

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135018/LO/2022

Date registered valid: 6 January 2023

Proposal: Listed Building Consent for the Erection of single storey rear extensions together with first floor side extension and insertion of rooflights to form additional living accommodation together with elevational alterations provision of new and widened internal openings; and associated internal and external works.

Address: 10 Chorlton Green, Manchester, M21 9HS

Ward(s): Chorlton Ward

Applicant: Mrs Jo Dogherty

Agent (if any): Mrs Sonia Pabla-Thomas, Space: Architecture+Planning

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 22 December 2023

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: March 2023

Standard consultations:

Printed: 7 December 2023 Expired: 17 December 2023

Neighbour notifications

Printed: 7 December 2023 Expired: 17 December 2023

Site notice

Posted: 25 January 2023 Expired: 15 February 2023

Press advert

Published: 24 January 2023 Expired: 14 February 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The property that is the subject of this Listed Building application is a detached cottage which historically was the Old Dairy (formerly part of Higginbottom Farm). The property is a Grade II listed cottage dating from the early 19th Century, and forms a group with the Lychgate opposite. The late 18th century and unlisted Green's Farmhouse is further along the Green. The property at 10 Chorlton Green is set back within the plot, with a large front garden and smaller rear garden. Both front and rear gardens are bound by tall mature hedging, blocking views into the site from ground level. Existing access to both the front and rear gardens, off Dovecote Mews, are to be retained. A large mature tree in the front garden sits roughly 3.5m off the front facade, to the north of the plot this is not affected by the works. There are linked outbuildings on the rear of the property that were slightly later additions to the original

The Rear range, together with the rear canopy were added late 19th Century.

The property is in the Chorlton ward of the City and is in the Chorlton Green Conservation area.

Listed building: Grade II

Conservation area: Chorlton Green Conservation Area 1970

Tree Preservation Order: Yes

Description of area

The area is predominantly residential and comprises of an eclectic mix of property styles and ages. To the south and west of the site (rear) is Dovecote Mews which are modern brick built residential properties in the form of single, two storey and apartment residential properties. Chorlton Green is located centrally with residential properties set around the green with ages ranging from Georgian, Victorian to modern day additions. The Horse and Jockey public house is located facing on to the green to the north.

Description of development

The proposal is for the erection of a first -floor extension to the side of the property and a single storey rear extension together with internal works as listed below.

Reinstate historic sashes to front elevation.

Remove modern partition wall in music room.

Reinstate historic opening along gridline B.

Remove modern brick front to fireplace in music room.

Reinstate historic wall along grid line 4.

Remove fireplace plinth in Gym.

Replace timber doors with Crittall style glazed panels historic surrounds to be reinstated.

Add secondary run off central staircase at half-landing. Original staircase to be retained and protected. Create new opening in wall along gridline C to facilitate secondary run.

Reinstate historic opening along gridline 3.

Remove modern door panel along gridline E Opening and historic door surround retained.

Glaze threshold of existing canopy.

Underpin existing external walls to rear range along gridlines 2 and D.

Increase height and reduce width of existing opening along gridline D.

Raise existing opening along gridline 2.

Demolish existing utility and outbuilding in poor condition. Replace with modern single storey extension.

Stud wall along secondary stair run.

Infill floor above secondary staircase. Staircase to be retained and protected.

New opening along Gridline 3A.

Partial removal of roof to rear range to provide adequate head height.

New lightweight modern extension to first floor above sunken dairy.

Replace modern skirting with period counterpart.

Repoint all brickwork using lime mortar.

The extension to the first floor is proposed in a lightweight grey standing seam cladding. The coping stone will be retained to the top of the existing wall which will provide visual separation between the new and original fabric. There will be an up and over simple window to provide natural lighting to the new first floor. The single storey rear extension will have a flat roof and be constructed in buff brick and will present as a well designed quality contemporary extension. The introduction of the insulated lime plaster whilst losing the original lime plaster will improve the overall thermal efficiency. The extensions do not present as pastiche, but are sympathetic to the host property.

All these details can be seen on Drawing Ref: 0265_20_201 Rev E.

Consultations & Notification Responses

Local Residents- Two rounds of consultation took place one objection was received the first round the main points of concern being that the works to the property may restrict vehicular access to the properties on Dovecote Mews. There were no representations received to the second round of consultations which took place on the revised scheme.

Chorlton Voice-were consulted no representations have been received.

Issues

Policies

The National Planning Policy Framework November 2023 (NPPF) - The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans can provide for

sufficient housing and other development in a sustainable manner. Preparing and maintaining up to date plans should be seen as a priority in meeting this objective.

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 National Planning Policy Framework 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 means:

- o approving development proposals that accord with an up-to-date development plan without delay; or
- o 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.

In addition to the above, Section 16 (Conserving and enhancing the historic environment) is of relevance:

Paragraph 203 in Section 16 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 205 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 206 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 207 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 208 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 212 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.

Paragraph 213 states that not all elements of a Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm under paragraph 207 or less than substantial harm under paragraph 208, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole.

Paragraph 214 states that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Core Strategy Development Plan Document - The 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) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development

Documents. Relevant policies in the Core Strategy are detailed below:

Policy SP1, Spatial Principles - Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy EN 3, Heritage - Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains. Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Saved UDP Policies - Policies DC18 and DC19 are considered of relevance in this instance: Policy DC18, Conservation Areas - Policy DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas by taking into consideration the following:

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
- iv. street trees);
- v. the effect of signs and advertisements;
- vi. any further guidance on specific areas which has been approved by the Council.

b) The Council will not normally grant outline planning permission for development within Conservation Areas.

- c) Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area.
- d) Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.
- e) Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

Policy DC19, Listed Buildings - Policy DC19.1 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.

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.

Principle of the Proposal - The principle of improving the facilities for the residents of The Old Dairy is acceptable. Notwithstanding this, the impact upon the setting and character of the Grade II listed building must be assessed.

Impact on Heritage Assets (Chorlton Green Conservation Area and The Old Dairy 10 Chorlton Green) - Policy EN3 of the Core Strategy, along with section 16 of the NPPF, states that consideration must be given to the impact of new developments on heritage assets. In this instance, the application site is located within the Chorlton Green Conservation Area along with the property itself being a Listed Building namely The Old Dairy which is Grade II listed.

The Chorlton Park Conservation Area lies three kilometres to the south of the City Centre and was designated in 1970.

lies to the north, also set back from the road but now surrounded on three sides by new development and also having lost its agricultural setting. Beyond these original properties there have been later additions predominantly residential in nature. The properties are all set around the village green to all four sides. They all mainly have gardens to the front and rear having setting for the buildings themselves. There is a former school on the eastern side of the Green which has now been converted to residential properties, however the frontage appearance still

retains the original appearance and features. There are a significant number of trees retained within the area, which are covered by TPO and Conservation Area status.

The requirement to preserve or enhance the Conservation Area, and the setting of the Listed Buildings, in this case 10 Chorlton Green is a key requirement within policy EN3 of the Core Strategy, saved policies DC18 and DC19 of the UDP along with the objectives of the NPPF. As such, any new development must seek to retain the character of the area through careful detailing and, where appropriate, the use of compatible materials.

This proposal seeks to extend over the sunken dairy to the northern side of the property with a contemporary first floor extension. This proposed extension is of a lightweight nature with simple elevations and materials that are sympathetic to the host property and still allow the original building to shine. There is also a single storey extension proposed to the rear following the demolition of the later addition stores which are in a poor and unusable condition. Again this is also a contemporary approach with sympathetic materials that contrast to the brickwork of the existing property are respectful to the footprint of the existing property and allow all the original features and the scale of the dwelling to be read without being dominated by the new additions. As a result the new additions would complement the existing property well.

It is considered that number 10 Chorlton Green reflects a substantial number of other elements in the conservation area in age, style,

materials and form; contributes positively to the setting of adjacent designated heritage assets; illustrates the development of the settlement and, particularly, the historic rural character; has a significant historic association with the historic road

layout; reflects the traditional functional character or former uses in the area and its use contributes to the character or appearance of the area. The building is considered to make a positive contribution to the significance of the Conservation Area.

Given the design and siting of these modest extensions and the fact that they are not readily visible from outside of the site, it is not considered that the proposal would have a detrimental impact upon the setting or character of the Grade II listed 10 Chorlton Green.

Conclusion

The NPPF provides national policy on heritage assets and development and sets out a proportionate approach taking account of significance. The public benefits of a proposal likely to affect the character of a designated asset should be balanced against the harm to heritage assets.

Strongly beneficial changes are proposed to the front elevation, with the fitting of eight-over-eight timber sliding sash windows, which will reinstate the historic appearance of the building. It is also proposed to repoint all brickwork, which should be undertaken in a lime-based mortar and will allow the building to 'breathe'.

Although some of the impacts of other proposals have been identified as causing moderate harm, this constitutes much less than substantial harm in planning terms. The principal benefit of these proposals is that they would provide a sustainable new use for the north-west range, retaining the history and character of the historic fabric and interior of the building, and reinstating previously lost features whilst at the same time enabling to occupants of the property to change the flow of the house to meet changing household needs.

The proposals are considered to be sympathetic to the character of the listed building and to this part of the Conservation Area and to be beneficial overall to the significance of both the listed building and the Conservation Area. The proposals are considered to comply with national and local planning policy.

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.

Recommendation: Approve

Article 35 Declaration

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

0) Officers have worked with the applicant in a positive and proactive manner to resolve any problems arising in relation to dealing with the planning application. The application can now be approved having been assessed in line with both national and local policies and appropriate conditions attached.

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Proposed_SITE PLAN 0265_20_200 Rev D

Proposed_PLANS 0265_20_201 Rev E

Proposed_ELEVATIONS 0265_20_202 Rev D

Proposed_SECTION 0265_20_203 Rev D

Proposed_3D VISUALS EXTERNAL 0265_20_801 Rev D

Proposed_3D VISUALS INTERIOR 0265_20_802 Rev D

Proposed_RETENTIONS & DEMOLITIONS 0265_21_200 Rev B

Proposed_THRESHOLD DETAILS 0265_21_400 Rev C

Proposed_REAR RANGE INTERNAL ELEVATIONS 0265_22_201 Rev A

Proposed_WINDOW & DOOR SCHEDULE 0265_31_901 Rev B

Proposed_M&E LAYOUT 0265_60_202 1:50 Rev B

POINTS OF INTERVENTION: SUMMARY OF SIGNIFICANCE

LM22254-DYSE-XX-ZZ-HS-0001 Designer's Risk Assessment P01-28th September 23

LM22254-DYSE-XX-ZZ-SP-S-0001 Project Specification P01 28th September 23

LM22254-DYSE-XX-ZZ-CA-S-0001 Structural Calculations P01 28th September 23

LM22254-DYSE-XX-ZZ-DR-S-1001 Underpinning Layout and Details 28th September 23

J.W Heritage Statement

Proposed 3D visuals

All dated 30th October 2023.

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) Prior to above ground works commencing full and final details of the materials proposed including samples for use on the exterior of the listed building identified as 10 Chorlton Green shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - Because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character, appearance and fabric of this building in accordance with policies EN1, EN3, SP1 and DM1 and saved policies DC18 and DC19 of the Unitary Development Plan.

4) Prior to above groundworks commencing a complete cross-section and detailed elevation drawing of the proposed new window types [W02, W03, W05 & W06] to the front elevation (scale 1:5 or 1:10 as relevant) shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - The proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character, appearance and fabric of this building in accordance with policies EN1, EN3, SP1 and DM1 and saved policies DC18 and DC19 of the Unitary Development Plan.

5) Prior to above groundworks commencing details of the full and final internal finishes together with any repair/ replacement works to the existing Grade II listed building shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - The proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character, appearance and fabric of this building in accordance with policies EN1, EN3, SP1 and DM1 and saved policies DC18 and DC19 of the Unitary Development Plan.

6) A full-scale in-situ sample window installed on site prior to the removal of all but one of the existing windows to the front street-facing elevation. This sample window shall be made available for inspection by the Local Planning Authority, and once approved shall be replicated for the remaining replacement windows to the front elevation

Reason - The proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character, appearance and fabric of this building in accordance with

policies EN1, EN3, SP1 and DM1 and saved policies DC18 and DC19 of the Unitary Development Plan.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Chorlton Voice

Chorlton Voice

4 Dovecote Mews, Manchester, M21 9HN
9 Dovecote Mews, Manchester, M21 9HN
7 Dovecote Mews, Manchester, M21 9HN
1 Lychgate Mews, Manchester, M21 9ST
2 Dovecote Mews, Manchester, M21 9HN
9 Lychgate Mews, Manchester, M21 9ST
11 Lychgate Mews, Manchester, M21 9ST
7 Lychgate Mews, Manchester, M21 9ST
5 Lychgate Mews, Manchester, M21 9ST
3 Lychgate Mews, Manchester, M21 9ST
8B Chorlton Green, Manchester, M21 9HS
31B Chorlton Green, Manchester, M21 9FQ
31C Chorlton Green, Manchester, M21 9FQ
31D Chorlton Green, Manchester, M21 9FQ
33 Chorlton Green, Manchester, M21 9FQ
3 Dovecote Mews, Manchester, M21 9HN
11A Lychgate Mews, Manchester, M21 9ST
8C Chorlton Green, Manchester, M21 9HS
8A Chorlton Green, Manchester, M21 9HS
5 Dovecote Mews, Manchester, M21 9HN
1 Dovecote Mews, Manchester, M21 9HN
8 Chorlton Green, Manchester, M21 9HS

Appendix 2 – Planning constraints

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

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

Conservation Area - Chorlton Green Conservation Area 1970

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: SOUTH AREA