

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137234/FO/2023

Date registered valid: 9 June 2023

Proposal: Erection of four houses with ground floor parking and associated amenity space. Change of use of Palmer House to Class E (g) with associated external alterations and the construction of a new car park and amenity space.

Address: Palmer House, 11 Virgil Street, Trafford, M15 4ED And Land To The South Of St Georges Park, Manchester

Ward(s): Hulme Ward

Applicant: Generation Ltd

Agent (if any): Mr Julian Austin, Paul Butler Associates

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 13.09.2023

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 28.06.2023

Standard consultations:

Printed: 16 June 2023 Expired: 7 July 2023

Neighbour notifications

Printed: 16 June 2023 Expired: 7 July 2023

Site notice

Posted: 28.06.2023 Expired: 19.07.2023

Press advert

Published: 20 June 2023 Expired: 4 July 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable – Adjacent to Hulme Barracks Grade II

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site lies both within Manchester City Council and Trafford Council's administrative area with the majority of the proposed development falling within Trafford and amenity space associated with the development being within Manchester. The surrounding area is a mixture of park land (St Georges Park), enclosed woodland, and high density residential dwellings of a variety of heights with a number of recent developments and older post war properties, lower scale terraced streets lie to the north beyond the park. Other than the parkland this is a highly urbanised area close to Manchester City Centre and major routes into and from it. The grade II Listed former Hulme Barracks building is located to the immediate north and east of the application site separated by a grassed area and fenced off area of woodland part of which forms the application site.

Description of development

The proposed development is for the erection of four houses with ground floor parking and associated amenity space. Change of use of Palmer House to Class E (g) with associated external alterations and the construction of a new car park and amenity space. Those elements relating to the erection of house and works to Palmer House all fall within Trafford whilst the amenity area for Palmer House is located within Manchester.

It is understood that the proposed elements within Trafford have been refused planning permission.

Consultations & Notification Responses

A site notice was posted and advertisement placed in the Manchester Evening News for public interest purposes as the application site lies adjacent a Park within Manchester and also within the adjacent Trafford Council administrative area. No responses were received.

United Utilities – Recommend a condition be attached to any approval relating to surface water drainage.

MCC Neighbourhood Services – Arborist Team – No objections to the proposals but would expect the development team to understand the Arbor report and its recommendations.

Policy

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 EN3 - The policy provides that throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its neighbourhood. 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.

Policy EN 9, Green Infrastructure - New development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in accordance with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

Policy EN 10 - Safeguarding Open Space, Sport and Recreation Facilities - The Council will seek to retain and improve existing open spaces, sport and recreation facilities, proposals will be supported that:

improve the quality and quantity of accessible open space, sport and recreation in the local area provide innovative solutions to improving the network of existing open spaces, increase accessibility to green corridors, and enhance biodiversity improve access to open space for disabled people.

Policy EN 15 - Biodiversity and Geological Conservation - The Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City.

Policy DM1, Development Management – This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection. • Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.

Relevant saved UDP policies are:

DC19 – Listed Buildings - 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.

National Planning Policy Framework (NPPF)

The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt. Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors. The relevant sections in this instance are sections 8 'Promoting healthy communities' , 12 'Achieving well-designed places' , section 15 'Conserving and enhancing the natural environment' and section 16 'Conserving and Enhancing the Historic Environment'.

Issues

Principle – In this instance the proposals would remove an area of fenced off unmanaged scrub woodland that bounds to St Georges park to the north and repurpose this to form amenity space and cycle parking for the full conversion of the adjacent Palmer House to form offices. It is acknowledged that works to Palmer House and the erection of 4 dwellinghouses associated with the wider proposals would all be undertaken on land within the Trafford Council area. Reference is made to these works but the assessment undertaken for the purposes of this report relates to those element of the proposals within Manchester. In this instance the principle of the use of this land as amenity space to support commercial premises is supported subject to further consideration of the impacts on existing green infrastructure and trees, together with potential impacts on the setting of the Hulme Barracks Grade II Listed Building.

Loss of Green Infrastructure – The proposal would result in an area of fenced off woodland being brought within the planning unit of Palmer House to be used as amenity space and for cycle parking provision for that building. Palmer House abuts the administrative boundary with Manchester and areas of hardstanding to its north west are proposed for residential redevelopment as part of the wider proposals. As such the applicant intends to provide outdoor space for Palmer House to its north and provide windows to the elevation facing this amenity area to provide a usable space for office workers and provide additional natural surveillance over the woodland beyond. The current woodland is fenced off and is not readily accessible by members of the public, the land is overgrown with a mixture of trees, bramble and also appears to attract fly tipping and anti-social behaviour. The proposals would clear a 10 metre strip of this wooded area to provide a formal amenity space for the office and in addition the applicant has entered into an agreement to undertake improvement works to the adjacent park which are set out within the submitted plans. The Council's arborist raises no objections to the proposals in relation to those trees which are shown as being removed.

The proposed works intend to increase biodiversity within the area and improve the quality of planting. It is considered that the loss of existing green infrastructure in this instance is acceptable subject to delivery of the improvements to the existing park outlined within the application submission. An appropriately worded condition would be required to secure these off site works.

Impacts on Hulme Barracks Grade II Listed Building – The application is accompanied by a proportionate Heritage Assessment.

The wider proposals are considered to have some degree of negative harm on the listed building as the wider development would block views onto rear elevations and add another element in its setting that would compete with its scale and mass. It is acknowledged this view is not a recent or intentional one and has altered as a result of wider developments in the vicinity. The identified harm is considered to be on the lower scale and in this instance is considered to be outweighed by the public benefits of the development including the proposed landscaping works.

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

The application has been determined in a positive and proactive manner, in this instance no significant issues have arisen during consideration of the application and conditions are proposed.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

Preliminary Arboricultural Survey prepared by DEP; AL(05)105 'Proposed Site Plan', 02 Rev A 'Landscape Plan'; 03 Rev A 'Park Improvement Works' all as received by the City Council as local planning authority on the 9th June 2023

Arboricultural Implications Assessment and Method statement prepared by DEP as received by the City Council as local planning authority on the 18th July 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) No development shall commence unless and until details of the scheme together with a programme for delivery of the proposed 'Park Improvement Works' as set out on approved drawing reference 03 Rev A has been submitted to and agreed in writing by the City Council as local planning authority.

Reason - In the interests of the setting of the adjacent listed building and to improve the biodiversity of the area pursuant to policy EN3, EN9 and EN15 of the Core Strategy and saved Unitary Development Plan policy DC19.

4) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

5) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing references 02 Rev A, and 03 Rev A shall be implemented within a timescale that has been submitted to and approved in writing by the City Council as local planning authority within 1 month of the commencement of works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

6) No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended and to comply with policy EN15 of the Core Strategy.

7) The cycle parking indicated on the approved plans shall be installed prior to the first use of the development and be retained thereafter by the occupiers of the development.

Reason - To ensure that adequate provision is made for the parking of cycles on the site pursuant to policies T1, T2 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Neighbourhood Team Leader (Arboriculture)
Corporate Property
Heritage & Urban Design
Greater Manchester Ecology Unit
Trafford Council

Flat 13, Barracks House, 10 Princess Street, Hulme, Manchester, M15 4HA
54 Northdown Avenue, Manchester, M15 4HB
48 Northdown Avenue, Manchester, M15 4HB
42 Northdown Avenue, Manchester, M15 4HB
38 Northdown Avenue, Manchester, M15 4HB
Flat 11, Barracks House, 10 Princess Street, Hulme, Manchester, M15 4HA
Flat 10, Barracks House, 10 Princess Street, Hulme, Manchester, M15 4HA
Flat 9, Barracks House, 10 Princess Street, Hulme, Manchester, M15 4HA
Flat 8, Barracks House, 10 Princess Street, Hulme, Manchester, M15 4HA
Flat 7, Barracks House, 10 Princess Street, Hulme, Manchester, M15 4HA
Flat 6, Barracks House, 10 Princess Street, Hulme, Manchester, M15 4HA
Flat 5, Barracks House, 10 Princess Street, Hulme, Manchester, M15 4HA
Flat 4, Barracks House, 10 Princess Street, Hulme, Manchester, M15 4HA
Flat 3, Barracks House, 10 Princess Street, Hulme, Manchester, M15 4HA
Flat 2, Barracks House, 10 Princess Street, Hulme, Manchester, M15 4HA
Flat 1, Barracks House, 10 Princess Street, Hulme, Manchester, M15 4HA
Barracks House, 10 Princess Street, Hulme, Manchester, M15 4HA
Flat 14, Barracks House, 10 Princess Street, Hulme, Manchester, M15 4HA
Flat 12, Barracks House, 10 Princess Street, Hulme, Manchester, M15 4HA
52 Northdown Avenue, Manchester, M15 4HB
50 Northdown Avenue, Manchester, M15 4HB
46 Northdown Avenue, Manchester, M15 4HB
44 Northdown Avenue, Manchester, M15 4HB
40 Northdown Avenue, Manchester, M15 4HB

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA