Application Number	Date of Appln	Committee Date	Ward
127016/FO/2020	3rd Jun 2020	3rd June 2021	Withington Ward

Proposal Erection of two storey rear extension to create 9no. self contained flats together with various other works including internal alterations, the rebuilding of gate piers, the laying out of car parking area and the provision of a cycle store and refuse store

Location 363 Wilmslow Road, Manchester, M14 6XU

Applicant Feltham Management Limited , 20 Aldwych Avenue, Manchester, M14 5NL,

Agent Alyn Nicholls, Alyn Nicholls & Associates, 140 Denby Lane, Upper Denby, Huddersfield, HD8 8UN

Executive Summary

Proposal – This planning application relates to an end of terrace Grade II Listed Building which was formerly used as GP Surgery from the late 1970s until 2010. Planning approval and listed building consent were granted in 2015 to convert and extend the property to form 9 no. self-contained apartments. Works were subsequently undertaken to convert the property but these did not conform to the planning and listed building consents granted. Whilst those unauthorised works are subject to Enforcement action following the dismissal of planning appeals for their retention, the applicant has submitted further applications subject of this report. The proposals seek the erection of a basement plus two storey rear extension with associated works subject to the buildings conversion to form 9 no apartments. An accompanying report for listed building consent application relating to this planning application also appears on the agenda for this committee meeting.

Public Interest – Withington ward members have written to object to the proposals and to support the residents objections. 3 objections from residents have been received and a further objections have been received from Withington Civic Society, South East Fallowfield Residents Group and the Fallowfield Community Guardians. The concerns raised relate to the proposals not improving the social and environmental conditions of the area, and, that the two storey rear extension fails to preserve the Grade II designated heritage asset, causing harm that does not benefit the neighbourhood.

Principle – The Council has previously determined that the conversion and extension of the Grade II Listed property to form self-contained apartments is acceptable through the granting of planning and listed building consent references 107448/FO/2014/S1 and 107449/LO/2014/S1. The adopted local planning policies these previous applications were determined under remain up-to-date and unchanged. As set out within this report and that accompanying the listed building consent application the principle of the development is considered acceptable and in accordance with the adopted local plan policies and the National Planning Policy Framework.

A full report is attached for Members consideration.

Background information

The applicant has undertaken works to convert and extended the application property to form ten residential apartments. As will be set out in the planning history section below, whilst planning and listed building consent was granted in 2015 for the conversion and extension of the property to form nine apartments (application references 107448/FO/2014/S1 and 107449/LO/2014/S1), the works subsequently undertaken were not in accordance with those approvals. The works undertaken increased the number of apartments at the property to 10 in total (a net gain of one apartment), the rear extension constructed is larger and works, to both the interior and exterior of the listed building went beyond that approved in 2015. In addition, alterations and removal of original listed fabric was undertaken which is more significant and intrusive than was envisaged as part of the 2015 permissions.

As such the use and the extensions undertaken are unauthorised and are subject to an enforcement notice seeking the use of the property as apartments to cease and the rear extension to be removed and the rear of the listed building to be reinstated in its original condition.

In order to regularise the unauthorised development that had been undertaken the applicant submitted planning and listed building consent applications in July 2018 references 120505/FO/2018 and 120506/LO/2018. These applications were refused in October 2018 for the following reasons:

The extension the subject of this application by reason of its excessive size, design and detailing fails to preserve the Grade II designated heritage asset causing harm that cannot and has not been justified by public benefit, and is therefore considered to be contrary to Government Guidance contained in Sections 16(2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Sections 12(Achieving well designed places) and 16 (Conserving and Enhancing the Historic Environment)of the National Planning Policy Framework, The Core Strategy for the City of Manchester, in particular Policy EN3 (Heritage) and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

The installation of in total 11 roof lights on the front and rear elevations fails to preserve the Grade II designated heritage asset causing harm that cannot and has not been justified by public benefit, and is therefore considered to be contrary to Government Guidance contained in Sections 16(2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Sections 12(Achieving well designed places) and 16 (Conserving and Enhancing the Historic Environment)of the National Planning Policy Framework, The Core Strategy for the City of Manchester, in particular Policy EN3 (Heritage) and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

The removal of original fabric to facilitate the conversion of the property fails to preserve the Grade II designated heritage asset causing harm that cannot and has not been justified by public benefit, and is therefore considered to be contrary to

Government Guidance contained in Sections 16 (2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Sections 12 (Achieving well designed places) and 16 (Conserving and enhancing the Historic Environment) of the National Planning Policy Framework, the Core Strategy for the City of Manchester, in particular Policy EN3 (Heritage) and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City Of Manchester.

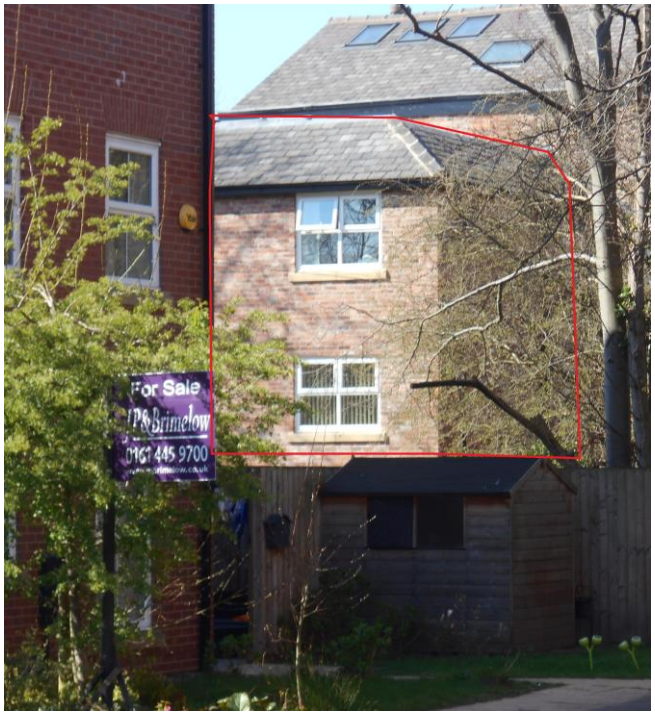
The use of unsympathetic materials in the construction of the extension and the conversion of the property fails to preserve the Grade II designated heritage asset causing harm that cannot and has not been justified by public benefit, and is therefore considered to be contrary to Government Guidance contained in Sections 16 (2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Sections 12 (Achieving well designed places) and 16 (Conserving and enhancing the Historic Environment) of the National Planning Policy Framework, the Core Strategy for the City of Manchester, in particular Policy EN3 (Heritage) and saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City Of Manchester.

An appeal into those decisions was subsequently made by the applicant and these appeals were subject to a Public Inquiry held in May 2019 with the appeals being subsequently dismissed by an independent Planning Inspector in July 2019.

The current application proposals set out below seek to overcome the previous reasons for refusal.

Unauthorised rear extension as viewed from neighbouring property

Unauthorised extension as viewed form rear of application property



Unauthorised rear extension as viewed from Besford Close

The unauthorised extension when viewed from Wilmslow Road

Enforcement

An Enforcement Notice and Listed Building Enforcement Notice were issued on 14 August 2017; these notices required the cessation of the use of the property as flats and removal of the unauthorised rear extension and remain extant. The recommendation of this application would have no effect on these notices.

The notices were amended to allow for an alternate period for compliance to that originally imposed, this requiring the flats use to cease by 2 February 2020 and then for the demolition of the rear extension by 17 July 2020. All evidence suggests that the property owner complied with the first stage of the notice by the deadline. However, the secondary element was impacted by the Covid-19 pandemic and to allow for the application process to continue without unnecessary hindrance. Officers have taken that further opportunity to continue to work with the applicant and secure a proposal that can now be supported.

The proposal the subject of this application, if granted, would allow the applicant to either implement this scheme or under the terms of the Enforcement Notice and Listed Building Enforcement Notice, restore the land and building to its condition before the breach took place, namely, to demolish the currently unauthorised extension and reinstate the original elevations.

The Council is mindful that the Covid-19 measures have not yet fully eased and that in the event of this application being granted it would take time for the applicant to begin its implementation, the Enforcement Notice and Listed Building Enforcement Notice would be amended to allow until 31 March 2022 to achieve compliance with those outstanding elements.

Description

The application property is a grade II listed building, having been formally designated in 1974, and forms an end property of a short terrace row of three buildings known as 'Norton Place'. The property was originally constructed as a dwellinghouse, along with the other two buildings in the row. Predominately two storey in height, the property benefited from a basement area, two-storey outrigger to the rear and attic accommodation.

View of the front of 363 Wilmslow Road

The front of the property has two ground floor bay windows with central entrance door way and steps. The bays and doorway have distinctive decorative detailing as do the eaves of the property. The upper floor windows have vertical sash windows, with vertical glazing bars, and a more simple stone surround.

The side gable wall to the property has a similar bay window as the front elevation with decorative features and an upper floor window, which again follows the same style and features as the front elevation.

The rear elevation of the property was once characterised by a two-storey outrigger. This was similar to the outriggers, which remain evident within the remainder of the terrace row at properties 359 and 361 Wilmslow Road known as 'Norton Place'.

A low boundary wall and gate post mark the entrance to the front curtilage of the property which once formed the front garden and now consists of hardstanding for car parking. To the rear of the property is a landscaped garden area with cycle store and bin store.

The list description for the property indicates it was in use in 1974 as offices and the planning history for the property indicates it was used as a medical centre from 1979

to 2010. There appears to have been an education use in the building subsequently prior to it becoming vacant.

The surrounding area is mixed use in nature. The application property, together with the other properties in the terrace that form Norton Place, retain their residential character.

Development Proposals

The applicant seeks planning permission for the erection of basement and two storey rear extension to create 9no. self-contained flats together with other works including internal alterations, the rebuilding of gate piers, the laying out of car parking area and the provision of a cycle store and refuse store. The applicants supporting statements indicate that the proposals subject of this application conform closely to the proposals for the conversion and extension of the property to form 9 no. apartments granted planning and listed building consent in 2015.

The application proposals are for four one-bed duplex apartments on the ground level and basement, two one-bed flats on the first floor, a two-bed flat in the attic and two two-bed flats in the extension to create a total of nine apartments. The applicants submitted information indicates that each duplex apartment would occupy one of the original rooms on the ground level and the corresponding space in the lower ground floor. The first floor apartments would each occupy two rooms, front to back, while the two-bed apartment would occupy the three existing rooms on the upper level. The rooms located towards the front of the building on the ground and first floor have been refurbished and returned to close to their original size. The applicant indicates that the number of partition walls introduced have been kept to a minimum throughout the existing building. The extension has two storeys and a floorplate of about 60m2 per floor. The extension would be constructed traditionally, with loadbearing brick-faced cavity using salvaged bricks, slate roof. Windows and doors are to be of painted timber.

A separate listed building consent application (reference 127017/LO/2020) has also been submitted and is subject to a separate report appearing on the Committee agenda.

Relevant Planning History

March 2001 - Application for Planning permission 061665/FO/SOUTH1/01**,** Part single part two storey rear extension, new entrance at side of property with access ramp and parking at rear. Approved June 2001.

March 2001- Application for Listed Building Consent 061666/LO/SOUTH1/01**,** LISTED BUILDING CONSENT Part single part two storey rear extension, new entrance at side of property with access ramp and parking at rear and internal alterations. Approved June 2001.

May 2008 -Planning application 086507/FO/2008/S1 Erection of a part single/part 2 storey extension at rear of property and entrance ramp and new entrance at side of

property. Provision of parking spaces in rear garden with associated landscaping. Approved July 2008.

May 2008 - Application for Listed Building Consent 086581/LO/2008/S1 LISTED BUILDING CONSENT for the erection of a part single/part 2 storey rear extension, new access ramp and side entrance, car parking in rear garden and associated landscaping Approved July 2008.

July 2014 - Planning application 106424/FO/2014/S1 Erection of part single, part two-storey rear extension to existing building together with excavation of rear garden to create nine flats, with landscaping and parking Approved September 2014.

July 2014 - Application for Listed Building Consent 106425/LO/2014/S1 Listed Building Consent for the erection of part single, part two-storey rear extension to existing building together with excavation of rear garden and internal alterations in association with the creation of nine flats, Approved September 2014.

March 2015 -Planning application 107448/FO/2014/S1 Erection of part single, part two-storey rear extension to existing building together with excavation of rear garden to create 9no. self contained flats with landscaping and parking, Approved May 2015.

March 2015- Application for Listed Building Consent 107449/LO/2014/S1 Listed Building Consent for the erection of part single, part two-storey rear extension to existing building together with excavation of rear garden and internal alterations in association with the creation of 9no. flats, Approved May 2015.

June 2017 Planning application 116773/FO/2017**,** Change of Use from doctors surgery to create 10no. self contained flats including the erection of a basement and two storey rear extension to existing building together with excavation of rear garden with associated landscaping and parking, Refused August 2017

June 2017 -Application for Listed Building Consent 116774/LO/2017**,** Listed Building Consent for the erection of basement and two storey rear extension to existing building to create 10no. self contained flats together with excavation of rear garden with associated landscaping and parking ,Refused August 2017

July 2018 - Planning application 120505/FO/2018**,** Erection of basement and two storey rear extension to existing building to create 10no. self contained flats together with excavation of rear garden with associated landscaping and parking, Refused October 2018.

July 2018 - Application for Listed Building Consent 120506/LO/2018**,** Listed Building Consent for the erection of basement and two storey rear extension to existing building to create 10no. self contained flats together with excavation of rear garden with associated landscaping and parking. Refused October 2018.

Appeal against refusal of Planning permission 120505/FO/2018 and 120506/LO/2018 dismissed following Public Enquiry in July 2019.

Consultations

The application was subject to notification letters sent to neighbouring properties and statutory consultees, and also by way of notice posted at the site, and advertisement in the Manchester Evening News as an application affecting a Listed Building. The following responses to these notifications were received:

Councillor Chris Wills – Has written to object. This is a listed building which has recently been subject to a planning inquiry for building a two storey rear extension which was not built according to planning permission. The appeal was dismissed. This was a positive outcome for both local residents and Councillors.

The proposed application does not improve the social and environmental conditions of the area, nor comply with the development plan. Therefore, it does not comprise sustainable development. The two storey rear extension fails to preserve the Grade II designated heritage asset, causing harm that does not benefit the neighbourhood.

Planning permission for a rear extension at 359 Wilmslow Road (part of Norton Place Listed Building) was refused in July 2017. The large rear extension proposed at 363 Wilmslow Road is out of keeping due to its size and bulk and proximity to family gardens in Besford Close at the rear. The proposed extension is very large, almost as large as the footprint of the original building.

If an extension at the rear of 359 Wilmslow Road which forms part of the Norton Place listed building, then equally the proposed extension at 363 Wilmslow Road should be refused for the same reasons.

There is loss of amenity caused by the loss of the front garden to car parking spaces, and at the rear due to the large extension. There is only a proposed small lawn, and an absence of soft landscaping. Residents are especially concerned at the trend for developers in the local area to concrete over front gardens, and this would exacerbate that trend.

This is an important listed building and adding a large rear extension and more flats in the basement is not considered appropriate especially considering former planning breaches and all the expense this has caused for the Council. I would therefore ask that this application be refused.

Councillor Rebecca Moore – Has written to support the objections of residents.

3 Letters of objection were received from residents, a summary of the comments made is set out below:

- The proposals constitute a totally disproportionate and ugly addition to a fine listed building;
- The revised plans only differ from the originals by a couple of metres and the top storey off the extension.
- The previous reasons for refusal remain valid.
- The refused extension at number 359 was much smaller than that proposed.
- The application has nothing to do with desperately needed housing otherwise it would be aimed at those who currently can not afford to buy their own house, it is purely a commercial enterprise.

- The application is a direct challenge to the Planning Inspectorate (and therefore Central Government) and our local authority. The developer, his architect and his advisors on planning law knew perfectly well that in going ahead with the building of the extension he was breaking the original planning guidelines. Since the Inspectors ruling the developer has refused to comply with that ruling.
- The impertinence of a further application, greatly increasing both tenants and income, is a direct challenge to the authority of local government and the planning system and to the residents who live here.
- The timing of the application at a time of great social upheaval which distracts from the original condition that has not complied with the appeal ruling. The application must be refused and the Inspectors decision implemented.
- There is no further need for residential flats in this area.
- The developer removed a beech hedge which has created a loss of privacy to the residents on Besford Close. Residents of the flats are able to view over the gardens at the rear of Besford Close.

Withington Civic Society – Much store is now placed by the applicant in seeking approval to the present applications on the 2015 approval and the similarity between the approval now sought and what was granted in 2015. This similarity may be correct, though clearly there are differences and the WCS would urge these to be considered carefully.

South East Fallowfield Residents Group - The refusal of listed building consent at the public enquiry found that the extension was too dominant in relation to the main building. The extension was completely out of character with UPVC windows, plastic drainpipes, additional roof lights and the original front steps had been removed from the front of the building etc. Internally the 'restoration' also involved the removal of period cornicing, skirting boards and picture rails and a general loss of spaciousness which would have typified a Victorian villa of these proportions and design.

The new plans that have been submitted appear to address many of the concerns that were raised but we still strongly believe that this application represents an overdevelopment of this site and that the new extension is much too large for this plot. This building is the only listed building in our area, it is in a very prominent position on the South Manchester corridor and objections from community groups and neighbours illustrate how important - and valued - it is by the local community.

The current application seems to attach weight to the fact that these plans for the extension works are similar in scale to the plans submitted in 2015 which were approved. We would like it noted that our community group (and other local groups we have spoken to) were not informed about the 2015 application and had we been notified (as is normally the case), we would definitely have objected at that time.

We are now 6 years on and the local - and national - situation is quite different. There is no need for extra accommodation in the area, and especially in light of Covid 19, there is likely to be surplus accommodation available in the months and years ahead.

The developers may argue that the size of this development is necessary for the viability of the project however we would maintain that a simple and good quality development of the main building would have yielded a large enough return and that the extra costs accrued in the previous applications and enquiry should not be factored in, in any assessment.

Car Parking - The application is for 9 flats and yet there are only 7 car parking spaces (including 1 disabled parking space). This is wholly insufficient bearing in mind that around 20+ people could potentially live here and that it isn't possible to park on Wilmslow Road. To provide extra spaces would take up valuable outside amenity and again shows this is an overdevelopment of the site. MCC's core strategy makes mention that developments should have 'appropriate parking facilities'.

Garden - The communal garden area seems very small relative to the number of flats and this is mainly because of the size of the extension. The lay out of the garden with steps leading up from the area around flat 6 mean that it is likely that the remaining flat dwellers will be left with the small area of top lawn. Moreover the garden itself is completely devoid of soft landscaping, this barren and exposed landscape would make it an unattractive place for residents to use and there would be very limited wildlife. In light of Covid 19, we think that garden areas are more important than ever to local people and those with children, in particular, will find this extremely difficult.

Size of the flats - Many of the very small flats are unusually arranged over two floors and although they just about conform to the nationally described space standards (37m2 for a one bedroom), it looks like the stairways have been included, if we remove this from the equation they are very small indeed.

Bin storage - Is this sufficient bearing in mind the potential numbers living in this block and the need for recycling.

Fencing or hedging - We are unclear what plans, if any, have been made for the boundaries, especially those along the back which adjoin other housing. This is necessary from both a noise and privacy point of view to all residents and neighbours and anything which would further help buffer sound and aid privacy would be welcomed.

We would like to request that if planning permission is granted for this new development (and we hope that it will not be) that a condition of any consent should be that the flats should not be let as short term Airbnb accommodation, or similar. We would like to encourage long term residents to this area and we believe this is in line with the council's strategy to create 'sustainable neighbourhoods of choice'.

Fallowfield Community Guardians - Strongly feel that the planning process needs to protect the amenity of the local area and the creation of more flats in the basement and the addition of a large two storey rear extension would create more bedspaces in an area which is already oversaturated with flats. The proposed application does not improve the social and environmental conditions of the area nor comply with the development plan and therefore does not comprise sustainable development. The two storey rear extension fails to preserve the Grade II designated heritage asset causing harm that does not benefit the neighbourhood. The amenity space is

considerably reduced by the loss of front garden to car parking spaces and the rear because of the large extension. The loss of this amenity space is considered inadequate for nine flats with twelve bedrooms.

Highway Services – Raise no objections to the proposals on highway or pedestrian safety grounds. The provision of 7 car parking spaces, one of which is a disabled space accessed via an existing vehicle crossover together with the provision for up to 10 secure cycle storage spaces is considered to be acceptable.

Environmental Health – Recommend that conditions are attached to any permission relating to construction/demolition hours; acoustic insulation, and final details of the waste management of the site being agreed.

Cadent Gas – Have identified that gas pipelines serve the property.

United Utilities – Request conditions be attached to any approval relating to the submission and approval of surface water drainage scheme.

Policy

The development plan consists of the:

- Manchester Core Strategy Development Plan Document (Adopted July 2012); and
- The extant Unitary Development for the City of Manchester (Adopted 1995)

The Manchester 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). The Core Strategy 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 development plan unless material considerations indicate otherwise.

The relevant policies to in considering this application are as follows:

Policy SP1 '*Spatial Principles*' states that one of the key spatial principles is the emphasis on the creation of neighbourhoods of choice all in a distinct environment. The proposals would allow the conversion and occupation of a designated heritage asset in the form of flats contributing towards the provision of a range of as residential dwellings in a distinct environment.

Policy EN1 '*Design principles and strategic character areas'* . The proposals have taken into account the sites location on a major radial route and have had regard to the character of the area in which the development is located.

Policy EN3 '*Heritage'.* The proposals have been presented as, enhancing the historic environment, the character, setting and accessibility of the listed building.

Policy H1 *'Overall Housing Provision'* sets out the requirement for new housing over the plan period. It states that new developments should take advantage of existing buildings where appropriate through refurbishment or rebuilding works.

Policy H6 *'Housing in South Manchester'* directs high density development to district centres. The proposals are located on the edge of Fallowfield district centre and provide a high quality conversion of a designated heritage asset to provide residential accommodation.

Policy EN 14 '*Flood Risk'* - Policy EN 14 states that in line with the risk-based sequential approach, development should be directed away from sites at the greatest risk of flooding and towards sites with little or no risk of flooding. The application site is located in Flood Zone 1 and therefore there is no requirement for additional attenuation against flood risk.

Policy EN16 *'Air Quality'* states that the Council will seek to improve the air quality within Manchester. The development is not considered to compromise air quality.

Policy EN18 *'Contaminated Land'* states that any proposal for development of contaminated land must be accompanied by a health risk assessment. The development would not compromise below ground contamination.

Policy DM1 '*Development Management'* consideration has been given by the applicant to the siting design and scale of the development together with the proposed materials and detailing to reflect the designated heritage asset that it relates to.

For the reasons set out within the main body of this report, it is considered that the proposal is consistent with the policies contained within the Core Strategy

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which remain part of the development plan and the starting point for decision making pursuant to section 38 (6) of the Planning and Compulsory Purchase Act. The below saved policies are considered relevant.

Saved policy DC1 '*Residential Extensions'* states that this policy is applicable to extensions to properties in use as flats (part DC1.6).

Saved policy DC1 outlines a number of general criteria which is considered relevant in the determination of residential extensions it provides the considerations when determining applications including that extensions should not be excessively large or bulky; extensions should not be out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details. The proposals have been designed to be subservient to the main building in both scale and design response.

Saved policy DC5 *'Flat conversions'* states at DC5.2 that there will be a general presumption in favour of flat conversions within residential areas, on the upper floors of businesses within commercial areas and in properties on main road frontages, subject to other relevant policies of the Plan. They will be particularly welcome where large, old, difficult to re-use properties are involved, and where proposed schemes provide investment enabling the retention and improvement of housing stock. The application proposals seek the re-use of an old property that had been previously vacant form some time for residential use.

Saved policy DC19 '*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. The application proposals would secure a permanent long term residential use of the listed building.

For the reasons set out within the main body of the report, it is considered that the development is consistent with the policies contained within the UDP.

The National Planning Policy Framework (NPPF- 2019) 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 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.

<u>Other material considerations</u>

Manchester Residential Quality Guidance 2016 - 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 as a material consideration in the Council's decision making as a Local Planning Authority.

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.

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 amenity space 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.

The Manchester Green and Blue Infrastructure Strategy (G&BIS) - sets out objectives for environmental improvements within the City in relation to key objectives for growth and development. Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city.

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

Principle – As set out within the preceding parts of this report planning approval has previously been granted for the conversion of the application property to 9 no. self-contained apartments facilitated by the erection of a rear extension. In granting the planning approvals in 2015 this established that the principle for residential use of the building was acceptable. These decisions were made in the context of the same local planning policy context as the current applications presented in this and the accompanying listed building consent report. As such, the principle for the conversion and extension to this property to provide self-contained apartment residential accommodation is considered to be acceptable.

Residential Amenity – The proposed two storey rear extension would extend between approximately 8.5 metres from the principle rear wall of the property and have an overall height of 7.5 metres and a width of 8.7 metres. The rear garden where the extension is located is set lower than the ground level towards the front of the property.

The nearest residential properties are located on Besford Close to the rear of the application site, to the south in the neighbouring apartment block at number 365 Wilmslow Road and to the north in the adjoining Grade II listed property at 361 Wilmslow Road. Whilst there is no planning history relating to number 361 Wilmslow Road it is assumed to be in residential use. There are other residential properties in the form of three storey flats approximately 30 metres to the south east from the original rear wall of the property.

Number 13 Besford Close is a three-storey semi-detached property to the east of the application site, it has a rear conservatory, and side and rear garden. The gable wall facing towards the application site is approximately 18 metres from the rear wall of the proposed extension at number 363 Wilmslow Road. There are two side windows serving what is believed to be the staircase of that property according to plans associated with previous planning approvals relating to it. Given this relationship and the orientation of the proposed extension it is not considered that the proposals would give rise to unacceptable impacts on the residential amenity of this property in respect of loss of privacy, overshadowing or loss of daylight. The relationship between the proposed extension and this property would not result in an overbearing or over dominant built form.

View south west from the head of Besford Close cul-de-sac towards rear of application property edged red

View north west from Clifton Avenue towards the rear of the application property edged red

The apartments at 365 Wilmslow Road are located to the south of the application site. This property has been extended in the past and has a three-storey extension set back from the main frontage of the property. The gable wall closest to the application site does not contain any windows and is approximately 6.5 metres from the side wall of the proposed extension. There are six proposed side windows facing towards the gable wall of 365 Wilmslow Road (3 at ground and 3 at first floor) given this distance it is not considered that this relationship would give rise to unacceptable impacts on the residential amenity of occupiers of the flats at number 365 Wilmslow Road and would provide some natural surveillance of this area.

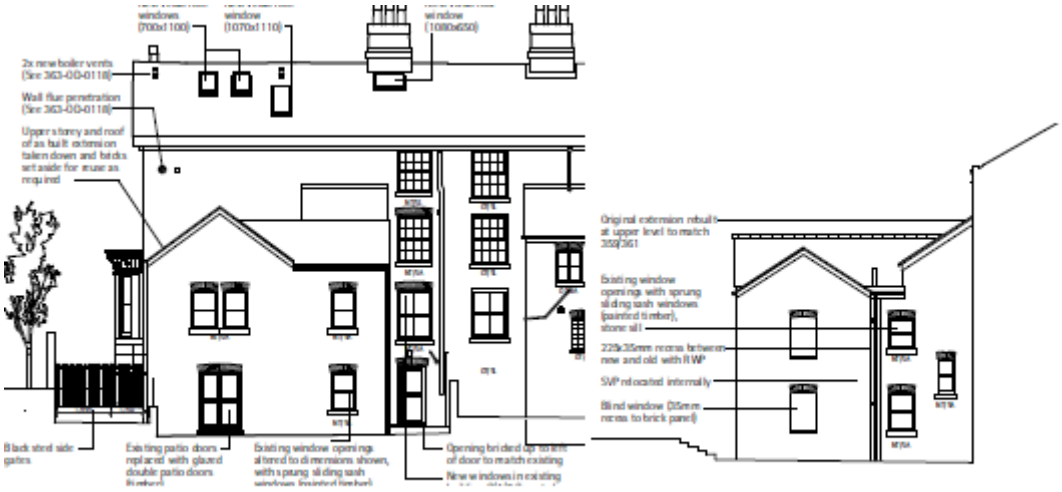
The rear extension would extend approximately 8.5 metres from the rear wall of the application property closest to the adjoining property at number 361 Wilmslow Road and would be sited 2.5 metres from the boundary with that property. The rearward projection of the extension is greater than normally accepted under saved Unitary Development Plan policy DC1 for residential extensions (3.65 metres), but which is still relevant in considering extensions to flats. The application property historically had a three storey outrigger set in a similar distance from the boundary, whilst this was not as deep as currently proposed, this outrigger would have had a similar impact on light into the rear windows of number 361 particularly in the mid to late afternoon given the orientation of the properties. In this instance given the height of the rear extension being a storey lower than previously refused proposals, and the stand off space with the boundary of the adjoining property it is considered that the rearward projection of the extension is not considered to give rise to unacceptable impacts on the residential amenity of occupiers of the adjoining property that would warrant refusal of the proposals. The side facing windows in the extension serve a stairway and bathroom and these would be subject to a condition to ensure they

were obscurely glazed to reduce the potential for overlooking of the neighbouring property and its amenity space.

Rear of application property – the unauthorised extension is to the left - showing relationship with windows in adjoining 361 Wilmslow Road

In this instance regard must also be had to the previous planning permissions granted to extend the property under reference 107448/FO/2014/S1. The rearward projection, height of the extension and distance from the boundary with the adjoining property is similar to that approved in 2015 under planning permission reference 107448/FO/2014/S1 . There have been no changes to the local plan policies since that approval and the relationships to adjoining properties and their uses are as they were during consideration of those proposals. It is considered that the previous approvals are a material consideration in determining this application and provide a precedent for the acceptance of proposals that are similar in nature and form to those previously granted planning permission.

Previously approved rear and side elevation (reference 107448/FO/2014)



Proposed rear and side elevation (as viewed from number 361 Wilmslow Road)

In terms of the residential amenity of future occupiers of the property, whilst the property is located on a busy road frontage close to the main commercial areas associated with Fallowfield District Centre it is recognised that immediate surrounding uses are residential in nature and the use of the property for a residential use would not be unusual or considered to be unacceptable in this regard. Whilst recommendations have been made by the Council's Environmental Health team with regards to acoustic insulation of the property, the rear extension is located away from the road and wider proposals incorporate double glazed heritage style sash windows to the front elevation. Given the potential for further intrusive works to the internal fabric of the listed building to incorporate further acoustic insulation measures in this instance the application proposals approach is considered acceptable.

As set out above it is considered that the application proposals are acceptable in terms of residential amenity and would not give rise to impacts that would warrant refusal of the proposals subject of this application.

Design, scale and appearance – The proposed rear extension has an overall height of 7.5 metres to ridge, and a width of approximately 8.7m and depth of 8.5 metres from the ground levels at the rear of the site. The application proposals are set down significantly below the eaves level of the original property. This reduction in height from the unauthorised extension constructed allows the extension to read as a subservient addition to the property in terms of its scale. Given the differences in ground levels between the front and rear of the site of approximately 1 metre, the eaves line of the proposed extension would sit below the top of the side bay window of the property. These relationships together with the proposed roof slope and gable arrangement would further assist in ensuring views of the extension from Wilmslow Road and properties on Besford Close would be limited.

The proposals have been amended since they were first submitted to introduce more detailing to the treatment of windows including brick segmental arches above to better reflect the historic Norton Place properties. These details will assist in the assimilation of the extension together with the use of bricks and slates retained following the removal of the unauthorised extension which are considered acceptable.

It is considered that the design, scale and appearance of the extension is acceptable, consideration of the impacts of the extension and other works on the listed building are considered further below and in the associated listed building consent report.

Effects on the listed building - The frontage of Norton Place presents a grand and broadly symmetrical Italianate style elevation to Wilmslow Road. The stucco rendering, deep eaves with ornate bracketing, central feature gable, Corinthian pilaster doorways, canted bay windows and stone quoining at either end, serve to create a visually prominent and distinctive local landmark. Whilst the side gables are less detailed, they are considered to have been designed as part of the overall aesthetic of the terrace of properties that forms Norton Place. The rear elevations of the properties on Norton Place are more subservient of stock brick construction and considered utilitarian in appearance, and were more modest in terms of materials and of windows openings but together demonstrate the historic development of the area and the age in which they were built. The principle significance of the Grade II listed building at 363 Wilmslow Road are the front and side elevations with the rear elevation reflecting the character of more modest detailing and finishes.

The Historic England (HE) Listing of Norton Place indicates that an interior inspection of the property was not undertaken at the time of its listing in 1974. The guidance of HE is that listing descriptions were not intended to be a comprehensive or exclusive record of the special interest or significance of a building. It is fact that the whole of a listed building is covered by its designation, including its interior. In this instance the internal configuration of the building was previously compromised by small scale unsympathetic alterations and additions that were undertaken in association with its previous usage over a period of time. However, evidence available indicates that prior to the unauthorised works having taken place, there were present within the interior of the building decoration and finishes that contributed towards the appreciation of the original construction of the building. These included flagstones, decorative plasterwork, skirtings and architraves, timber panelling and shutters to bay windows and original doors. It is considered therefore that the interior of the building

did contribute to the special interest and significance of the building and the proposals impacts on the significance of the interior is required.

The proposed extension - In terms of the proposed extension, it is located to the rear of the building behind the more distinctive front and side of the building, this does result in a less prominent appearance of the proposal which is further reduced from the extension constructed given the full reduction of a storey in height. The reduction in height and inclusion of a more traditional roof profile to the extension would assist in reducing its bulk and visual dominance that was apparent in the built extension previously refused and upheld at public inquiry. In addition, the inclusion within the application proposals of window sizes and styles more reflective of the original rear elevation, together with segmental arch features more closely reflect the rear elevations of the group of properties forming the listed Norton Place. As such it is considered that the proposed rear extension does reflect the hierarchy of significance of the listed building in continuing to reflect a more modest and subservient built form to the more significant front and side elevations. It is considered that the proposed extension would result in harm to the listed building, as the front and side elevations of the application property would remain largely intact as a result of the proposal the level of harm is considered to be of less than substantial harm.

Other works - In addition to the rear extension the proposals incorporate a number of other works to the building that would replace elements installed as part of the unauthorised works to the property these include:

- The replacement of uPVC windows and doors with timber sliding sash windows;
- The installation of three no. rooflights to the front roof plane (instead of the 6 installed) and 4 no rooflights to the rear roof plane (instead of 5 installed)
- The replacement of uPVC rainwater goods with heritage cast iron downpipes and guttering
- Removal of boiler vents and alarm boxes from the side gable wall
- Reinstatement of stone gateposts
- Reinstatement of stone flight of steps to front entrance

The re-introduction of traditional timber framed windows to the existing building together with more appropriately sized timber windows to the proposed extension and rear elevation are considered to reduce the degree of harm of the loss of the original windows from the building.

The installation of 3 no. rooflights reflects the position approved under the 2015 consent, they have been sited to balance and line through the first floor front windows. The installation of the roof lights in the rear roof slope are not prominent. It is considered that these elements are less harmful additions and would allow the conversion of the property to residential use.

The de-cluttering of the side gable of unauthorised flues/vents and alarm boxes would improve the visual appearance of this element of the building.

Internal works – The proposed conversion of the listed property encompasses a range of works to ensure it is suitable for habitation and provide a safe environment for future occupiers. The application proposals have been modified since they were

originally submitted to incorporate and replace lost features undertaken as part of the unauthorised works. It is also noted that some of the works undertaken at the property have had heritage benefits such as the removal of some previously installed elements, cabling etc.

The internal works comprise:

- The installation of internal staircases for the duplex apartments,
- The re-instatement of timber panelling to the bay windows to ground floor rooms;
- The provision of replacement ceiling cornicing, picture rails and moulded skirting boards;
- Re-instatement of acanthus design console brackets within hall.
- Raising of part of the ground floor;
- Insertion of suspended ceilings in the ground floor spaces to meet fire and sound insulation requirements.

It is considered that these works, whilst acknowledging that they correct previous unauthorised works, would benefit the building and that these together with other works, would have modest heritage benefits.

When considering the overall harm to the listed building, the proposal would not lead to 'substantial harm' or the total loss of the significance of the designated heritage asset, that being number 363 Wilmslow Road and the group of Grade II Listed Buildings identified as 'Norton Place'. However, the erection of the extension is considered to lead to less than substantial harm to the significance of a designated heritage asset. Therefore in accordance with Paragraph 196 of the NPPF *'where a development proposal will lead to a less than significant harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal, including securing its optimum viable use'.*

Implementation of any scheme approved – The proposals subject of this and the accompanying listed building consent application would require the removal of an unauthorised extension and repair/refurbishment works to the interior of the designated heritage asset in order that they are implemented. The Council is cognisant of the requirement and potential impacts of these works on the building. Whilst these are subject to separate enforcement action, as detailed elsewhere, it is considered essential that these matters are also addressed. It is considered that works to remove those elements that have been identified as harmful through the previous appeal process will need to be undertaken carefully to avoid further harm or damage to the designated heritage asset. Whilst some details have been provided with the application further detailed method statements for those works will be required and conditions of any approval would deal with these matters.

Public Benefit - The improvements to the front and side elevation of the property together with the proposed works to replace the stone steps and gate posts, together with the renewal of the front forecourt parking area would derive a direct and visible public benefit given the significance of these elevations within the immediate area.

The proposals would result in the re-use of an designated heritage asset and secure its long term use whilst contributing to the overall stock of residential dwellings in a

highly sustainable location. This is considered to be of a major public benefit, difficult to convert older buildings are at more risk of deterioration and neglect if not in use. A residential use would secure the longer-term future of this designated heritage asset.

The key features of the heritage asset, that being the front and side elevations of number 363 Wilmslow Road would remain broadly unchanged, although alterations are to be made to the internal fabric of the application property. Any potential identified harm to the building therefore, is to the rear elevation and the proposed internal works required to facilitate the conversion of the property.

In this instance it is considered that the public benefits deriving from the proposals and allowing the re-use and occupation of the designated heritage asset in residential use outweigh the identified less that substantial harm.

It is also considered that the principles established through the 2015 planning permission in terms of scale, footprint and height of the rear extension in terms of harm are still relevant and were taken at a time when the tests of harm in heritage terms had been established in the National Planning Policy Framework (2012). Whilst the NPPF has been refreshed since 2012 most recently in February 2019 it is considered that the conclusions reached in approving that scheme are material to the conclusions set out above.

Residential Space Standards – The proposals are for 4no. one-bed duplex apartments on the ground level and basement, 2 no. one-bed flats on the first floor, 1 no. two-bed flat in the attic and 2no. two-bed flats in the extension to create a total of nine apartments.

In this instance one of the 1 bedroom apartments is slightly under the Manchester Space Standards at 38 sqm rather than 39 sqm and one 2 bedroom apartment is under the standard for this size of apartment at 57 sqm rather than 61 sqm. The other apartments are slightly above or equal to the relevant space standards.

Given the difficultly in converting existing buildings particularly those that are listed it is considered that a deviation from the space standards in this instance is acceptable given the need to ensure the building can be suitably converted and that the proposed extension is of a scale that is acceptable.

Accessibility – The main entrance to the property is via a stepped access this reflects the internal floor levels where the ground floor level is set approximately 1.2 metres above the external ground level. Given the differences in levels it is not possible to provide a ramped access to this building without significant interventions or amendments to the frontage of the building. In response to this the application proposals are to amend the steps to improve access to the front door by making the rise in the steps more comfortable and less steep, and to unify the front facade appearance by co-ordinating the handrail/metalwork with that of the front lightwells.

Transport – The application site is within a sustainable highly accessible location. Wilmslow Road at this point has dedicated segregated cycle lanes travelling north and south connecting with the east/west Manchester Cycleway (Fallowfield Loop) link to Chorlton to the west and Gorton to the east. The proposals incorporate a secure

bicycle store for 10 bikes and is considered to be adequate level of provision for the proposals. Wilmslow Road is also served by high frequency bus services travelling north and south providing future occupiers means of travel not reliant on the private motorcar. However, to accommodate the potential need there are 7 car parking spaces (1 space dedicated as a disabled persons parking space) to the front of the property. This level of provision is considered acceptable in this location.

Waste arrangements – The proposals incorporate a dedicated bin store for the apartments within the rear yard. The store is accessible via a ramped hard surface to the side of the property and would allow for bins to be brought to the Wilmslow Road frontage for collection as per arrangements for other properties in the vicinity. The final details of waste management are to be secured by way of appropriately worded condition

Sustainability – The proposals would re-use and bring into long term use a designated heritage asset that had been vacant for some time and was in need of works to secure its long term future. Given the majority of the building fabric would be retained to facilitate its use, whilst incorporating more modern insulation, electrical and heating systems, it is considered that this together with its location in a highly sustainable location would result in a sustainable development that would contribute positively to the area in which it is located.

Amenity space – The proposals incorporate a part grassed and part hard surfaced amenity area within the rear garden. The overall rear external area excluding the bike and bin store is approximately 140 sqm in area. The Manchester Residential Design Guide recommends between 5 sqm for a 1 bedroom flat; and 9 sqm for a 3 bedroom flat of external amenity space. This area would be accessed by residents via a side gate and is considered to provide an adequate level of private amenity space for residents.

Car park - The front forecourt is currently a hard surfaced area given over to car parking, this surfacing has been renewed as part of the unauthorised works that have occurred. The hard surfacing arrangement does reflects its historic use dating back to when the property was in use as a GP surgery and photographs from 1976 show the area as car parking to the front of the property. However, it is noted that as part of the unauthorised works a front boundary hedge was removed, whilst such works would not in themselves have required planning permission the 2015 approval had attached a landscaping scheme condition for full details of the landscaping scheme to be submitted for approval. As such whilst the submitted drawings put forward a simple landscaping scheme to the front and rear it is considered necessary to seek greater enhancements particularly to the front boundary to enhance the setting of the listed building. This is to be secured by way of appropriately worded condition.

Other matters- Reference has been made by objectors to the refusal of a single storey rear extension to number 359 Wilmslow Road which is the end terrace of the listed Norton Place. Number 359 is a long standing House in Multiple Occupation and the proposals subject of refusal in 2017 (reference 116015/FO/2017) were considered to give rise to issues of intensification of the HMO use in an area of the City which already had a high concentration of such uses. The accompanying listed building application was also refused due to the proposals not being justified in terms

of public benefit. As such the proposals refused at 359 Wilmslow Road differed in type and are not considered to set a precedent for the current application proposals for extending the property to provide self-contained accommodation.

Concern has been raised regarding the potential for the development, if approved, to used on the basis of short term lets including holiday lets. Given the assessment of harm and public benefit arising from the provision of residential accommodation in this area and the City more generally it is considered reasonable in this instance to attach a condition to any approval to ensure that the dwellings created contribute to the overall housing supply required in the City as identified within the adopted Core Strategy and policy H1 and H6 in particular.

Conclusion – As set out within this report, the current applications are the culmination of an unhappy period for this designated heritage asset. The scheme now presented whilst following the general principles of that granted approval in 2015 in terms of the scale, height and footprint of the rear extension does provide further improvements including to the sizes and design of the windows to be incorporated into the extension together with further internal works to replicate some of the historic features lost as part of the unauthorised works, including timber panelling and shutters to the ground floor front rooms. As such the proposals are considered to be acceptable and the public benefit of the residential use of the building together with the other improvements outlined outweigh the less than substantial harm identified.

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 polices 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 APPROVE

Article 35 Declaration

The application has been considered in a positive and proactive manner as required by The Town and Country Planning (Development Management Procedure) (England) Order 2015 and any problems arising in relation to dealing with the application has been communicated to the applicant.

Proposed conditions to be attached to approval

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:

363-OD-0102 01 Proposed and Existing site plan - as received on the 28th May 2020

363-OD-0110 Rev 02 Cross Section (As Proposed)
363-OD-0111 Rev 02 Interior Details (Sheet 1)
363-OD-0112 Rev 02 Interior Details (Sheet 2)
363-OD-0113 Rev 02Window Details (Sheet 1)
363-OD-0114 Rev 02 Window Details (Sheet 2)
363-OD-0115 Rev 02 Front Steps Details
363-OD-0116 Rev 02 External Works Details
363-OD-0117 Rev 01Window Details (Sheet 3)
363-OD-0119 Rev 01 Replacement Window Shutters
363-OD-0120 Rev 01 Window Shutters (View)
363-OD-0121 Rev 01 Suspended Ceiling Datasheets
All as received via email on the 14th September 2020

363-OD-0109 Rev 03 Elevations (As Proposed)
363-OD-0118 Rev 02 Roof Details – both as received via email on the 17th October 2020

363-OD-0108 Rev 04 Floor Plans (As Proposed)- as received via email on the 20th May 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) No development shall commence (including any demolition or site set up works) until a method statement for the construction works to be undertaken to implement the approval have been submitted to and approved in writing by the City Council as local planning authority. The submitted statement shall include methods to protect the listed building whilst works are being carried out on the building and at the site. The development shall be subsequently carried out in accordance with the agreed details.

Reason - To ensure that the construction works associated with the development of the extension to this Grade II Listed Building are undertaken in an appropriate manner pursuant to policies EN3, SP1 and DM1 of the Core Strategy, saved Unitary Development Plan policy DC19 and the National Planning Policy Framework.

4) No development that is hereby approved shall commence unless and until samples and specifications of all materials including mortar specification to be used on all external elevations of the development and including: gate posts; front steps; and, all hard landscaping materials have been submitted to and approved in writing by the City Council as local planning authority. The development shall be subsequently carried out in accordance with the agreed materials.

Reason - To ensure that the appearance of the extension to this Grade II Listed Building is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies EN3, SP1 and DM1 of the Core Strategy and saved Unitary Development Plan policy DC19.

5) Within one month of the date of the development hereby approved commencing the detailed scheme for the storage (including segregated waste recycling) and disposal of refuse shall be submitted to the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To ensure that there is satisfactory provision for the storage of refuse pursuant to Core Strategy policy DM1 and saved Unitary Development Plan policy DC5.

6) Notwithstanding the approved plans, within one month of the commencement of development a hard and soft landscaping treatment scheme including frontage hedgerow planting shall be submitted to and approved in writing by the City Council as local planning authority. The approved 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, EN3, EN9 and DM1 of the Core Strategy and saved UDP policy DC19.

7) The car parking as indicated on the approved site layout drawing, shall be laid out and demarcated prior to the first occupation of the development hereby approved and shall be retained thereafter for sole use by the occupiers of the development.

Reason - To ensure that adequate car parking provision is available for the occupiers of the development pursuant to saved UDP policy DC5 and adopted Core Strategy policy DM1.

8) The bicycle store indicated on the approved plans shall be installed prior to the first occupation of the development hereby approved and shall remain in situ whilst the development is in use.

Reason – To ensure adequate access to secure cycle parking facilities by occupiers of the development pursuant to policy T1 and DM1 of the adopted Core Strategy.

9) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for private residential purposes and to ensure the achievement of the public benefit identified pursuant to policies SP1, DM1, EN3 , H1, H6 and H11 of the Core Strategy for Manchester and the guidance contained within National Planning Policy Framework including section 16.

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: 127016/FO/2020 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.

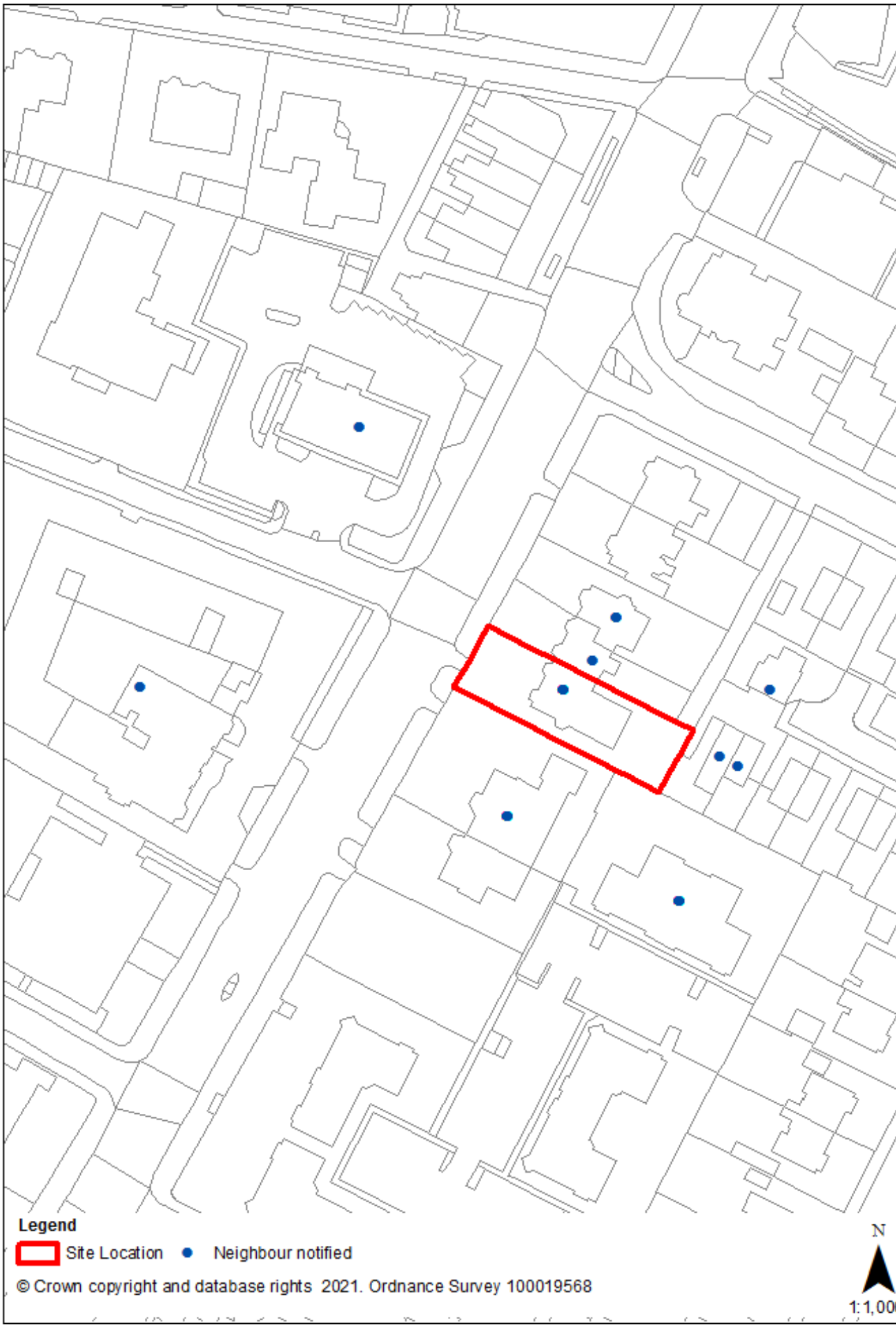
The following residents, businesses and other third parties in the area were consulted/notified on the application:

Highway Services
Environmental Health
South East Fallowfield Residents Association
Rusholme, Fallowfield & Moss Side Civic Society

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:
South East Fallowfield Residents Group
Fallowfield Community Guardians
Withington Civic Society
Councillor Chris Wills
Councillor Rebecca Moore
Cadent Gas
MCC Environmental Health
MCC Highway Services
United Utilities
2A Egerton Road, Manchester, M14 6XW

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