

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131243/FO/2021

Date registered valid: 3 August 2021

Proposal: Erection of single storey outbuilding to rear involving alterations to landscaping and car parking

Address: 121 Palatine Road, Manchester, M20 3YA

Ward(s): Didsbury West Ward

Applicant: Young Lives vs Cancer, 121 Palatine Road, Manchester, M20 3YA

Agent (if any): Mr Adam Caldicott, Kendall Kingscott, Glentworth Court, Lime Kiln Close, Stoke Giddord, BS34 8SR

Case officer: Jennifer Connor
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Email: jennifer.connor@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 09.12.2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 24.08.2021

Standard consultations:

Printed: 13 August 2021 Expired: 3 September 2021

Neighbour notifications

Printed: 13 August 2021 Expired: 3 September 2021

Site notice

Posted: 24 August 2021 Expired: 14 September 2021

Press advert

Published: 24 August 2021 Expired: 14 September 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

The building is an attractive detached building fronting Palatine Road which was utilised as an office building (consented under reference 046659/FU/SOUTH1/94) until consent was granted under application reference 125235/FO/2019 for the change of use from offices (Class B1) to Clic Sargent Home-from-Home facility (residential accommodation for families of child cancer patients) comprising 9 en-suite bedrooms; communal lounge, kitchens and laundry facilities; staff office and meeting room; disabled access ramps; 10 space car park; bin-store and landscaping of the site. This is in the process of being implemented. The building was historically used as a dental practice. The property lies within Blackburn Park Conservation Area. To the north and south lie properties converted into flats. To the east lies Northern Lawn Tennis Club and across Palatine Road to the west there are other residential properties and a former public house, known as The Greenfinch.

Listed building: Not applicable

Conservation area: Blackburn Park Conservation Area 1979

Tree Preservation Order: Trees protected by virtue of being within Conservation Area

Description of development

Erection of single storey outbuilding to rear involving alterations to landscaping and car parking

Consultations & Notification Responses

No comments from neighbouring property or the amenity groups

Environmental Health - No recommendations or comments to make

Highways - The site is located adjacent to the adopted highway. No Waiting (Mon-Fri, 8am-6.30pm) is in place along Palatine Road.

The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

Given that the proposed development will not result in any increase in residential units, it is accepted that no highway concerns in terms of safety or capacity are considered likely to arise.

The current on-site parking offering is to be retained and one car parking space lost due to the development of the outbuilding as such, Highways have no concerns regarding vehicular build up on- street.

The bin store will be located to the rear of the proposed development. Bins will be taken to/from the bin store to the collection point on Palatine Road on collection day. Highways consider this to be acceptable in order to prevent any obstruction to passing pedestrians on the adjacent footway.

Given the minimal scale of construction works involved, the level of construction vehicles are unlikely to generate any significant on-street parking demands. Highways have no objections to the proposed development.

Arboriculture – No comment

Policies

The relevant development plan in Manchester is the **Core Strategy Development Plan Document 2012-2027 (the “Core Strategy”)**, adopted in July 2012, and the saved policies from the Manchester Unitary Development Plan (UDP), adopted July 1995. The Core Strategy is the key document and sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. The proposals are considered to be consistent with the following Core Strategy Policies SP1, EN3, DM1 for the reasons set out below.

Policy SP1 - Spatial Principles. This sets out the key special principles which will guide the strategy. 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, make a positive contribution to the health, safety and wellbeing of residents, consider the needs of all members of the community regardless of disability and protect and enhance the built and natural environment.”

Policy EN3 - Heritage. The proposal would have an impact upon Blackburn Park Conservation Area. This is discussed in more detail later in the report.

Policy DM1 - Development Management. This sets out the requirements for developments in terms of sustainability and outlines a range of general issues that all development should have regard to. Of these, the following issues are of relevance to this proposal:

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Design for health;
- Adequacy of internal accommodation and amenity space;
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- That development should have regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- Accessibility to buildings, neighbourhoods and sustainable transport modes;
- Impact on safety, crime prevention and health; adequacy of internal accommodation, external amenity space, refuse storage and collection, vehicular access and car parking; and

- Impact on biodiversity, landscape, archaeological or built heritage, green Infrastructure and flood risk and drainage.

These issues are considered full, later in this report.

The following saved UDP policies need to be considered in relation to the application.

DC18.1 Conservation Areas – It is considered that the proposal would maintain the character and appearance of the Blackburn Park Conservation Area. This is discussed in more detail later in the report.

It is considered that the proposal is consistent with the policies contained within the UDP.

National Planning Policy Framework

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF was revised in July 2021 and is a material consideration in the determination of all planning applications.

The NPPF states that where proposed development accords with an up-to-date Local Plan it should be approved. The proposals would create additional residential accommodation in a sustainable location and as set out in this report are indicated as being in accordance with the up to date Core Strategy Development Plan Document and therefore accord with the main principles and expectations of the revised National Planning Policy Framework.

Legislative requirements

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

Issues

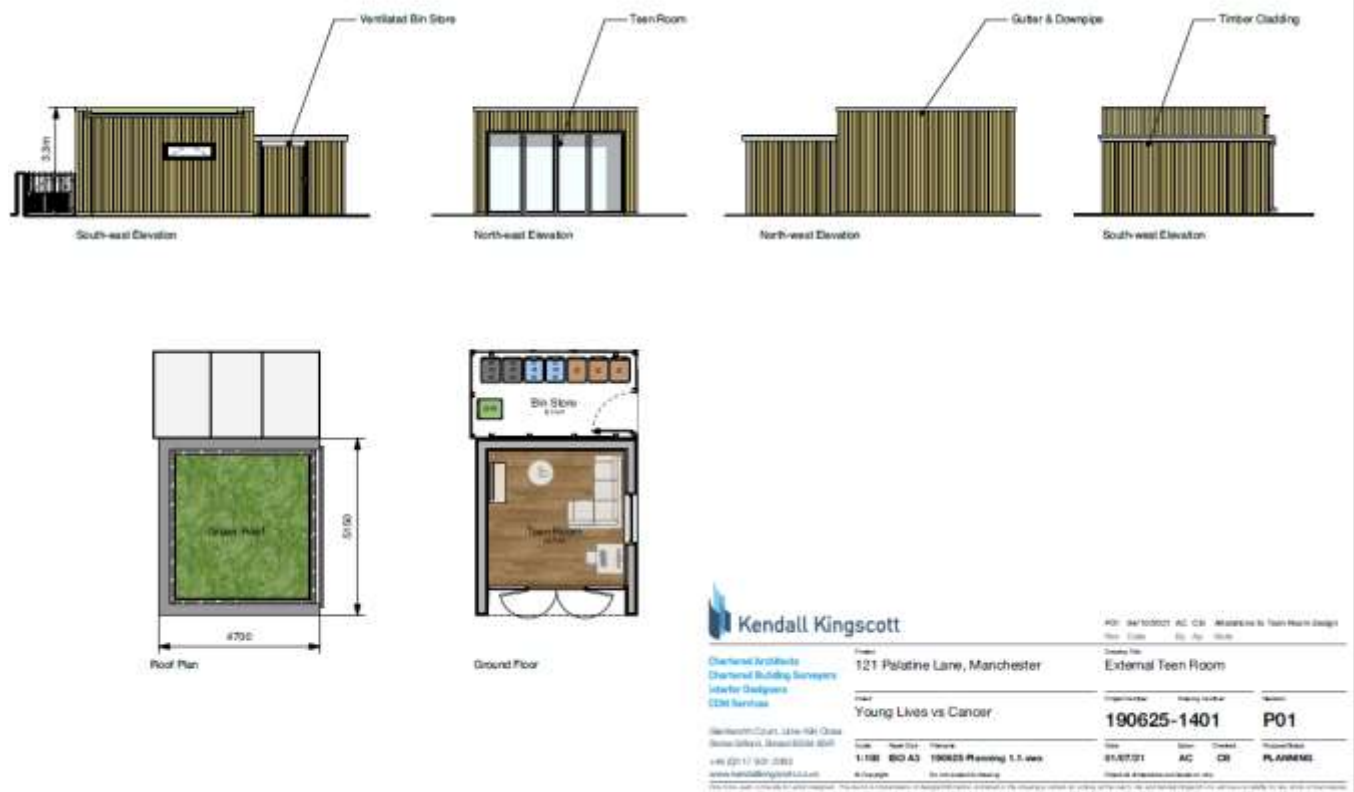
Principle

There is no objection in principle to the installation of an outbuilding to support the use of the building as residential accommodation for families of child cancer patients. The largescale villas often have outbuildings to the rear.

Appearance

The elevations of the outbuilding would be finished in timber cladding, with windows and doors to be in a black/dark grey with a green roof.

The material palette would be sympathetic to the materials utilised in the host dwelling and buildings in the Conservation Area.



Heritage Impact of the proposals

Paragraph 199 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.”

It is considered that the development proposals would cause less than substantial harm to the significance of the Blackburn Park Conservation Area. The pre-existing site was predominately hard surfaced and the introduction of landscaping in the previous scheme improved the amount of green infrastructure on site. This is not considered to have altered as a principle when viewed the landscaping approved against the proposals, especially having regard to the presence of a green roof to the proposed outbuilding.



The outbuilding would be constructed in materials to match that would be sympathetic to the materials utilised within the Conservation Area (and there would be very few views through to the structure proposed from public vantage points) and as such the development is acceptable when considering the balance of harm caused to the heritage asset.

The proposal would not adversely impact upon the character of the Blackburn Park Conservation Area.

Car Parking

Car parking provision would be reduced by one space from 10 to 9, however this is acceptable to highways who have had regard to the sustainable location of the premises in relation to the Christie Hospital and in relation to the public transport network (both buses and Metrolink).

Bin Storage

The level of bin storage is appropriate and visually bin storage is screened.

Trees

Tree are to be retained and no concerns have been expressed by Arboriculture.

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 a right to a fair hearing and to this end the local planning authority 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 recommendation given 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: Approve

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

1000 Location Plan

Received 03 August 2021

1401 FLOOR PLAN Rev P01

1100 Site Plan Rev P5

Received 19 November 2021

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

4) Notwithstanding the landscaping indicated further details shall be submitted with regards to the number and species of the trees and shrubs to be planted. The approved landscaping scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

5) The car parking for the units hereby approved indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the first occupation of the development hereby approved. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with policy DM1 of the Core strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
West Didsbury Residents Association
Blackburn Park Conservation Society

List of properties notified on Uniform

Appendix 2 – Planning constraints

Article 4 Direction - Removal of PD Rights Change of Use from Class C3 to Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Conservation Area - Blackburn Park Conservation Area 1979
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH