



Planning

Growth & Development

Delegated officer report for planning application

Application no. 136805/FO/2023

Date registered valid: 7 June 2023

Proposal: Erection of a detached dwellinghouse (C3 (a) use class) to the rear of the apartment block with vehicular access from Woodlands Road, along with associated elevational alterations (western and southern elevations) to the apartment block

Address: 359-361 Wilbraham Road, Manchester, M16 8NP

Ward(s): Whalley Range Ward

Applicant: Mr James Henry, Airshack Projects 359 Ltd

Agent (if any): Mr Andrew Edmunds, Edmunds Architects

Case officer: Joshua Lee

Tel: 0161 219 2851

Email: joshua.lee@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 01/11/2023

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 20/06/2023

Standard consultations:

Highways Services: Printed: 16 June 2023 Received: 30 June 2023

Environment Health: Printed: 16 June 2023 Received: 22 July 2023

Neighbourhood Team Leader (Arboriculture) Printed: 16 June 2023 Received 29 June 2023

Neighbour notifications

Printed: 16 June 2023 Expired: 7 July 2023

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Proposal relates to a 1257m² site at 359-361 Wilbraham Road. The site features a large, detached property 359-361 Wilbraham Road (also known as Tagz House), which is currently being converted from Office (Class E) to 14 self-contained flats (Class C3) (125261/P30PA/2019). The change of use was approved 24th March 2020, and work is still ongoing with completion scheduled for later in 2023. Prior to 1997 the property was in use as a

Nursing Home. The proposal directly relates to a small area of land to the rear of the main property. Currently in use as external amenity area for the main building. The proposed dwelling would sit within the street scene and have vehicle access to Woodlands Road.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order:

[*05/00266/TPO*](#)

The Manchester City Council (Woodlands Road, Fallowfield) TPO 2005

2no. Lime Trees

2no. London Plane Trees

Order Confirmed 28/05/2005



Figure 1. View of site from Woodlands Road



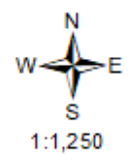
Figure 2. View of site from Woodlands Road



Figure 3. Rear of 359-361 Wilbraham Road including elevational changes

Description of area

The proposal is on Wilbraham Road in the Whalley Range ward of Manchester. The property is surrounded by mixed residential with large family homes on Woodlands Road and low-rise apartment blocks on Wilbraham Road. The existing property on site is a is currently being converted from Office (Class E) to 14 self-contained flats (Class C3) (12561/P30PA/2019). Most of the existing houses on the street are generous detached and semidetached houses with clay tile pitched roofs, red brickwork and a mixture of clay tile cladding or rendered gable/dormer features. Sitting behind the site is the Alexandra Nursing Home. Projecting bay windows are also prominent on the street. The houses are set back from the pavement with off street parking provided to the front or side of the properties. Newer red brick developments are evident at the lower end of Woodland Road. A modern low rise apartment block sits opposite blended into the existing architectural style. The site is accessed via a private road but is close to adopted highway and appropriate infrastructure.



Description of development

The applicant seeks the erection of a detached dwellinghouse (C3 (a) use class) to the rear of the apartment block with vehicular access from Woodlands Road, along with associated elevational alterations (western and southern elevations) to the apartment block.

The erection of a detached dwellinghouse (C3 (a) use class) to the rear of the apartment block with vehicular access from Woodlands Road

The proposal is for a single dwellinghouse with 6no bedrooms with gross internal of approximately 307m².

The floor plans create a large open plan living/kitchen/dining area to the rear of the ground floor and a living room and parking garage to the front.

The first floor provides 2no double bedrooms and 1no primary bedroom suite featuring an ensuite and dressing area. Additionally, 1no family bathroom and 1no linen closet is proposed.

The second floor provides 3no double bedrooms and 1no family bathroom.

The main entrance doors to the front elevation are proposed to be aluminium framed hinged doors, to give a minimum 1000mm clear width opening. A level threshold is proposed, with no upstands exceeding 15mm in height.

The proposal features 3no, floor length sliding windows to the elevation facing into Woodlands Road (proposed front) and 1no rooflight.

The proposal features a large floor length sliding rear door access to the ground floor rear on the open plan kitchen/living area.

The proposal features 3no. floor length sliding windows and 1no rooflight to the rear elevation.

The proposal features a glazed access door and floor length glazed sliding door on the side elevation facing into 3 Woodlands Road

The proposed new dwelling is not proposing to have any windows on the side elevation facing into the existing property at 359-361 Wilbraham Road.

The proposed layout on the site retains the main building line with a projecting gable feature set approximately in line with the projecting gables on 359-361 Wilbraham Road and 1 Woodlands Road. The scale/height of the primary ridge height is lower than 359-361 Wilbraham Road and approx. the same height as the ridge height on 1 Woodlands Road.

The building space between the proposed new dwelling and 1 Woodlands Road is 4758mm. The spacing between other dwellings on Woodlands Road varies between 3451mm and 5556mm with most properties also having windows on the side elevations

The roof features an area to accommodate photovoltaics.

The layout is based around the retention of the two mature trees whilst still providing vehicle access onto the site.

The existing vehicle access will be widened to provide spaces for parking of 2 cars. The existing telegraph pole will need to be moved to accommodate this new wider entrance.

The space between the proposed new dwelling and 1 Woodlands Road is 4758mm.

The space between the proposed new dwelling and the existing apartment building is approx. 7000mm at the gable projection.

The predominant material is matching terracotta red brick and terracotta roof tiles with PPC aluminium windows frames to match the terracotta tiles.



Figure 4. Sketch of proposal in street scene as viewed from Woodlands Road.

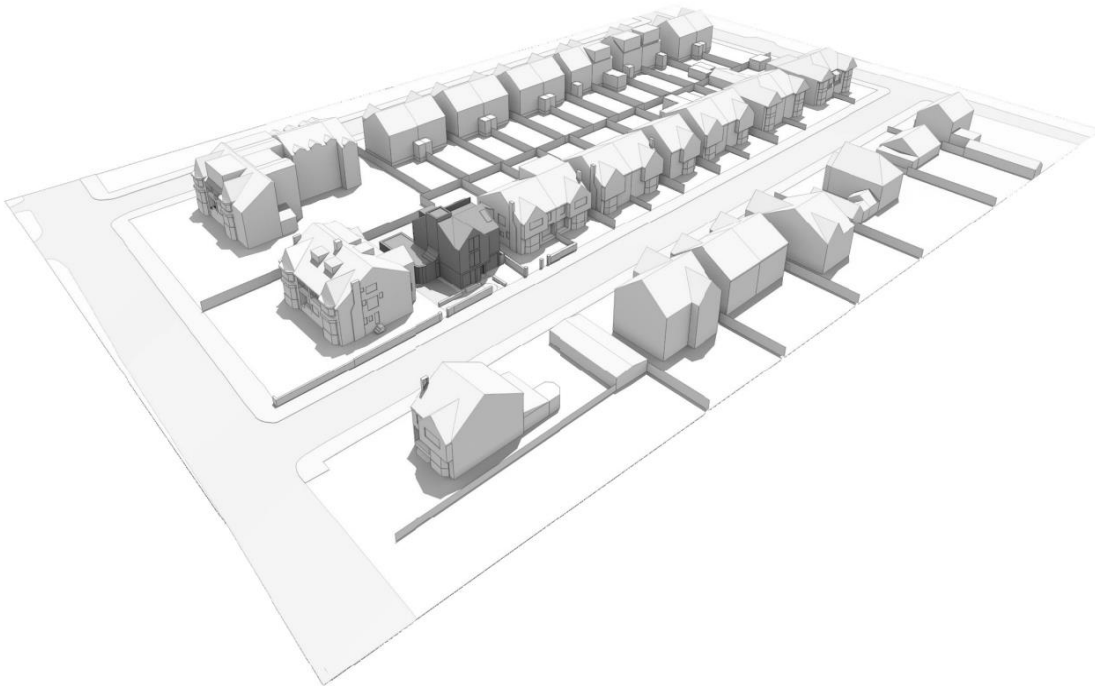


Figure 5. 3D model of proposal from NW

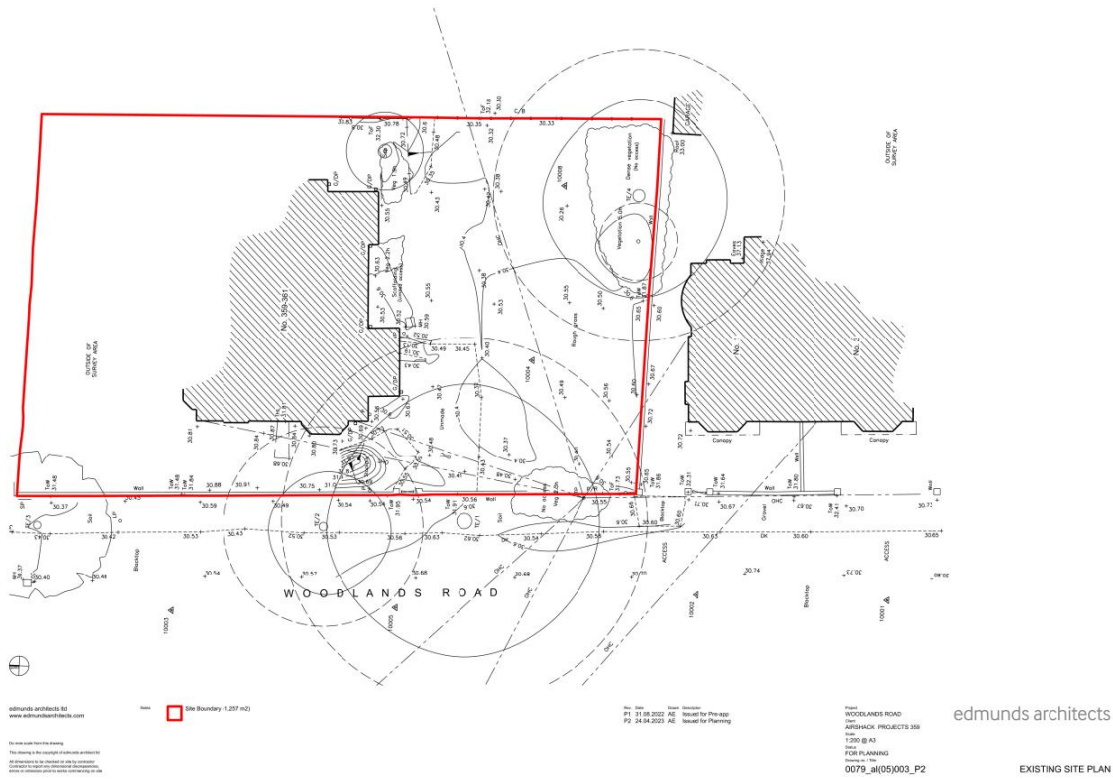


Figure 6. Existing Site Plan

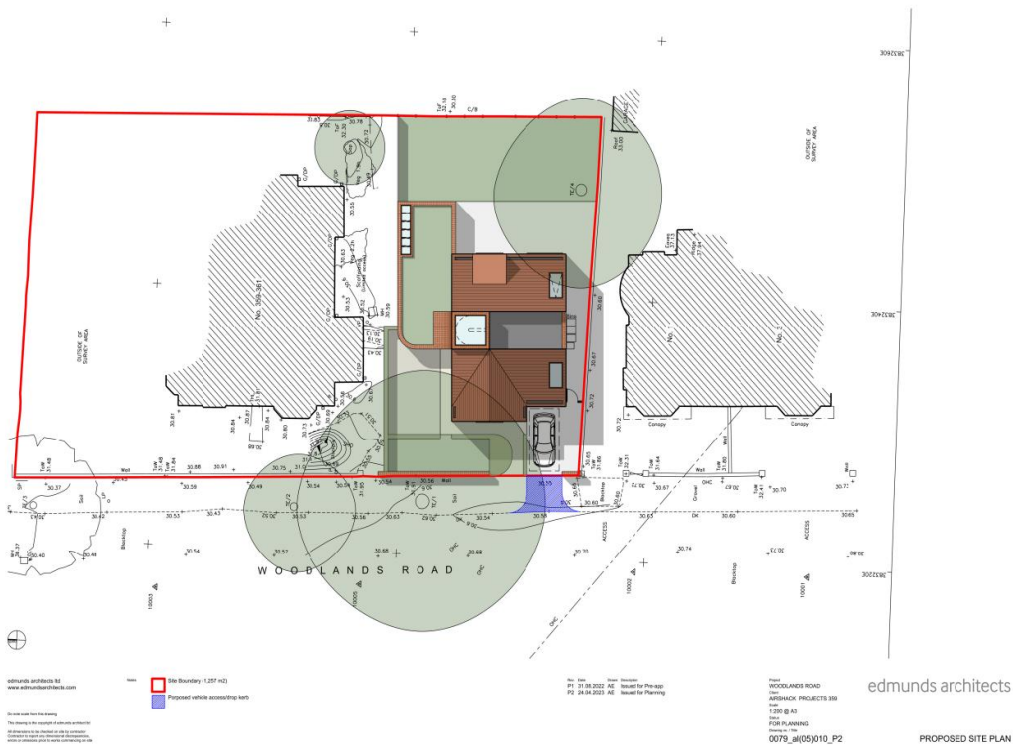


Figure 7. Proposed Site Plan

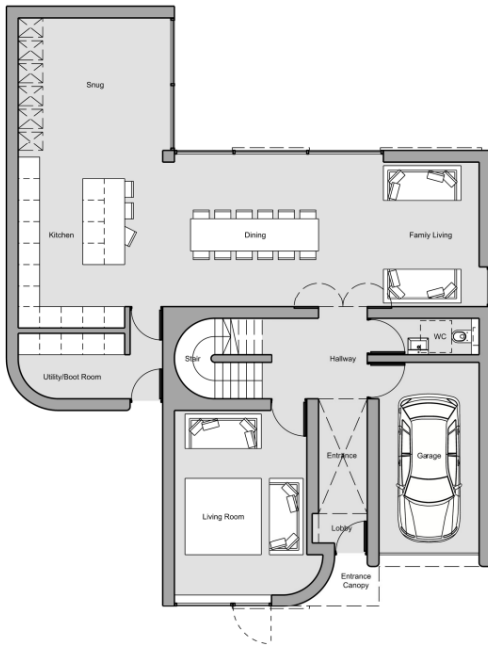


Figure 9. Proposed Ground Floor

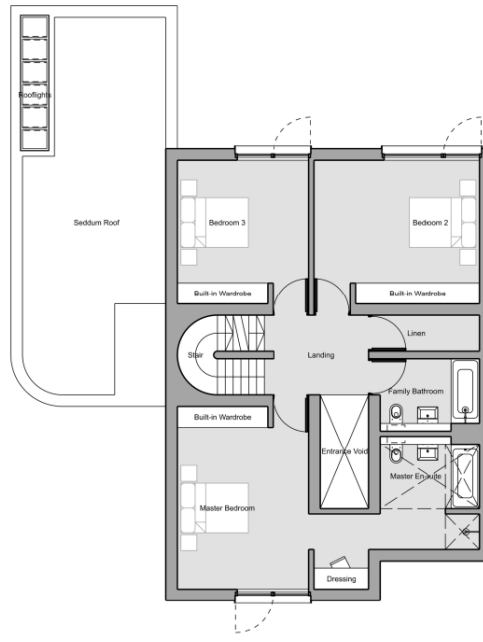


Figure 8. Proposed First Floor Plan

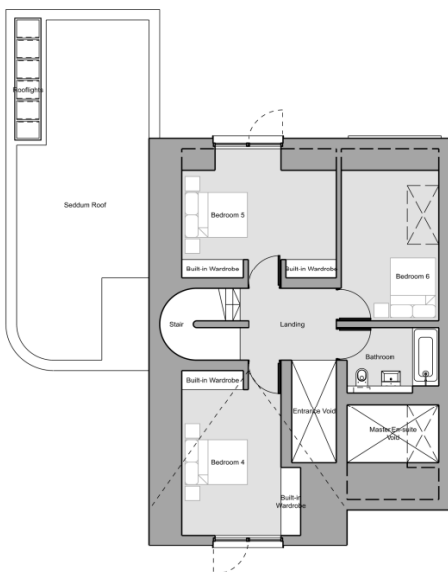


Figure 11. Proposed Second Floor Plan

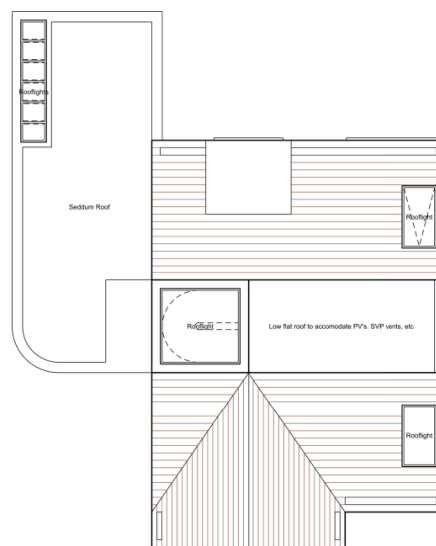


Figure 10. Proposed Roof Plan



Figure 12. West Elevation (Front)



Figure 13. East Elevation (Rear)



Figure 14. South Elevation (facing 3 Woodlands Road)

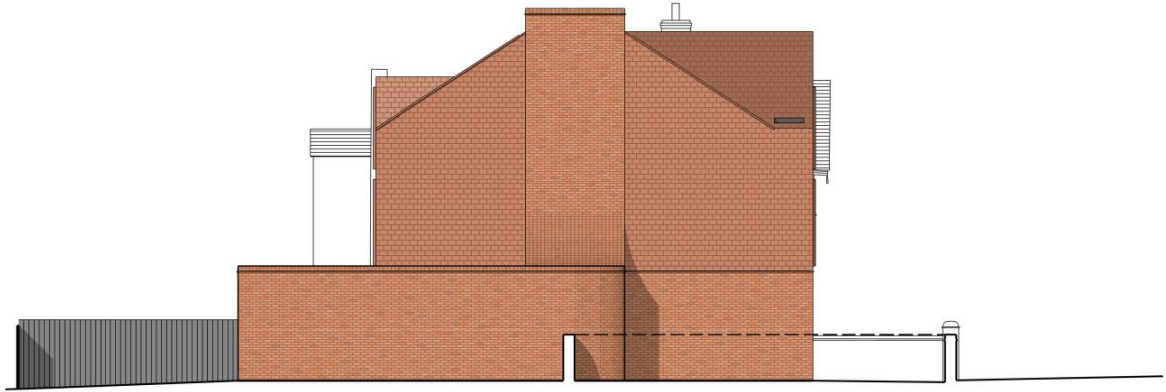


Figure 15. North Elevation (facing 359-361 Wilbraham Road)

-  Terracotta roof tiles (to match terracotta wall tiles) with concealed gutter
-  Terracotta wall tiles (to match terracotta roof tiles)
-  Red brick wall (and PPC drip detail to match colour of terracotta tiles)
-  Red brick boundary wall (and PPC drip detail to match colour of terracotta tiles)
-  Stained timber doors and fencing. Colour: black/grey
-  Flush PPC aluminium window frame. Colour: to match terracotta tiles
-  Flush PPC aluminium rooflight frame. Colour: to match terracotta tiles
-  Recessed PPC aluminium window frame with projecting PPC aluminium surround. Colour: to match terracotta

Figure 16. Proposed Materials

Elevational alterations (western and southern elevations) to the apartment block.

As part of the proposed application for a new dwelling the applicant is proposing to amend some of the existing windows on the current renovation of 359-361 Wilbraham Road.

On the proposed ground floor there are currently two windows in the bedroom: one on the South elevation and one on the West elevation.

The proposal removes and makes good the existing window on the South elevation and retains the existing window on the West elevation.

On the proposed first floor there are currently two windows in the bedroom: two on the South elevation.

The proposal removes and makes good the existing windows on the South elevation and installs a new window on the West elevation to match the window below on the ground floor.

The windows in the centre of the plans are proposed to be replaced with directional bay windows.

All new windows in 359-361 Wilbraham Road are to match existing.



Figure 17. Existing South Elevation



Figure 18. Proposed South Elevation

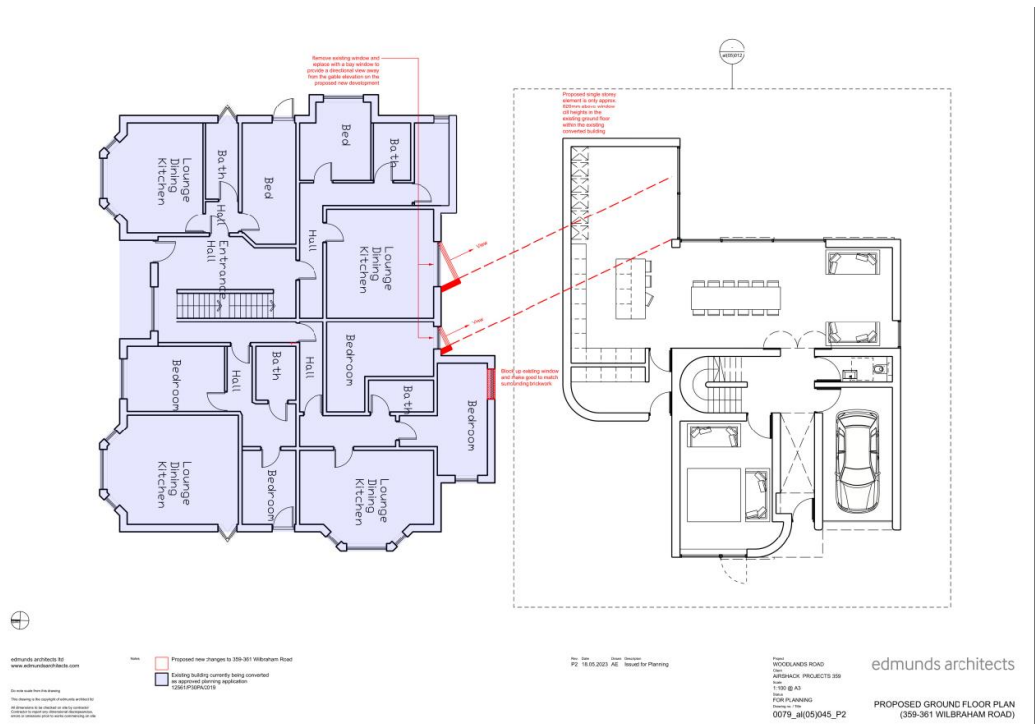


Figure 19. Proposed Ground Floor Plan

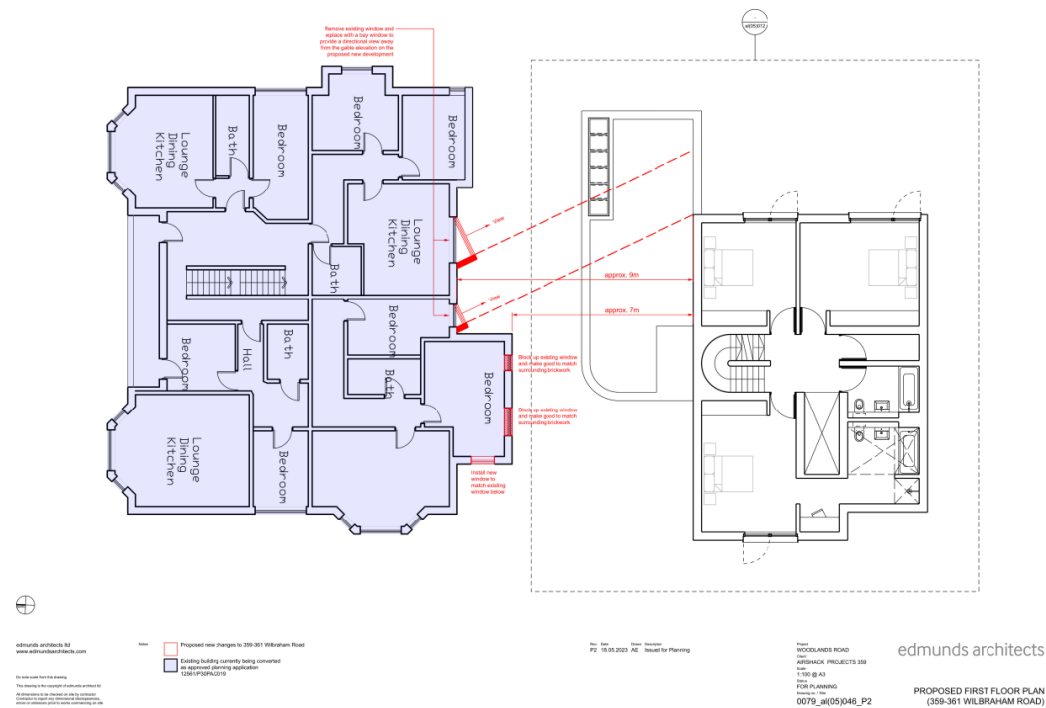


Figure 20. Proposed First Floor Plan

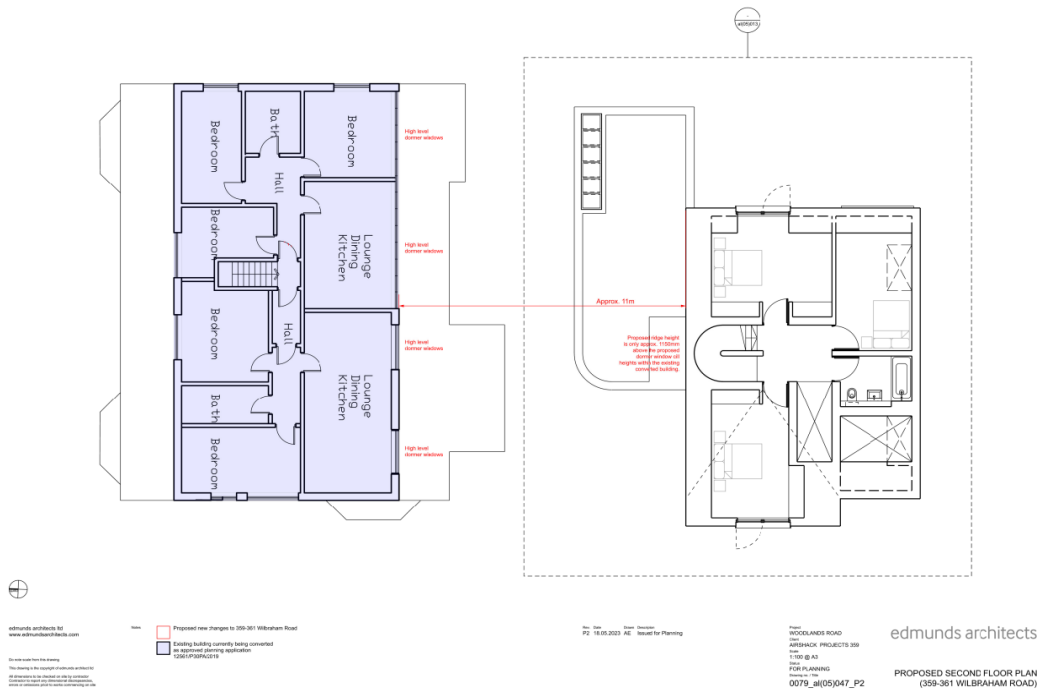


Figure 21. Proposed Second Floor Plan

Planning History

Pre-application advice

A pre-application for the proposal was submitted on the 31st of August 2022.

MCC raised a number of issues on the 29th of September 2022:

- Use of the external area/loss of amenity space to the apartments in 359-361 Wilbraham Road.
- Impact on the living accommodation in 359-361 Wilbraham Road.
- Impact on the living accommodation in 1 Woodlands Road.

On the 7th of October 2022 the applicant submitted proposals to address the concerns raised in the initial pre-app submission feedback;

MCC responded confirming that;

“Unfortunately, it is still not believed we would be in a position to support an application if one were to be submitted”

The applicant notes in their proposal the designs have been developed and refined from the pre-application advice to the current application.

The pre-application advice and feedback has been taken into consideration when examining the proposal.

125261/P3OPA/2019

Notification for Prior Approval for a proposed change of use from Office (Use Class B1) to 14 self-contained flats (Class C3)

Decision: Approved 24/03/2020

122991/AO/2019

Retention of LED screen

Decision: Refused 29/04/2019

091947/VO/2009/S1

CITY COUNCIL DEVELOPMENT Installation of 2.4-metre-high double gates and associated railings

Decision: Approved 15/02/2010

072985/FO/2004/S1

Erection of a five-storey block of 14 apartments with associated car parking and landscaping following demolition of existing building.

Decision: Approved 15/11/2004

071034/FO/2004/S1

Erection of 5 storey building to form 15 self-contained flats with associated car parking and landscaping following demolition of existing building

Decision: Withdrawn 25/10/2004

065402/00/SOUTH1/02

Residential development following demolition of existing building

Decision: Approved 02/10/2022

052334/FU/CENTL1/97

Change of use from nursing home to an office

Decision: Approved 23/10/1997

Consultations & Notification Responses

Consultations

Highways Services

As per Appendix 1, Manchester City Council Highways Services were notified of the proposal.

Highways Services commented as below:

Highway Recommendation: No objections

Highway Comments: The site is accessed via a private road but is close to adopted highway and appropriate infrastructure. There would be no perceptible impact on highway and parking is provided in curtilage. As there would be no impact on highway there are no highway related objections.

Highways Reference: 14550/FO/2023

Environmental Health

As per Appendix 1, Manchester City Council Environmental Health were notified of the proposal.

Environmental Health have no objections to the proposal and have provided a number of conditions to be attached to the application to ensure the minimising of the proposal to environmental concerns.

These conditions will require discharge.

Neighbourhood Team Leader (Arboriculture)

As per Appendix 1, Manchester City Council Neighbourhood Team Leader (Arboriculture) were notified of the proposal.

Their response is as followed.

“The applicant has proposed to remove one Cat B tree in order to facilitate the proposed development. We have no objection to the proposed removal of the Holly (T5) as it will not affect the overall visual amenity value of the site.

The AIA has shown that the proposed developments encroachment into the root protect zones of the trees does not exceed the tolerance level of 20%. Our main focus for this site would be the tree protection measures. All work on this site must be carried out in accordance with BS:5837 and a copy of the AIA should on site and understood by the project manager”

United Utilities

Unites Utilities, as the water company for the site, commented on the application asking for a detail drainage plan to review.

In lieu of drainage plans a condition would need to be attached for prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

Notifications

Local Residents

As per Appendix 1, Occupiers of properties surrounding the application site were notified of the proposal.

2no local residents have objected to the proposal with the following issues

- Lack of Parking on Woodlands Road
- Surface Drainage on Woodlands Road
- Losing flora on green land
- Concern on 'backland' development
- Overshadowing of nearby properties
- Concern on the design
- Concern on local arboriculture

These comments have been discussed within Policy DM 1 of the Core Strategy.

Negotiations

Issues have arisen in the consultation phase.

The location of the scheme is in the rear amenity space of the main converted flats on the site. Traditionally these rear area amenity spaces are a feature of the larger properties on Wilbraham Road.

The proposed scheme would remove external amenity space to the converted flats on the site to the detriment of the future occupiers.

Officers asked the applicant to offer an alternate scheme for review, to provide more amenity space to the residential flats.

The applicant sent an updated proposed scheme however after further review, on balance with the Development Management policies, it was decided that the scheme for such a dwelling was not feasible at the location.

After discussion with the applicant, it was agreed to proceed on the new plans.

Updated proposed development.

The updated scheme removes the ground floor side projection with a smaller rear projection moving the boundary line to the side elevation of the property.

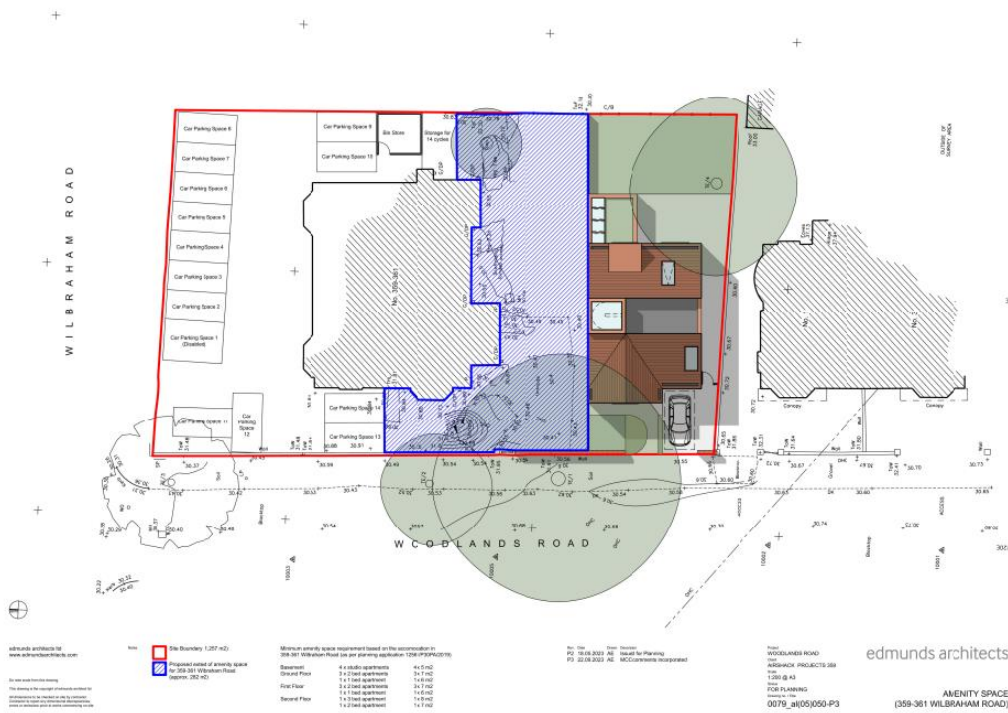


Figure 22. Boundary change

Consultations & Notification responses to updated proposed development.

Following the previous consultation and negotiation of a new scheme layout these plans were resubmitted to the same consultees:

Consultations

Highways Services

As per Appendix 1, Manchester City Council Highways Services were notified of the proposal.

They had no further comments to make above and beyond the original consultation

Environmental Health

As per Appendix 1, Manchester City Council Environmental Health were notified of the updated proposal.

They had no further comments to make above and beyond the original consultation.

Neighbourhood Team Leader (Arboriculture)

As per Appendix 1, Manchester City Council Neighbourhood Team Leader (Arboriculture) were notified of the updated proposal.

They had no further comments to make above and beyond the original consultation.

Notifications

Local Residents

As per Appendix 1, Occupiers of properties surrounding the application site were notified of the proposal.

1no further comment was received regarding the updated proposal related to the unadopted road and access needs.

Policies & Principle

Summary of relevant Policy

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

The following policies are considered relevant in the consideration of this application.

- [The Manchester Core Strategy Development Plan Document 2012-2027](#) ("the Core Strategy") was adopted by the City Council on 11th July 2012 and is the key document in the Manchester Local Plan. It sets the out the long-term strategic policies for Manchester's future development and forms the framework that planning applications are assessed against. The following Core Strategy Policies are considered relevant to this proposal:

- Policy DM 1 - Development Management
- Policy SP 1 - Spatial Principles
- Policy EN 1 - Design Principles and Strategic Character Areas
- Policy EN 9 – Green Infrastructure
- Policy EN 16 - Air Quality
- Policy EN 18 - Contaminated Land and Ground Stability
- Policy EN 19 - Waste
- Policy H 1 – Overall Housing Provision
- Policy H 6 – South Manchester

[Extant Unitary Development Plan Policies \(UDP\)](#) - The Core Strategy replaced much of the UDP, but some UDP Development Control policies are extant (remain). The following extant policy are still considered relevant to this proposal.

- DC6 - Housing on "back land" sites
- Policy DC7 for New Housing Development
- Policy DC26 for Development and Noise

- [The National Planning Policy Framework \(The NPPF\)](#) - The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and updated on 24 July 2018, 19 February 2019, and 20 July 2021. This sets out the government's planning policies for England and how these are expected to be applied. The following sections are considered relevant to this proposal:

- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed place

Principle

In this instance the principle of the proposal is considered unacceptable as it is believed that there are factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed development is deemed to oppose with relevant policy of the Manchester Core Strategy, Extant UDP and the NPPF.

The Manchester Core Strategy Development Plan (2012-2027)

The proposal has been assessed against the following policies of the Core Strategy:

DM 1 – Development Management

All new developments should follow the ‘Development Principles’ and accord with the design guidance set out in the Supplementary Planning Documents.

The proposal has been assessed against the following issues:

Appropriate siting, layout, scale, form, massing, materials, and detail

The proposed six-bedroom single dwelling sits on a parcel of land to the rear of the site with fronting onto Woodlands Road.

The land is currently utilised as the rear amenity space for the converted building facing into Wilbraham Road. Traditionally the land would have been the rear garden space for these large, detached properties.

Although the development would read as being facing Woodlands Road the development would be considered as a back land development on the traditional rear amenity space of the larger properties on Wilbraham Road.

In general, these spaces have been left open or have minimal development on them to maintain the open and suburban character of the area. The siting of a large six bed family dwelling at this location would be counter to this.

The proposed scale of the building, when considered in context, would overwhelm the area, and create a sense of overdevelopment and loss of open space on the rear of the properties.

Overall, it is considered that the proposed development does not have appropriate siting, layout, scale, form, massing, materials, and detail and is therefore in opposition with the development management principle.

Impact on the surrounding areas in terms of the design, scale, and appearance of the proposed development. Development should have regard to the character of the surrounding area.

The proposed scale of the building, within the back land space of the large apartment conversion, would create a sense of overdevelopment to the area and remove the character of the original building and site.

The proposed scale would create a property that would sit close to both the converted apartments and 1 Woodlands Road, creating extra density in a traditional back land site.

A local residents raised the issue that the design was not empathetic to the design of the existing development on Woodlands Road. The properties along the road are of mixed ages including a new build from 2017 (114582/FO/2016), The Granada Mews development from 1992 (040421) and multiple properties with extensions. The site does not sit within a Conservation area and the progression of architectural style has been accepted in the area. The issue does not lay in the architectural style of the proposal but the massing and development within the back land site and effect on the area.

On balance, it is felt that the proposal cannot be accommodated at the application property and is considered that the proposal would interfere with the existing characteristics of the area.

Overall, it is considered that the proposed development has an impact on the surrounding areas in terms of the design, scale, and appearance and is therefore in opposition to the development management principle.

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation.

The proposal includes new glazing to the front elevation facing into Woodlands Road. Given the existing boundary treatment and wider context of the existing street scene, it is not anticipated that there would be overlooking, or loss of privacy. It is also noted that that glazing already exists on the current property which currently presents no known issues.

The proposed new dwelling is not proposing to have any windows on the side elevation on the 1st or 2nd floor levels (like many others on the street) to minimise the impact of overlooking on 1 Woodlands Road.

1 Woodlands Road has large bay windows facing into the proposed site of development. These windows are the main source of light for rooms in 1 Woodland Road. The proposed development would create a large massing close to these windows reducing light to the property. It is of note that the pre-application advice to the applicant highlighted the effect on privacy and overlooking on the neighbouring residents.

It is of note that alterations have already been made to the converted apartments as part of the ongoing conversion works which are currently underway as of the site visit.

On balance the proposal will have a negative effect on privacy and light to local properties.

On balance the proposal is in opposition to the development management policy.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

The site is accessed via a private road (Woodlands Road) but is close to an adopted highway (Wilbraham Road) and appropriate infrastructure. There would be no perceptible impact on highway.

The site has good access to the city centre and local employment centres by bike, on foot or by tram, bus, or car.

The proposal is in accordance with this development management principle.

Adequacy of internal accommodation and external amenity space.

The proposed development would sit on the external amenity space of the converted apartments on the site reducing the external amenity space of the occupiers of these apartments.

The size and massing of the proposed development together with the converted apartments will create an imbalance of internal and external amenity space.

The proposal is in opposition to this development management principle.

Refuse storage and collection.

The applicant has submitted a waste management strategy and bin store plan which has been approved by Environmental Health.

The proposal is therefore in accordance with this development management principle.

