MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Applicant

Rolldeen Estates Ltd
793 Stockport Rd
Levenshulme
Manchester
M19 3DL

Agent (if used)

Tim Wing
Stamford Wing Chartered Surveyors
5 Bower Gardens
Stalybridge
Cheshire
SK15 2UY

Part 1 – Particulars of the application/development

Proposal: Retention of existing ground floor college (Class D1) and the erection of a first and second floor extension above existing single storey rear extension (3 floors in total) in association with the formation of 6 x one bedroom apartments, elevational alterations and laying out of 5 car parking spaces with associated highways works.

Location: 818 Stockport Road, Levenshulme, Manchester, M19 3AW

Date of application: 10 October 2011

Application number: 097553/FO/2011/N2

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Refused** in accordance with the application and plans submitted for the reason(s) listed below.

Reason(s) for decision

1) The provision of 6 x one bedroom apartments would be detrimental to the supply of a balanced mix of houses in this part of Levenshulme, and would add to an oversupply of apartments in the area, which would have a detrimental impact upon the character of the local area to the detriment of the fostering of sustainable communities and regeneration in the area, contrary to policies R1.1, H1.2, H1.3, H2.2 and LL1 of the Unitary Development Plan for the City of Manchester, City Council Interim Policy Approach (Housing Development Pipeline: Planning Response), the Student Strategy Implementation Plan and Interim Planning Policy (Approved October 2009) and the guidance contained within the Guide to Development in Manchester Supplementary Planning Document and Guidance, Planning Policy Statement 1 and Planning Policy Statement 3.

2) The proposed development, by reason of it height, massing and design, does not take into account the context of the adjoining and surrounding properties, and would be

out of character with those properties and the general area. It is therefore considered to represent an inappropriate form of design that is not informed by the local character, which creates an incongruous features in the street scene on Park Grove that will have an adverse impact on the visual amenity of the area, contrary to policies R1.1, LL1, H2.2 and H2.7 of the Unitary Development Plan for the City of Manchester, and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, adopted April 2007, Planning Policy Statement No. 3 (Housing) and companion guide "Better places to live" by design and Planning Policy Statement No1 (PPS1) Creating Sustainable Communities and companion guide "By Design" - Urban Design in the Planning System : towards better practice.

3) The proposed creation of 6 flats at this property would provide an overly intensive use of the site which would be detrimental to the amenities of potential residents of the building and its neighbouring residents. Furthermore, the proposal would lead to increased levels of general and vehicular activity, creating the potential for increased congestion in the area and an increase in general noise and disturbance, which would have a negative impact on the character of the area and be detrimental to the amenity of neighbouring residents. Accordingly, the proposal is contrary to policies H2.2 and DC26 of the Unitary Development Plan for the City of Manchester.

4) The development fails to make adequate provision for private outdoor amenity space, to meet the needs of the occupiers of the proposed residential accommodation, and the proposal would therefore constitute overdevelopment of the site. The proposal would not therefore result in a high quality, sustainable or attractive environment and would therefore be detrimental to the context, character, urban form and visual amenity of the area, the residential amenities of residential occupiers of the site, contrary to policy H2.2 of the Unitary Development Plan for the City of Manchester, the Guide to Development in Manchester Supplementary Planning Document and Guidance, Planning Policy Statement 1and Planning Policy Statement 3.

5) It has not been demonstrated that the car parking provision proposed would be sufficient to meet the needs of the development, which creates the potential for residents and visitors parking their vehicles on adjoining residential streets, which would be detrimental to the amenity of the occupiers of nearby residential properties, and to pedestrian and highway safety and contrary to policies H2.2, T2.4 and LL1 of the Unitary Development Plan for the City of Manchester.

6) The proposed development would fail to pay appropriate regard to the security of its occupiers and users by virtue of its layout and detailed design, in particular the proposed combined access to the apartments and college accommodation, and the lack of natural surveillance, fostering the risk of crime to the detriment of the quality of the built environment and the sustainability of the community, contrary to policies EM2, H2.2 and E3.5 of the Unitary Development Plan for the City of Manchester (adopted 1995), the Guide to Development in Manchester supplementary planning document and guidance and central government guidance contained within PPS1 "Delivering Sustainable Development".

Date: 5 December 2011

Signed: 

Julie Roscoe
Head of Planning
Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This decision relates only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the First Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.