

Application Number	Date of Appln	Committee Date	Ward
117961/LO/2017	14th Dec 2017	13th Feb 2020	Rusholme Ward

Proposal Listed Building Consent for 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

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).

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 residences 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

Listed Building Consent is sought for the conversion of High Elms as part of a wider scheme that would also see the 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.

This listed building application accompanies the full planning application that appears elsewhere on this Committee agenda with planning application reference 117960/FO/2017.



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

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.

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 the first notification 28 objections were received and in response to the second notification of revised proposals a further 2 objections were received from local residents. A summary of the comments is set out below:

High Elms is a listed building and is our precious heritage. The application is totally inappropriate, completely oversized and out of keeping with the conservation area.

This proposal does not complement the distinct historic and heritage features of the Victoria Park Conservation Area, namely large houses set in spacious grounds. The proposed increase in footprint would replace, and therefore remove for ever, a sizeable piece of spacious grounds, and the development works risk damaging and even destroying other parts of the historic environment due to the need to transport materials to site, to dig foundations, and to set up scaffolding to three and four storeys. The proposal does not enhance the historic environment, the character and setting of the Grade II listed section of the building. Instead it will detract from the character and setting by replacing a section of mature grounds due to the larger footprint. The view of the mature grounds to the south of the site would be completely destroyed.

Precedents have already been set for refusing planning permission for similar developments in the Victoria Park Conservation Area. These precedents indicate that this current application must also be refused.

The proposal is out of scale with the plot, the adjacent listed building and the area as a whole.

It would be great to see High Elms being brought back to use but the proposal simply ignores the massing and the setting of the listed building and should be refused.

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

Schuster Road and Park Range Residents Association -
The Association opposes this development on the following grounds :

The development destroys a major amount of the green space on the site - in fact it almost fills the land. Any development should only take up the footprint size of buildings there already - The green space should be preserved.

The proposed new building does not enhance the existing historic building (High Elms) in any way whatsoever - Indeed the front face of the new structure is particularly brutal and clashes markedly with what will remain. It is clearly a structure that has been designed for a brownfield site. No notice has been taken at all of the context of the site ie. A historic brick building in a large green space.

Views of High Elms will be particularly damaged - The new building (particularly with its zinc cladding) will be more 'imposing' than the original building.

There are brown field spaces within walking distance of the Conservation Area where this type of accommodation could be built.

110 serviced flats will increase the traffic in the road and parking problems in the area - it is already at bursting point with Victoria Park Mosque in the same street which is grid-locked when any event takes place there.

The precedent that will be set for the rest of the Conservation Area - ie. the eventual loss of all the young trees and green space at all the historic sites in Victoria Park. 30 odd sites with at least 110 housing units (or more) on each, would not only completely destroy the conservation area but will have a significant impact on the surrounding areas outside.

The area has an 'over-supply' of temporary residents compared to permanent ones. This development exacerbates the problem of local sustainability.

In examining the Application we note what has been written in the developer's own Heritage Report. Firstly, the context part of the Heritage Report states : "the coherence of the landscaping {that} helps tie the area together as an entity, along with the residual Villa stock, and the generous nature of the plots."

Secondly, the report quotes the National Planning Policy Framework. "Paragraph 128 of the NPPF states 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." These points are then totally ignored later in the report. How can the generous nature of the plots and the nature of their setting be retained when they are obliterated by new buildings on the green space.

Further the NPPF states : "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"

There isn't any substantial public benefit to this development which cannot be met by a smaller development on the existing built over site. Further residential units (if required) can be met on brown field sites or other sites outside the Conservation Area. For these reasons the Schuster Road and Park Range Residents Association opposes this application.

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.

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

Policies

Core Strategy Development Plan Document

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Relevant policies in the Core Strategy are detailed below:

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

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

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

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

Policy DM1, *Development Management* – This policy states that all development should have regard to 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.

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 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.

Legislative Requirements

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of the power to determine planning applications for any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

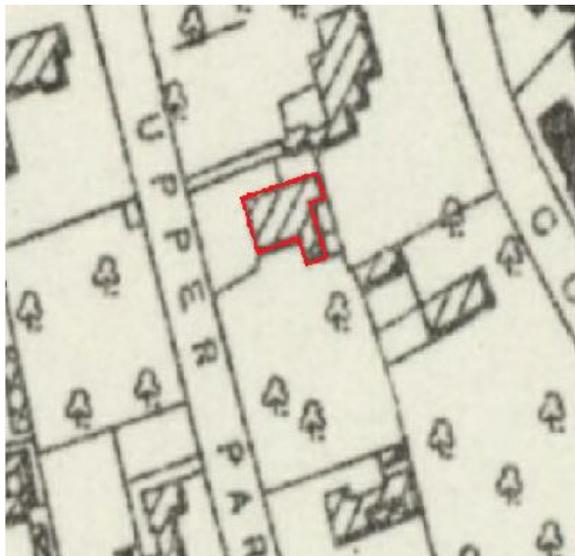
Issues

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.

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.

Other Matters

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. 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 and its setting. 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 and, National Planning Policy Framework paragraphs 127, 130, 189, 190, 192, 193, 194 and 196.

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

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 Grade II Listed Building 'High Elms' and its setting 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.

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: 117961/LO/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:

National Amenity Societies

Rusholme & Fallowfield Civic Society

Greater Manchester Archaeological Advisory Service

Historic England (North West)

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)

Greater Manchester Archaeological Advisory Service

Rusholme & Fallowfield Civic Society

Schuster Road and Park Range Residents Association

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