Vehicular access and car parking

The existing vehicle access will be widened to provide spaces for parking of 2 cars.

Highways have no objection to the proposal siting the car parking within the curtilage of the site.

There was concern from local residents regarding the effect on parking in the area. As the parking for the proposed dwelling is within the curtilage of the site the effect on local on street parking will be minimal.

The proposal is therefore in accordance with this development management principle.

Effects relating to biodiversity, landscape, archaeological or built heritage

No ground contamination, groundwater contamination and/or ground gas relevant to the site or ground stability issues have been identified within the application.

The proposal does not sit in a conservation area nor near a heritage asset.

The proposal is therefore in accordance with this development management principle.

Green Infrastructure including open space, both public and private

The proposal removes a green space from the rear of 359-361 Wilbraham Road.

The proposal adds a front and rear landscaped private garden for the residents of the new property.

The two mature trees on and adjacent to the site are a key feature of the site and are proposed to be retained as per the applicants AIA.

The applicant has proposed to remove one Cat B tree in order to facilitate the proposed development. There is no objection to the proposed removal of the Holly (T5) as it will not affect the overall visual amenity value of the site.

The AIA has shown that the proposed developments encroachment into the root protect zones of the trees does not exceed the tolerance level of 20%.

Overall, the addition of the new property would remove green space from the rear of the main building, to the detriment of occupiers, and from the local street scene in general.

The proposal is therefore in opposition with this development management principle.

Flood risk and drainage.

The site does not sit in a flood risk area and therefore no flood statement or assessment was required.

United Utilities asked for a detailed drainage plan for the proposal to be added as a condition if approved.

The proposal is therefore in accordance with this development management principle.

SP 1 - Spatial Principles

The policy outlines the guiding spatial principles and core development principles of Manchester City Council.

Most notably the core development principles highlight development should 'make a positive contribution to neighbourhoods of choice'.

This policy has been considered within Policy DM 1 of the Core Strategy and the proposal is considered in opposition with this policy.

EN 1 – Design Principles and Strategic Character Areas

This policy outlines key design principles for development in Manchester most notably that all development in Manchester will be expected to follow the seven principles of urban Design.

This proposal sits within the 'Southern Character Area'.

This policy has been considered within Policy DM 1 of the Core Strategy and the proposal is considered in opposition with this policy.

EN 8 – Adaption to Climate Change

This policy outlines the key principles of how all new development will be expected to be adaptable to climate change.

The development is considered to accord with the aspirations of this policy.

EN 9 – Green Infrastructure

This policy outlines the principles to maintain existing green infrastructure in terms of its quantity, quality, and multiple function.

This policy has been considered within Policy DM 1 of the Core Strategy and the proposal is considered in opposition with this policy.

EN 14 – Flood Risk

This policy outlines the key principles around Flood Risk Management in the city.

The proposal does not sit in a flood risk area.

This proposal is considered to accord with the principles of this policy.

EN 16 – Air Quality

This policy sets out the key principles of air quality management in the city. The policy seeks to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport.

The proposed development would not give rise to air quality issues when the development is operational, and conditions discharged.

This proposal is considered to accord with the principles of this policy.

EN 18 - Contaminated Land and Ground Stability

Policy EN 18 of the Core Strategy set out the principle of development on contaminated land or unstable land.

No ground contamination, groundwater contamination and/or ground gas relevant to the site or ground stability issues have been identified.

This proposal is considered to accord with the principles of this policy.

EN 19 – Waste

This policy sets out the key principle of waste management in the city. In a district such as Manchester with a significant existing population and a vision for a growing economy and population a key issue is that of ensuring that this does not automatically lead to a proportionate increase in waste arisings.

The proposal is considered within accordance with this policy.

H 1 – Overall Housing Provision

This policy outlines the overall strategy for housing provision in Manchester and development targets to achieve the strategic objective to provide for a significant increase in high quality housing provision at sustainable locations throughout the City, to both address demographic needs and to support economic growth.

This policy has been considered within Policy DM 1 of the Core Strategy and the proposal is considered in opposition with this policy.

H 6 – South Manchester

This policy outlines the strategy for housing provision in South Manchester and development targets to achieve the strategic objective to provide for a significant increase in high quality housing provision at sustainable locations throughout the City, to both address demographic needs and to support economic growth.

This policy has been considered within Policy DM 1 of the Core Strategy and the proposal is considered in opposition with this policy.

Extant Unitary Development Policies (UDP)

The Core Strategy replaced much of the UDP, but some UDP policies are extant (remain) and are relevant to this proposal.

DC6 - Housing on “back land” sites

This policy sets out the tests required to allow housing development on back land sites.

This proposal is considered to oppose with the principles of this policy.

DC7 - New Housing Development

This policy seeks to ensure that that disabled people have access to new developments, so that they are not disadvantaged, and developments containing family homes are expected to be designed to be safe areas within which children can play.

This extant policy has been considered within Policy DM 1 of the Core Strategy and the proposal is considered within accordance with this policy.

DC26 - Development and Noise

This policy outlines the key issues to reduce the impact of noise on people living and working in, or visiting, the City

This extant policy has been considered within Policy DM 1 of the Core Strategy and the proposal is considered within accordance with this policy.

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework sets out the government’s planning policies for England and how these are expected to be applied. It provides a framework within which locally prepared plans for housing and other development can be produced.

The NPPF has been adhered to and considered at all stages of the application.

Section 4 - Decision-making

Section 4 of the NPPF outlines how local planning authorities should approach decisions on proposed development in a positive and creative way.

Section 4 of the NPPF has been adhered to and considered at all stages of the proposal.

Section 5 - Delivering a sufficient supply of homes

Section 5 of the NPPF outlines the need to deliver a sufficient supply of homes.

Section 11 - Making effective use of land

Section 11 of the NPPF outlines the need to make effective use of land.

Section 12 - Achieving well-designed places

Section 12 of the NPPF outlines the need to achieve well-designed places.

This proposal is considered to oppose with the principles of these policies.

Other Material Considerations

Other material considerations & policy may be relevant to the proposal as follows:

- [Guide to Development in Manchester Supplementary Planning Document and Planning Guidance \(April 2007\)](#)
- [Manchester Residential Quality Guide \(July 2016\) \(MRQG\)](#)
- [Manchester, Salford, and Trafford Strategic Flood Risk Assessment](#)
- [Manchester City Council Highways Developer Design Guidance – Sustainable Drainage Systems](#)
- [Manchester City Council Planning and Noise Technical Guidance \(2022\)](#)
- [Air Quality & Planning Technical Guidance \(2022\)](#)

- [Planning and Contaminated Land Technical Guidance \(2021\)](#)
- [Greater Manchester Joint Waste Development Plan Document \(GMJWDPD\)](#)
- [Waste Storage and Collection Guidance for New Developments \(2017\)](#)
- [Hot Food Takeaway Supplementary Planning Document \(2017\)](#)
- [Manchester City Council Houses in Multiple Occupation Guidance and Amenity Standards \(2020\)](#)
- [Manual for Streets \(2007\)](#)
- [National design guide](#) & [National Model Design Code](#) (2021)

Relevant policy and guidance have been considered within Policy DM 1 of the Core Strategy

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights

conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Conclusion

The proposal is considered unacceptable in this location, in terms of design, scale and massing, detrimentally affecting the amenities of the occupiers of surrounding properties and the character and appearance of the surrounding street scene. For the above reasons, the proposal will have a detrimental impact and therefore is in opposition with the relevant Core Strategy, Extant UDP, NPPF policies and other material considerations.

Recommendation: Refuse

Article 35 Declaration

Officers have collaborated with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Issues have arisen during the consideration of this application and the officer negotiated with the applicant and consultees but were unable to reach a satisfactory conclusion.

Reasons for recommendation to Refuse

1. Harm to the character of the area.

The scale and massing of the proposed development on the rear amenity space at the site would sit out of character of the area. The large properties on Wilbraham Road are noted for the open amenity space to the rear which helps create a sense of openness to the area. The scale and massing of the proposed development would remove this character in opposition to policy DM 1, SP 1, EN 1, and H 6 of the Manchester Core Strategy and Policy DC6 of the Extant UDP.

2. Harm to the residential amenity of neighbours.

The development of the plot would create a large massing close to neighbouring residents, most notably 1 Woodlands Road and the occupiers of the apartments in the adjacent converted building, reducing light, external amenity space and having a negative impact to the residential amenity of occupiers contrary to policy DM 1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Environmental Health

Neighbourhood Team Leader (Arboriculture)

Flat 14, 359 Wilbraham Road, Manchester, M16 8NP

Flat 13, 359 Wilbraham Road, Manchester, M16 8NP

Flat 12, 359 Wilbraham Road, Manchester, M16 8NP

Flat 11, 359 Wilbraham Road, Manchester, M16 8NP

Flat 10, 359 Wilbraham Road, Manchester, M16 8NP

Flat 9, 359 Wilbraham Road, Manchester, M16 8NP

Flat 8, 359 Wilbraham Road, Manchester, M16 8NP

Flat 7, 359 Wilbraham Road, Manchester, M16 8NP

Flat 6, 359 Wilbraham Road, Manchester, M16 8NP

Flat 5, 359 Wilbraham Road, Manchester, M16 8NP

Flat 4, 359 Wilbraham Road, Manchester, M16 8NP

Flat 5, 8 Woodlands Road, Fallowfield, Manchester, M16 8WR

Flat 4, 8 Woodlands Road, Fallowfield, Manchester, M16 8WR

Flat 3, 8 Woodlands Road, Fallowfield, Manchester, M16 8WR

Flat 1, 8 Woodlands Road, Fallowfield, Manchester, M16 8WR

Flat 3, 359 Wilbraham Road, Manchester, M16 8NP

Flat 1, 359 Wilbraham Road, Manchester, M16 8NP

Flat 2, 359 Wilbraham Road, Manchester, M16 8NP

Flat At, 284 Wilbraham Road, Manchester, M16 8LT

7 Woodlands Road, Fallowfield, Manchester, M16 8WR

1 Woodlands Road, Fallowfield, Manchester, M16 8WR
 Flat 2, 8 Woodlands Road, Fallowfield, Manchester, M16 8WR
 20 Granada Mews, Manchester, M16 8GX
 22 Granada Mews, Manchester, M16 8GX
 24 Granada Mews, Manchester, M16 8GX
 26 Granada Mews, Manchester, M16 8GX
 18 Granada Mews, Manchester, M16 8GX
 16 Granada Mews, Manchester, M16 8GX
 Flat 7, 8 Woodlands Road, Fallowfield, Manchester, M16 8WR
 Flat 2, 4 Blair Road, Manchester, M16 8NS
 Flat 1, 4 Blair Road, Manchester, M16 8NS
 4 Blair Road, Manchester, M16 8NS
 Flat 3, 4 Blair Road, Manchester, M16 8NS
 Flat 5, Arundale Court, Arundale Avenue, Manchester, M16 8WH
 Flat 2, Arundale Court, Arundale Avenue, Manchester, M16 8WH
 2 Blair Road, Manchester, M16 8NS
 363 Wilbraham Road, Manchester, M16 8NG
 Flat 7, Grosvenor House, 280 Wilbraham Road, Manchester, M16 8WP
 Flat 5, Grosvenor House, 280 Wilbraham Road, Manchester, M16 8WP
 Flat 2, Grosvenor House, 280 Wilbraham Road, Manchester, M16 8WP
 Flat 8, Arundale Court, 282 Wilbraham Road, Manchester, M16 8WP
 Flat 11, Arundale Court, 282 Wilbraham Road, Manchester, M16 8WP
 Flat 9, Arundale Court, 282 Wilbraham Road, Manchester, M16 8WP
 Flat 6, 8 Woodlands Road, Fallowfield, Manchester, M16 8WR
 284 Wilbraham Road, Manchester, M16 8LT
 3 Woodlands Road, Fallowfield, Manchester, M16 8WR
 8 Blair Road, Manchester, M16 8NS
 6 Blair Road, Manchester, M16 8NS
 Flat 9, Grosvenor House, 280 Wilbraham Road, Manchester, M16 8WP
 Alexandra Nursing Home, 355 - 357 Wilbraham Road, Manchester, M16 8NP
 Flat 8, Grosvenor House, 280 Wilbraham Road, Manchester, M16 8WP
 Flat 6, Grosvenor House, 280 Wilbraham Road, Manchester, M16 8WP
 Flat 4, Grosvenor House, 280 Wilbraham Road, Manchester, M16 8WP
 Flat 3, Grosvenor House, 280 Wilbraham Road, Manchester, M16 8WP

Flat 1, Grosvenor House, 280 Wilbraham Road, Manchester, M16 8WP

Flat 7, Arundale Court, 282 Wilbraham Road, Manchester, M16 8WP

Flat 12, Arundale Court, 282 Wilbraham Road, Manchester, M16 8WP

Flat 10, Arundale Court, 282 Wilbraham Road, Manchester, M16 8WP

Flat 6, Arundale Court, Arundale Avenue, Manchester, M16 8WH

Flat 4, Arundale Court, Arundale Avenue, Manchester, M16 8WH

Flat 3, Arundale Court, Arundale Avenue, Manchester, M16 8WH

Flat 1, Arundale Court, Arundale Avenue, Manchester, M16 8WH

365 Wilbraham Road, Manchester, M16 8NG

6 Woodlands Road, Fallowfield, Manchester, M16 8WR

5 Woodlands Road, Fallowfield, Manchester, M16 8WR

4 Woodlands Road, Fallowfield, Manchester, M16 8WR

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA