

**MANCHESTER CITY COUNCIL**

**PLANNING AND HIGHWAYS**

**APPENDIX TO AGENDA  
(LATE REPRESENTATIONS)**

**on planning applications to be considered by  
the Planning and Highways Committee**

**at its meeting on 20 September 2018**

**This document contains a summary of any objections or other relevant representations received by the Department since the preparation of the published agenda. Where possible, it will also contain the Head of Planning, Building Control & Licensing's own brief comment. These summaries are prepared on the day before the Committee. Very late responses therefore have to be given orally.**

**APPENDIX TO AGENDA  
(LATE REPRESENTATIONS)**

**Planning and Highways Committee** 20 September 2018

**Item No.** 5

**Application Number** 118538/00/2017

**Ward** Crumpsall Ward

**Description and Address**

Outline application for development comprising: Erection of a commercial vehicle MOT and maintenance facility and provision of associated vehicle storage area with all matters to be considered, together with an outline application with all matters reserved except for means of access for up to 8,537m2 of employment uses (B1/B2/B8)

North Manchester Business Park, Land at Brightside Road, Manchester

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**1. Head of Planning**

Minor changes have been made to the wording of conditions 1, 12, 14, 15, 17 and 33 to reflect the phased approach. These changes do not change the requirements or affect the spirit of these conditions.

In addition, the following condition is also requested:

Prior to any works relating to site levels, full details shall be submitted to and agreed in writing by the City Council as Local Planning Authority. Details shall include cross section drawings of any earth works and/or retaining structures required. Works to site levels shall only be implemented in accordance with the agreed details.

Reason - To ensure works to site levels do not contribute to flood risk or have an impact on ground stability or visual amenity, pursuant to policies EN14, EN14 and DM1 of the Manchester Core Strategy.

**APPENDIX TO AGENDA  
(LATE REPRESENTATIONS)**

**Planning and Highways Committee** 20 September 2018

**Item No.** 7

**Application Number** 117249/FO/2017

**Ward** Ardwick Ward

**Description and Address**

Erection of a ground, first and second floor rear extension and alteration and enlargement of the existing roof to allow the formation of 4 dormer extensions for related roofspace accommodation, conversion of basement, related elevational alterations and the formation of an integral bin store with building in connection with the formation of 9 self-contained apartments (Class C3)

231 Upper Brook Street, Manchester, M13 0HL

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**1. The Head of Planning - Further observations**

The applicant's agent has confirmed the withdrawal planning application 117249/FO/2017.

## **APPENDIX TO AGENDA (LATE REPRESENTATIONS)**

**Planning and Highways Committee** 20 September 2018

**Item No.** 8

**Application Number** 120507/FO/2018

**Ward** Levenshulme Ward

### **Description and Address**

Change of use of former post office and sorting office to a mixed use licensed food hall, grocery shop and deli, microbrewery, community space and associated offices with installation of photo voltaic panels to flat roofs and elevational alterations to rear outbuildings

30 Albert Road, Manchester M19 2FP

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### **1. Applicant / Agent**

The following amendments have been requested in relation to the recommended schedule of conditions:

- i. Condition 4 – A minor amendment to the starting point for the implementation of the submitted waste management plan has been submitted;
- ii. Condition 6 – The condition should make reference to the submitted acoustic report and should require that the development be undertaken in accordance with its details;
- iii. Condition 8 – It is considered that sufficient assurance has been submitted to demonstrate that the food hall can operate in accordance with the following proposed opening times, without causing undue noise and disturbance to neighbouring residents , ie,

Food hall – Monday to Sunday: 8.00 am to 11.00 pm;

These arrangements include the closing of windows adjacent to the service yard after 10.00 pm. It is considered that any restrictions to these hours would be unnecessary and unreasonable and would potentially undermine the implementation of the proposed business plan.

With regard to the use of the external forecourt (adjacent to Albert Road), the applicant has provided a detailed assessment of the likely use of the forecourt. The applicant has indicated that the number of external benches with tables could be reduced to 8 (from 10) giving an operational capacity of 48 customers outside the building. The extent of the use of the forecourt would be related to weather conditions and the time of year. It is noted that the external area was previously used in connection with the previous

restaurant use without any complaints regarding noise and disturbance. Notwithstanding the above, an operating hours restriction of 10.00 pm in relation to the use of the forecourt area would be acceptable to the applicant.

- iv. Condition 13 – Attainment of ‘Secured by Design’ accreditation should be removed from condition 13 as it is not a requirement of the crime impact statement prepared by GM Police Design for Security.
- v. Condition 15 – The applicant has submitted a statement that details the arrangements for site management at the end of daily trade, including sweeping of external areas. It is requested that the wording of condition 15 be replaced with reference to the implementation of the details of the submitted statement.

## **2. Officers / Outside Bodies**

Environmental Health – The following comments have been received in response to the further submission of the applicant’s agent:

- i. Condition 6 – The submitted acoustic report has been assessed. It is recommended that condition 6 be maintained in the form set out in the committee report as additional information is required in relation to the assessment of background noise levels in the external areas addendum report. The acoustic scheme also needs to take account of other acoustic measures, including potential requirements relating to the formation of an acoustic lobby, closing the food hall windows in the late evening and the operation of the forecourt area.
- ii. Condition 8 – It is considered that the proposed opening hours of the food hall are considered to be acceptable subject to windows being closed after 10.00 pm. Discussions with the applicant’s acoustician have indicated that an overheating study will need to be undertaken to determine whether the operation of the food hall with windows closed will require additional ventilation. The following condition has therefore been recommended:

Before the development commences an overheating assessment shall be submitted to and approved in writing by the City Council as local planning authority. The assessment shall include noise where windows are required to be open for ventilation. The approved measures where necessary shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To ensure an adequate ventilation strategy is put place as a result of windows being closed for noise mitigation purposes in the interest of the amenity of the occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester, saved policy DC26 of the Unitary Development Plan and chapter 8 of the National Planning Policy Framework.

It is recommended that the uses of the forecourt area be managed through the following condition:

The use of the external forecourt adjacent to Albert Road and within the application site shall only be undertaken in accordance with a schedule of days and hours of operation submitted to and approved in writing by the City Council as local planning authority, and shall not allow for the use of amplified sound or any music in these external areas at any time.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester, policy DC26 of the Saved Unitary Development Plan and chapter 8 of the National Planning Policy Framework.

### **3. Head of Planning – Further observation / modifications to conditions.**

- i. It is considered that the applicant has demonstrated that the internal use of the application premises can be appropriately implemented without unduly impacting upon residential amenity subject to planning conditions. On this basis, it is considered that sufficient information has been provided to allow the application to be satisfactorily assessed.
- ii. In the light of the comments of Environmental Health, it is considered that further information is required to ensure that the food hall can operate appropriately with the windows closed after 10.00 pm and any potential requirement for additional ventilation is addressed before the use is brought into operation. On this basis, condition 8 is retained as reported. Condition 7, is amended to allow the following hours in relation to the food hall:

Food hall – Monday to Sunday: 8.00 am to 11.00 pm with windows to the rear yard area closed after 10.00pm until 8.00 am;

An additional condition relating to the undertaking of an overheating survey is also recommended together with the implementation of any required measures.

- iii. Consideration has been given to the comments of Environmental Health in relation to the hours of use relating the external forecourt. The previous use of this area in connection with the previous restaurant use has also been taken into account. It is considered that the use of the area for eating and drinking up to 9.00 pm would be reasonable and necessary to safeguard residents against undue noise disturbance in the later evening period. A condition relating the use of the forecourt area has been recommended stating the following hours: Monday to Sunday: 8.00 am to 9.00 pm;

- iv. Condition 6 should be retained as set out in the committee report to allow further information to be submitted and to ensure that the premises can be adequately attenuated.
- v. The following comments are made in relation to amendments to the following conditions:
  - a. Condition 4 – A minor amendment to the starting point for the implementation of the submitted waste management plan has been made to read as follows:

‘Before the commencement of the operation of any part of the authorised delicatessen / grocery / microbrewery /food hall uses details of the appearance, specification and location of composter units to be installed as part of the development, along with any related means of external enclosures, shall be submitted to and approved in writing by the City Council as local planning authority.’
  - b. Condition 6 – The condition should make reference to the submitted acoustic report and should require that the development be undertaken in accordance with its details;
  - c. Condition 13 – Has been amended to delete reference to the attainment of ‘Secured by Design’ accreditation. However, the condition has been amended to require that measures recommended in the submitted crime impact statement are implemented within two months of the implementation of the use;
  - d. Condition 15 – Has been amended to ensure the implementation of the site management arrangements, as set out in the agent’s email dated 18 September 2018, as part of the development.

The recommendation remains to APPROVE the application subject to the planning conditions outlined in the report.

## **APPENDIX TO AGENDA (LATE REPRESENTATIONS)**

**Planning and Highways Committee** 20 September 2018

**Item No.** 9

**Application Number** 120378/FO/2018

**Ward** Longsight Ward

### **Description and Address**

Proposed erection of a two-storey primary school with associated playgrounds, all-weather pitch, landscaping, car parking and new vehicular access onto Mount Road following the demolition of the existing building, with retention of existing temporary classroom during construction works

Former Gorton Mount Primary School, Mount Road, Manchester

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### **1. Officers/Outside Bodies**

Environmental Health- have assessed further information received in connection with the proposed boilers and CHP Plant proposed to be installed at the site. They have advised the submitted plant proposals and plant noise assessment are acceptable.

Additional information in relation to ground gas protection has been provided by the planning agent, which has been assessed. The proposed membrane is considered to be acceptable, but cross sectional drawings are required to show the installation, together with a revised Remediation Strategy including this, together with details for the watching brief and potable pipe risk assessment.

### **2. Head of Planning - Further Observations/Modifications to Conditions**

In view of the observations outlined above, it is proposed to rephrase condition no. 13 to ensure that the development is implemented in accordance with the submitted plant proposals and plant noise assessment, in addition to submitted SRL Noise Impact Assessment, dated 17 April 2018.

Furthermore, it is proposed to rephrase condition no.16 as outlined below:-

a) Before the development hereby approved commences, a report outlining the measures required to remediate the land (the Remediation Strategy) shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy. Upon completion of the revised remedial works, a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

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

The recommendation remains to APPROVE the proposed development subject to the rephrased condition detailed above.

## APPENDIX TO AGENDA (LATE REPRESENTATIONS)

Planning and Highways 20 September 2018  
Committee

Item No. 10

Application Number 120113/FO/2018

Ward Deansgate Ward

### Description and Address

Erection of a seven storey apart-hotel (use class C1), comprising 59 rooms on the upper floors, with reception area and ancillary residents' lounge and breakfast area on the ground floor.

1 Alpha Place, Manchester, M15 4PP

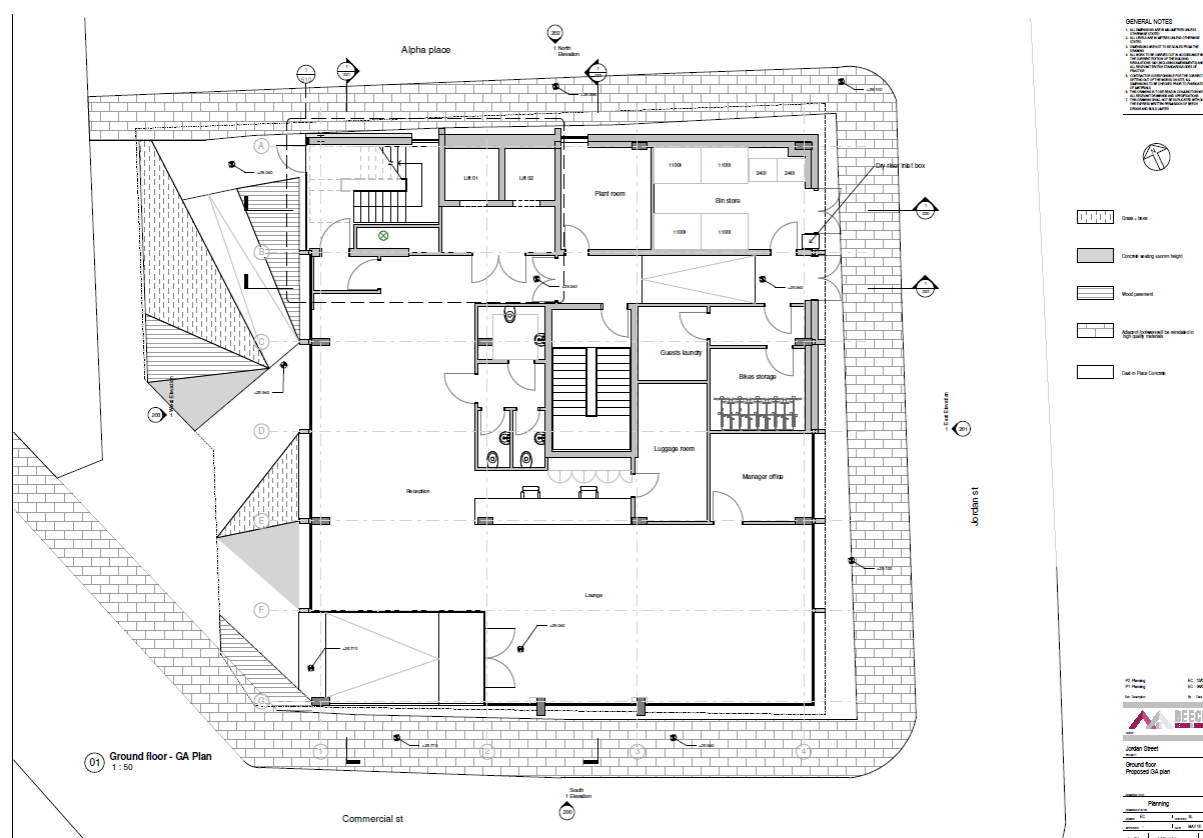
### 1. Consultees

Highways – A service layby has been proposed on Jordan Street, which is considered to be acceptable, subject to further detailed design as part of a S278 agreement.

### 2. Head of Planning

Condition 8 should be amended in light of the comments from Highways.

### 3. Images







## APPENDIX TO AGENDA (LATE REPRESENTATIONS)

**Planning and Highways Committee** 20 September 2018

**Item No.** 11

**Application Number** 120149/FO/2018

**Ward** Piccadilly

### **Description and Address**

Erection of 7 to 8 storey residential building (Class C3) to provide 41 apartments (7 x 1-bedroom 1-person apartments, 6 x 1-bedroom 2-person apartments, 6 x 2-bedroom 3-person apartments, 22 x 2-bedroom 4-person apartments) with associated landscaping and other works.

Car Park Between 57 And 59 Ducie Street, Manchester M1 2JQ

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### **1. Head of Planning - Further Observations/Modifications to Conditions**

**Legal Agreement** - The reference in the Report to a legal agreement refers to the securing of money for the provision of offsite affordable housing in the City.

The recommendation should read **Minded to Approve** subject to the signing of a section 106 agreement in respect of financial contribution for off site affordable housing

### **Images**









## **APPENDIX TO AGENDA (LATE REPRESENTATIONS)**

**Planning and Highways Committee** 20 September 2018

**Item No.** 12

**Application Number** 118045/FO/2017

**Ward** Hulme Ward

### **Description and Address**

Erection of a 10 storey residential building (Use Class C3a) together ground floor commercial units (Use Classes A1, A2, B1, D1 and D2) (379 sqm) and the erection of 35 storey residential building (Use Class C3a), following demolition of existing buildings, together with the change of use of the former Department of Transport Building to form a mixed use residential and commercial building (Use Classes C3a, A1, A2, B1, D1 and D2), forming 386 residential apartments in total with associated amenity space, car and cycle parking, access, landscaping and other associated works

Land Bounded By Worsley Street, Arundel Street, Ellesmere Street And Egerton Street, Manchester M15 4JZ

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### **1. Local residents**

A petition has been received which contains 638 names. It should be noted that this does not include signatures or addresses but region and country of residence. Some of the locations are outside of Manchester and the United Kingdom. The reason stated for the petition is that this location is an important part of the community and that a suitable design solution should be found together with the developer.

Three further individual objections have been received in respect of this application. The comments can be summarised as follows:

- The proposal would result in a significant overdevelopment of the site cramming too many apartments into an already closely developed area;
- The proposed development would destroy the setting of St Georges church, overwhelming the church tower and damaging it as a landmark for the area;
- The heritage statement seeks to minimise the domestic nature and scale of the area in order that the intrusion of a 30 storey block is not seen as major;
- Within viewpoint 5 the view of the DOT building will be lost as a result of the development;
- Within viewpoint 3 it is shown that the proposed buildings will completely obscure St George's church. The proposed building would replace a varied skyline with buildings that cut off the skyline completely;

- The assessment of viewpoints 3 and 5 should conclude that the effect of the proposed building would have a high adverse effect;
- The design quality of the proposal does not reduce the diminishing effect such a development will have on the grade II\* listed building;
- There are reservations about the height of the development. It will overshadow all current properties including the listed church. There would also be a loss of privacy for residents in the MOHO and Boxwork properties;
- The proposal includes limited greenery and the only green area will be dug up;
- None of the properties will be affordable, particularly for first time buyers;
- The light survey is questionable particularly the nominal height mass assessment. Within the Base apartments a total of 5 windows were assessed with none of the windows meeting the BRE criteria for both winter and annual APSH. All of the windows will experience an annual APSH alteration in excess of 40%. The report refers to these windows being in a stairwell. Why have only 5 of the 6 windows been measured and why have windows that have been set into a recess been measured in favour of windows on the main building frontage with full light which will be subject to a greater loss.

## **2. Head of Planning**

The additional comments received in respect of this matter are noted. The printed report provides a detailed consideration of the density, scale and impact of the development on the surrounding heritage assets.

The report notes that there will be some impacts on the surrounding area together with the setting and views of the localised historic environment. Historic England concur with the conclusions in the report in that the impact on the listed church, and the wider area, are not significant with the church being afforded 'breathing space' as a result of its sizeable churchyard. It is acknowledged that the proposed development will form a new backdrop of the church, which will have an inevitable impact on the church tower. However, Historic England concluded that this would not be in itself harmful due to the surrounding urban context.

The comments with regards to the adequacy of the daylight and sunlight report have been duly considered. The printed report provides a detailed account of the associated impacts on the adjacent residential apartment building noting that there will be some localised impacts on daylight and sunlight. However, such impacts are not considered to be unduly harmful given the context of the application site with windows in all the developments performing well with regards to daylight and sunlight given the tight urban grain of the local area.

With regards to the number of windows within the Base apartment building which were surveyed for their impact on sunlight, it is confirmed that in line with BRE guidelines, it was only necessary to consider 5 out of the 6 bedroom windows within the recess area due to their orientation. The reason why the

windows on the main elevation facing Arundel Street were not surveyed is because they do not face within 90 degrees of due south thereby not requiring assessment. The 5 window that were surveyed within the recess do face 90 degrees and therefore required assessment.

## **APPENDIX TO AGENDA (LATE REPRESENTATIONS)**

**Planning and Highways Committee** 20 September 2018

**Item No.** 13

**Application Number** 120908/FO/2018

**Ward** Rusholme Ward

### **Description and Address**

#### **Description and Address**

Erection of 6no. three storey six bedroom townhouses to provide managed student accommodation (sui generis) with landscaping, cycle parking and other associated uses.

Langdale Hall, Upper Park Road, Manchester, M14 5RJ

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### **1. Local Residents/Public Opinion**

**Local Residents** – Four additional letters of objection have been received, the comments of which are outlined below:

- The proposed building is inappropriate and will adversely affect the views of the residents' back gardens and will also threaten the privacy of many neighbouring residents.
- The proposal has already been rejected on a previous occasion by the Planning Officers and Committee. It has been returned with no changes to its plans. Reconsidering the same plans which have already been refused is a waste of time and money and an abuse of the system.
- The erection of 6x three storey townhouses, each providing six student bedrooms (i.e. a minimum of 36 occupants) is an inappropriate development on this site, within a Conservation Area and adjacent to a Listed Building, whose setting it would compromise. It is fortunate that, in nearby Victoria Park, the character and appearance of the remaining mansions have been protected by the City Council by the establishment of a Conservation Area.
- The applicant's own heritage statement acknowledges that 'Langdale Hall is of high significance when assessed against Historic England's four preferred measures of evidential, historical, aesthetic and communal value'. The atmosphere of the original Victoria Park is unique in Manchester and the area still retains its character, thanks to the vigilance of officers and councillors when inappropriate development is proposed within the Conservation Area. The mansions and their generous gardens are visible evidence of the city's very affluent past, when it was the world leader in industrial revolution cities.
- Retaining the large gardens has cultural significance. It also has ecological merit, by providing wildlife corridors, facilitating movement across an area well-endowed with city parks.

- References to 'high quality' accommodation sit uneasily with the fact that the proposal falls short of the Manchester Residential Quality Guidance for floorspace. None of the units are en suite. There is no guarantee that the 'affordable' status claimed here will, or even can, be enforced. The tennis court is in use, despite the failure of Langdale Hall management to maintain it in good condition. And with a student population of 40,000+ (12,590 postgrad), an extra 36 is not a game-changer in housing Manchester's students. It is not the case that the financial stability of Langdale Hall rests on compromising its historic garden.
- On grounds of policy this application has to be refused. The site merits the special protection which is afforded nationally and by Manchester to Conservation Areas and to the setting of Listed Buildings. No public benefits exist which can mitigate the harm which would be done by this proposal.
- The Planning Statement takes a partial view of the proposals based on certain unsubstantiated projections of demand and grossly overstates the so called 'immense public benefit' of the scheme, which fails to justify the impact on the setting of Langdale Hall, its neighbours and the wider Victoria Park Conservation Area.
- The naïve and elementary drawings presented do not reflect the realities of construction or more likely consequences of the proposal and the impact on the context.
- The Heritage Statement is not an independent study and thus unsubstantiated by Historic England but nevertheless notes the impact on the setting of Langdale Hall as 'Medium Adverse'.
- Given the very minor contribution the scheme would make to the University's accommodation needs, the public benefit is similarly very minor.
- The need for the student accommodation is questionable. Rather than a temporary blip, the 5% decline in EU student applications referred to by the applicant has been followed by a further 4% decline for the year 2017/2018, continuing the downward trend.
- The design is completely out of context with the Victoria Park Conservation Area (NPPF), fails to address Council Policy on design (DM1) and there is little evidence that it is deliverable - a prerequisite of development (H12:10). The design has no contextual or architectural lineage with the existing Hall. Save for a similarity in colour, there are no common features in terms of massing, height, materials, scale or proportion, which might have created some sympathy with the existing Hall.
- Distances between facing properties must be seen in context and appropriate to location (this is NOT the city centre). 20 metres may be accepted for buildings in the City centre or at greater densities but not at suburban density or where it would impact on the character of an established Conservation Area. In face to face or back to back or side to side, it is more appropriate to expect an equivalent setback either side of the boundary, which in this case would equate to 32m in total (about the same as the distance between the development and Langdale Hall)

- There is no acid-etched concrete in the Hall or any equivalent. The Hall façade are idiosyncratic, not rhythmic. Glazed balustrades were unknown to the Victorians. Monolithic 'carved' and chunky facades do not parallel the delicacy of the finely fenestrated Victorian bay windows.
- The provision for waste removal requires residents to take responsibility to segregate and take waste to a central area immediately adjacent to a single existing building under cover. The new arrangements would rely on residents taking rubbish from individual and separate town houses, 50 yards in the rain around the existing hall – with the shortest route across the front of the hall. The student population in individual houses like this in the area is notoriously slack in dealing with waste and this is highly likely to result in uncleared and un-retained bins, dropped waste en route and rubbish piling up outside of the terraced houses either in the front facing into the gardens or at the rear as a pest and smell nuisance to adjoining properties.
- The new application considers that the quality of existing properties in Redclyffe Avenue are detrimental to the Conservation Area While the application suggests that screening of the properties will improve the setting of Langdale Hall. It is worth noting that we cannot recollect a time when the quality of adjacent properties was considered a justification for disregarding the impact that an application would have on them.
- The loss of trees is a major concern for the site, the setting of Langdale Hall and for the Conservation Area. To date, the applicant has provided misleading information about both the building and how it will be built and about what measures are possible to protect the existing trees.
- The proposal itself does not provide a well-considered student offer. Six terraced houses will be placed in complete isolation from a wider student community. The proposed typology works well in the university campus arrangement where townhouses are supported by dedicated social hubs or academic buildings. None of these features are available within the proposal which does not promote social interaction and cohesion or make students a part of a wider community. In fact, there is a serious danger of social exclusion and isolation, which are known to lead to mental health issues amongst students and are now actively tackled by universities across the country. Students will be tucked away in their bedrooms with no real sense of community and belonging.
- The applicant claims that the proposals take a 'proportional cue from the adjacent Victorian Villa', whereas the width of frontage of the individual townhouse are 20% greater than that of the Hall; the overall proportion of each town house façade to each of the Hall bays facing Denison Road are 1.47:1 (plus gable) and 1.58:1 (with a flat roof) respectively – an extreme difference in proportional terms in itself but worse yet when the projecting bays of Langdale Hall are taken into account; the proportion of glazing to solid is in the order 60% in the townhouses and less than 50% in Langdale Hall.
- There has of course been no Public Consultation for this application. Although the response to the previous application has been overwhelmingly negative, how can officers have had the time to include

the increased volume of negative comment in this application in the three days they have allowed for themselves? In any event it is understood that the report was already ready on the deadline day for objections.

- English Heritage have no budget to comment on applications for Grade 2 listed buildings and have not done so. How can this 'No comment' be construed as a neutral or even positive response to this application as reported?
- As far as we are aware, Council's Conservation Panel has not been consulted for this application. If this is the case, how can their previous neutral response be included?
- We understand that the Manchester Civic Society has not been consulted. How can this be appropriate or any previous comments be included?
- The necessary agreement to work with the Universities required to prioritise this development of student accommodation has never been offered. While a letter of generalised encouragement only has been put forward by one of the Universities, this again was for the previous application. How can this be included for this application?

**Manchester Civic Society** – Object to the proposal on the following grounds:

- The proposal will substantially reduce the landscaping surrounding Langdale Hall (Grade II Listed), and will thereby damage the quality of its setting by affecting the views from within the grounds and from Langdale Hall itself. It will also harm the character and appearance of the Victoria Park Conservation Area and be out of character with the locality and the conservation area, a key attribute of which is very generous garden plots.
- This location is a significant and very visible site within the Victoria Park Conservation Area. The buildings, and their settings in the Conservation Area, illustrate the way of life enjoyed by the Victorian gentry, as they built and settled in gracious residences, with generous gardens, in what were then the green outskirts of the city. Retention of such garden spaces conserves the character of the area; building a discordant development on them destroys it.
- The extra protection imposed within a Conservation Area requires that development should preserve or enhance the character and appearance of that Area. The removal, by building on it, of the green space in a very visible location within the Victoria Park Conservation Area does just the opposite.
- Development on this particular green space should certainly not be permitted, because the planning permission for the annex at Langdale Hall was conditional on its retention.
- The City Council has resisted attempts to degrade the Conservation Area, as evidenced by relevant Decision Notices to this effect, including for this site. For instance, officers have stated that, 'The proposal would not improve the social and environmental conditions of

the area nor does it comply with the development plan and therefore does not comprise sustainable development.'

- When such Decisions have gone to Appeal, planning inspectors have found in the Council's favour. The judgments identified the main issues as the effect of the development on:
  - a) the character and appearance of the Victoria Park Conservation Area
  - b) the setting of Langdale Hall, a Grade II Listed Building
  - c) the living conditions of the future occupiers of the proposed development and the residents of 46 apartments previously approved on the site of Langdale Hall in relation to the provision of amenity space
  - d) the availability of adequate facilities in the area due to the loss of the existing tennis court on the site.
- The standard required to satisfy national historic conservation constraints is inevitably a high one. Local standards for development in general are naturally less stringent. Despite this, the proposal also falls short of a whole raft of Manchester's requirements for general development, as set out in the Core Strategy Policies of the Manchester Local Plan. This should lead to problems in signing off a proposal such as this. The proposal is contrary to Policies SP1, H1, H12, EN3 and EN9.
- The garden is a key component of the asset, not merely a setting. In Victoria Park, the combination of gracious mansions in generous sized gardens is a key attribute of the appearance and character of the Conservation Area. Thus the status of the garden goes beyond merely the 'setting' of a heritage asset, the garden is itself a component of that asset.
- Manchester Civic Society cannot agree that the harm inflicted on this sensitive site is merely 'less than substantial'. This site has already housed a large additional building, only on condition that no further building was to be entertained here, due to the harm that a second addition would inevitably inflict. This is not a matter of sensitively siting an extra building; there is no way of siting more on this site without inflicting substantial harm.
- The student offering on site could be enhanced by replacing the existing additional building (on the same footprint, but with more efficient use of space) with one better-suited to postgraduate needs, possibly with more units and certainly delivering a higher quality product.
- The University of Manchester states that in 2018 it had over 40,000 students, including 12,590 postgraduates. While we appreciate that every little helps, in context, 36 extra spaces would provide 0.003% of the postgraduate need.
- The tennis court is in use, despite the failure of Langdale Hall management to maintain it in good condition. The existence of 60

tennis courts in south Manchester is clearly insufficient for current demand; those at Platt Fields regularly have people queuing to play.

- References to 'high quality' accommodation sit uneasily with the fact that the proposal falls short of the Manchester Residential Quality Guidance for floorspace. None of the units are en suite.
- There is no guarantee that the 'affordable' status claimed here will, or even can, be enforced. There is no explanation of how 'affordable' is defined.
- The right of respect to the privacy of neighbours of the site is incompatible with balconies, especially when these provide elevated views over gardens. There is no public benefit which is conferred by this scheme, so there is no valid justification for interference that this scheme imposes on the human rights of the neighbours.

## **2. Head of Planning - Further observations/comments**

The majority of these additional comments raised by the local residents and civic society have been addressed in the main body of the committee report.

However, there are a number of points that require explanation, namely:

**“There has of course been no Public Consultation for this application.....”** – Local residents and civic groups were consulted and a site notice was displayed at the site. The majority of the comments received are included in the main body of the report. Due to the timescales required for the preparation and publication of the committee report, a number of comments, while received within the notification period have had to be included within this Late Representation.

**“English Heritage have no budget to comment on applications for Grade 2 listed buildings and have not done so...”** – The comments of Historic England are contained within the main body of the report and are reproduced below for convenience:

*“On the basis of the information available to date Historic England have stated that they do not wish to offer any comments and suggest that the views of the Council’s specialist conservation and archaeological advisers are sought.”*

**“As far as we are aware, Council’s Conservation Panel has not been consulted for this application...”** – As the application was identical to that previously submitted the Panel’s original comments were used for this proposal. It is not considered that their comments are a *“neutral response”* as stated by the objector.

The recommendation remains one of **APPROVE**.

## **APPENDIX TO AGENDA (LATE REPRESENTATIONS)**

**Planning and Highways Committee** 20 September 2018

**Item No.** 14

**Application Number** 119450/FO/2018

**Ward** Old Moat Ward

### **Description and Address**

Erection of 12 no. four-bed, three-storey dwelling houses (Class C3) with associated parking, landscaping and boundary treatment following demolition of existing, vacant, public house

The Old House At Home, 73 Burton Road, Manchester M20 1HB

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### **1) Local Residents**

Three further representations have been received from local residents. These re-iterate issues reported within the printed report and assessed within it, the matters raised are summarised as:

- Highway safety impacts of the introduction of 12 driveways along this section of Burton Road;
- The rear first floor planters could be used as balconies.
- Question the legitimacy of the daylight assessment carried out by the applicant and that this should not be relied upon the Council;
- The proximity of the new development to Newton Avenue is too close. A case cannot be made to defend against a loss of privacy by considering the distance between two facing walls with no windows;
- Insufficient provision parking and the development being significantly stepped forward from the line of Burton Road are my other two main issues.
- 12 houses is an overdevelopment of that site;
- The proposed development is clearly not in keeping with the vast majority of the immediate surrounding area of Burton Road;
- The Developer has consulted us but fails to say they have in essence taken no notice of what any of us have said.

### **2) Head of Planning - further observations**

If members are minded to refuse the application for the privacy reason provided within the printed report the applicant has confirmed that they would be willing to accept a condition to be attached to approval for a scheme to obscurely glaze the rear bedroom windows.

Such a condition could be worded in the following manner:

Before the first occupation of the residential units hereby approved a scheme to provide obscure glazing to the rear first floor bedroom

windows of the residential units shall be submitted to and approved in writing by the local planning authority, and the agreed scheme shall be implemented and retained as such thereafter.

Reason – In the interests of residential amenity and to reduce overlooking and loss of privacy to occupiers of numbers 1 – 10 Newton Avenue pursuant to policy DM1 of the Core Strategy.

The recommendation of the Head of Planning remains to **APPROVE** the application.

## APPENDIX TO AGENDA (LATE REPRESENTATIONS)

**Planning and Highways Committee** 20 September 2018

**Item No.** 16

**Application Number** 119242/FO/2018 &  
119243/LO/2018

**Ward** Didsbury East  
Ward

### **Description and Address**

Erection of 22 No. (2 x 3 bed, 18 x 4 bed, 2 x 5 bed) houses (C3), conversion of Parklands (use class B1a) to 39 No. (16 x 1 bed, 20 x 2 bed, 3 x 3 bed) apartments (C3), conversion of and extensions to The Cedars (use class B1a) to 21 No (8 x 1 bed, 10 x 2 bed, 3 x 3 bed) apartments (C3), conversion of The Coach House into 2 No. (1 x 1 bed, 1 x 2 bed) houses (C3) and conversion of The Lodge into 1 No. (1 x 2 bed) house (C3), totalling 85 units, including demolition works, works to highways, provision of parking, landscaping and other associated works.

And

Listed Building Consent for the erection of 22 No. (2 x 3 bed, 18 x 4 bed, 2 x 5 bed) houses (C3), conversion of Parklands (use class B1a) to 39 No. (16 x 1 bed, 20 x 2 bed, 3 x 3 bed) apartments (C3), conversion of and extensions to The Cedars (use class B1a) to 21 No (8 x 1 bed, 10 x 2 bed, 3 x 3 bed) apartments (C3), conversion of The Coach House into 2 No. (1 x 1 bed, 1 x 2 bed) houses (C3) and conversion of The Lodge into 1 No. (1 x 2 bed) house (C3), totalling 85 units, including demolition works, works to highways, provision of parking, landscaping and other associated works.

825 Wilmslow Road, Manchester, M20 2SN

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### **1. Head of Planning**

The following changes are recommended to conditions:

Planning Application 119242/FO/2018

3. Above-ground construction (**excluding demolition or internal strip out works**) works shall not commence until samples and specifications of all materials to be used in the external elevations and hard landscaping around the buildings as detailed on the approved drawings have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual

amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

**5. No drainage shall be installed** until the full details of a surface water drainage scheme has been submitted to and approved in writing by the City Council as local planning authority.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

#### Listed Building Application

3. a) Notwithstanding the details submitted with the application, prior to the commencement of development **(at the Cedars, Lodge or Coach House)** the following shall be submitted for approval in writing by the City Council, as Local Planning Authority:

A programme for the issue of samples and specifications of all material to be used on all external elevations of the development. The programme shall include timings for the submission of samples and specifications of all materials to be used on all external elevations of the development to include jointing and fixing details, details of the drips to be used to prevent staining and details of the glazing and a strategy for quality control management; and

(b) All samples and specifications shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programme as agreed above.

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

4. Notwithstanding the details as set out in condition 2 above no development shall commence **(at the Cedars, Lodge or Coach House)** unless and until final details (including where appropriate specification and method statement) of the following have been submitted to and approved in writing by the City Council as Local Planning Authority

#### The Cedars

(a) Final details of all demolition works needs to be outlined on the floor plans

(b) Detailed sections of the excavation works around the Cedars detailing wall edges and finishes

(c) Final details of a repair specification for the following elements: All new materials, roofworks, render, brickwork or masonry, windows, cornices,

timberworks and any other repairs / restoration works. Paint removal to stone piers and repair of original gates.

(d) Detailed method statement for any demolition works and making good.

(e) M&E related to new windows, new works to balconies and terraces at the rear and junction between new work and existing, intervention in to the roof to create the terrace. If there is soundproofing and fireproofing between units / floors and the impact of these works.

(f) Details of the finish to existing timber panelling

(g) A full window survey and justification for works to windows.

#### Coach House

(a) A full survey and inventory will need to be undertaken.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policy EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

The recommendation of the Head of Planning remains to **MINDED TO APPROVE subject to the completion of a Section 106 agreement relating to affordable housing provision** for the reasons set out in the committee report.

