be undertaken in the main bird breeding season (March-July inclusive), unless nesting birds have found to be absent, by a suitably qualified person.

Hedgehogs

Recommended an informative require that between October and March that any wood piles or other materials and vegetation within the application site should be checked for hibernating hedgehogs before disturbance/clearance and moved to a safe place.

Large Mammals

Recommended a condition requires that all excavations left open overnight or longer should be checked for animals prior to the continuation of works or infilling.

Invasive Species

An invasive rhododendron has been identified on site and it is an offence under the Wildlife and Countryside Act to allow this plant to grow in the wild. Recommend in an informative that the applicant is advise and if it is removed, ensure that it is disposed of accordingly

GMEU also recommend that the there are opportunities for biodiversity enhancement to be incorporated into the new development in line with the NPPF.

Other Matters

Consultation and Publicity

The application was publically consulted by letter, site notice and advert within the press.

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 185 of the Framework stipulates that local planning authorities should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.

Paragraph 189, requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

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

Paragraph 192 states that in determining planning applications, local planning authorities should take account of:

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

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 consistent with the following Core Strategy Policies EN3, H1, H6, EN1, SP1 and DM1.

Policy EN3 - Heritage

States that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including listed buildings and conservation areas. The application relates to a site within a conservation area as set out within this report.

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. The application relates to the create of two dwellinghouses with South Manchester area.

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 UDP Policies

The following saved UDP policy needs to be considered in relation to the application.

Policy DC18.1 - Conservation Areas

Saved policy DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas.

- a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i. the relationship of new structures to neighbouring buildings and spaces;
 - ii. the effect of major changes to the appearance of existing buildings;
 - iii. the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
 - iv. the effect of signs and advertisements;
 - v. any further guidance on specific areas which has been approved by the Council.

- b. The Council will not normally grant outline planning permission for development within Conservation Areas.
- c. Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance 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.

This is of particular relevance to this application under consideration.

Policy DC19 Listed Buildings

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

- a. not grant Listed building consent for the demolition of a listed building other than in the most exceptional circumstances, and in any case, not unless it is satisfied that every possible effort has been made to continue the present use or to find a suitable alternative use;
- b. not permit a change of use of a listed building, where it would have a detrimental effect on the character or appearance of the building;
- c. not permit any external or internal alteration or addition to a Listed building where, in its opinion, there would be an adverse effect on its architectural or historic character;
- d. seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features;
- e. permit demolition only where there are approved detailed plans for redevelopment and where there is evidence of a firm building contract;
- f. not permit alterations to a listed building which would prevent the future use of any part of the building, in particular upper floors or basements, or where poor maintenance is likely to result.

This is of particular relevance to this application under consideration as application site shares a boundary with a listed building and is in close proximity to another.

Other Material Considerations

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007)

This guide establishes the Council's principles in relation to design across the city and is a material consideration in the assessment of planning applications. In relation to development within conservation areas, the SPD advises that it should:

"preserve or enhance the character of the conservation area. It is important that new developments in conservation areas or elsewhere are not designed in isolation. This does not prevent or inhibit creative design. Considerations of design and layout must be informed by the wider context, having regard not just to any immediate neighbouring buildings, but also to the townscape and landscape of the wider locality. The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the character and identity of a development."

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

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

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.

Legislative requirements

Section 66 of the Listed Building Act 1990 provides that in considering whether to grant planning permission for development which affects a listed building or its setting, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Without prejudice to section 72, a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings.

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

Section 149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

Section 17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

Issues

Impact on the Didsbury St James Conservation Area and Listed Buildings

When compared with other conservation areas within the City, Didsbury St James covers a large area and outside of the city centre has the greatest concentration of listed buildings in Manchester. The conservation area appraisal notes the following common features when describing the townscape:

- Variety in architectural styles varying from Classical and Gothic of public buildings and of the more grandiose houses to remnants of older and more modest houses exist in simple vernacular character;
- A great variety in building materials are used on the buildings, with red brick walls and blue slate roofs being the most common. However, there are extensive examples of stone dressings used in conjunction with brick and several buildings are built entirely of stone.
- Several buildings are finished in stucco or rough cast render;
- Trees are an important characteristic of the area providing not only screens groups of buildings from one another but also a unifying, leafy backdrop to the whole area;
- Entrance doorways help to create the character of the area;
- Most of the buildings in the area are characterised by vertically proportioned sash windows which are used singly or in groups. In older buildings, sashes are sub-divided by glazing bars into smaller panes.

In this particular part of the conservation area, the area is characterised by large two storey detached or semi-detached villas set within spacious grounds (figure 1). The building materials are predominantly red brick with blue slater roofs although there is an example of painted stucco on brick which has been used on the Grade II Listed building known as Pine House (no.23 Didsbury Park) which is to the north of the application site. The listing dates the property to the 1840s and is a two storey, white painted stucco on brick with a slate roof built in the gothic style.

The building line follows the curvature of the road, with Pine House located further behind the application site. There is little relationship between the frontages of the existing dwelling and that of the listed building. However, there is an interface between the southern elevation of the listed building and the side and rear of 21 Didsbury Park.



Photograph 2: Pine House



Photograph 3: Didsbury Park House

On the corner of Didsbury Park and Sandhurst Road is Park End House, which is Grade II listed and is located to the north east of the application site. The property dates from the mid to late 19th Century and is a two storey dwellinghouse built with red brick in Flemish bond, with sandstone dressings and a slate roof. There is some limited visual relationship between the frontages of the two buildings, although this is limited due to the curvature in the road and the tree cover.

Opposite the site (east) are two detached dwellinghouses, No.60 Didsbury Park which is a two storey Victorian Villa in a red brick, slate roofs and hanging tiles and No.58 Didsbury Park is a modern two storey white render dwellinghouse that was approved in 2012.

To the south of the site is a large detached two storey Victorian villa No.19 Didsbury Park red brick and slate roof tiles. The application site also shares its southern boundary with this site.

To the west of the site is more modern development in the form of predominantly two storey detached and semi-detached dwellings on the former Manchester Metropolitan Campus site.

