Application Number	Date of Appln	Committee Date	Ward
086588/FO/2008/N2	24th Jun 2008	21st Aug 2008	Ardwick Ward

Proposal Retrospective change of use from a single dwelling house (Class C3) to a hostel (sui generis)

Location Newbury House, 80 Daisy Bank Road, Rusholme, Manchester, M14 5GL

Applicant Justine Gore, Riverside Housing, 32 Lever Street, M1 1DE

Agent EC Harris The Royal Exchange, M2 7EH

Description

This application relates to Newbury House, a Grade II Listed Building in the Victoria Park Conservation Area. The premises were previously used as a villa, and so its authorised use would be as a single residential unit, although the applicants state that the premises have been used as a residential rehabilitation and move on hostel, for people with long standing alcohol problems, for a number of years. Retrospective planning permission is therefore now sought to formalise the long standing use of the premises.

Newbury House is an English Churches Housing Association Supported Housing Project and the property is leased from Manchester City Council. Funding is provided by Manchester Supporting People Team who fund housing related support and the Manchester Drug and Alcohol Strategy Team. The main building is two storeys high to the front elevation, with a fall of levels to the rear, so that the basement level is visible, at the rear, effectively making the property 3 stories high, on that elevation.

The property is in need of major refurbishment, is currently not accessible to wheelchair users and has no separate facilities for men and women. Three other applications have therefore been made on this site, and are presently under consideration:

085374/LO/2007/N2 - LISTED BUILDING CONSENT Internal alterations including changes to internal layout and external alterations including new steps and installation of platform lift on side elevation.

086310/FO/2008/N2 - Construction of external staircase to rear of building.

086314/FO/2008/N2 - Construction of two basement lightwells and associated window openings

At present the project offers a structured abstinence based programme to 15 men with long standing alcohol problems, the majority of whom have been dependant drinkers. It is intended that the service will continue to operate with this client group in a supported housing setting, and the proposed modifications would also lead to the removal of shared accommodation and the provision of services to meet the needs of disabled people and women, with alcohol related support needs. The maximum number of people that can be accommodated at the premises remains at 15, with 15 individual bedrooms to be created.

The proposal has been advertised on site, and in the press, as development affecting the setting of a Listed Building, and development within a Conservation Area

Consultations

Local residents/Adjoining Occupiers - One letter has been received from a local resident, who considers that more guests at the premises could impact on noise levels and parking at the site.

Head of Engineering - No comments received.

Head of Environmental Health - No objections, subject to condition relating to refuse collection.

Supported Housing Monitoring Group - Consider that, as Newbury House has been running as a hostel at this address since before the Special Needs and Supported Housing Policy was established in 1998, the approval of this application is outside of the remit of the group. They state that Newbury House would have been included in the provision mapped in 1998 and is not viewed as new provision.

South Manchester Regeneration - No comments received.

Greater Manchester Police - No objections.

Issues

National guidance

Planning Policy Statement 1 (PPS1): Delivering Sustainable Development

This statement advises that planning should facilitate and promote sustainable and inclusive patterns of urban development by making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life, contributing to sustainable economic development, protecting and enhancing the natural and historic environment, ensuring high quality development through good and inclusive design and efficient use of resources, and ensuring development supports existing communities and contributes to the creation of safe, sustainable, liveable mixed communities with good access to jobs and key services for all members of the community.

Planning Policy Statement 3 (PPS3): Housing

In deciding planning applications, LPAs should have regard to achieving high quality housing, ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular families and older people, the suitability of a site for housing including its environmental sustainability, and using land effectively and efficiently, and ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in an area.

Regional Planning Guidance

Regional Spatial Strategy for the North West - Formerly RPG13, this provides planning guidance for the North West region. Since 2004, the RSS has formed part of the development plans; as such the weight to be attached to its policies has increased. It contains policies that address core principles of development including the following:

DP2 Enhancing the Quality of Life - ensuring development provides a high quality of life for this and future generations

DP3 Quality in New Development - ensuring that new development demonstrates good design and respect for its setting.

Unitary Development Plan - The site is unallocated in the plan. In deciding its attitudes to proposals within Longsight the Council will have regard to the general policies in Part 1 of the plan in order to improve the quality and range of housing to meet the needs of the local community, improve the quality of the local environment and reduce the amount of through traffic passing through residential areas so as to improve safety and quality of environment.

The property lies in the Victoria Park Conservation Area, and Policy DC18.1 is therefore relevant. It states that the Council will give particularly careful consideration to development proposals within Conservation Areas.
a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
i) the relationship of new structures to neighbouring buildings and spaces;
ii) the effect of major changes to the appearance of existing buildings;
iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
iv) the effect of signs and advertisements;
v) any further guidance on specific areas which has been approved by the Council.

The property is a listed building, and Policy DC19.1 is relevant. It states that, in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. In giving effect to this policy, the Council will:
a. not grant Listed building consent for the demolition of a listed building other than in the most exceptional circumstances, and in any case, not unless it is satisfied that every possible effort has been made to continue the present use or to find a suitable alternative use;
b. not permit a change of use of a listed building, where it would have a detrimental effect on the character or appearance of the building;
c. not permit any external or internal alteration or addition to a Listed building where, in its opinion, there would be an adverse effect on its architectural or historic character;
d. seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use

of adjacent land, and where appropriate, by the preservation of trees and landscape features;
e. permit demolition only where there are approved detailed plans for redevelopment and where there is evidence of a firm building contract;
f. not permit alterations to a listed building which would prevent the future use of any part of the building, in particular upper floors or basements, or where poor maintenance is likely to result.

Policy DC3 relates to houses in multiple occupation. DC3.1 states that, in determining planning applications for Houses in Multiple Occupation (HMOs), that is to say, the housing of unrelated persons living in a single property where no board or care is provided, the Council will have regard to:
a. the standard of accommodation for the intended occupiers of the premises;
b. the availability and suitability of outdoor amenity space;
c. the availability of adequate, safe and convenient arrangements for car parking and servicing; and
d. ease of access for all, including disabled people.
DC3.2 states that there will be a general presumption in favour of HMOs 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.
DC3.3 states that,notwithstanding policy DC3.2, the Council will require developments in this category to provide:
a. an adequate standard of internal accommodation for intended residents;
b. adequate private outdoor amenity space;
c. satisfactory refuse storage and collection facilities.

Policy E3.5 states that the council will promote measures which will lead to a safer environment for all people living in and using the city. These measures will include ensuring that the layout of new development is designed with safety in mind and does not lead to the creation of isolated areas and designing landscaping schemes so as to minimise the risk of attack.

Transport Policy T2.4 states that the City Council will expect developments to make adequate provision for their car parking requirements. In deciding whether the level of car parking associated with any development is acceptable, the Council will have regard to the environmental capacity of the site both in terms of the physical appearance of the car parking and its effect on neighbouring activities and also the ability of the local road network to accommodate the traffic generated by the proposed development. In addition T2.6 states that the Council will expect adequate car parking provision to be made for disabled people so that they can get easy access both to existing and new facilities in the City.

Relevant housing policies include H1.2, H1.5, H2.1, H2.2 and H2.7. Policy H1.2 states that the Council wishes to ensure that the City's various communities remain, or become more, sustainable in economic and social terms. In this respect, whilst generally welcoming housing developments, which will provide accommodation for people with special needs in appropriate locations, the Council will seek to avoid an over-concentration of such provision in any one area. H1.2 continues that the Council wishes to ensure that the housing stock contains a wide enough range of housing types to meet the needs of people who want to live in Manchester. In particular it will encourage the further

provision of accommodation for 1 & 2 person households including units suitable for elderly people and accommodation specifically designed for disabled people.

The council will encourage environmental improvements to make residential areas safer and more attractive pursuant to policy H2.1 and as stated in H2.2 the council will not allow development, which will have an unacceptable impact on residential areas. The matters which the council will consider in coming to such decisions will include the scale and appearance of the development and its impact in terms of noise, vibration, traffic generation, road safety and air pollution.

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance provides a framework for all development in the City. This document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Principle of the proposed use - As outlined in the Special Needs and Supported Housing Supplementary Planning Guidance dated April 1998, the application site falls within a category A area which has high provision and high unsustainability. However, this use has been in operation for a number of years, certainly in excess of 10 years and probably a lot longer, and so pre-dates this guidance, as noted by the Supported Housing Monitoring Group. There is no evidence of any adverse impact that the use has had, in this time, on surrounding residents, or the general environment, which would suggest that the use was inappropriate or would be detrimental to the amenity of local residents, and in principle, the use is considered acceptable.

Appearance/Impact of works on Listed Building/Conservation Area - This application relates solely to the use of the premises. The alterations to the appearance of the building are being assessed through the other current planning applications on this site, listed above.

Residential Amenity - There are residential properties directly adjacent to the application site which have co-existed with this use for a period in excess of 10 years, with no apparent problems. The proposed application merely attempts to regularise the authorised planning use of the site, and the proposed alterations are to improve facilities at the premises and to widen its availability to include women and disabled people. There would be no increase in the maximum number of people at the site, and as a result this should not lead to any increases in the noise generated from the site and the general activity should be limited to residents, staff and visitors leaving and returning to the accommodation, at the same levels that presently occur. Therefore, it is not considered that this proposal would have a detrimental impact on the residential amenity currently enjoyed by the surrounding occupants.

Car Parking and Highway Safety - No changes are proposed to the existing car parking/access arrangements.

Trees, Landscaping and Amenity Space - The property is set in extensive grounds with a large area of amenity space, which is unaffected by the proposal. No trees would be lost.

Disabled Access - As part of the overall improvements to the premises, a new platform lift is to be provided to the main entrance, and this is included in the above applications. The premises would achieve disabled persons access throughout the ground floor, and one of the units of accommodation would be fully accessible to a disabled person, including a disabled persons bathroom. The site also includes a disabled persons parking space, as existing. These arrangements are considered satisfactory.

Conclusion - The proposed development offers a much needed community facility, and is supported the Supported Housing Monitoring Group. The use has operated on site for a long period of time, with no apparent detriment to adjoining residents, or the general, and it is therefore considered that the continued operation of a long standing use, in this building, is acceptable.

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 Unitary Development Plan, the Head of Planning 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. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and country Planning Acts.

Recommendation APPROVE

It is considered that the proposal will generally accord with the policies contained within the Development Plan, specifically the Unitary Development policies DC3, DC18, DC19, H1.2, H1.5, H2.1, H2.2, E3.5, T2.4 and T2.6 of the Manchester Unitary Development Plan, and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Planning Policy Statement 1, Planning Policy Statement 3 and DP2 and DP3 of the Regional Spatial Strategy, in that the development would provide modern and up to date supported housing for people in need of accommodation, would significantly improve the accommodation, and generally the proposal would provide a high quality facility within the area to the benefit of the wider surrounding community allowing the continuing regeneration of the locality and there are no material considerations of sufficient weight to indicate otherwise.

Conditions and/or Reasons

1) The development hereby approved shall be carried out in accordance with the drawings numbered 207/1821/01 and 207/1821/02, stamped as received by the City Council, as Local Planning Authority on 2nd May 2008, unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

2) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by 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 - In the interests of public health and amenity, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

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: 086588/FO/2008/N2 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:

Engineering Services
Environmental Health
Special Needs & Supported Housing
South Manchester Regeneration
Greater Manchester Police
21 Welby Street, Manchester, M13 0EL
23 Welby Street, Manchester, M13 0EL
23 Eston Street, Manchester, M13 0FF
25 Eston Street, Manchester, M13 0FF
26 Eston Street, Manchester, M13 0FF
27 Eston Street, Manchester, M13 0FF
28 Eston Street, Manchester, M13 0FF
29 Eston Street, Manchester, M13 0FF
30 Eston Street, Manchester, M13 0FF
32 Eston Street, Manchester, M13 0FF
25 Denham Street, Manchester, M13 0FJ
26 Denham Street, Manchester, M13 0FJ
27 Denham Street, Manchester, M13 0FJ
28 Denham Street, Manchester, M13 0FJ
29 Denham Street, Manchester, M13 0FJ

30 Denham Street, Manchester, M13 0FJ
31 Denham Street, Manchester, M13 0FJ
3 Thurlby Street, Manchester, M13 0DR
5 Thurlby Street, Manchester, M13 0DR
7 Thurlby Street, Manchester, M13 0DR
80 Daisy Bank Road, Manchester, M14 5GJ
84 Daisy Bank Road, Manchester, M14 5GJ
86 Daisy Bank Road, Manchester, M14 5GJ
88 Daisy Bank Road, Manchester, M14 5GJ
90 Daisy Bank Road, Manchester, M14 5GJ
92 Daisy Bank Road, Manchester, M14 5GJ
Flat 16, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL
Flat 25, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL
Flat 7, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL
Flat 27, Daisy Bank Court, 82 Daisy Bank Road, Manchester, M14 5GF
Flat 28, Daisy Bank Court, 82 Daisy Bank Road, Manchester, M14 5GF
Flat 1, Stair A Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 2, Stair A Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 14, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL
Flat 15, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL
Flat 3, Stair A Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 4, Stair A Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 5, Stair A Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 6, Stair A Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 7, Stair A Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 8, Stair A Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 1, Stair B Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 2, Stair B Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 3, Stair B Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 4, Stair B Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 5, Stair B Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 6, Stair B Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 7, Stair B Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 8, Stair B Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 9, Stair B Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 10, Stair B Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 11, Stair B Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 1, Daisy Bank Court, 82 Daisy Bank Road, Manchester, M14 5GF
Flat 2, Daisy Bank Court, 82 Daisy Bank Road, Manchester, M14 5GF
Flat 3, Daisy Bank Court, 82 Daisy Bank Road, Manchester, M14 5GF
Flat 4, Daisy Bank Court, 82 Daisy Bank Road, Manchester, M14 5GF
Flat 5, Daisy Bank Court, 82 Daisy Bank Road, Manchester, M14 5GF
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Flat 14, Daisy Bank Court, 82 Daisy Bank Road, Manchester, M14 5GF
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Flat 19, Daisy Bank Court, 82 Daisy Bank Road, Manchester, M14 5GF
Flat 20, Daisy Bank Court, 82 Daisy Bank Road, Manchester, M14 5GF
Flat 21, Daisy Bank Court, 82 Daisy Bank Road, Manchester, M14 5GF
Flat 22, Daisy Bank Court, 82 Daisy Bank Road, Manchester, M14 5GF
Flat 23, Daisy Bank Court, 82 Daisy Bank Road, Manchester, M14 5GF
Flat 24, Daisy Bank Court, 82 Daisy Bank Road, Manchester, M14 5GF
Flat 25, Daisy Bank Court, 82 Daisy Bank Road, Manchester, M14 5GF
Flat 26, Daisy Bank Court, 82 Daisy Bank Road, Manchester, M14 5GF
Flat 1, Stair C Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 2, Stair C Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 3, Stair C Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 4, Stair C Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 12, Stair B Ollerenshaw Hall, 67 Daisy Bank Road, Manchester, M14 5QE
Flat 17, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL
Flat 18, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL
Flat 19, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL
Flat 20, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL
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Flat 26, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL
Flat 27, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL
Flat 8, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL
Flat 9, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL
Flat 10, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL
Flat 11, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL
Flat 12, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL
Flat 13, Fairfield Court, 78 Daisy Bank Road, Manchester, M14 5GL

Representations were received from the following third parties:

Nicola Furneaux, 27 Fairfield Court,, 78 Daisy Bank Road,, Victoria Park

Relevant Contact Officer : Ian Jarvis
Telephone number : 0161 234 4079
Email : i.jarvis@manchester.gov.uk