

Application Number	Date of Appln	Committee Date	Ward
138765/FO/2023	5th Dec 2023	15 th February 2024	Didsbury West Ward

Proposal Erection of three storey building to provide 37 retirement living apartments (comprising 24 no. 1 bed and 13 no. 2 beds) including communal facilities, access, car parking and landscaping and reconfigured car parking arrangement for Wren House

Location Wren House, 108 Palatine Road, Manchester, M20 3ZA

Applicant Churchill Retirement Living

Agent Mr Ziyad Thomas, Planning Issues Ltd

Executive Summary

The application proposals are for the redevelopment of an area of land previously used as surface car parking associated with a former public house on the south west corner of the junction between Lapwing Lane and Palatine Road in the Didsbury West Ward. The proposals are for the development of a three storey building to provide 37no. retirement living apartments.

The site is located within the Albert Park Conservation Area and lies adjacent to both Ballbrook and Blackburn Park Conservation Areas, the key issues for consideration of this application are:

- The provision of older person accommodation in this area
- Impacts on the character and appearance of the conservation area
- Impacts on residential amenity of existing residents particularly in respect of privacy and overlooking
- Impacts on trees
- Level of car parking provision
- Density, scale and layout of the proposals

Following notification of the application 4 representations have been received including 3 objections and 1 in support. The issues raised related to: the need for this type of residential provision in this area; the scale and design of the proposed building, and the level of car parking. These issues together with other matters are fully considered within this report.

Description of site

The site subject to this current application forms part of a larger site that comprised a public house and large surface area car park with associated landscaping at the junction of Palatine Road and Lapwing Lane. The current application site does not include the former Public House and is bounded to the west by residential development; to the north by a number of commercial uses and the former Public House building, to the east by Palatine Road and residential properties and the Northern Lawn Tennis Club; and, to the south by predominantly large-scale

residential properties fronting on to Palatine Road. There are a number of trees on the site that are subject to additional protection as part of a Tree Preservation Order (Manchester City Council (The Greenfinch PH, 108 Palatine Road, West Didsbury) TPO 2021) these sit on the boundary of the site. The remainder of the site comprises hardstanding associated with the former use as a surface car park together with some incidental areas of soft landscaping. Vehicular and pedestrian access to the site is taken from Lapwing lane on the northern boundary of the site. Boundaries to the Lapwing Lane and Palatine Road frontages are in the form of original low stone wall together with railings (added later), on the Palatine Road frontage the original stone gate piers with inscription of 'Summerhill' are also still present which reflects the historic residential use of the site. A mix of concrete and timber panel fencing and more contemporary brick walls form the western and south western boundaries of the site. The site is relatively flat.



The former Public House building adjacent the site now converted at ground floor to offices

The application site lies within the Albert Park Conservation and is immediately opposite the Blackburn Park and Ballbrook Conservation Areas. There are a number of listed buildings in the area and these include:

- The Former Withington Town Hall and Coach House (Grade II) approximately 30 metres to the north west of the site;
- Former District Bank, 99 Palatine Road, Manchester (Grade II) approximately 80 metres to the north east of the site;
- Synagogue, Old Lansdowne Road, Manchester (Grade II) approximately 230m to the south west of the site;
- Mercantile House, 10 Lapwing Lane, Manchester (Grade II) approximately 250m to the north west of the site.



View across the site southwards – the former PH and current office car parking is to the left, properties on Raleigh Close to the right

As set out below in the planning history section of this report, planning permission has previously been granted for the conversion of the former public house building to provide 3 apartments and office space and redevelopment of the car parking area for residential development for 9 dwellings. This planning permission has been part implemented as a result of the conversion of the ground floor of the retained building to provide office space. The current application site does not include the former public house building but does provide proposed car parking areas for the use of the occupiers of that building.



Photomontage of application site – Palatine Road frontage to the left , no.114 Palatine Road centre-right, Raleigh Close properties to the right

Description of development

The proposals relate to the redevelopment of the site to provide a three-storey building to provide 37 no. retirement living apartments associated communal facilities, car parking, landscaping and reconfigured car parking for Wren House.

The building would be in a linear arrangement across the southern portion of the site, with car parking for both the apartments (15 spaces) and offices within the former Public House (8 spaces) being located to the northern part of the site accessed via the existing vehicular access from Lapwing Lane. Three floors of residential accommodation would be provided in the building providing a mix of one and two bedroom apartments on each floor all accessed via stairs or a lift. Communal indoor space would be provided on the ground floor comprising a lounge area and small coffee bar area. Ancillary support office and reception area space would also be provided on the ground floor adjacent to the main entrance into the building, whilst a communal refuse store can be accessed via an internal corridor.



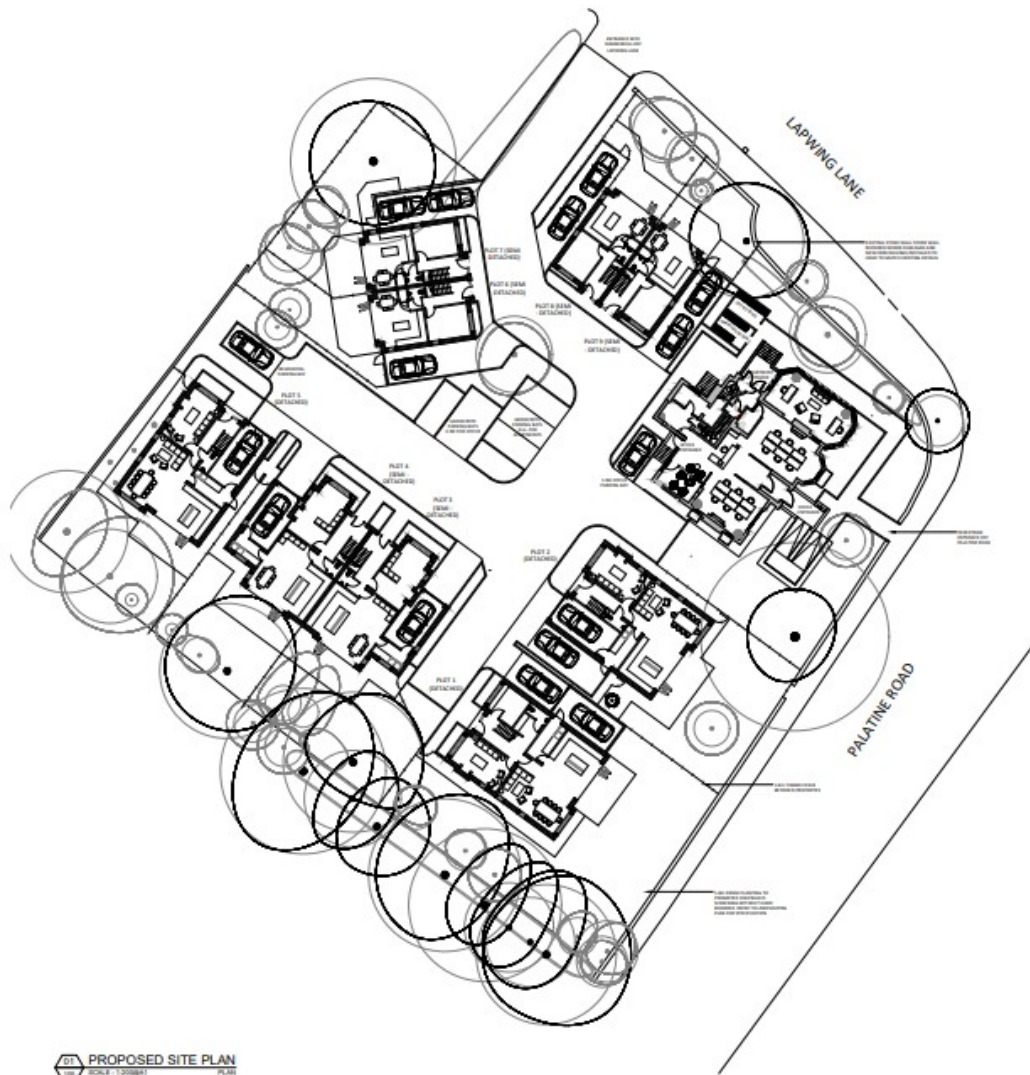
Proposed site layout

Landscaped areas are indicated around the proposed building and as part of the setting for the car park. A pedestrian access would be reopened from Palatine Road into the site with a further pedestrian access being provided alongside the access road from Lapwing Lane.

Relevant Planning History

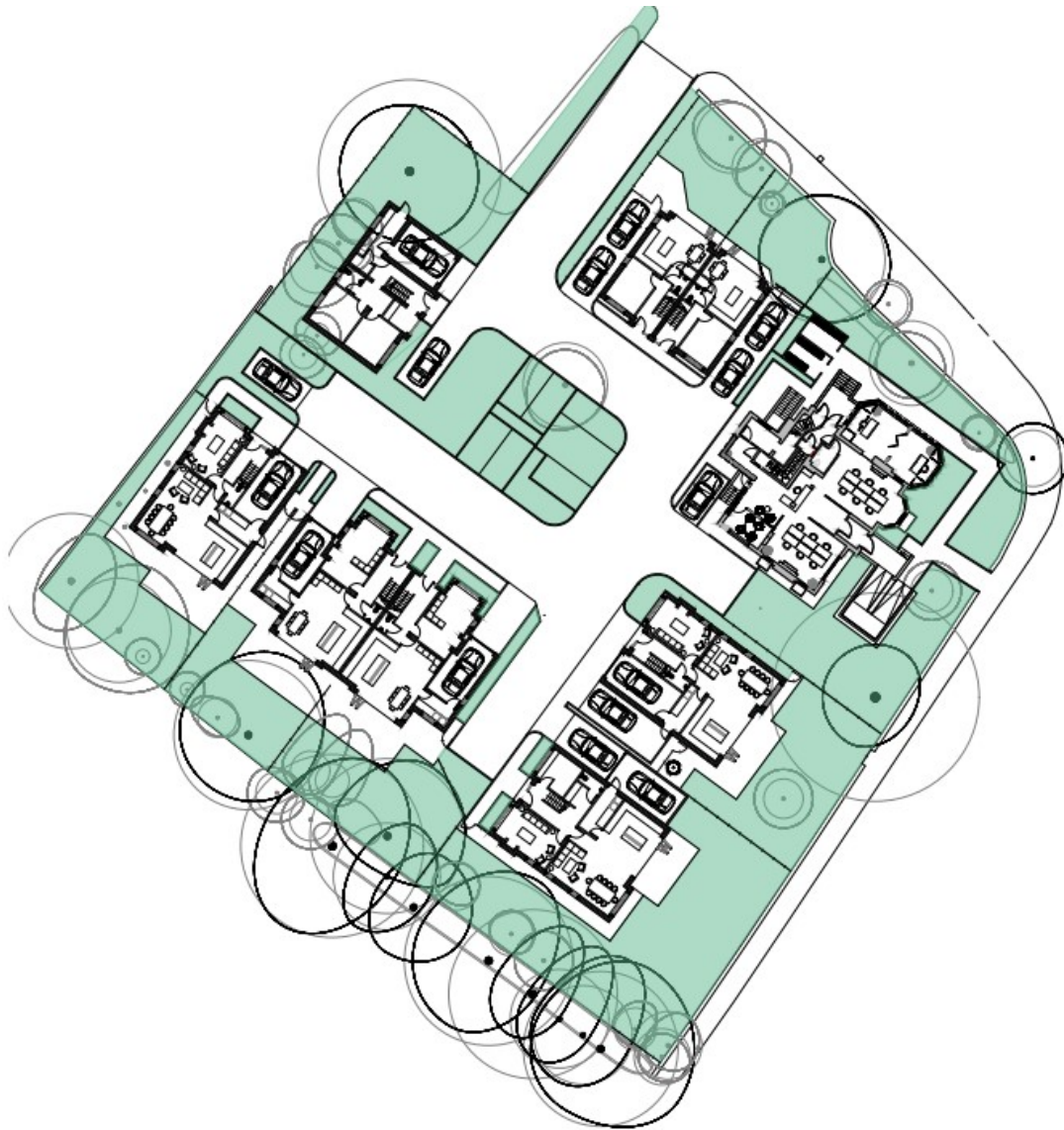
040317 - Change of use from disused school to public house with dining facility including conservatory and kitchen extensions on the ground floor, office use on the first floor and managers flat on the second floor. APPROVED 24.03.1992

133740/FO/2022 - Change of use and conversion of former Greenfinch Public House including selective demolition to provide office accommodation (use class E) and 3 apartments (use class C3), and redevelopment of site to provide 9 dwellings (use class C3) with associated works including landscaping and car parking. APPROVED 09.08.2022



Approved layout plan for planning permission reference 133740/FO/2022

130831/FO/2021 - Change of use and conversion of former Greenfinch Public House including selective demolition to provide office accommodation (Use Class E) and 3 apartments (Use Class C3), and redevelopment of site to provide 8 dwellings (Use class C3) with associated works including landscaping and car parking. APPROVED 14.01.2022



BT PROPOSED SITE PLAN
SCALE: 1:2500
PLAN

Approved layout plan for planning permission reference 130831/FO/2021

Consultations

The application was subject to neighbour notification letters sent to 246 addresses , display of site notices, and advertisement in the Manchester Evening News given the proposals are major in nature and are located within a conservation area. In addition, a number of statutory and non-statutory consultees were notified of the proposals. A summary of the responses received is set out below.

Residents

4 responses were received in response to the notification process, 3 of these objected to the proposals and 1 letter with two named residents was submitted in support, the comments made were:

- The area does not require an additional block of flats and not additional housing for retirees. There is already retirement living provision in abundance and close proximity on Palatine Road, Barlowmoor Rd, etc

- The area requires family houses.
- Against the use of the site for retirement properties over building family homes and apartments because there is a major shortage of family homes in the area
- The proposal does not respect the character and setting of the two Conservation Areas and would lead to a negative impact upon the character of both Conservation Area and the area in general.
- The proposed apartment building would contain 42 habitable windows that would face towards the adjacent residential property on Palatine Road resulting in the loss of privacy to adjacent residential properties.
- The proposed building sits to the north of boundary trees on the south of the site, given the relatively small distance between the building and these trees it is likely that there would be pressure from future occupiers of the apartments to fell or significantly lop these trees to increase daylight and sunlight.
- The application should be refused as it is not well designed and would detract from rather than enhance the built and natural environment.
- The built form is too large when considered against the footprint of surrounding buildings and gaps between buildings which are largely consistent across the two conservation areas.
- The proposals would impact on parking and highway safety in the area and any consequential effects of this on the living conditions of local residents.
- Support the provision of modern retirement apartments in West Didsbury.

Manchester Heritage Advisory Panel – The application was presented to the Panel's meeting held on the 11th January 2024. They made the following comments on the proposals:

The Panel felt that the building represented a significant footprint which was too large for the site, and the high density and mass of building had a different characteristic to the surrounding conservation area. They felt that the landscaping including the car parking area should be more generous.

The Panel commented on the particularly long elevations and poor elevational treatment to Palatine Road including how the middle bay design looking awkward along with the pitch of the roof which looked at odds with Wren House.

The Panel was not convinced by the design approach to echo the neighbouring buildings as the design quality was much weaker and failed to successfully reflect the richly detailed large Victorian Villas in the area which demonstrate a much higher quality of craftsmanship and natural high-quality materials and finishes. They felt that many of the design components, features, materials and details were of poor quality and appeared at odds with Wren House and other villas in the area being a much poorer representation of these.

The Panel advised that the wall to the entrance from Lapwing Lane should be brought into the site as a transition point between the old and new.

The Panel felt that a more considered and higher quality contextual design of an appropriate scale and footprint is necessary.

Manchester Civic Society - The density of development is far too high for this conservation area. The site impacts on three Conservation Areas, as it overlooks two immediately adjacent CAs, Ballbrook CA and Blackburn Park CA. All three CAs are residential areas, characterised by large Victorian villas in large gardens.

In contrast, this proposal has no internal green space. The footprint of the building, internal roads, waste storage and the minimal 15 parking spaces, (see item B) cover the bulk of the site, which merely has a fringe of green space on the north and east sides of the site, adjacent to Lapwing Lane and Palatine Road.

The level of proposed parking is inadequate for the level of residential units and likely occupancy levels. The need for visitor parking has not been addressed which would include, delivery vehicles, potential medical and nursing staff, other visitors, and guests.

There is no provision on site for affordable housing.

The proposals need a rethink to include a smaller footprint, internal green space, more generous parking provision.

Statutory and non- statutory consultees

MCC Environmental Health – Made the following recommendations.

Conditions relating to submission and approval of: a construction management plan prior to works commencing on site; external lighting scheme of the site; acoustic insulation of residential properties against noise from Palatine Rad, Lapwing Lane and the Metrolink line (including potential vibration impacts), this should also consider the potential of overheating, any approved and installed scheme would be subject to a verification report; acoustic insulation and design of any external plant and equipment; waste management strategy that accords with the council's guidance as the submitted scheme is inadequate; provision of electric vehicle charging points; and, further work in relation to the ground conditions and remediation strategy for the site.

MCC Highway Services - Taking into consideration trips associated with the former use of the pub the change in number of trips is broadly neutral. Overall, the proposed development will have a negligible impact on the surrounding highway network.

Based upon the submitted data there are no concerns about highway safety issues within the vicinity of the site.

The site is well accessed by sustainable modes including regular bus services and Metrolink services from the stop on Lapwing Lane opposite the site.

Pedestrian access will be provided in the form of a 1.0m wide footway along the western side of the vehicle access, which will widen to 1.5m upon entry into the Retirement Living car park. It is recommended that pedestrian footways serving the site are a minimum width of 2.0 metres. In addition, it is recommended that tactile paving's and dropped kerbs should be ensured for the site access.

The level of car parking proposed has been assessed by the applicant within their transport statement based upon research they have undertaken on other sites within their ownership. The development proposed 15 car parking spaces which equates to a ratio of 0.41 space per unit, which is in excess of the survey results. It is requested that at least 2 of the parking spaces are disabled and have dimensions of a minimum of 3.6m x 6.0m.

For apartment developments it is requested that a minimum of 20% of parking spaces have EV Charging.

A mobility scooter store will be in place and provide space for 6 scooters to park. This is acceptable to Highways.

A Construction Management Plan should be provided by the applicant prior to any construction works beginning.

Conditions are therefore recommended to cover provision of: electric vehicle charging points, cycle parking, off site highway works and construction management plan.

Greater Manchester Police (Design for Security Team) – Whilst a crime impact statement has not been prepared for this application they made the following comments:

- Access to the sides/rear of the building should be restricted to residents/staff with a secure boundary/lockable gate.
- The car parking area should be illuminated to a high standard.
- The building should be built to Secured by Design standards and it is recommended that a condition is attached to the planning permission if approved.

Transport for Greater Manchester (Metrolink) - Metrolink have no objection and whilst the development proposals are unlikely to affect Metrolink operations, the site is reasonably close to the Metrolink boundary and the tramway underpass that runs beneath the Palatine Road/Lapwing Lane road junction, the applicant is advised that the details of working safely near Metrolink can be found on the Metrolink Website.

United Utilities – Recommend a pre-commencement condition be attached to any approval for the submission and approval of a surface water drainage scheme for the site.

Policy

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

Local Development Framework - The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'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 also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. The proposals seek to provide additional diversity in terms of type of housing within the area and towards the creation of neighbourhoods of choice.

Policy DM1 (Development Management) states that new development should have regard to more specific issues including: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy H1 (Overall Housing Provision) Identifies the requirements for provision of new residential development across the City and indicates that new housing will be predominantly in the North, East, City Centre and Central Manchester. High density development (over 75 units per hectare) is identified as being appropriate in the City Centre and parts of the Regional Centre. Within the Inner Areas in North, East and Central Manchester densities are identified as being lower but generally around 40 units per hectare. Outside the Inner Areas (where the application site is located) the emphasis will be on increasing the availability of family housing therefore lower densities may be appropriate. The policy clarifies that the proportionate distribution of new housing, and the mix within each area, will depend on amongst other things:

- The number of available sites identified as potential housing sites in the SHLAA;
- Land values and financial viability;
- The need to diversify housing stock in mono-tenure areas by increasing the availability of family housing, including for larger families; and
- the availability of other tenures to meet the identified needs of people wishing to move to or within Manchester.

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 older people, with schemes adding to the stock of affordable housing.

Policy H8 (Affordable Housing) states affordable housing contributions will be considered of 0.3 hectares and 15 units or more. The applicant has provided a financial viability assessment alongside the application submission, this matter is considered in more detail within the issues section of this report.

Policy EN1 (Design Principles and Strategic Character Areas) - The southern character area in which the site is located is indicated as appropriate for development along the radial routes that are commensurate in scale with the prominence of its location. This matter is considered in more detail within the issues section of this report.

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. The application is accompanied by a Heritage Assessment and this matter is considered in more detail within the issues section of this report.

Policy EN4 Reducing CO2 Emissions by Enabling Low and Zero Carbon & Policy EN6 Target Framework for CO2 reductions from low or zero carbon energy supplies. The Proposed Development takes an enhanced building fabric led approach to minimising energy demand by minimising heat loss from the building envelope and building systems.

Policy EN9 (Green Infrastructure) - New development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. The proposals incorporate areas of landscaping and tree and hedge planting to enhance the setting of the residential building.

Policy EN 15 relates to Biodiversity and Geological Conservation. The policy indicates that the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City. The applicant has undertaken Ecological Appraisal of the site which does not raise any significant ecological concerns but makes a series of recommendations regarding precautionary measures during construction works and provision of biodiversity gain on site.

Policy EN 16 Air Quality – The site lies adjacent to an Air Quality Management Area as such the application is accompanied by an air quality assessment. This reviews the existing air quality conditions, assesses proposed development traffic generation, impacts of existing sources of air pollutants on future residents and then assesses the significance of air quality impacts. The conclusions of this assessment are that: changes to traffic flows as a result of the development would have insignificant effects on existing residential properties; and, air quality conditions for future occupiers of the development would be acceptable.

Policy EN 17 Water Quality - The development would not have an adverse impact on water quality. Surface water run-off and grounds water contamination would be minimised.

Policy EN 18 Contaminated Land and Ground Stability – The site has been subject to desk study and site investigations. If the proposals are granted approval further site investigations would be required, and this could be secured via an appropriately worded condition.

Policy EN19 Waste – The proposals incorporate an internal bin store, further details would be required to demonstrate compliance with the Council’s guidance on waste management and this could be secured via an appropriately worded condition.

Policy T1 Sustainable Transport – The development would provide less than one car parking space per residential unit, would provide covered and secure mobility scooter parking facilities and is located in close proximity to a range of public transport modes.

Policy T2 Accessible Areas of Opportunity and Need – The application site is highly accessible by foot, cycle and public transport networks.

Saved Unitary Development Plan 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);

DC26.1, DC26.2 and DC26.5 Development and Noise – A noise assessment has been prepared to accompany the application. With appropriate mitigation it is not considered that there would be adverse impacts on future occupiers.

Relevant National Policy

The National Planning Policy Framework (December 2023) sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role. The NPPF outlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted.

Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. The following specific policies are considered to be particularly relevant to the proposed development:

Section 5 (Delivering a sufficient supply of homes) – The proposals would provide 37 residential units on a previously developed site.

Section 6 – (Building a strong and competitive economy) - The proposal would create jobs during construction that would support commercial premises within the local area.

Section 8 (Promoting healthy and safe communities) – The proposals are accompanied by details on how the site and occupiers which indicates measures to be included into the development to reduce the opportunities for crime and the fear of crime.

Section 9 (Promoting Sustainable Transport) – The proposal is in a location accessible to a variety of public transport modes.

Section 11 (Making Effective Use of Land) – The proposal would re-use previously developed land for the provision of residential properties.

Section 12 (Achieving Well-Designed Places) – The proposals are supported by a Design and Access statement that sets out the context of the site and the design process undertaken. This matter is considered in more detail within the issues section of this report.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) – The proposal has been designed to reduce energy demands. The site is within Zone 1 of the Environment Agency flood maps and has a low probability of flooding.

Section 15 (Conserving and enhancing the natural environment) – The documents submitted with this application have considered issues such as ground conditions, noise and the impact on ecology and demonstrate that the proposal would not have a significant adverse impact in respect of the natural environment.

Section 16 (Conserving and enhancing the historic environment) – The site is located within the Albert Park conservation area and adjacent two others. A number of listed buildings are also in close proximity to the site. The applicant has prepared a Heritage Statement to accompany the application and the impacts on these designated assets is considered in more detail within the issues section of this report.

Planning Policy Guidance (PPG)

The PPG provides additional guidance to the NPPF and the following points are specifically highlighted as relevant in this instance.

Design - states that where appropriate the following should be considered:
- layout – the way in which buildings and spaces relate to each other

- form – the shape of buildings
- scale – the size of buildings
- detailing – the important smaller elements of building and spaces
- materials – what a building is made from

Other Material Considerations

Places for Everyone - The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

The City Council's Executive committee, on the 4 October 2023, has now agreed the Main Modification and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Once the consultation has been complete, the representations received will be forwarded to the Examination team managing the Plan. The Inspectors will consider all the representations made on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning application in Manchester. The Plan and its policies must therefore be given considerable weight in the planning balance.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs. Securing higher densities in the most accessible locations is identified as helping to maximise the ability of people to travel by walking, cycling and public transport and reduce the reliance on the car.

Relevant policies of PfE in this instance are:

- JP-S1: Sustainable development
- JP-S2: Carbon and Energy
- JP-S5: Flood Risk and the Water Environment
- JP-S6: Clean Air
- JP-S7: Resource Efficiency
- JP-Strat14: A sustainable and integrated transport network
- JP-G 7: Trees and Woodland
- JP-G 9: A net enhancement of Biodiversity and Geodiversity
- JP-C5: Walking and Cycling
- JP-C7: Transport Requirements of New Development
- JP-H1: Scale, Distribution and Phasing of New Housing
- JP-H3: Type, Size and Design of New Housing
- JP-H4: Density of New Housing
- JP-P1: Sustainable Places
- JP-P2: Heritage

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007) - This Supplementary Planning Document supplements guidance within the Adopted Core Strategy with advice on development principles including on design, accessibility, design for health and promotion of a safer environment. The design, scale and siting of the proposed development is considered in more detail within the issues section of this report.

The South Manchester Strategic Regeneration Framework (2007) - The South Manchester SRF was adopted prior to the preparation of the Core Strategy policies, however, it formed an important document in the formulation of the priorities for South Manchester that were subsequently contained in a number of the subsequently adopted policies particularly in relation to housing priorities. The SRF set out that the key characteristics of South Manchester that shaped the vision and objectives for the SRF are based on a number of key facts one of which relates to the pressure for development and densification which threatens the inherent urban character of the area that makes it attractive in the first place. The SRF also commented that there had been a trend for large villa/family housing conversions for flats and offices placing a further restriction on the supply of larger accommodation. One of the key issues identified in the SRF was to provide a wider choice of housing for attracting and retaining residents and that future housing developments need to focus on providing high-quality family accommodation.

Manchester Green and Blue Infrastructure Strategy 2015 - The Manchester Green and Blue Infrastructure Strategy (MGBIS) sets out objectives for environmental improvements within the City within the context of objectives for growth and development.

Manchester Residential Quality Guidance (July 2016) (MRQG) – This document provides specific guidance on what is required to deliver sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester.

Manchester Housing Strategy 2022 to 2032 - A report prepared for the Executive Committee meeting on the 22nd July 2022 indicates that the Manchester Housing Strategy (2022-2032) sets out a long-term vision which considers how best to deliver the city's housing priorities and objectives, building on progress already made, whilst tackling head on the scale and complexity of the challenges ahead. The priorities for the new Housing Strategy are:

1. Increase affordable housing supply & build more new homes for all residents
2. Work to end homelessness and ensure housing is affordable & accessible to all
3. Address inequalities and create neighbourhoods & homes where people want to live
4. Address the sustainability & zero carbon challenges in new and existing housing stock

Manchester Climate Change Framework 2020 - 2025 - The Manchester Climate Change Framework (2020-2025) was published in February 2020 and sets out the Council high level strategy for Manchester to be a thriving, zero carbon, climate resilient city.

Other Legislative requirements

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

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

Issues

Principle

The principle of the redevelopment of the site for residential purposes has previously been considered acceptable through the granting of previous planning approvals as set out within the planning history section of this report. The current proposals are for a different form and density of development than that previously approved.

Policy H6 sets out the framework for determining residential developments in this part of the city. Whilst the general planning policy approach is to direct high density residential proposals to district centres in south Manchester, this does not preclude development of this nature elsewhere. It is acknowledged that there will be sites which can accommodate higher density proposals due to location and character. The policy advocates the suitability of such proposals where provision would add to diversity of housing and accommodation that meets the needs of older people. As such it is considered that a higher density apartment scheme for older people would comply with the strategy set out in the adopted housing policies of the Core Strategy in this sustainable location.

The Manchester Housing Strategy (2022-2032) acknowledges the need for additional housing provision for older people across the city and the benefits and opportunities this would bring, particularly in relation encouraging and promoting right-sizing to release family homes. The application proposals would assist in meeting this need.

Consideration of other planning issues and the impact of the proposal upon its surroundings and adjoining occupiers, as well as the impacts on the character and appearance of the conservation area is outlined further below.

Residential Amenity

Concerns have been raised from adjacent residential properties regarding the potential impacts of the development on residential amenity, in particular as a result of overlooking and the resultant loss of privacy.

Overlooking and loss of privacy - The closest residential properties to the site are no. 114 Palatine Road immediately to the south of the application site and the residential properties on Raleigh Close to the northwest. There are also the future residential properties as part of the conversion of the upper floors of the former public house.

The residential properties on Raleigh Close present their gable walls facing the application site with a separation distance from the application site boundary of between 1 and 1.5 metres. The siting of the proposed building would not be immediately adjacent the residential properties on Raleigh Close and windows in the north west elevation of the proposed building have been placed so they have direct views down Raleigh Close and over the car parking areas on that road, any views from these windows towards the existing residential properties would be at such an angle that direct overlooking into those properties is not considered to arise.



Relationship between the proposed building and existing residential properties on Raleigh Close



View east from Raleigh Close towards the application site

The residential property at no. 114 Palatine Road is set back into its plot approximately 38 metres from the Palatine Road frontage. As well as the main building, a further detached building sits in the northwest corner of the rear garden area, this appears to be a historic property and would appear to be in residential use.



View south west across the site towards the side gable of no. 114 Palatine Road (edged red)

The proposed building is set between approximately 5.6m and 10.3 metres away from its south western boundary. No.114 sits a further 6.8m from the boundary with the application site.



Extract from the proposed site plan showing relationship between the proposed building and number 114 Palatine Road

The proposed building does contain a total of 45 windows and patio doors/Juliette balconies on the elevation facing towards the existing property (15 windows over 3 floors) which would predominantly serve bedroom and living room spaces. Whilst the previous planning approvals on the site would have resulted in windows facing towards number no. 114 Palatine Road there would have been fewer windows in a fewer number of properties. Whilst the southern boundary of the site does have a number of boundary trees and vegetation, it is considered that given the number of windows and likely greater use of the rooms that they serve, the proposed development would give rise to the real perception of overlooking and consequential loss of privacy resulting from this relationship between the proposed development and existing residential property at 114 Palatine Road.



Context elevation of the building facing towards no 114 Palatine Road with boundary vegetation



Proposed elevation facing towards no. 144 Palatine Road without boundary vegetation and fence

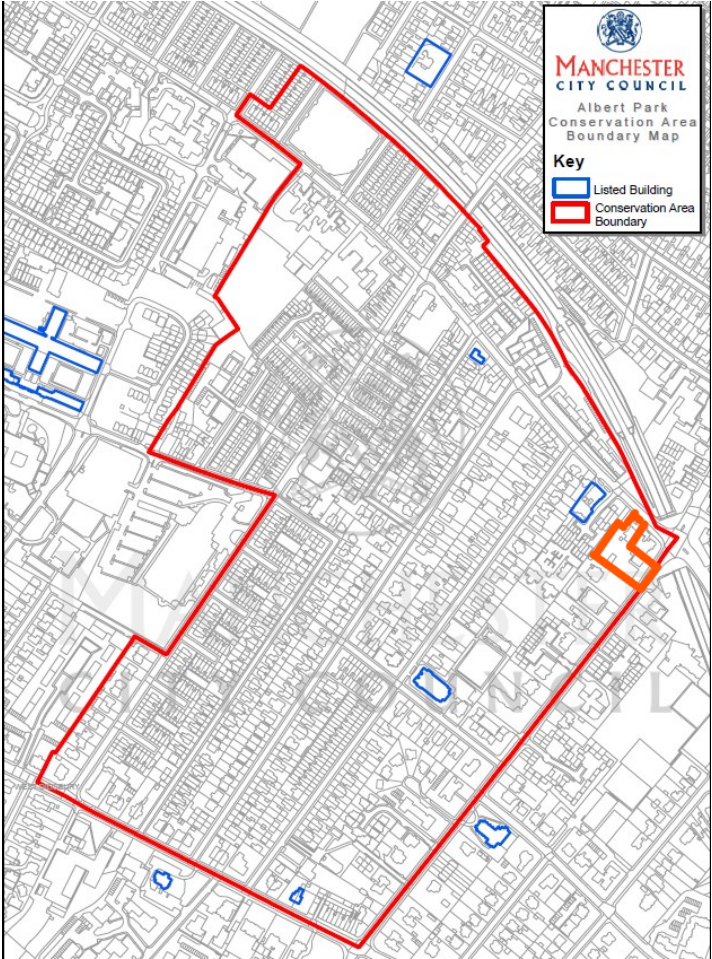
The distance between the proposed building and the retained former Public House building is approximately 6.8m. The elevation of the public house would have one bedroom window at first floor and three-bedroom windows at first floor. The proposed building has two windows on each floor of the elevation facing directly towards the former Public House. These windows serve a kitchen and a secondary window to a living room space. Given the distance between the existing building and proposed these is the potential for a loss of privacy to occupiers of the apartments in the converted building. If the proposals were considered acceptable in other respects, a condition would have been proposed so the windows serving the proposed apartments on this elevation would be obscurely glazed and made non-opening.



Relationship between the proposed building and the converted former Public House

Daylight and Sunlight – It is not considered, given the siting of the proposed building, that it would give rise to impacts on daylight, sunlight or overshadowing to most existing residential properties adjacent the application site. However, given the height of the proposed building and distance away from the existing property to the north at number 5 Raleigh Close that property may experience a loss of daylight and sunlight to windows within its front elevation from the morning until mid-afternoon. The impacts appear to be to a first floor kitchen and landing window, and second floor bedroom window. It is not considered that these impacts would be so significant as to warrant refusal of the proposal.

Impact on the Conservation Areas and designated heritage assets – The site is located within Albert Park Conservation Area, on the boundary with Blackburn Park and Ballbrook Conservation Area and within close proximity to the Grade II listed Former District Bank and Withington Town Hall, on a prominent junction of Palatine Road and Lapwing Lane.



Albert Park Conservation Area edged red – Listed buildings are edged blue and application site edged in orange

The applicant has prepared a Design and Access Statement and a Heritage Statement to accompany the application. The Heritage Statement sets out an understanding of the historic environment resource within and surround the site in order to: assess the significance of the heritage assets; and an assessment of the impact of the proposed development on the significance of the heritage assets and

their settings. The applicant’s assessment concludes that the redevelopment would result in less than substantial harm to Albert Park Conservation Area and would have no harmful impacts to either Blackburn Park and Ballbrook Conservation Areas or nearby listed buildings.

The site comprises of the Former Summer Hill, later Greenfinch Public House, constructed in the 1860s in buff brick on a double-pile plan. Located on a corner site, the building presents attractive and well-presented frontages to Palatine Road and Lapwing Lane and makes for a prominent and important addition to the conservation area. Due to its age, and architectural, historic and townscape interest it is considered a non-designated heritage asset. The site otherwise includes tarmacked grounds to the southwest and northwest, formerly the gardens attached to the villa. The plot is bounded by the original low-lying stone wall with modern ball-top railings on top.



View west across Palatine Road towards application site – indicative extent of site frontage is highlighted with orange line

The special significance, distinctive character and sense of place of the area depend on the grain, scale, appearance and form of development, and its verdant nature, with a large number of mature trees and open spaces, most in the form of private landscaped grounds.

The plot is surrounded by domestic scale 19th and 20th century development, dominated by Victorian villas to both sides of Palatine Road and more mixed residential and commercial development on Lapwing Lane. Red and buff brick dominate, albeit stone and timber (i.e. windows, doors, mock-cladding) are also common and characteristic of the area.

Whilst the principle of some new residential development can be supported, it must be of an appropriate scale, footprint and appearance – to preserve or enhance Albert Park Conservation Area and make a sympathetic and high-quality new intervention in its historic context.

Form and Layout - Due to the proposed size and mass the proposed development is considered to fail to maintain the sense of place and history and the distinctiveness of the conservation area.

The proposed development would be on a substantial footprint, uncharacteristic of most development in its setting, especially along Palatine Road which is characterised by Victorian villas set within ample open grounds. Whilst the proposals seek to reduce impacts through a stepped height and projecting gables, these are not considered to alleviate its domineering impact on the local amenity and street scene.



Applicants illustrative drawing as viewed from Palatine Road

As a result, the development is considered to be an overdevelopment of the site in its context, and excessive in size and mass as compared to existing development. It is considered that the proposed building would appear incongruous within its immediate context, eroding the special significance and distinctive character of the Albert Park Conservation Area – characterised by generous open space and relatively loose

urban grain.



Applicants illustrative drawing as viewed from Lapwing Lane

It is also considered that the proposals would adversely affect the setting and character of the adjacent Blackburn Park Conservation Area, comparative to Albert Park Conservation Area in its verdant character, urban grain, scale and layout of its buildings, qualities reflected in the streetscene on the east side of Palatine Road and which contribute to its special heritage significance and distinctive character.

Appearance - The proposed scheme attempts to echo some of the surrounding historic development in basic form and use of materials, including the use of buff brickwork and pitched roofs. However, the proposed development is considered to fail to capture the design quality of the historic buildings in the area or quality of materials used, including that of the adjacent Wren House, and would not add positively to the local townscape.

The use of plastic windows, concrete tiles and unduly contrasting 'rough' brickwork are of particular concern, which would appear incongruous with the well-proportioned timber windows, stone slates and smooth brickwork of the Wren House and other 19th century buildings in its immediate setting generally characterised by high-quality traditional materials.

The proposals lack detail and are not considered to secure quality and architectural merit, which fails to match the visual interest achieved by historic development in the area, as exemplified by the facades of Wren House, with its bays, deep reveals, porches and other features of interest.

In addition, the proposed entrance is barely distinguishable from the rest of the façade, and would not create a focal point to the frontage of the building.

The result would be a building that is considered to contrast with, rather than compliment the detailed large Victorian Villas in the area. As such the proposals would erode and not make a positive contribution to the special character and distinctiveness of the area, derived in large part from the architectural interest and group value of existing properties, with an adverse impact on the sense of its place and history.

Due to its form, footprint, mass and appearance, the development would fail to fit well in its heritage sensitive context and not meet the objectives of paragraph 135 of the NPPF.

It is considered that the proposal would result in a less than substantial harm as defined by paragraph 208 of the NPPF, to the setting and significance of the Albert Park conservation area and adjacent Blackburn Park conservation area. As directed by paragraph 208 of the NPPF, it is necessary to consider whether the public benefits of the proposal outweigh the harm. This is considered below.

Public benefits – As set out above it is concluded that the proposal would give rise to less than substantial harm to the designated Conservation Area as defined within the NPPF. Any level of harm should be outweighed by the public benefits that would be delivered in accordance with the guidance provided in paragraph 208 of the NPPF. In assessing the public benefits, consideration has been given to paragraph 8 of the NPPF which outlines the three dimensions to achieve sustainable development: economic, social and environmental.

The applicant has identified a range of benefits that would arise through the delivery of the proposals these are set out within the Planning Statement submitted alongside the application and include:

- Delivery of housing for older people of which there is a need
- Redevelopment of a previously developed site
- Redeveloping a sustainable site
- Effective and efficient use of land
- Meeting local housing need for affordable housing
- Visual enhancement of the townscape
- Freeing up under occupied local housing stock
- Economic benefits
- Social benefits
- Environmental benefits

The applicant has also presented several examples of appeal decisions from the south of England where the above benefits have been determined to be of significant or moderate weight in those appeals and have been subsequently allowed by the Planning Inspectorate.

Whilst the benefits of the proposals are acknowledged, as is the general principle of the site's redevelopment for the provision of older person residential accommodation, it is not considered in this instance these benefits outweigh the harm of the application proposals on the preservation and enhancement of the conservation area in which it is located and the adjacent Blackburn Park conservation area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places considerable weight in the exercising of the Council's planning functions to give special attention to the desirability of preserving or enhancing the character or appearance of that area.

It is considered, therefore, that the harm identified would not be outweighed by the public benefits of the scheme. Particularly as the harm could be minimised and

reduced through a proposal of excellence in design and a more sympathetic mass and form of development.

Transport

The site is located in a sustainable location close to existing public transport networks and is accessible by foot and cycle. The applicant has provided a transport statement alongside the application which has been fully assessed and the City Council Highway Services raise no objections to the proposals on highway safety or capacity grounds.

The site previously formed part of a car park serving the former public house as such it is not considered that the proposed level of development for older person residential accommodation would give rise to impacts on the surrounding highway network greater than the previous use.

The proposed pedestrian footway into the site varies in width from 1 to 1.5 metres, it has been identified that this width would be below the recommended width for access routes of 2m or 1.8m over a short distance.

The proposals incorporate 15 car parking spaces for the proposed apartments together with 8 spaces in a separate area to serve the office and 3 no. apartments within the converted public house building. The level of car parking provision for the older person apartments is supported by surveys undertaken by the applicant of their existing developments and car parking requirements. The level of car parking proposed is in excess of their surveys results equating to 0.41 space per residential unit against the survey average of 0.35 spaces and an average demand of 0.29 spaces per residential unit. As such the level of provision proposed for the older person residential apartments is considered acceptable.

If the proposals were considered acceptable suitably worded conditions would be required in relation to the provision of electric vehicle charging points, provision of some cycle parking facilities, off site highway works and a construction management plan.

Accessibility

The proposals incorporate one and two bedroom apartments that are all sized in excess of the space standards set out within the Manchester Residential Quality Design Guide. In addition to this it is set out within documents accompanying the application that the proposals provide for features to accommodate a wide range of people including older and disabled people. Internal layouts have been designed to meet residents' specific needs, with the applicant's design team reviewing the needs of residents from feedback at their other developments. In this proposal the following are included:

- Entrance doors of at least 850mm clear width
- Entrance hall with sufficient turning space
- All hallways with a minimum 900mm width
- All internal doors to habitable rooms have a minimum clear opening of 775mm
- All switches, sockets and other controls are set at easily accessible heights and light switches are illuminated
- The master bedroom allows 750mm around the bed

- Window handles at an accessible height between 450mm and 1200mm above floor level. All windows have safety restrictors
- WCs and showers are designed to be easily accessible and with emergency call points to each space. All have easy turn mixer taps. Shower trays are low level for easy access
- Waist height oven within the kitchen
- Slip resistant flooring in kitchen and bathroom

If the proposals were considered acceptable further confirmation would have been requested from the applicant to ensure a proportion of the residential units to be provided met the requirements of building regulations in respect of wheelchair user dwellings.

Affordable Housing

The application has been supported by a report on Affordable Housing and Viability prepared in accordance with the Royal Institution of Chartered Surveyors reporting procedures and the guidance contained within the NPPF. This has not been independently verified at this stage as there are significant other concerns with the proposal as set out earlier in this report. The submitted report indicates that the scheme proposals would provide viability headroom of £65,125 which is indicated as being potentially secured for the provision of off-site affordable housing.

As set out above, the provision of an off-site contribution would be a benefit of the proposals and it is noted that the previous planning approvals on the site for 9 residential dwellings and 3 apartments did not provide for such a contribution due to the scale of development not meeting the relevant thresholds for testing against adopted Core Strategy policy H8.

If the proposals were considered acceptable then a further independent review of the submitted details would be required, and a possible section 106 agreement would be entered into following independent verification of the financial viability assessment report.

Landscaping and Biodiversity

The proposals incorporate a landscaping scheme which would provide additional street, hedge, shrub and planting beds. In addition, a preliminary ecological appraisal has been submitted alongside the application.

Biodiversity – The site predominantly consists of hardstanding but there are notable areas of trees, hedges and shrubs around its boundaries. There are no statutory or non-statutory designated sites within 1km of the site boundary. The submitted ecological appraisal recommends a number of mitigation measures be taken during the construction phase of development as precautionary measures to ensure these works do not harm potential species of interest on the site including site and vegetation clearance outside of bird nesting season, and a check for hedgehogs prior to clearance to ground level. It is also recommended that the invasive species ‘cottoncreeper’ be eradicated prior to works commencing on site. Biodiversity net gain would look to be achieved on the site and this would have been secured via appropriately worded conditions had the scheme been acceptable in other regards.

Landscaping - If the application proposals were considered acceptable further details would be required on the number and size of trees to be planted within the scheme. It is noted that previously approved residential schemes and the current scheme result in the loss of TPO trees on the site, it was noted at the time of the site visit that a number of these trees had already been removed from the site and it is presumed that this was undertaken as an early phase of works associated with the previous planning approval. As such a detailed mitigation tree planting scheme for this development would be required in addition to those details supplied alongside this application.



Applicants submitted illustrative landscaping scheme

Environmental Standards

The proposals are accompanied by a statement on sustainability and the approach that would be taken to reducing greenhouse gas emissions from the development. This would be through optimising the building performance together with energy efficiency measures following the energy hierarchy and by:

- Using less energy/demand reduction
- Supplying energy efficiently
- Using renewable energy

In addition to the above measures the proposals would also incorporate appropriately sized windows to provide daylight and natural ventilation whilst minimising overheating from excessive glazing; incorporate renewable and low carbon technologies including PV array to be installed on the roof; energy efficient appliances, fixtures and fittings; low energy lighting; electric heating; water flow restrictors. The applicant has indicated that the majority of construction waste would be recycled.

Waste Management

The proposals include an internal bin store, the size and level of waste bin provision has been guided by the applicants experience from its other properties which generally reveals a lower requirement given occupancy levels against typical apartment schemes. The bin store would be communal and would have covered access for residents. The positioning of the bin store would allow the large wheeled bins to be presented for collection by a private waste operator. Access for refuse vehicles would be from Lapwing Lane and via the car park. The submission details indicate that the vehicle access would allow for refuse vehicles to enter the site on collection days.

Conclusion

The proposed redevelopment of the site has previously been considered acceptable through the granting of planning permission for the development of 9 dwellinghouses and 3 apartments. The provision of residential accommodation in this sustainable location on previously developed land for both houses and apartments for older people would meet the identified needs of this part of South Manchester.

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

Despite the benefits of the scheme, it is not considered that these considerations outweigh the identified harm to the Albert Park Conservation Area and adjacent Blackburn Park conservation area that arise from the proposed form, design, siting and scale of the proposed development.

In addition to this harm, the proposals are considered to give rise to impacts on the privacy of the adjacent residential property on Palatine Road. Whilst the boundary between the application site and residential property does contain boundary planting and trees the proximity of the building together with the number of windows that serve rooms that would be more intensively used would give rise to a real and perceived loss of privacy to the adjacent property.

It is considered that the development proposed would be contrary to policies DM1, EN1, EN3 and SP1 of the Core Strategy and saved policy DC18.1 of the Unitary Development Plan for the City of Manchester together with the requirements of sections 12 and 16 of the NPPF.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality

Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation REFUSE

Article 35 Declaration

The application has been determined in a positive and proactive manner. In this instance concerns with the proposals have been communicated to the applicant during the course of processing of the planning application. The proposal is considered to be contrary to the development plan and has been considered in a timely manner.

Reason for Recommendation

- 1) The proposed scale, layout and footprint of the proposed development is considered to be excessive in size that would appear incongruous and dominant in its immediate context, eroding the significance and distinctive character of the area, failing to preserve or enhance the character and appearance of the Albert Park Conservation Area and the adjacent Blackburn Park Conservation Area contrary to policies DM1, SP1, EN1 and EN3 of the Core Strategy, saved UDP policy DC18.1 and sections 12 and 16 of the NPPF.

- 2) The proposed design, appearance, and choice of materials of the proposed development would result in a form of development that would not be sympathetic or beautiful, and would erode the special character of the Albert Park Conservation Area and adjacent Blackburn Park Conservation Area providing an unduly prominent addition to the local townscape contrary to policies DM1, SP1, EN1 and EN3 of the Core Strategy, saved UDP policy DC18.1 and sections 12 and 16 of the NPPF.

- 3) The proposed development by reason of its relationship to the adjacent residential property at number 114 Palatine Road and as a result of the inclusion and arrangement of windows, doors and Juliette balconies on the proposed building, would give rise to a real and perceived loss of privacy and overlooking of the occupiers at number 114 Palatine Road to the detriment of their residential amenity contrary to policy DM1 of the Core Strategy.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 138765/FO/2023 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

**Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
Transport For Greater Manchester
Greater Manchester Ecology Unit
West Didsbury Residents Association**

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

Relevant Contact Officer : Robert Griffin
Telephone number : 0161 234 4527
Email : robert.griffin@manchester.gov.uk

