

Planning

Growth & Development

Delegated officer report for planning application

Application no.	133753/LO/2022
Date registered valid:	12 May 2022
Proposal:	Listed Building Consent for the erection of two x 2 storey extensions to create kitchen and dining areas
Address:	Langdale Hall , Upper Park Road, Manchester, M14 5RJ
Ward(s):	Rusholme Ward
Applicant:	Mr Jason Worrall NJoy Student Living Langdale Hall , Upper Park Road, Manchester, M14 5RJ
Agent (if any):	Ms Fiona Wylie Wylie Architecture 38 Lismore Road, Buxton, SK17 9AN
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	7 July 2022

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 6 June 2022

Standard consultations:

Printed: 23 May 2022 Expired: 13 June 2022

Neighbour notifications

Printed: 23 May 2022 Expired: 13 June 2022

Site notice

Posted: 6 June 2022 Expired: 27 June 2022

Press advert

Published: 31 May 2022 Expired: 21 June 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

Langdale Hall is a mid-19th Century Grade II listed Victorian villa set within mature landscaped gardens and situated within the Victoria Park Conservation Area. It is bounded by Redclyffe Avenue and Boyd Court to the north. Upper Park Road is located to the east of the site and on the opposite side there is a mosque and residential accommodation. To the south of the site is Denison Road, with the Chinese Consulate being located on the opposite side. Lower Park Road runs to the west of the site and on the opposite side there is further residential accommodation.

Langdale Hall and the 20th Century additions to the north of the villa are used as student accommodation. To the south of the villa there are two surface car parks for use by staff and student residents. The gardens comprise dense trees and shrubs around a central lawn which predominantly occupies the western and southern part of the site. The trees within the curtilage of Langdale Hall are all subject to the (Langdale Hall, Victoria Park) Tree Preservation Order 1972. A hardsurfaced tennis court and a sub-station are located within the west of the grounds. Pedestrian and vehicular access to Langdale Hall is gained via Upper Park Road.

Listed building: Grade II
Conservation area: Victoria Park Conservation Area 1972
Tree Preservation Order: Yes

Description of development

The applicant is seeking Listed Building Consent for the erection of two 2 storey infill extensions, to the 20th century addition to the north of Langdale Hall, to form kitchen, dining and lounge facilities for the existing student accommodation.



Consultations & Notification Responses

Local Residents – No comments received.

Rusholme, Fallowfield & Moss Side Civic Society – No comments received.

Policies

The National Planning Policy Framework July 2021 (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 for housing and other development can be produced. 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:

- approving development proposals that accord with an up-to-date development plan without delay; or
- 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 197 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 199 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 200 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 201 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 202 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 206 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 207 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 200 or less than substantial harm under paragraph 201, 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 208 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.

Issues

Principle of the Proposal – The principle of improving the facilities for the students residing at Langdale Hall is acceptable. Notwithstanding this, the impact upon the setting and character of the Grade II listed building must be assessed.

Impact on Heritage Assets (Victoria Park Conservation Area and Langdale Hall) – Policy EN3 of the Core Strategy, along with section 12 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 Victoria Park Conservation Area along with being adjacent to a Listed Building namely Langdale Hall which is Grade II listed.

The Victoria Park Conservation Area lies three kilometres to the south of the City Centre and was designated in 1972. Victoria Park was conceived in the first half of the 19th Century and has been subject to modern additions since it was designated a conservation area in 1972. The houses in Victoria Park are large and are set in spacious grounds. Several of the roads are laid out in gently undulating curves, whilst others are straight and relatively short. They are nearly all wide, and some of them have grass verges. Not all the large old houses in Victoria Park have survived, a relatively small proportion of houses from the 1830s and 1840s still exist, and where they were demolished there now stand either groups of smaller houses or large, institutional buildings, such as schools, colleges, churches, university halls of residence and blocks of flats. Despite these changes in many cases the large spaces between buildings have been maintained and a significant number of trees retained. Architecturally, the conservation area is home to a variety of building styles ranging from Victoria villas to 20th century dwellings, educational buildings and offices that are typically between 2 to 4 storeys in height.

The requirement to preserve or enhance the Conservation Area, and the setting of the Listed Buildings, in this case Langdale Hall 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 infill the two northern corners of the 20th Century addition to Langdale Hall, i.e. the part of the complex furthest removed from the listed building. Both extensions would square-off the existing building and the design and materials would mirror the character of this 20th Century addition and as a result would complement it well. 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 Langdale Hall.



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

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.

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 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 stamped as received on 12 May 2022:

- a) Drawing no. 01.01
- b) Drawing no. 02.01
- c) Drawing nos. 03.01 to 03.05

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Rusholme, Fallowfield & Moss Side Civic Society

40 Ellerslie Court, Upper Park Road, Manchester, M14 5RH

7 Redclyffe Avenue, Manchester, M14 5RG

8 Redclyffe Avenue, Manchester, M14 5RG

Flat 13, Carfax Court, 7 Lower Park Road, Manchester, M14 5RQ

Flat 15, Carfax Court, 7 Lower Park Road, Manchester, M14 5RQ
Flat 14, Carfax Court, 7 Lower Park Road, Manchester, M14 5RQ
Flat 16, Carfax Court, 7 Lower Park Road, Manchester, M14 5RQ
12 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
15 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
14 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 13, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Room 12, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 125, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 37, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 35, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 7, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 6, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 108, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 58, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 92, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Tutors Flat B70, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Apartment 19, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 7, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 21, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 2, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 16, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
39 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
37 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Room 24, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 21, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 20, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 113, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 25, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 13, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 120, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 33A, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 5, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 79, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 74, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 61, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 56, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 39, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Tutors Flat MB 22, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
23 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 34, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 27, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Room 17, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 31, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 29, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 26, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 129, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 128, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 127, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 122, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 33B, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 103, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 78, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 59, Langdale Hall, Upper Park Road, Manchester, M14 5RJ

[illegible]

22 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Room 22A, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 16, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 123, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 121, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 28, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 4B, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 102, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 86, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 84, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 83, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 99, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 97, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 91, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 88, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 69, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 65, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 62, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Tutors Flat B60, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Apartment 33, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 30, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 35, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 28, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 20, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 11, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Room 115, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 2, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 1B, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 114, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 36, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 85, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 1A, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 77, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 60, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 51, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 90, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 48, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 46, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 66, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Room 72, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Wardens Flat, Langdale Hall, Upper Park Road, Manchester, M14 5RJ
Apartment 26, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 10, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
25 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 9, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 6, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 4, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 18, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
31 Ellerslie Court, Upper Park Road, Manchester, M14 5RH

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
Conservation Area - Victoria Park Conservation Area 1972
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH