

Application Number	Date of Appln	Committee Date	Ward
117960/FO/2017	14th Dec 2017	13th Feb 2020	Rusholme Ward

Proposal Conversion of High Elms and erection of a part 3/part 4 storey building to form a total of 110 one bedroom serviced apartments, with associated car parking (4 spaces), landscaping, energy centre, cycle and refuse storage following demolition of existing extensions

Location High Elms , Upper Park Road, Manchester, M14 5RU

Applicant Plymouth Grove Residential Investment Ltd Partnership, C/o Agent,

Agent Mr Jonathan Vose, Walsingham Planning, Brandon House, King Street, Knutsford, WA16 6DX

Description of site

High Elms is a Grade II Listed Building located on Upper Park Road set within the Victoria Park Conservation Area in the Rusholme ward of Manchester. The information submitted alongside the application indicates that High Elms was until 2013 in use by the NHS as a rehabilitation centre for people with mental health issues. Since that time the site and building has been left vacant and hoarded off with the building falling into a poor state of repair.

High Elms is a substantial three storey red brick mid-19th Century building with a later two storey side extension connected to and running south from the main listed building, historic maps indicate that the extension was erected as some point in the 1930s and is therefore by law to be treated as part of the listed building.



High Elms with the 1930s extension to the right (*Google Image circa 2012*)

The building is set back off its front boundary to Upper Park Road and given its previous institutional uses does have areas of hardstanding to the front and side of

the building. There are a number of mature trees on the site together with a hedgerow behind the low front brick boundary wall, many of the trees on the site are subject to a Tree Preservation Order (City of Manchester (Conyngham Road, Victoria Park) TPO 1976).

The site does have a number of residential uses close to its boundaries in the forms of more modern flats to its north (Ashburne House), with converted historic buildings to the east (Lane Court – Grade II Listed) and west (Ellerslie Court). To the south of the site beyond a cleared site which formerly contained Gartness House is the Central Mosque and Islamic Cultural Centre.

Victoria Park retains a high number of important Listed Buildings some of these are in academic use and others have been converted into multi-occupancy residential buildings, the number of listed buildings reflects the historic nature and importance of the area. The area has a number of buildings that have been in use as student residencies for a long period of time such as the University of Manchester Halls of residence at Dalton Ellis and Hulme Halls both of which contain important Grade II Listed Buildings.

The listing description for High Elms on the statutory list sets out the following:

Villa, now offices. Mid to later C19. Red brick in Flemish bond, with sandstone dressings and slate roof. Roughly rectangular plan with back extensions (C20 additions to right). Gothic style. Two storeys and cellar, 3 bays, symmetrical, the centre narrower and slightly recessed and the outer bays gabled; with stone plinth, string course, stone coped gables with raking parapets faced with later cement. The centre has a Tudor-arched doorway with replacement divided doors, moulded stone surround, hollow spandrels, hoodmould, and over the centre of this a panel with a quatrefoil motif. The ground floor has cross-windows and the 1st floor has 3-light windows, all these with slender stone mullions and arched lights, those in the centre and to the right at 1st floor with small panes and the others with altered glazing. Two ridge chimneys. Interior not inspected.



Extract from the 1845 Lancashire Ordnance Map (High Elms is edged red)
(Reproduced with the permission of the National Library of Scotland)

High Elms is therefore one of the earlier houses constructed within the Victoria Park conservation area and is an importance building related to the development and laying out of the Park.

Description of development

The application proposals subject of this report have been amended since they were originally submitted. The form of development now proposed is the Conversion of High Elms and erection of a part 3 - part 4 storey building to form a total of 110 one bedroom serviced apartments, with associated car parking (4 spaces), landscaping, energy centre, cycle and refuse storage following demolition of existing extensions.

The proposed works would require the demolition of a previous extension to the rear of the main element of High Elms, together with the 1930s two storey side extension.



Extensions to High Elms proposed to be demolished outlined red (Lane Court is the white building immediately to the south-east)

The proposals have been amended since being originally submitted these are supported with revised application drawings but not amended supporting documents. The applicant's agent has requested that the City Council as local planning authority determine the application on this basis.

The proposals seek the erection of a part 3 and part 4 storey building within the grounds of High Elms on part of the site currently containing the two storey extension. This building would comprise 94 studio bedroom spaces over 4 floors with the majority ranging in size from 20 to 21.4 sqm although each floor would have one or two rooms of 25 and 32 sqm in size. Each room is indicated as having its own shower room and kitchenette. A communal room and reception for the building is located on ground floor and are of 42 and 38 sqm in size. Access into the building is indicated as being level with pedestrian access taken directly from Upper Park Road. Also to the front of this building would be vehicular access to serve a 4 space car park which would include 1 accessible space – 3 trees are shown as being needed to be removed to facilitate this access and parking area with other existing trees also in close proximity to this area. An energy centre for the development is shown to the rear of the building adjacent the boundary wall with Lane Court which lies to the immediate east.

In addition the proposals seek the conversion of the historic High Elms building following the demolition of the two and three storey additions towards the rear and

side with the erection of a three storey contemporary designed rear extension. The conversion would result in residential accommodation on each floor totalling 16 rooms ranging in size from 20 sqm to 42 sqm. Some internal walls are shown as being removed to facilitate the conversion. Whilst the building does have a basement no specific works are identified on the proposed drawings in respect of this space. Due to the high levels of the ground floor of this building access into the building is via the existing stepped front access with a secondary stepped side access. Located to the north of this building it is proposed to erect a bin store with a cycle store proposed to its southern side connecting with the proposed part 3 and part 4 storey building.



Proposed front elevation (top) and rear elevation with rear extension to High Elms edged red

The supporting statement submitted alongside the application indicates that the proposed accommodation would be serviced and principally to meet the identified accommodation needs of both medical students and research fellows, together with junior doctors at hospitals and other medical institutions. It also sets out that the applicant has been working closely with the NHS Trust that owns High Elms who indicate that due to remodelling of facilities at the Central Manchester University Hospital Trust there is a need to address shortfall in provision for losses in medical accommodation. A supporting letter from the Hospital Trust was submitted alongside the application.

The applicant identifies a number of regeneration benefits from the application scheme including: providing a viable use for High Elms and bring back into productive use a vacant Grade II Listed building; a contractual land deal is in place between the applicant and the Hospital Trust whereby if planning permission is granted for the proposed accommodation at High Elms, land that had otherwise been reserved by the applicant in their ownership for this use, adjacent to the Manchester Royal Infirmary (MRI) could be released to the Trust to enable it to progress upgrades to its Accident and Emergency Unit.

Consultations

The application was subject to two periods of notification following confirmation from the applicant's agent of the submission of revised proposals. These notifications were undertaken by way of letters sent to neighbouring occupiers, posting of site notices, and advertisement in the Manchester Evening News.

In response to these notifications 59 objections were received, a summary of the responses is set out below:

- The proposed development, as it stands of 110 apartments, is an over-development out of keeping with the character of the neighbourhood around Upper Park road, or the heritage and infrastructure of the Victoria Park Conservation Area.
- It proposes building very close to the property boundaries, within the current gardens with all their established trees and wildlife, which seems to contravene the principles of a conservation area.
- The owners are currently allowing the property, which is listed, to fall into a state of disrepair, which is a great concern to me.
- The proposed development will impact existing and serious concerns around parking (the lack of) in the area around Manchester Central Mosque.
- This development will severely impact the adjacent apartments in Ashburne House, which are directly overlooked by the proposed development, and will have no shade/shelter from line of sight from the new development and/or will have reduced sunlight.
- Negative effect on the adjacent Lane Court and its residents;
- It is detrimental to the character of the conservation area; it negatively effects a historic villa setting by building over the entire site.
- 4 spaces for parking will result in local streets being flooded with the cars owned by the remaining 106 potential residents;
- Loss of open green space and mature trees in the conservation area;
- Lack of amenity for the new residents; the bat survey s out of date; negative effect on the neighbourhood The details of the proposal are unclear The development will have a negative impact on the neighbourhood
- Loss of wildlife habitat, the grounds of the site provide habitat to wildlife as well as contributing to making the area an attractive and wholesome place in which to live.
- Other major cities (e.g. Liverpool and Birmingham) have maintained and creatively and sensitively rejuvenated heritage buildings. Please can Manchester City Council emulate this practice?
- The proposal summary says the scheme comprises 'a total of 110 one bedroom serviced apartments, with associated car parking (4 spaces)'. Yet the Planning Statement says 'the scheme will provide 115 studio apartments, 6 one-bedroom apartments, and 6 apartments which are fully Disability and Discrimination Act (DDA) compliant, making 127 serviced apartments in total.' [Section 3.5] It goes on to say that it 'will also provide 19 car parking spaces (including three disabled spaces).' This disparity over the number of units, the type of unit (i.e. one-bedroom or studio apartments), the number of car parking spaces and whether or not there is to be any disability provision makes it unclear just what is being proposed.

- The relationship of the scheme to Central Manchester University Hospitals Foundation Trust Core Strategy - Policy H12 Purpose Built Student Accommodation states that 'Priority will be given to schemes which are part of the universities' redevelopment plans or which are being progressed in partnership with the universities'. This is an important policy because student housing which is independent of the universities' is more likely to be detrimental to the surrounding area. The planning statement explains that the development is intended to provide accommodation especially aimed at medical students. Although this statement includes a letter of support from Central Manchester University Hospitals Foundation Trust (CMUFT) as an appendix, the scheme does not appear to be part of the Trust's development plan nor is it being progressed in partnership with the Trust.
- No support for the development from the University of Manchester, Manchester Metropolitan University or RNCM;
- No adequate amenity space for the development itself
- Victoria Park has currently a mixed community with residential properties that range from family households of various sizes to house-shares to flat conversions and HMOs used by students and others. But the maintenance and continuation of mixed and diverse communities is a fragile process. Along with much of Rusholme, Victoria Park has seen a significant development of multiple occupancy dwellings which runs the risk of unbalancing the neighbourhood. Further intensity of multi-occupancy development is likely to alter the population mix with increased risk of what MCC describes as "harm to residential amenity". The proposal for 110 new flats will contribute to this process.
- We suffer greatly here with pavement parking and illegal parking. The parking provision is insufficient and we are concerned that cars will be permanently on the streets.
- Precedents have already been set for refusing planning permission for similar developments in the Victoria Park Conservation Area such as that for the erection of 6no. three storey six bedroom townhouses to provide managed student accommodation in the grounds of Langdale Hall on Upper Park Road. The subsequent appeal into this refusal was dismissed.
- The proposals are contrary to policies SP1 Spatial Principles; H1 Overall Housing Provision; H5 Central Manchester; H12 Purpose Built Student Accommodation; EN3 Heritage; EN8 Adaptation to Climate Change; EN9 Green Infrastructure; DM1 Development Management; DC6. Housing on "Backland" Sites; DC18. Conservation Areas; DC19. Listed Buildings; Victoria Park Conservation Area – Control of Development; Bat Protection.
- The design of the proposed modern extensions to the house are inappropriate to the Conservation Area. In both their height, block nature and lack of detailing, the building would dominate its setting and would contribute to the further loss of character of the Conservation Area.
- Finally, consideration needs to be given to the balance between the family residential, the commercial/health/educational and the student occupation of the properties in and around Victoria Park. Recent major developments at the Oxford Place/Wilmslow Road junction (students), former St Vincent de Paul School (residential/ HMOs), adjacent to Surrey Lodge Surgery/Rampant Lion on Anson Road (residential) and the Nuffield Hospital development all put additional stresses on the area which need to be recognised and carefully

managed, whether in terms of traffic and highways, parking, community safety or provision of health, education and community facilities. The developer has shown no awareness of these local needs or offered any contribution to solving these issues.

Rusholme and Fallowfield Civic Society –

1. The proposal will result in over-development of the site; the new footprint takes over the entire plot compared to the existing extension;
2. The proposed density is over 7 times higher than that stated in MCC core policy for the area;
3. The loss of open green space is detrimental to the setting of two Grade II listed buildings - High Elms and Lane Court (adjacent to the development);
4. The proposal is contrary to the character of the Victoria Park conservation area - a leafy Victorian suburb characterised by villas in garden setting;
5. The design of the scheme is of poor quality: it shows attempt to mimic the original bays and stone copings of the gables resulting in badly proportioned façades and poor detailing;
6. The proximity to the adjacent Lane Court is of a serious concern - the distances to the existing residential hall have been further reduced; the proposal will result in overlooking, loss of lights and visual amenity;
7. The development itself does not provide sufficient amenity space for the new residents, nor does it offer sufficient indoor space for social interaction resulting in insulation, alienation and mental health issues among students;
8. Proposed energy centre will discharge exhaust into the amenity spaces of the Lane Court and will result in poor air quality for the adjacent residents;
9. The parking strategy is not balanced / resolved and will result in high numbers of additional cars parked on already congested residential streets;
10. Bat survey is out of date and should be resubmitted as a part of this application.
11. The proposal will set up a negative precedent in the area;
12. The overprovision of student accommodation in the area will destroy a fine balance between permanent residents and family homes and transient population. There are other brown sites closer to the hospitals and the universities (for example, former Gaskell Campus) that could be used for student accommodation;
13. Negative effect on the local community

Manchester Conservation Areas and Historic Buildings Panel - The Panel accepted that there needs to be a viable new use for the neglected listed building but felt that the proposals were an overdevelopment of the site that would be detrimental to the character of the conservation area and listed building. The Panel commented on the particular character of the conservation area is of large villas in a landscaped setting. The Panel noted that the existing extension was subservient to the listed building and that the new building steps forward of the existing building line which would create more dominant elements and contribute to it being out of scale with the existing building. The Panel commented that the design and scale reflected more of the aesthetics of a converted mill rather than that of buildings in the conservation area. The Panel couldn't see any architectural strategy for the site and the configuration has no reasoning behind it. They felt that the design needed to develop a clear form and rhythm and re-elevation work and that the proposals needed to respond to their context and wider streetscape. The Panel would expect to see high quality landscaping and boundary treatment. The Panel expressed significant

concern over the poor condition of High Elms which is deteriorating and they asked the owners to carry out urgent works to repair the building and make it weathertight.

Manchester Civic Society – Object to the proposals on the following grounds:

1. Character and Appearance of the buildings - The proposed buildings fail in terms of character and appearance because:

- The very elongated horizontal form of the extension is out of keeping with the Victoria Park Villas
- The fabric chosen is neither sensitive to the existing character of the villa, nor does it provide a charming contrast
- The zinc elements do not soften the form; they are discordant
- The flat roof on the extension at the back of the villa is unworthy. In terms of form and appearance, the existing extension, with its bay windows, is far preferable.

2. The site has already been developed by the existing extension. However, there is sufficient open space left on the plot to permit the plot itself to retain the character of the Conservation Area. To further extend beyond the current footprint would represent an overdevelopment of this site, even in terms of the City Council's own Policies and be totally inappropriate for this Conservation Area, one of whose principal characteristics is of large villas set in spacious gardens.

3. Negative impact on the overall Conservation Area The proximity to neighbouring residential properties of such a large block will detract from the quiet enjoyment to which those residents are entitled, and irreparably damage the quality and character of the Conservation Area as a whole.

4. Harm to the Listed Building The interior of this building has been neglected to an extent which should not have been permitted for a listed building in a conservation area. This property should have been protected, and the owners required to undertake their maintenance responsibilities. It is totally wrong for the building to suffer further indignities by the changes planned here, which include:

- the loss of the second staircase
- the housing of the plant machinery for the extension within the Listed Villa
- the poor design of the flat-roofed rear extension.

5. Density - The density proposed for this site is over 350 units per hectare, which puts it in the same category as those classified in the Council's Policy H1 as high density, i.e. over 75 units per hectare. Even allowing for the fact that these units are single bedroomed ones, this is still a very high density to be imposed on a low-rise Conservation Area. It is only achieved by overdeveloping the site, and ignoring the probable impact of high density living on the area.

6. Parking - The parking provision is too small, just 19 spaces, 3 of which are for disabled drivers, for 127 occupants. This is a particular concern because the development is to be restricted to use by medical students who

- travel to a range of hospitals during training, not all easily or rapidly accessible by public transport
- work shifts which can finish at night.

The on street parking may be increased by this development.

Conclusion - This is a building and site which have been sadly neglected. The site is calling out for a sensitive development of its undoubted potential. Given the size of the existing permitted extension, in proportion to the original building, it seems to us that development here should be limited to the current footprint area of villa plus existing extension.

Historic England (North West) – No response has been received to the second notification of revised proposals.

In responding to the original proposals Historic England noted: *As a historic site highly characteristic of the area in its date, quality, form and garden setting, the application site as a whole is considered to make a positive contribution to the character, appearance and significance of the conservation area. The remaining spacious, green setting of High Elms makes a positive contribution to the overall significance of the listed building. The 1930's extension lends some understanding to the development of the conservation area over time, and is appropriately subservient to the principal building in architectural terms. However on balance with its relatively modest architectural interest and intrusion upon the historic setting of the principal listed building, it is not considered to make a notable contribution to the listed building or conservation area.*

Historic England indicated that *"the 1930's extension to high Elms is not considered to make a notable contribution to either the listed building or conservation area, and its demolition would therefore not cause considerable harm in heritage terms."*

They confirmed that *"the principal of establishing a sustainable use for the historic residence is welcomed as a central part of its long term maintenance and conservation."*

Historic England did raise concerns with the original proposals impacts in terms of the amount and design of the proposed development. In particular they raised concerns that *"the footprint of the proposed new building is substantial, and erodes a considerable proportion of the historic garden setting. It also has the effect of creating a large and visually dominant building, which disrupts the setting and legibility of the historic residence as the principal building on site. As a result, Historic England does not consider that the proposal conserves or enhances the significance of the listed building or conservation area, and causes harm to these associated heritage assets."*

Historic England advised at that stage that the application be withdrawn in order to explore a more balanced solution on site. *"While it would be ideal in heritage terms not to introduce a subsequent extension to the historic residence and fully restore its characteristic garden setting, we can reasonably accept the subsequent introduction of a new build element on site, provided it conserves or enhances the overall significance of the listed building and conservation area. The principal way of removing or meaningfully reducing the level of harm is to reduce the amount of new development proposed, allowing for more green space surrounding the principal building and avoiding heights and massing which challenge the appreciation of the main residence as the principal building of the site. In addition to this, the following points are advised to be considered to reduce harm in heritage terms:*

- *Reduction in the amount of new development on site;*
- *Reintroduction and conservation of green, open space around the High Elms residence;*
- *Setting back new development from the line of the High Elms residence principal elevation*
- *Lowering the height of the new development (e.g. new proposal eaves height lower than that of the listed building)*
- *Opportunities taken within the new development to better reflect the form, layout, massing, detailing and materials of those elements which make a positive contribution to the character of the conservation area.*

Whilst the applicant indicated that they did not wish to withdraw the application, they have stated to the Council that they engaged with Historic England to resolve the concerns raised to original proposals. It is the Council's understanding that the applicant discussed the revised proposals with Historic England prior to submission of these formally to the Council. At the time of this report being written the City Council as local planning authority had not received further correspondence from Historic England following the renotification of these revisions.

University of Manchester – Responded to the original notification period stating that they could not support new planning applications for purpose built student accommodation. The university had not responded to the second notification period.

MCC Flood Risk Management – Recommend conditions be attached to any approval relating to a surface water drainage scheme based upon sustainable drainage system together with a condition relating to the maintenance and management of any such system installed.

Environmental Health – Recommend conditions relating to Construction Management, Acoustic insulation of the property, external equipment insulation, Air Quality, Contaminated Land.

MCC Highway Services - The applicant is asked to justify the provision of parking given the observed existing issues with on street parking in the area given the decrease in the proposed number of car parking spaces, our concerns relating to a lack of on-site parking provision is increased further. It is the recommendation of the Highways Team that the proposed cycling provision is increased. It is the recommendation of the Highways Team that the applicant provides a framework travel plan for this development. Additionally, the creation of a residents pack detailing the various modes of public transport to and from the site would also be beneficial for this development.

MCC Neighbourhoods (Arborists) - The applicant has proposed to remove a number of high value trees within the site to allow for the development of 127 apartments.

After reading the CAVAT assessment report T2, T20 and T24 were found to be of particularly high value to the local area. The combined value of the trees proposed for removal on this site came to a total of £128,762.

Should planning permission be granted for this development, we would expect the standard of mitigation planting for this site to reflect the valuation given in the CAVAT assessment report.

GMP – Recommend a SBD condition and that the development incorporates the physical security specifications set out in the CIS.

Greater Manchester Archaeology Advisory Service - Consider that there are no archaeological requirements for this scheme.

Greater Manchester Ecology Unit - The information submitted with the application includes a bat survey. This survey has been undertaken by a licensed and experienced ecological consultancy whose work is known to the Ecology Unit. The survey found no evidence of bat roosting in the building to be developed but did find a bat roost in the adjacent building. Whilst we consider that the works can be undertaken without the need for further survey effort, it is of note that bats are mobile in their habits and they can turn up in the most unlikely places. If bats or signs of bats are found at any time during works, then work should cease immediately and advice sought from Natural England or a suitably qualified bat worker. We would therefore advise that an informative to this effect be placed on any permission, if granted.

Evidence of nesting birds was found in the buildings and the trees and scrub in the gardens of the site are also likely to be used by nesting birds. We would therefore recommend that the following condition be attached to any permission, if granted:

No removal of or works to any hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Policies

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.

Core Strategy Development Plan Document

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant

elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy H 5, *Central Manchester* – Central Manchester, over the lifetime of the Core Strategy, will accommodate around 14% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within or adjacent to the Regional Centre (Hulme and the Higher Education Precinct) as well as within Hulme, Longsight and Rusholme district centres as part of mixed-use schemes.

Policy H12, *Purpose Built Student Accommodation* - The provision of new purpose built student accommodation will be supported where the development satisfies the criteria below. Priority will be given to schemes which are part of the universities' redevelopment plans or which are being progressed in partnership with the universities, and which clearly meet Manchester City Council's regeneration priorities.

1. Sites should be in close proximity to the University campuses or to a high frequency public transport route which passes this area.
2. The Regional Centre, including the Oxford Road Corridor, is a strategic area for low and zero carbon decentralised energy infrastructure. Proposed schemes that fall within this area will be expected to take place in the context of the energy proposals plans as required by Policy EN 5.
3. High density developments should be sited in locations where this is compatible with existing developments and initiatives, and where retail facilities are within walking distance. Proposals should not lead to an increase in on-street parking in the surrounding area.
4. Proposals that can demonstrate a positive regeneration impact in their own right will be given preference over other schemes. This can be demonstrated for example through impact assessments on district centres and the wider area. Proposals should contribute to providing a mix of uses and support district and local centres, in line with relevant Strategic Regeneration Frameworks, local plans and other masterplans as student accommodation should closely integrate with existing neighbourhoods to contribute in a positive way to their vibrancy without increasing pressure on existing neighbourhood services to the detriment of existing residents.
5. Proposals should be designed to be safe and secure for their users, and avoid causing an increase in crime in the surrounding area. Consideration needs to be given to how proposed developments could assist in

- improving the safety of the surrounding area in terms of increased informal surveillance or other measures to contribute to crime prevention.
6. Consideration should be given to the design and layout of the student accommodation and siting of individual uses within the overall development in relation to adjacent neighbouring uses. The aim is to ensure that there is no unacceptable effect on residential amenity in the surrounding area through increased noise, disturbance or impact on the streetscene either from the proposed development itself or when combined with existing accommodation.
 7. Where appropriate proposals should contribute to the re-use of Listed Buildings and other buildings with a particular heritage value.
 8. Consideration should be given to provision and management of waste disposal facilities that will ensure that waste is disposed of in accordance with the waste hierarchy set out in Policy EN 19, within the development at an early stage.
 9. Developers will be required to demonstrate that there is a need for additional student accommodation or that they have entered into a formal agreement with a University, or another provider of higher education, for the supply of all or some of the bedspaces.
 10. Applicants/developers must demonstrate to the Council that their proposals for purpose built student accommodation are deliverable.

Policy EN 3, *Heritage* – Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Policy EN 4, *Reducing CO2 Emissions by Enabling Low and Zero Carbon Development* – This policy states that all developments must follow the principle of the Energy Hierarchy; to reduce the need for energy through energy efficient design and features; and, meet residual energy requirements through the use of low or zero carbon energy generating technologies.

Policy EN 6, *Target Framework for CO2 Reductions from Low or Zero Carbon Energy Supplies* – This policy requires applications for residential development of 10 or more units and all other development over 1,000m² to meet a minimum target.

Policy EN 8, *Adaption to Climate Change* – This policy requires that developments are adaptable to climate change in terms of design, layout, siting and function of buildings and external spaces.

Policy EN 9 – *Green Infrastructure* - New development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in accordance with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

Policy EN 15, *Biodiversity and Geological Conservation* – The Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City and developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on-site or adjacent to the site,

Policy EN 16, *Air Quality* – The Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport. Developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself, including from Combined Heat and Power and biomass plant.

Policy EN 19, *Waste* – States that developers will be required to submit a waste management plan to demonstrate how the waste management needs of the end user will be met.

Policy T2, *Accessible areas of opportunity and need* – Seeks to ensure that new development is easily accessible by walking/cycling/public transport; provided with an appropriate level of car parking; and, should have regard to the need for disabled and cycle parking.

Policy DM1, *Development Management* – This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.

- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques

Saved UDP Policies – Policies DC18 and DC19 are considered of relevance in this instance:

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 street trees);
 - iv. the effect of signs and advertisements;
 - v. any further guidance on specific areas which has been approved by the Council.
- b. The Council will not normally grant outline planning permission for development within Conservation Areas.
- c. Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area.
- d. Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.
- e. Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

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

- a. not grant Listed building consent for the demolition of a listed building other than in the most exceptional circumstances, and in any case, not unless it is satisfied that every possible effort has been made to continue the present use or to find a suitable alternative use;
- b. not permit a change of use of a listed building, where it would have a detrimental effect on the character or appearance of the building;

- c. not permit any external or internal alteration or addition to a Listed building where, in its opinion, there would be an adverse effect on its architectural or historic character;
- d. seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features;
- e. permit demolition only where there are approved detailed plans for redevelopment and where there is evidence of a firm building contract;
- f. not permit alterations to a listed building which would prevent the future use of any part of the building, in particular upper floors or basements, or where poor maintenance is likely to result.

Guide to Development in Manchester Supplementary Planning Guidance

Recognises the importance of an area 's character in setting the context for new development; New development should add to and enhance the area's distinct sense of place; Each new development should be designed having full regard to its context and the character of the area; Seeks to ensure high quality development through good and inclusive design; Buildings should front onto streets; Site boundaries and treatment should contribute to the street scene; There should be a clear definition between public and private space; The impact of car parking areas should be minimised; New developments will be expected to meet designing out crime principles; The impact of development on the global environment should be reduced.

The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings.

Other material considerations

Manchester Residential Quality Guidance 2016

The MRQG sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016.

The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

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

Executive Report ‘Consideration of Policy H12: Purpose Built Student Accommodation within the Changing Market Context’ – 13th November 2019

The above report was prepared to summarise recent changes in the student accommodation market, and provides an updated context in which to consider proposals for PBSA on an interim basis in advance of a review of Core Strategy Policy H12: “Purpose Built Student Accommodation”, as part of an update of the Core Strategy. It responds to the changing context, and would help to support the delivery of the regeneration objectives of the City Council and key partners. The report outlines a number of policy ideas for a revised approach to Purpose Built Student Accommodation (PBSA), and proposes an appropriate consultation process. The recommendations of the report included that: subject to the outcome of the consultation, request that the Planning and Highways Committee takes these market changes into account as a material consideration when dealing with future planning applications for student accommodation.

The National Planning Policy Framework (February 2019)

The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 124 indicates that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good

design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 sets out that planning decision should ensure that developments : will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks.

Paragraph 130 indicates permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions,

Paragraph 189 indicates that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 191 states where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

Paragraph 192 in Section 16 (Conserving and enhancing the historic environment) states that in determining planning applications, local planning authorities should take account of:

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

Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site; and
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d. the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 200 states that local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Paragraph 201 states that not all elements of a Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole.

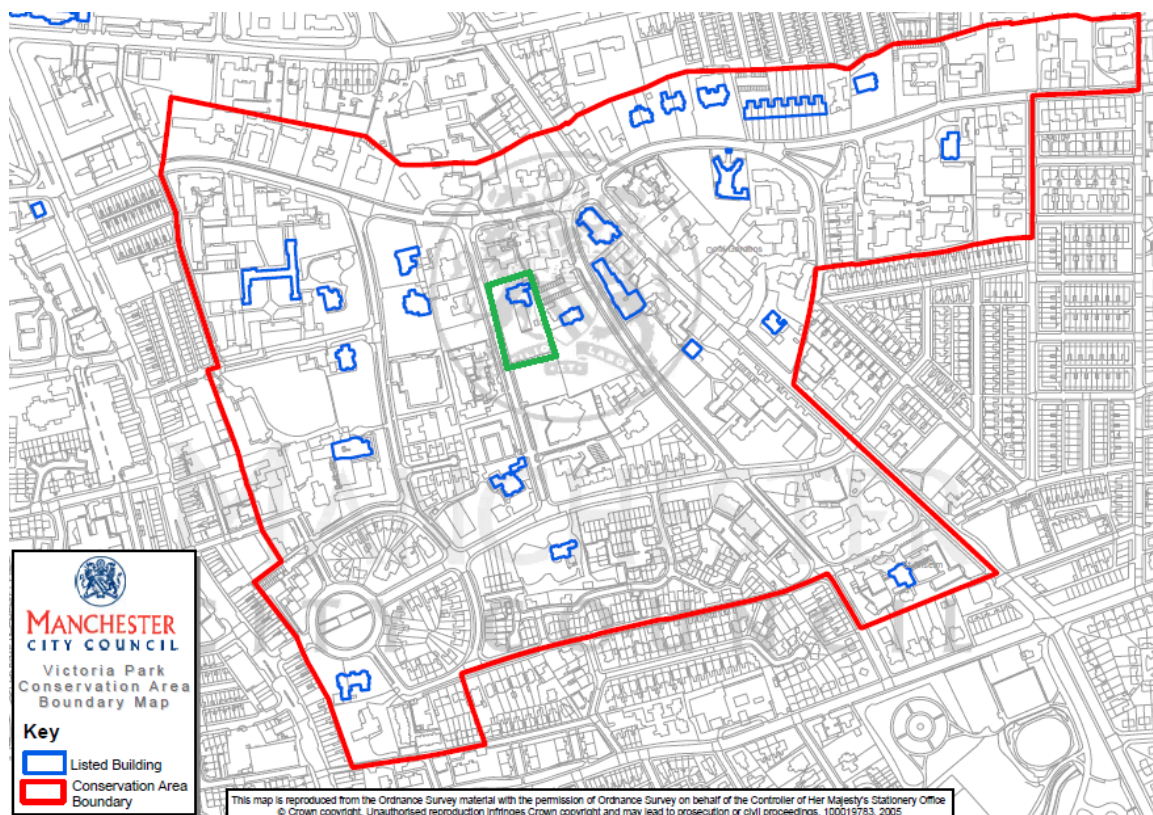
Paragraph 202 states that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Issues

The contribution of High Elms to Victoria Park Conservation Area

Victoria Park Conservation Area was designated in March 1972 and extends from the backs of properties to the north of Daisy Bank Road and Oxford Place to Kent Road East and West, and Rusholme Grove in the south. The west boundary is Oxney Road and the backs of properties on Wilmslow Road. To the east the boundary is formed by Anson Road, the backs of properties on Langdale Road and Laindon Road, the backs of properties on Daisy Bank Road, Scarsdale Road, the backs of properties on Langdale Road and Anson Road.

The Conservation Area description notes that “The houses in Victoria Park are large and are set in spacious grounds. Several of the roads are laid out in gently undulating curves, whilst others are straight and relatively short.... The houses were built on a large scale in brick, with projecting bays, string courses in a contrasting colour, tall chimneys and vertically-proportioned windows, some in Venetian style. Roofs were pitched and finished in blue slate.” It is also set out that whilst development in one form or another is likely to take place within the Conservation Area “they must be of very high quality and be in harmony with the character of the conservation area. This does not mean that new buildings must be in the style of older buildings in the conservation area; on the contrary, they should represent the age in which they are built, but there should be common features between new and old, such as massing, height, materials, colour, scale and proportion, which create a sympathy with earlier buildings.”



Extent of Victoria Park Conservation Area – High Elms site is edged green

Despite the buildings current condition, High Elms makes a highly positive contribution to the character and appearance of the Victoria Park Conservation Area within which it is located. Victoria Park was an early example of a planned residential suburb, it was the first gated suburban residential park in Manchester and one of the first in the country. The roads were laid out with individual plots offered for sale for the development of high quality houses within grounds. The original pattern of development within Victoria Park was one of large houses within grounds defined by roads and where the individual built forms responded to a general system of building lines. As indicated at the start of this report High Elms was constructed in a very early phase of the development of Victoria Park and therefore plays an important historical link to the growth of the city. This significance is further reflected in the

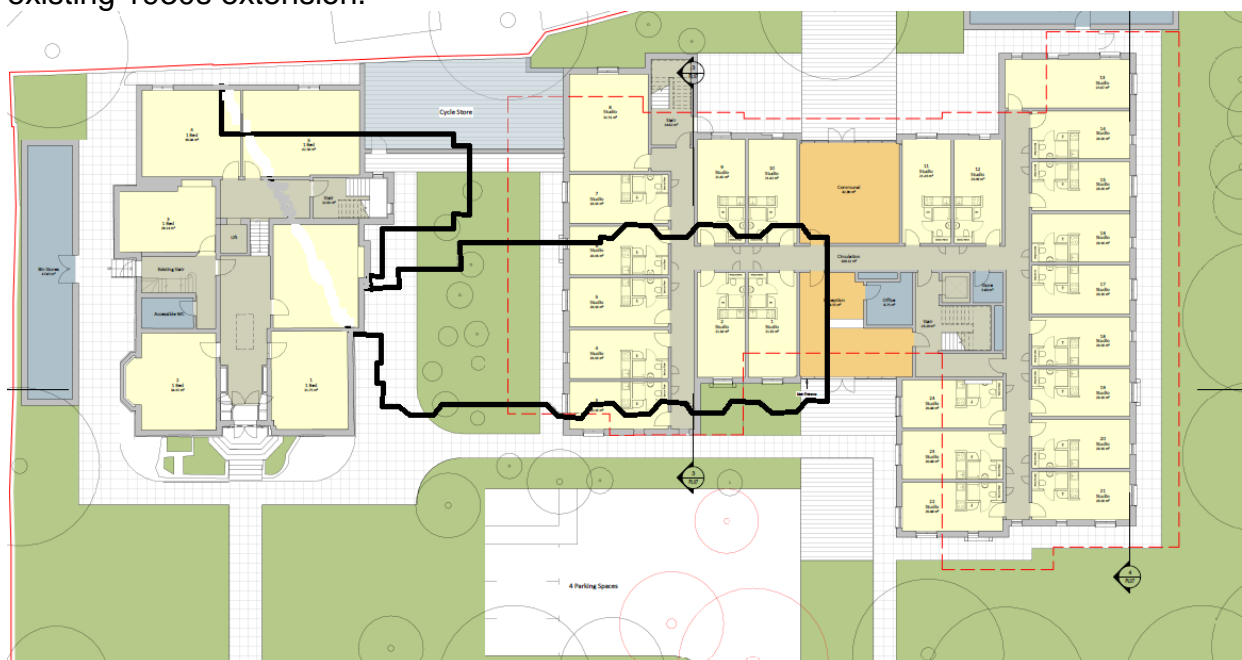
Grade II listed status of the building. The number and location of mature trees on the site further contributes to the verdant character of the Conservation Area.

Impact of the proposals on the Victoria Park Conservation Area

The requirement to preserve or enhance the Conservation Area, and the setting of the Listed Buildings, in this case High Elms is a key requirement within policy EN3 of the Core Strategy, saved policies DC18 and DC19 of the UDP along with the objectives of the NPPF. As such, any new development must seek to retain the character of the area through careful detailing and, where appropriate, the use of compatible materials.

The application proposals would result in a substantial addition to the application site both in terms of the proposed buildings footprint but also in terms of its siting, scale and mass. The footprint of the proposed building is approximately 870 sqm against the footprint of the existing 1930s two storey extension of approximately 323 sqm. The existing extension extends approximately 30 metres from the side wall of the historic High Elms with the proposed new building providing a 13 metre gap between the side wall of High Elms and the northern gable wall of the proposed building which has a building width of approximately 37 metres leaving a gap to the sites southern boundary of approximately 8 metres.

As can be seen in the image of the submitted proposed ground floor drawing below the footprint of the proposed building would extend significantly further than the existing 1930s extension.



Proposed ground floor plan (existing 1930s extension footprint is overlaid with a black line) the original High Elms building is to the left

It is considered that the enlarged footprint of built form would erode the large spacious grounds currently present on the site which is an identified key character of the Conservation Area. Whilst it is noted that the existing 1930s extension does extend south into an area that would have been gardens at the time of High Elms

construction, the height, width and extent of the existing extension does retain openness and spaciousness around the buildings on the site due to both its footprint and scale at two storeys.

The provision of other buildings in the form of energy centre, cycle store and bin store to serve the development would add to the cumulative impact of built form on the site. No elevational details of these elements have been provided so the height of these additions cannot be readily ascertained, however they are all sited in close proximity to boundary walls of the site particularly to those shared with Lane Court to the east.

The scale of the proposed building would be lower than High Elms where the buildings would sit closest to each other but would increase in height to four storeys towards the southern boundary of the site. This taller element has been sited forward of the front façade of High Elms by approximately 6 metres and it is considered that together with the 4 storey height, the proposed building when viewed from the street would appear to visually dominate the site and the Listed Building.

The proposals would result in the re-use of the High Elms listed building and would result in the demolition of rear extensions to the building. It is considered that the re-use and preservation of the listed building would make a positive contribution to Victoria Park Conservation Area.

No information has been provided to the City Council as local planning authority to determine that the submitted proposals would be the optimum viable use of High Elms. Reference is made to the proposals being viable within the original Planning statement but no assessment has been submitted to demonstrate that the application proposals are the optimum viable use and that they would cause the least harm to the significance of High Elms and Victoria Park Conservation Area.

It is considered that the proposed building would give rise to less than substantial harm to the Victoria Park Conservation Area, however due to the matters raised above it is considered that the level of less than substantial harm is at the higher end in terms of magnitude given the sites importance to the historic development of the Conservation Area and the identified characteristics of it. In this instance it is not considered that the level of harm is outweighed by the public benefit that could be derived from the proposal.

Given the scale, siting and footprint of the proposed buildings the proposals would fail to preserve or enhance the character of Victoria Park Conservation Area and therefore the proposals are not considered to accord with section 16 of the NPPF in particular paragraphs 192, 193, 194, 196, and 202 of that document, policy EN3 of the Core Strategy and saved Unitary Development Plan policy DC18.

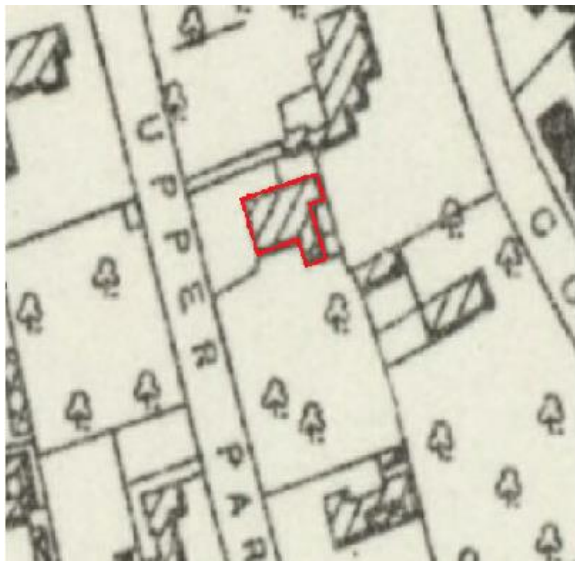
Impact of the proposals on High Elms Grade II Listed Building and its setting

The application proposals would result in the demolition of a number of extensions to High Elms. Whilst it is noted that in Historic England's response to the original notification they did not object to the proposed demolitions, the Council does not consider that the removal of the 1930s side extension or other extensions have been

subject to a full assessment of its significance and no surveys have been submitted to the Council that would indicate that these elements are not capable of retention and refurbishment, therefore in the absence of such an assessment its loss has not been fully justified by the applicant.

In addition to the linear 1930s extension the proposals would involve the demolition of other parts of High Elms that may have been later additions to its rear (east elevation), these are referred to as “more recent poor quality extensions” within both the Planning Statement and Heritage Assessment accompanying the application. However as can be seen below some of the additions to the property whilst being ‘newer’ are still of an age predating 1948 and their demolition requires a full assessment and justification. The submitted information and survey work fails to set this out and is considered to be misleading in terms of its dating of these additions.

When comparing the building footprint of High Elms from the 1894 Ordnance Survey plan and the submitted demolition plan for the ground floor the footprints of the building particularly to its rear (east elevation) are very similar in extent. The photograph below also clearly suggest a built from which is not of a 20th Century origin given the detailing, use of slate and brick work and whilst they are clearly additions to the original High Elms building they contribute towards its significance. It is therefore considered that the justification for the removal of these parts of the Listed Building have not been fully assessed in terms of their significance or justified for removal.



1894 Footprint of High Elms (edged red) compared to the submitted demolition plan with area to be demolished infilled red)

Map reproduced courtesy of the National Library of Scotland



Photograph of the rear of High Elms with later extensions edged red

Works to re-use and refurbish High Elms would derive a benefit to the designated heritage asset, the applicants Heritage Statement indicates “the works to the interior are ‘light-touch’ and represent a minimal intervention in the fabric of the building, limited to refurbishment and restoration. Where original features, such as the staircase and decorative detailing, remain, these will be retained so that its interior will be little changed”.

Internal and external works to refurbish High Elms are considered to be beneficial to the listed building. Whilst significantly more detailed information would be required to support the proposed works in terms of further surveys, details of reinstated walls following demolition works, and method statements for works the general principles indicated in the submitted information for a ‘light-touch’ approach would be acceptable.

The submitted roof and internal survey of the building undertaken for the building owner in January 2017 identifies a number of issues with the building fabric which it suggests is visibly in a poor condition due to lack of use and vandalism particularly to the building roof coverings. Whilst the survey indicated further investigation would be required the following was identified in January 2017:

- a) Vandalism and theft of the roof covering has introduced heavy water ingress into the building, causing damage to the structure, fittings and finishes.
- b) In the short term, to prevent further deterioration, temporary roof coverings will be required to make the building watertight and allow the internal environment an opportunity to start drying out.

- c) Due to the water ingress the structural integrity of the floor and roof structures is questionable. To undertake a programme of refurbishment the floor and roof structures will require propping to create a safe platform to remove the defective finishes and linings. Once the structural members have been uncovered, allowed to dry out and inspected a more thorough assessment of their condition can be made.
- d) There are significant areas of damage to the wall and ceiling linings and a number of areas of collapse where the laths have failed. It is likely that large parts of the internal linings will require renewal.
- e) The roof will require stripping and recovering. Abutment flashings and leadwork to the eaves parapet gutters will require renewal. It is likely that some slate will be in a sufficient condition for re-use.
- f) All above and below ground drainage will require further survey and investigation before reuse.

The Council is unaware as to whether the current building owner sort to resolve any of the issues identified in this report prior to the submission of the current application later in 2017. However correspondence was sent to the owner from the Council, as local planning authority, in January 2019 identifying continuing issues with the building fabric particularly roof coverings. The correspondence from the Council also reiterated measures previously recommended in email correspondence to prevent rapid further dilapidation/deterioration of the building. No response was received from the building owner to this correspondence. In instances where there is evidence of deliberate neglect of, or damage to, a heritage asset the National Planning Policy Framework indicates that “the deteriorated state of the heritage asset should not be taken into account in any decision” (paragraph 191). Whilst the applicant in this instance is not the current owner of High Elms and not responsible for its maintenance, it is considered that the details set out above indicate deliberate neglect over the past 3 years with little attempt to stabilise the Heritage Asset. As such the Council as local planning authority and as advised by the guidance contained in the NPPF, is not taking into account the deteriorated state of High Elms in coming to a decision on the planning application proposals.

The proposed three storey extension to the rear of High Elms does give rise to some concern due to the lack of details provided with the application. Not all elevation drawings of this element of the proposal have been provided and no details of proposed materials are included. Whilst the design approach of a simple contemporary extension may be acceptable there does not appear to have been any attempt to design an extension that reflects the character of the host building. The current extensions to the rear allow appreciation of the detailing of High Elms at first floor and roof level including windows and chimneys. The proposed three storey rear extension would result in these details of the Listed Building being hidden from view. It is therefore considered that the proposed three storey rear extension would give rise to significant harm to the architectural and historic character of the Listed Building.

As set out within the previous section of this report the erection of a part 3/part 4 buildings within the grounds of High Elms is considered to give rise to harm given its height, scale and siting. Whilst the existing 1930s extension does extend into an area that would have previously formed a larger landscaped setting to the building,

its lower two storey scale set back from the main frontage of High Elms and retention of space to the front side and rear gives it a subservient presence within the site and from Upper Park Road. The proposed building would have the opposite impact becoming visually dominant on the site and when viewed from the street. Whilst a visual impact assessment has not been submitted alongside the application it is considered that the proposals would result in harm to the setting of the Listed Building and against the tests within the NPPF this harm is considered to be of a higher magnitude of less than substantial harm.

The proposals are considered to give rise to less than substantial harm but this harm is not considered to outweighed by the public benefits of the proposal which have not been demonstrated in the application submission. As set out above the proposals would have significant impact on the setting of High Elms and are therefore not considered to accord with section 16 of the NPPF in particular paragraphs 192, 193, 194, 196, and 202 of that document, policy EN3 of the Core Strategy and saved Unitary Development Plan policy DC19.

The principle of the proposed use

The application submission indicates that the proposed accommodation would be serviced and principally to meet the identified accommodation needs of both medical students and research fellows, together with junior doctors at hospitals and other medical institutions. It also sets out that the applicant has been working closely with the NHS Trust that owns High Elms who indicate that due to remodelling of facilities at the Central Manchester University Hospital Trust there is a need to address shortfall in provision for losses in medical accommodation.

The applicant has sought to test the proposals against the Councils adopted Core Strategy policy relating to purpose built student accommodation (H12) within the supporting Planning Statement and given the statements submitted it is assumed that the proposals would provide accommodation for students, whilst young trainee medical professionals may also be targeted as part of any future marketing.

Consideration is therefore made to the criteria set out within policy H12 against the proposed occupation of the accommodation in the following section of this report.

Policy H12 – Purpose Built Student Accommodation: “The provision of new purpose built student accommodation will be supported where the development satisfies the criteria below. Priority will be given to schemes which are part of the universities’ redevelopment plans or which are being progressed in partnership with the universities, and which clearly meet Manchester City Council’s regeneration priorities.”

The University of Manchester has written in to confirm it does not support the application proposals. The proposals therefore are not being progressed in partnership with the Universities, the proposals therefore do not fall within the scope of being a priority.

“1. Sites should be in close proximity to the University campuses or to a high frequency public transport route which passes this area.”

The site is well located to the University campuses and the high frequency public transport routes on Oxford Road and the A34 (Anson Road).

“2. The Regional Centre, including the Oxford Road Corridor, is a strategic area for low and zero carbon decentralised energy infrastructure. Proposed schemes that fall within this area will be expected to take place in the context of the energy proposals plans as required by Policy EN 5.”

The proposal does not fall within the Oxford Road Corridor but the application information indicates that low carbon energy usage would be targeted for inclusion within the scheme.

“3. High density developments should be sited in locations where this is compatible with existing developments and initiatives, and where retail facilities are within walking distance. Proposals should not lead to an increase in on-street parking in the surrounding area.”

The proposals are relatively well located to retail facilities located on Oxford Road and within Rusholme District Centre. However, as seen in the response from Highway Services the level of off street car parking proposed (4 spaces) for the level of accommodation proposed is considered to give rise to pressures on on-street car parking in an area where there are already existing severe pressures.

“4. Proposals that can demonstrate a positive regeneration impact in their own right will be given preference over other schemes. This can be demonstrated for example through impact assessments on district centres and the wider area. Proposals should contribute to providing a mix of uses and support district and local centres, in line with relevant Strategic Regeneration Frameworks, local plans and other masterplans as student accommodation should closely integrate with existing neighbourhoods to contribute in a positive way to their vibrancy without increasing pressure on existing neighbourhood services to the detriment of existing residents.”

The applicants supporting information sets out a number of regeneration benefits they have identified from the proposals, these are:

- by providing a viable use for High Elms, the scheme will bring a vacant Grade II Listed building back into productive use, which will assist the long-term preservation of this heritage asset and improve the local environment within the Victoria Park Conservation Area;
- The application proposal will derive indirect regeneration benefits for the wider Oxford Road corridor. With reference to the supporting letter from the Hospital Trust it is notable that a contractual land deal is in place between the applicant and the Trust, whereby if planning permission is granted for the proposed accommodation at High Elms, land that had otherwise been reserved by the applicant for this use, adjacent to the Manchester Royal Infirmary (MRI) can be released to the Trust. The applicant states that if planning permission is granted for the High Elms scheme it will have knock-on regeneration benefits for the MRI, and this is a material consideration that weighs in favour of the application scheme.

“5. Proposals should be designed to be safe and secure for their users, and avoid causing an increase in crime in the surrounding area. Consideration needs to be given to how proposed developments could assist in improving the safety of the surrounding area in terms of increased informal surveillance or other measures to contribute to crime prevention.”

The application was supported by a Crime Impact Statement whilst this was based upon the original proposal the contents of the CIS do not raise fundamental issues with regards to safety and security for users of the site.

“6. Consideration should be given to the design and layout of the student accommodation and siting of individual uses within the overall development in relation to adjacent neighbouring uses. The aim is to ensure that there is no unacceptable effect on residential amenity in the surrounding area through increased noise, disturbance or impact on the streetscene either from the proposed development itself or when combined with existing accommodation.”

As will be demonstrated in this report the proposals are considered to give rise to unacceptable impacts on residential amenity by virtue of the siting and scale of the proposed building together with the identified impacts of the proposal on the streetscene and character of the area.

“7. Where appropriate proposals should contribute to the re-use of Listed Buildings and other buildings with a particular heritage value.”

The proposals would enable the re-use of a listed building, however as already demonstrated the benefits are outweighed by the identified harm caused by the application proposals.

“8. Consideration should be given to provision and management of waste disposal facilities, that will ensure that waste is disposed of in accordance with the waste hierarchy set out in Policy EN 19, within the development at an early stage.”

Whilst it is considered that appropriate provision and management of waste disposal from the site could be arranged, the submitted details would require the submission of further information. In particular the design, size and location of external bin stores in relation to the Listed Building, adjacent properties and the visual relationship to Upper Park Road.

“9. Developers will be required to demonstrate that there is a need for additional student accommodation or that they have entered into a formal agreement with a University, or another provider of higher education, for the supply of all or some of the bedspaces.”

The information used by the applicant to demonstrate need is based upon previous planning approvals for student accommodation from 2010/2011. Whilst it is stated that there is a particular need for medical student accommodation, which the High Elms application scheme would directly address it is not considered that the submitted information demonstrates a need for the additional student accommodation and no formal agreement has been provided to demonstrate that

Universities or other providers of higher education have signed up to the accommodation.

It is noted that the supporting letter from the Hospital Trust states *“We are acutely aware of the pressing demand for such accommodation within the vicinity of the hospital site..... We can see clear merit in the delivery of self-contained studio-type accommodation of the design and specification envisaged and consider that it will be directly attractive to our junior doctors, student nurses, research and other staff who require accommodation close to the hospital. The proposed development would, in our opinion, fulfil a proven demand, in a location where there is a significant structural undersupply of such accommodation”*. Whilst this support is noted it does not address the requirement for need set out in policy H12, this response all suggests that the accommodation would fulfil a need for more general residential accommodation for junior doctors, nurses and research and other staff who require accommodation close to the hospital. As such further consideration of the type of accommodation is required under the Councils requirements in relation to residential space standards as set out within the Manchester Residential Quality Design Guidance, this is dealt with latter in this report.

“10. Applicants/developers must demonstrate to the Council that their proposals for purpose built student accommodation are deliverable.”

The supporting planning statement indicates that the scheme is viable and deliverable and outlines the track record of the applicant in delivering purpose built student accommodation. This statement is based upon the original proposal that included a high number of apartments -127 against the currently proposed 110 and no further analysis on deliverability has been provided.

As set out above the proposals fail to meet all the criteria set out in policy H12, as such the proposals are not considered to have demonstrated compliance with the policy.

Residential Amenity

The proposals would introduce up to 110 additional occupiers into Victoria Park and whilst the area has and does accommodate a number of student Halls of Residence and other converted multi-occupancy buildings the number of occupiers could give rise to concerns in terms of the numbers of comings and goings and activity associated with this level of occupation and lack of off-street car parking which would result in additional vehicle movements on adjacent highways.

The proposals would result in a large number of windows in close proximity to the sites boundaries. In particular, as result of the sites relationship to Lane Court to the east, there would be proposed windows within 5 metres of Lane Court and its associated outside amenity space. This relationship together with the height of the proposed building would give rise to the perception of overlooking and loss of privacy to those windows and outdoor amenity space at Lane Court. The built form would also have an overbearing impact on those existing flats and outdoor amenity space to the detriment of residential amenity.

Impacts on trees

The application site is located in a conservation area and in addition to this level of protection on trees on site there is also in place a Tree Preservation Order for the site (Conygham Road/Victoria Park TPO 1976). Whilst the original proposals were supported by a tree survey based upon those proposals together with a CAVAT assessment (CAVAT is primarily a tool for managing trees as a public asset and determines a monetary value based on a replacement value). The revised proposals appear to indicate an impact on a number of trees on site however, which trees are impacted cannot be readily ascertained as a result of the lack of updated information. The CAVAT assessment calculates the value of the trees on site as approximately £128,762 with two trees on site being identified as having a replacement value in excess of £40,000. It appears that one of these trees may need to be removed to facilitate the revised proposals. In this instance and if the proposals were considered to be acceptable there would be negotiations to either revise proposals to enable the retention of such trees on site or review a landscaping scheme to incorporate a tree replacement scheme to mitigate the loss of trees on site.

In the absence of up to date information it is not considered that the revised proposals have demonstrated that impacts on trees on the site could be successfully avoided or mitigated against contrary to policies EN9 and EN 15 of the Core Strategy.

Highway Impacts

The revised proposals incorporate residential accommodation in the form of 110 self-contained serviced apartments with provision for 4 off street car parking spaces and cycle store.

It is acknowledged that the proposal is located in a sustainable location close to public transport routes on Anson Road/A34 and Wilmslow Road/Oxford Road corridor. It can be assumed that a proportion of occupiers of the apartments would not seek the use of a private car. The supporting transport statement outlines the sustainability of the location and its relationship to public transport networks and nearby places of employment/study along the Oxford Road corridor. This Transport Statement was prepared to support the original proposals of 127 apartments with 19 car parking spaces and no update has been prepared to justify the reduction in the number of spaces to be provided on site.

Highway Services raise concerns with the level of off street car parking spaces for both the original and revised proposals. The surrounding area is subject to significant on-street car parking pressures and there are a number of on street car parking restrictions. Given the very low provision of car parking on the site and the high density of proposed apartments it is considered that the proposals would give rise unacceptable increases in pressure for on-street car parking in an area already suffering from such pressures contrary to policy DM1 of the Core Strategy.

Design

The revised proposals have not been supported by an updated Design and Access Statements to justify the design intent now proposed for the proposed building or extension to the Listed Building. As such the proposals have been judged against the submitted revised drawings.

The particular character of Victoria Park conservation area is of large villas in a landscaped setting. The existing linear extension to High Elms from the 1930s is subservient to the listed building in terms of its height and set back from the main building line formed by High Elms. The proposed new building steps forward of the existing building line which would create a more dominant built form and contribute to it being out of scale with the existing building. The design and scale of the proposed new building appears to be of a character similar to a converted mill rather than that of buildings in the conservation area. The lack of design response both to High Elms and the conservation area has resulted in a design that would appear incongruous and dominate the site and character of the wider area. The proposed design is therefore considered to be detrimental to the character of the area contrary to policies SP1, EN3 and DM1 of the Core Strategy; saved Unitary Development Plan policies DC18 and DC19; the Guide to Development In Manchester SPD; and, section 12 in particular paragraphs 127, 130 of the NPPF.

Residential Quality Design Guide

The applications documents indicate that the proposals would provide accommodation for a potentially broad range of occupiers including junior doctors and other health workers given the sites proximity to the Hospitals on Oxford Road. As such the proposed residential accommodation may be targeted for such occupiers who may usually seek other forms of residential accommodation in shared houses, self-contained apartments etc. This type of occupation would differ from that which could be expected from normal 'student' occupiers i.e not restricted to term time and may be for longer periods of rent. Consideration must be made to the proposed size and type of accommodation proposed in this instance given this background and indicated broad type of potential occupiers. In this instance the proposed apartments are predominantly small in size (between 20 and 25 sqm in size) this is well below the standards set out within the Manchester Residential Quality Design Guide of 37 sqm. Whilst some flats in the converted High Elms building may be able to achieve the larger floorspace figure the majority of proposed apartments would fail to provide a suitable size of accommodation for the broad range of occupiers identified as the potential target market for the proposals. Whilst a communal room of 42 sqm is proposed in the ground floor of the proposed new building this would not mitigate the generally small size of apartments proposed.

Other Matters

It is acknowledged that information has been provided alongside the application in terms of waste management, accessibility, sustainability and cycle storage provision. If the proposals has been acceptable in other respects these matters could have been resolved by way of further negotiation.

Whilst Historic England have not responded to the renotification of the revised proposals the applicant's agent has written to the Council to indicate their belief that

it is of material importance that the views of Historic England be put before Members of the Committee noting the importance they felt were placed on the original comments from Historic England at the time they were objecting to the original proposals. The Council notified Historic England of the revised proposals and in this instance they have not responded at the time of the preparation of this report. The Council cannot compel a response from a consultee and regard has been paid to the original comments of Historic England as summarised in this report.

However, the City Council as local planning authority has thoroughly assessed the revised proposals in terms of the heritage impacts and as demonstrated in this report considers them to be contrary to local and national planning policy.

Conclusion

The proposals are not considered to preserve or enhance the historic environment, the character and setting of the Grade II Listed High Elms or Victoria Park Conservation Area. Regard has been had to the benefit that would derive from the re-use of the High Elms listed building as set out on the submitted application drawings. However, as indicated in the preceding sections of this report these benefits are outweighed by the identified harm that would be caused to the Listed Building, its setting, and, the character of Victoria Park Conservation Area. The proposals are therefore considered to be contrary to policies SP1, EN3, DM1 of the adopted Core Strategy, saved Unitary Development Plan policies DC18 and DC19, the Guide to Development in Manchester SPD; and, National Planning Policy Framework paragraphs 127, 130, 189, 190, 192, 193, 194 and 196.

In addition to these identified impacts on designated heritage assets the proposals are considered to give rise to other impacts including on residential amenity; failure to demonstrate compliance with policy H12 of the Core Strategy (Purpose Built Student Accommodation); increased pressure on on-street car parking in an area already suffering significant pressures and demands for such car parking; and inadequately sized accommodation for future occupiers. The proposals are therefore considered to not accord with policies DM1 and H12 of the adopted Core Strategy, the Guide to Development in Manchester SPD and the Manchester Residential Quality Design Guide.

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 were raised with the applicant's agent and an opportunity for revised proposals to be submitted and considered was given. In this instance the principle of the proposals together with their impacts on designated heritage assets were considered to be unacceptable.

Reasons for Refusal -

1) The proposed development, due to its siting, footprint, scale and height would be harmful to the spacious character and landscaped setting of the site; would form an unduly prominent feature in the street scene; and, as a result would have a detrimental impact upon the character of the Victoria Park Conservation Area and the setting of the Grade II Listed Building 'High Elms', contrary to Policies SP1, EN3 and DM1 of the Core Strategy; saved UDP Policies DC18 and DC19; the Guide to Development in Manchester SPD; and, National Planning Policy Framework paragraphs 189, 190, 192, 193, 194 and 196.

2) The applicant has failed to provide an adequate assessment of and justification for the demolition of parts of the Listed Building and has therefore failed to demonstrate that the loss of those parts of the Listed Building is acceptable contrary to policy EN3 of the Core Strategy, saved Unitary Development Plan policies DC18 and DC19 and paragraph 194 of the National Planning Policy Framework.

3) The proposed building, by reason of its siting, scale, and height with windows in close proximity to the boundary with Lane Court would give rise to real and perceived overlooking and loss of privacy to the detriment of the amenity that the adjoining occupants and future occupiers of the development could reasonably expect to enjoy. As such the proposal is contrary to the policies SP1 and DM1 of the Core Strategy.

4) The proposed development due to the low level of dedicated off-street car parking would result in increased levels of on-street parking to the detriment of the amenities and convenience of nearby residents and other road users. As such the proposal is contrary to policies SP1, DM1 and T2 of the Core Strategy.

5) The applicant has failed to demonstrate that there is unmet need for the proposed student accommodation or that they have entered an agreement with an education provider for the provision of student accommodation. The proposals would give rise to an increase in on-street parking and impacts on residential amenity in the surrounding area. Further the development and potential future use of the building would not create a balanced neighbourhood of choice and be detrimental to the

character, and amenity of the area. The proposed development would therefore be contrary to policies SP1, DM1 and H12 of the Core Strategy and the National Planning Policy Framework.

6) The proposals would result in an overly intensive use of the site resulting in the creation of substandard living accommodation for the occupants of the development, particularly in regard to flat sizes which would create unduly harmful impacts on the residential amenity of the occupants of the property. The proposal would therefore be contrary to the provision of policies SP1, H1, and DM1 of the Manchester Core Strategy (2012), the Manchester Residential Quality Guidance (2017), the Guide to Development in Manchester (2007) and the National Planning Policy Framework (2019).

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: 117960/FO/2017 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
Central Neighbourhood Team
Greater Manchester Police
United Utilities Water PLC
Historic England (North West)
Greater Manchester Archaeological Advisory Service
National Amenity Societies
Greater Manchester Ecology Unit
Rusholme & Fallowfield Civic Society
Schuster Road Residents
University Of Manchester
Central Neighbourhood Team
Environmental Health
MCC Flood Risk Management
Highway Services
Neighbourhood Team Leader (Arboriculture)
Greater Manchester Ecology Unit
Rusholme & Fallowfield Civic Society
University Of Manchester
Schuster Road Residents
Greater Manchester Archaeological Advisory Service
Greater Manchester Police
Historic England (North West)**

**National Amenity Societies
United Utilities Water PLC**

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

Representations were received from the following third parties:

Historic England (North West)
Rusholme & Fallowfield Civic Society
Schuster Road Residents
University Of Manchester

Relevant Contact Officer :	Robert Griffin
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