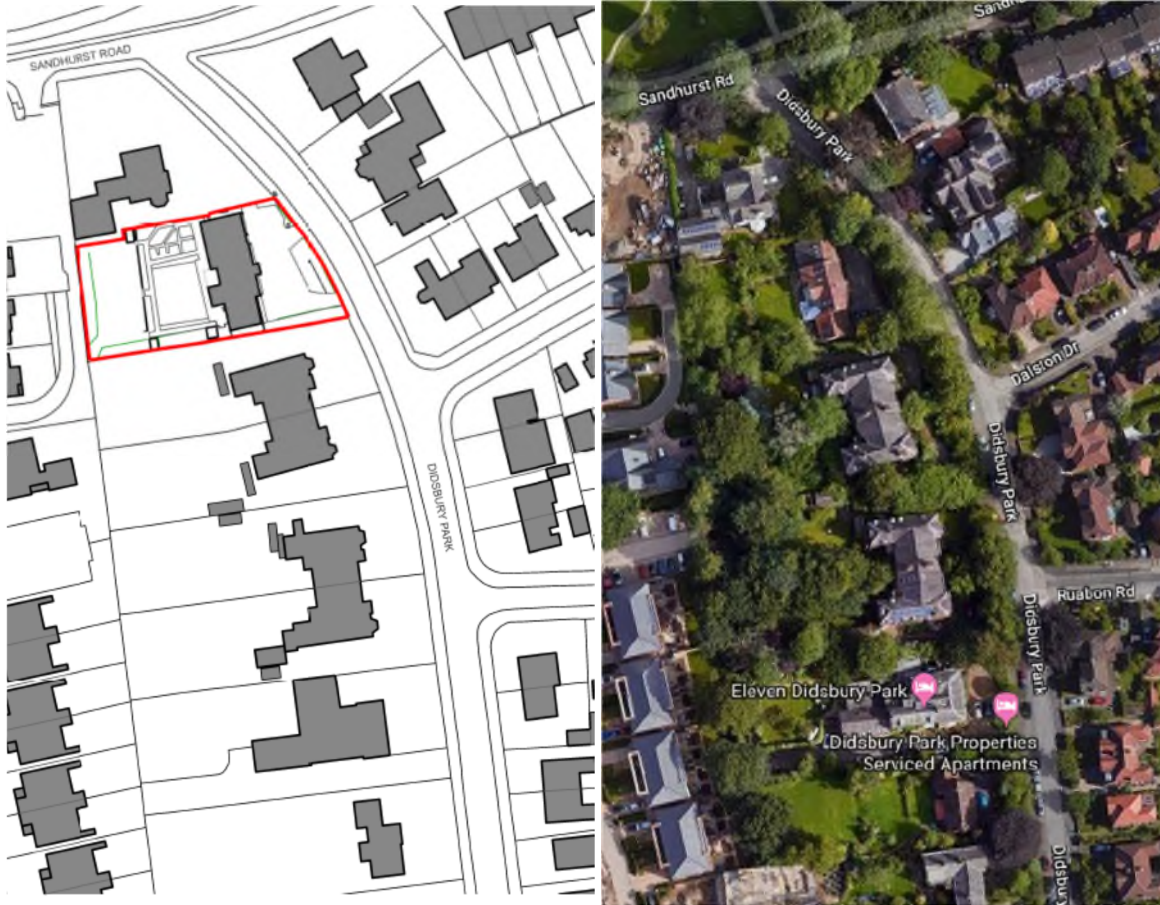


Figure 1 Existing Site Plan and Google Earth Image

The existing dwellinghouse has a two storey central element, with single-storey extensions to either side as shown in the existing street scene (figure 2). The property is red brick, with red vertical hanging tiles at the first floor level, reaching from the eaves to the top of the ground floor windows, with red roof tiles. The property dates from the 1920/1930s with some reference to Arts and Craft design.

The proposal seeks to sub divide the existing plot into two to provide two detached, three storey dwellinghouses of a contemporary design (figure 3). The design of the buildings are detailed within the design and access statement and the architect has sought to take inspiration from the surrounding buildings most notably the fenestration details, bay windows, gable frontages and chimney stacks. Similarly the chosen materials textured white brick with natural roof tiles reference the conservation area but without creating a pastiche look or design.



Figure 2 Existing Streetscene



Figure 3 Proposed street scene

The applicant is of the opinion that they have made the case in the supporting documentation that the proposal meets both the statutory and policy tests. They acknowledge that the loss of the existing building will cause a negative impact. However, they consider that the proposal will make a positive contribution to the site, the conservation area and will have a neutral impact on the listed buildings.

Paragraphs 193 and 194 of the NPPF require Local Planning Authorities to consider the public benefits of supporting a development where all grades of harm, 'substantial' and 'less than substantial' can be justified.

As the extract of the NPPF above states, public benefits relate to satisfying one or more of the objectives of sustainable development. This includes preservation or enhancement of heritage assets but also the provision of housing in a sustainable location.

The heritage assessment has identified that the existing property has negligible value and no aesthetic value. Overall the assessment considers that the property has neutral significance and contribution to the conservation area and listed buildings Pine House and Didsbury Park House.

In terms of the proposed works the heritage assessment has stated that the loss of the dwelling would have a negative impact on the heritage significance of the site but this will be improved by the proposed two dwellinghouses. Furthermore concludes that the impact on significance of Pine House will be minimal and the same for Park End House.

By comparing both the proposed and the existing street scene, the proposal would create a notable increase in both area and floorspace across the site (figures 4 and 5) and increase in the size and massing of the built form. As a result, where there is currently single storey elements of the dwelling next to the shared boundaries these would be replaced by two storey elements which would erode the sense of spaciousness between the properties. Objections to the application have also raised this as an issue with the proposal as they consider that the proposal does not respect the character of the conservation area.

The applicant suggests that the staggered massing of the detached dwellings which would be stepped in line with curved building line help to reduce the volume and give the appearance of a semi-detached building (albeit only from one side).



However, as illustrated in figure 5 the dwellings would be located further forward of the existing dwellinghouse thus increasing their prominence within the street scene. As will be reported later the City Arborist has also raised an objection to the proposal due to the impact of the development on the future retention of the trees.

However, it is considered that the proposal would be prominently sited within the street scene and in this regard would detract from the setting of the listed building, in this case Pine House.

At present No.21 Didsbury Park has a neutral impact on the setting and this is helped in part by the mature tree cover and green screening to the boundary which obscure the existing single storey side. As described the southern elevation of the listed building and the side and rear of No.21 Didsbury Park are situated close to one another. It is considered that as the proposed buildings would be sited further forward and rearward of the existing dwellinghouse, the increase in height, the enclosure of the gaps at the side from single to two storeys and the introduction of the three storey gables it has the potential to interrupt views of the listed building and to change the balance of the buildings within the street hierarchy.

On this basis the proposal would be contrary to section 66 of the Listed Building Act 1990 which requires that in considering whether to grant planning permission for development which affects a listed building or its setting, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In this case it is considered that the proposal fails to preserve the setting of the Grade II listed Pine House.

In terms of Didsbury Park House, whilst there would be a view across to the Grade II listed building given the proximity and the relationship to the property, the development would not be harmful to its setting.

It is considered that the proposal to erect two dwellinghouses on the application site in the form shown would have a dominant and harmful impact on the street scene and the character of the conservation area. The scheme would also fail to preserve the setting of the adjacent listed building Pine House.

The public benefits of providing one additional house on the application site does not outweigh the harm caused to both the conservation area and the setting of the listed building, Pine House. Therefore the proposed scheme is contrary to the guidance contained within the NPPF.

The collective planning policy framework requires that development proposals should "enhance or preserve" the character of conservation areas, whilst the Council's equivalent Core Strategy policies SP1, DM1, EN1 and EN3 and saved policy DC18.1, seek to achieve this by ensuring that new development preserves or enhances the character, appearance or setting of the conservation area through the appropriate design, layout and choice of materials of new development. Applications are also required to achieve a good standard of design as expressed in chapter 12 of the NPPF and to the guidance contained within the Guide to Development SPD.

Noting the terms of these policies, the first priority when considering proposals for development within Conservation Areas is to those special architectural and visual qualities which gave rise to the area's designation. Where a proposal would erode these special qualities and there are no other material objections to the proposal, then permission should be refused.

Impact on Residential Amenity

In considering the amenity impacts of the development, the proposal must be assessed against Core Strategy policies SP1 and DM1.

The proposal would result in two large gardens areas at the rear which will provide sufficient amenity space for any future occupiers of the proposed dwelling. The increase in comings and goings and general activities of an additional house on the plot would not result in additional impact that would be detrimental to the neighbours of the adjoining properties.

At the rear of each of the dwellinghouses the proposal includes a first floor terraced area (figure 6) which would be accessed from the master bedrooms in each property. Objections to the proposal have raised concerns regarding overlooking from the terraces and as the proposal sits deeper within the plot, it is considered that there is the potential for overlooking on the occupiers of Pine House from the terrace which would be approximately 7 metres to the shared boundary and to it would overlook the garden of No.19 Didsbury Park to the detriment of the residents amenity.



Figure 6 CGI Image of the rear of one the proposed dwellinghouse and first floor terrace

If planning permission was to be approved for the scheme proposed it would be necessary to ensure adequate screening to either side of the terraces to remove any potential for overlooking.

Boundary Treatment

The proposal seeks to create a textured red brick wall with sandstone coping to the front boundary which is similar to other boundary treatment along Didsbury Park with automated metal gates. No. 21 Didsbury Park does not contain any existing boundary wall at the front and in its place is hedging and trees. However, in principle new boundary treatment may be acceptable subject to the impact of the existing trees which as noted are an important characteristic of the conservation area.

If the scheme proposed was to be looked upon favourably it would be necessary to ensure that the boundary treatment subdividing the plots was subject to a condition.

Trees and Landscaping

There are trees affected by the development. The trees on site are protected by virtue of their location within the Didsbury St James Conservation Area. The arboricultural assessment that has been submitted to accompany the application states that the development would require that six trees, four groups and one hedge will require removal to facilitate the development proposals. Two of the trees are category U, two are category B and the remainders are category C.

The City Arborist having assessed the works to the trees has objected to the application as there are concerns that the loss of tree cover to the front will negatively impact the street scene, in addition the impact on retained trees will present itself in later years potentially leading to further tree loss to the front regardless of method statement. This is due to a pressure to fell the trees in the future

There are no proposals within the soft landscaping scheme for additional tree planting, so the net-loss of tree cover would be substantial. Reference within the design and access statement states that the lost trees will be replaced by semi-mature trees but no further details have been provided.

All representations have raised comments about the loss or retention of trees and landscaping at the application site.

There are significant concerns regarding the loss of the existing trees but also on the future retention of the trees at the front if the dwellinghouses are approved. Trees provide an important role within the conservation area by not only screening groups of buildings from one another but also providing a unifying leafy backdrop to the area.

There is the potential for replacement planting and semi-mature trees have been indicated within the proposal, however there are concerns with the longevity of the existing trees and whether there will be pressure in future for those trees to be felled due to the impact of and on the new dwellinghouses. Given the importance of trees to the character of the general area the loss of their loss should be resisted. The proposal is therefore considered contrary to policies EN3 and EN9 of the Core Strategy

Ecology

The applicant states in their submission that no ecology will be impacted upon by virtue of the development proposals. Greater Manchester Ecology Unit (GMEU) have reviewed the information assessing the impact of the development on bats, birds, hedgehogs, large mammals and whether there was any invasive species.

The development was considered to be a low risk to roosting bats and negligible for the potential to support roosting bats.

However, the buildings, trees, hedgerow and scrub 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 if approved that a condition should be attached requiring that the demolition works together with all tree/hedgerow works and shrub clearance should not be undertaken in the main bird breeding season (March-July inclusive), unless nesting birds have found to be absent, by a suitably qualified person.

Furthermore GMEU recommended informative to check for the presence of hedgehogs between October and March and a condition requires that all excavations left open overnight or longer should be checked for animals prior to the continuation of works.

An invasive rhododendron has been identified on site and it is an offence under the Wildlife and Countryside Act to allow this plant to grow in the wild. GMEU recommend an informative to ensure that if the rhododendron is removed it is disposed of accordingly.

GMEU also recommend that there are opportunities for biodiversity enhancement to be incorporated into the new development in line with the NPPF. This could have been achieved by condition or requesting a landscaping scheme detailing improvement to the landscape. This may have also addressed the concerns from a resident regarding the loss of biodiversity in the area.

Disabled Access

The applicant has stated the importance of access and the ability for future adaptations and has identified the following that would be incorporated into the new dwellings, these are:

- The main entrance doors to the front elevation are to be aluminium framed hinged doors, to give a minimum 1000mm clear width opening.
- A level threshold shall be provided, with no upstands exceeding 15mm in height.
- Floor matting will be chosen to allow smooth transition whilst reducing the risk of slipping and keeping entrances clean.

Waste Management

The proposed dwellings would have sufficient space for the storage of waste containers, both for recyclable waste containers indoors within the kitchen or

separate utility room and externally. There is also space within the grounds for external storage of waste containers for the existing property.

Details for the storage of waste containers for both the existing and the proposed house are requested by way of a condition attached at the end of this report.

Car Parking, Vehicular and Pedestrian Access

There would be space available for three cars to be parked on the front driveway of the proposed dwellings. The access to the existing property known as No. 21 Didsbury Park would be maintained and a new access and entrance would be created for the second property close to Pine House.

Highway Services have states that the proposed development does not raise any highway safety or capacity concerns.

Although Highway have asked that any new gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

Conclusion

It is considered that the proposal to erect two dwellinghouses on the application site in the form shown would have a dominant and harmful impact on the street scene and the character of the conservation area. The scheme would also fail to preserve the setting of the adjacent listed building Pine House.

The public benefits of providing one additional house on the application site does not outweigh the harm cause to both the conservation rea and the setting of the listed building, Pine House. Therefore the proposed scheme is contrary to the guidance contained within the NPPF.

The proposal is considered is contrary to is contrary to saved policies, DC18.1 of the Unitary Development Plan, policies SP1, DM1, H6, EN1 and EN3 of the Core Strategy Development Plan Document and the National Planning Policy Framework

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 Head of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis

of the planning merits of the development proposal. She believes that any restriction on these rights posed by the refusal of the application is proportionate to the wider benefits of refusal 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. In this instance the applicant sought pre-application advice prior to the submission of the application where officers have communicated their concerns about this proposal to the applicant before and during the course 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.

Reason for recommendation

1) The proposed development by reasons of its scale, massing and relationship to the side boundaries of the application site, loss of trees would result in two prominent buildings which are unduly intrusive in the street scene to the detriment of the spacious and landscaped character of Didsbury St James Conservation Area. As such the proposal is contrary to saved policies, DC18.1 of the Unitary Development Plan, policies SP1, DM1, H6, EN1, EN3 and EN9 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

2) The proposed dwellinghouses would have a detrimental impact upon the setting of the Pine House Grade II Listed Building by reason of the siting, scale and mass. The proposed development is therefore contrary to the provisions of Core Strategy policy SP1 and EN3 and saved Unitary Development Plan policy DC 19 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: 121695/FO/2018 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
Didsbury Civic Society

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

Representations were received from the following third parties:

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Greater Manchester Ecology Unit

| | |
|-----------------------------------|---------------|
| Relevant Contact Officer : | Robert Tyrer |
| Telephone number : | 0161 234 4068 |
| Email : | |



Application site boundary
 ● Neighbour notification

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