List No.

Rusholme Ward	**Application Number**	**Date of Appln**	**Committee Date**
	081739/FO/2006/N2	24th Apr 2007	26th Jul 2007

Proposal Demolition at rear of property and erection of two storey extension to form 9 apartments plus basement accommodation and additional car parking

Location 6-8 Conyngham Road, Rusholme, Manchester, M14 5SA,

Applicant Harvey Properties Investments C/o Market Court, 20-24 Church Street, Altrincham, WA14 4DW

Agent King Sturge LLP One Piccadilly Gardens, Manchester, M1 1RG.

Description

The application site is an existing pair of residential properties originally built in the 1840's. The White House was built as a pair of semi-detached houses with coach houses to the rear, set within large mature gardens. The house was built as part of the original residential development of the Victoria Park area. In more recent times, the house has been converted and poorly extended to create low quality rented accommodation. The existing building is set back from the frontage onto Conyngham Road with gardens to the front and areas of hardstanding to the rear.

The site measures 0.271 hectares (0.67 acres) in size and is located within the Victoria Park Conservation Area. This is predominantly a residential area with a high majority of properties being for student accommodation. Martin House, a residential property, bounds the site to the north, with the Dalton Ellis halls of residence and tennis courts to the east, semi-detached properties onto Denison Road to the south and a mosque to the west.

Planning permission is now sought for the erection of a new extension to the rear of the property following the demolition of the existing outriggers. The extension will provide nine additional self-contained apartments within a two-storey extension and accommodation within the basement. Apartments already occupy the existing house and this is being upgraded to include 11 self-contained apartments. Therefore, there will be a total of 20 no. one and two bedroom apartments with 20 car parking spaces. The extension has been designed to recreate the coach house style with a lightweight glazed link to connect the two elements together.

Consultations

Local Residents / Businesses - Letters have been received from nine local residents. The comments made for this application can be summarised as follows:

1) The replacement of the dilapidated annex is welcomed. However, there are strong objections to some aspects of the proposal. This is mainly the issue of land ownership and rights of access. The details show that the applicants own all of the land for the application. This is not the case, as the residents of Martin House have ownership rights over the access road and the land to the rear of

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Martin House. The land to the rear of Martin House is currently being used by its residents for parking, and if this is turned into parking for the White House, the residents of Martin House will have restricted parking.

2) Allowing or insisting upon a 100% car parking provision for the White House will severely restrict the car parking for Martin House, which would be reduced to nine spaces. Throughout the country, many apartment schemes have been allowed with lower than traditional parking provision in order to discourage car usage and to contribute to sustainable development. The car parking provision is excessive in terms of PPG3 and on this basis the application should be refused.

3) The garages to the rear of Martin House are occupied and it is difficult to park in them now, due to cars being parked on the hardstanding area. This will become more difficult if the proposed formal car park is created. There will be more noise and disturbance created from this car parking.

4) The nature of this proposal is damaging to the Conservation Area. There are more flats being created, which is overdevelopment in a conservation area. This is not brownfield land but garden area and Martin House and the White House are one development area. The fact that the White House needs to use the parking area to the rear of Martin House proves that the overall development density is too great. The loss of the amenity area of the garden is unacceptable and the density is too high. PPG3 states that density should be 30-50 dwellings per hectare, however the density of this development would be 74 dwellings per hectare. Even allowing for an increased density in an urban area that is well served by public transport, the density is high.

5) The types of property proposed in this development are unsuitable in terms of diversity, and do not meet the policy of Manchester City Council. The proportion of one bed apartments remains too high, even though it has been reduced from 60% to 45% of the total dwellings.

6) The arboricultural report states that trees numbered 1 to 6 should be retained, however these are not shown on the layout drawing. This is contrary to the Conservation Area policy and also the City Council's Tree Strategy. There has been no justification made for the destruction of the gardens to the rear of Martin House and this would adversely affect the character of the conservation area. This would also adversely affect the outlook for the residents in Martin House.

7) The Manchester Historic Buildings and Conservation Panel had previously raised concerns about the loss of the main entrances to the White House. These concerns have not been addressed. This will have a negative impact on the character of the building and the Conservation Area.

8) The idea of basement flats is environmentally degrading, with windows almost totally below ground level. These units will be capable of creating mental illness in the residents and could not be classed as providing better accommodation than what is currently there.

9) The proposed extension to the property is to the east up to the boundary with Conyngham Road. This is contrary to the character of the Conservation Area, where the buildings are set back from the road with extensions to the rear.

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Manchester Conservation Areas and Listed Buildings Panel - The Panel recalled the proposals for this site from previous submissions and noted that there had been an improvement to the proposal. However, it was felt that further improvements to the proposal could be made before the scheme would be acceptable. As previously advised, the Panel did not support the loss of the two original entrances into the pair of semis. The Panel felt strongly that these historic entrances should be integrated into the overall scheme. The Panel considered that a more 'honest' solution is needed for the proposed articulating transitional glazed link. It was noted that the area behind the glazing was not defining circulation space only. It was felt that for this element to work it should reflect an open/circulation use behind it. The scheme and accommodation should be re-modelled accordingly. Panel objected to the large square openings proposed to the final bay of the new 'coach house' element. The overall elevational expression of this element could be improved. The Panel questioned the materials palette, suggesting a good-quality facing brick for the 'coach-house' element. Therefore, the Recommendation was negotiate as above to approval.

Chief Executive's Landscape Practice Group - Support this application in principle subject to the landscape proposals plan incorporating the recommendations of the tree survey. Also, retained trees should be protected thought the British Standard, and further details should be submitted in relation to surface materials and management/maintenance proposals.

Engineering Services - No objections in principle subject to clarification on some points. The applicant should verify if site security gates will be provided to the front gates, and if so they should be positioned at least 5.5m from the back of footpath. The location of a secure cycle store is not shown on the plan. A minimum of 2 disabled spaces should be made available preferably located near the building access points. Refer to the guidelines for bay dimensions. Finally, it is unclear what the boundary details are for this scheme, and therefore it must be ensured that pedestrian and vehicular splays are provided at each car park exit.

Environmental Health - There are no objections to this scheme subject to the inclusion of certain conditions. These include the submission of refuse storage/collection/recycling information and a control over any external lighting.

Environment & Operations (Trees) - The proposed pruning works are acceptable and will benefit the trees. Trees numbered 7, 8, 9, 10, 12 and 13 are all in decline and should be removed. However, T11 is in good condition and should be retained. Group 1 is a group of Lombardy Poplars and the root systems encroach onto the property. Therefore, any works must be done by hand as they will not tolerate any root disturbance. All work should be carried out in accordance with BS3998 'Recommendations for Tree Works' and BS5837 'Trees in Relation to Construction'.

Greater Manchester Police - The Crime Impact Statement does make reference to SBD specifications for windows and doors. However, there are remaining issues that require to be addressed. These include the provision of higher boundary treatments and locked gates, lighting and management of the landscaping to prevent hiding places.

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South Manchester Regeneration - This is a redevelopment of an existing block of flats and will provide a net gain of 3 new flats and renovate existing ones. This is an application submitted after previous consultation with Building Control and Planning. The developers have taken on board advice about the size and number of new flats and will now provide 20 apartments. These will be a mix of 55% 2-bed flats and 45% 1-bed flats. This is higher than MCC's preferred proportion but is much better than the existing 88% ratio. The house lies in the Conservation Area and the proposals seem sympathetic to renovating the site in an appropriate manner

Issues

Unitary Development Plan - The site lies within a residential area of Victoria Park, Rusholme, and is therefore covered by area policy RF1. However, apart from this the site has no specific land allocation within the U.D.P. Area Policy RF1 states that in deciding its attitude to proposals within Rusholme and Fallowfield, the Council will have regard to the general policies in Part 1 of the Plan in order to retain the character of Rusholme and Fallowfield as a predominantly residential area. The Plan aims to protect and enhance the area as a popular residential district of the City, catering for many different groups of people. A major objective is to ensure that the area does not decline because of the pressures brought about by such high levels of activity. Improvements to the areas of older privately-owned housing will be encouraged so that the range of good quality residential property is maintained. Area Policy RF5 is also relevant in this case, which states that the Council will permit the conversion of the large properties in and around Victoria Park into smaller units, subject to the standard development control policies and the need to safeguard and enhance the character of the Conservation Area.

Other relevant policies in this case are Housing, Environmental, Conservation Area and Transport policies. These policies will now be outlined below. When dealing with applications of this nature, regard is given to Development Control Policies No. 5 "Flat Conversions", No. 7 " New Housing Development", No. 16 "Street Landscapes" and No.18 "Conservation Areas". Policy DC5 considers the general effects on the character of the neighbourhood and the area, the adequate provision of car parking, the adequate provision of outdoor amenity space and refuse storage space and the standard of the accommodation to be provided. Policy DC7 states that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, including those who use wheelchairs, wherever this is practicable. Policy DC16 can be applied here as this requires the retention of existing trees and the provision of tree planting along the public frontages of sites.

Finally, Policy DC18 states that the Council will give particularly careful consideration to development proposals within Conservation Areas; a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:

a) the relationship of new structures to neighbouring buildings and spaces; the effect of major changes to the appearance of existing buildings; the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees); and 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.

Further housing policies include H1.2, H2.1, H2.2 and H2.7. Policy H1.2 states that the City Council will ensure that the housing stock contains a wide range of housing types to meet the needs of people who want to live in Manchester. The above should include accommodation designed for disabled people. The City Council also encourages environmental improvements to make residential areas safer and more attractive though Policy H2.1. Policy H2.2 is also relevant and states that the Council will not allow development, which will have an unacceptable impact on residential areas. The matters that the Council will consider will include the scale and appearance of the development and it's impact in terms of noise, vibration, traffic generation, road safety and air pollution. Finally, H2.7 outlines how new housing schemes will be expected to be of a high standard of design and to make a positive contribution towards improving the City's environment. Areas of incidental space should not be formed unless arrangements are made for their proper and enduring maintenance.

There are also further Environmental and Transport Policies that are relevant in this case. The Environmental Policies include E2.6 and E3.8. Policy E2.6 outlines that the Council will prevent wherever possible the loss of existing trees and will encourage the extensive use of broadleaved trees in planting schemes to improve the appearance of built up areas and Policy E3.8 outlines that the Council wishes to enhance the appearance of Conservation Areas and will, where appropriate, designate further areas.

Transport policies T2.4, T2.6 and T3.1 can also be applied to this proposal. Policy T2.4 states that the City Council will expect developments to make adequate provision for their car parking requirements. In deciding whether the level of car parking associated with any development is acceptable, the Council will have regard to the environmental capacity of the site both in terms of the physical appearance of the car parking and its effect on neighbouring activities and also the ability of the local road network to accommodate the traffic generated by the proposed development. Policy T2.6 explains how the Council expects an adequate car parking provision to be made for disabled people and T3.1 states that the Council will ensure that the particular needs of both pedestrians and cyclists are catered for in new development schemes.

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance provides a framework for all development in the City. This document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide

developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

National guidance

Planning Policy Statement 1 (PPS1): Delivering Sustainable Development

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

Planning Policy Statement 3 (PPS3): Housing

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

Regional Planning Guidance

RPG13

DP1 - Economy in the use of land and buildings is required. New development and other investment in infrastructure and services should be located so as to make the most effective use of land, promote appropriate mixes of uses within a site and its wider neighbourhood, make efficient use of transport facilities and assist people to meet their needs locally.

DP3 - New development must demonstrate good quality design and respect for its setting.

Draft Regional Spatial Strategy

DP1 - Proposals and schemes must demonstrate excellent design quality, sustainable construction, efficiency in resource use and respect for their physical and natural setting.

Principle - It is considered that the development of this site to provide additional residential accommodation is acceptable in principle. However, the proposed design of the new extension, the impact of the development on the

Conservation Area, and the impact of the development on the surrounding residential properties and the area in general should be assessed.

Design, Scale and Massing - The surrounding area is characterised by a mix of residential uses of private and rental over a range of storeys. This area is also a Conservation Area and therefore is historic in character. The proposed extension has been designed with this in mind and is considered to reflect the character and context of this area. The amended design now also fully takes into account the comments made by the Manchester Conservation Areas and Historic Buildings Panel. The extension takes two forms, with a lightweight glazed link element connecting the existing historic building at the front and the new coach house style element to the rear. This rear element also represents the historic environment through its representation as a coach house, which is low in height and has a traditional appearance. Modelling and traditional features have been used within the design to create the appearance of a more historic form, but are clear that it was created within a modern era. The features of particular interest on the elevations of the existing building are also being retained, following the comments made by the Conservation Areas and Historic Buildings Panel. In terms of density, scale and massing, the proposed extension is decreased in scale and massing than the existing outriggers and the level of built form to landscaped areas is no less than the current situation. It is considered that this proposal provides a design, scale and density that is in keeping with the vicinity and of the Conservation Area. It is felt that the application has secured an appropriate scale and massing to development in relation to the surrounding area. Therefore, the Head of Planning considers this development acceptable in relation to design, density and footprint.

Accommodation Type - There is currently a debate across planning in relation to the types of accommodation being provided within the Manchester City area. There is a significant amount of flatted accommodation being provided across the whole of the City and concerns have been voiced that specific areas of Manchester's suburbs are not suitable for this type of accommodation. However, in this instance the type and quality of the accommodation being provided is a significant improvement to the current situation. The existing house and extensions provides 15 no. poor quality one bed flats and 2 no. two bed flats within a building that is run down and requires upgrading. The property and the accommodation are substandard in terms of size, quality and layout. The rear outrigger and rear annex also suffer from significant structural problems, requiring much of the structure to be rebuilt.

Following lengthy negotiations, this development proposal now includes the provision of 9 no. one bed apartments and 11 no. two bedroom apartments. Many of the one bed units are located within the existing house, with most of the two bed units beings located within the proposed extension, which is the subject of this planning application. Therefore, through the upgrading of the existing house and the proposed extension, the development would provide 20 higher quality and more sizable units of accommodation for a wider mix of occupants.

Impact on the Conservation Area - This property has fallen into serious disrepair and the grounds had become untidy and overgrown. The conversion and extension of the building and the surrounding landscaping works would be completed to a very high standard and it is considered that the overall appearance of the site would be greatly improved. The design and appearance

of the proposal is very important due to the sites location within the Victoria Park Conservation Area. The design of the proposed extension has been amended several times to address the comments of the Manchester Conservation Areas and Historic Buildings Panel and advice from officers. The extension is now a mix of contemporary and traditional style, which is considered to be appropriate for this site. Traditional features have been added to the elevations to give the building respect for the character and context of the Conservation Area. The proposed landscaping scheme for the development is also considered to create a positive appearance within the site and area. Many of the existing trees are being retained and a significant number of new trees will also be planted. Therefore, the Head of Planning considers that the design of the extension is acceptable within the Victoria Park Conservation Area and that the proposal will enhance the overall appearance of the site along Conyngham Road.

Residential Amenity - It is acknowledged that there are residential properties directly surrounding the application site and there would be a change in the amount and type of development resulting. However, as mentioned above the resulting scale and massing of the proposed extension would not be significantly greater than the existing outrigger extensions and would not be more significant in height. The existing extensions are part two/three storey in height with a mix of pitched and flat roofs. The highest part of the new development will be two storeys with the first floor being located within the roof space of the extension, and further accommodation being located within the basement. The glazed link and the coach house style elements of the extension will be lower in height than the main house, and in addition, there is only a minimum increase in the number of units from 17 to 20. Therefore, it is not considered that there would be a significant reduction in the visual amenity, sunlight and privacy currently received by existing properties. As this is a residential proposal, there should not be a significant increase in the noise generated from the site and the general activity should be limited to residents leaving and returning the accommodation. Therefore, the Head of Planning does not consider that this proposal will have a detrimental impact on the residential amenity currently enjoyed by the surrounding occupants. A number of conditions would be included in any approval that would protect the amenity of the surrounding residents.

Disabled Access - The proposal includes the provision of ramped access into and within the building and a lift to all floors within the central core circulation area. Therefore, it is possible to access all 20 units of the accommodation within a historic building that is currently accessed by steps only. Although none of the units are fully compliant with DFA2 in terms of living adaptation, all of the units are visitor accessible and will be fully compliant with the DDA requirements.

Secure by Design - The applicants have provided a design statement which confirms that crime prevention measures will be incorporated into the design, and the design will have full regard to the principles of Secure by Design.

Traffic and Car Parking - Concerns have been raised about the amount of car parking that is proposed for this development. This proposal includes the provision of 20 car parking spaces for the creation of 20 apartments, which includes 2 disabled spaces. This is in line with the 100% level usually required and is in accordance with Central Government Guidance. It is acknowledged

that PPG13 outlines the need to reduce the amount of car parking provided for residential accommodation, to encourage the increased use of public transport. However, in this location where the on street parking situation is a very serious problem, it is not considered to be appropriate to provide a reduced car parking provision. It has also been stated by local residents, that the land to the rear of Martin House is currently being used by them and would be restricted if this development was permitted. There are nine car parking spaces and approximately ten garages provided for the occupants of Martin House, and the existing area of hardstanding to the rear supplements this. However, the parking on this area of hardstanding is an informal arrangement and is not a formal and demarcated parking area. The applicant owns the land on which the proposed new demarcated spaces will be located, and there is a right of access to this land. The new spaces will not block the access to the existing garages and does not restrict the access to the allocated nine spaces for Martin House. Therefore, this reason does not warrant a refusal of the development as 100% car parking provision is being provided for the new development.

An issue raised by the Head of Engineering is that the existing access does not achieve the necessary visibility splays. As these are existing access points, the removal of the historic boundary wall and some mature landscaping/trees would be required to achieve these standards. As the distance between the road and the car park is minimal, it is considered that the two existing access points are acceptable and it is preferred to ensure the retention of the boundary wall and the vegetation on the site within the Conservation Area.

Landscaping and Trees - There appears to be have been a misunderstanding in relation to the trees to be retained and felled as part of this application. As shown in the submitted Arboricultural report, there are 14 existing trees on the site, one group of trees and two hedges. Based on the health and amenity value of the trees, it is only proposed to fell the trees numbered 7, 8, 9, 10, 12 and 13. The City Council's Arboriculture officer has confirmed this view by recommending the removal of these trees. Therefore, trees numbered 1 to 6, 11, 14 and Group 1 are all to be retained and protected through the construction of the development. A comprehensive landscaping scheme of replacement trees (10 new trees) and planting would then supplement the existing trees and plants at the site. Therefore, it is not proposed to remove all of the existing trees and plants from the site as has been suggested by a local resident. This is confirmed by the arboricultural report and the proposed landscaping scheme. Therefore, the Head of Planning considers the proposed landscaping for this development to be acceptable.

Other Neighbour Objections - The main objection that was raised by the local residents against this proposal was in connection with land ownership and rights of access. It has been confirmed by the agent that the applicant does not solely own the land within the site edged red and this has been addressed by the submission of Certificate C. All those with an interest in the land have been notified of the application by letter, and an advert of information has been placed in the local newspaper. The agent has also confirmed that the applicant does own the land in which the physical development relates, mainly the car parking land and the extension land, and the applicant has a right of access to all of this land through the official land deeds. Therefore, it is considered that the issue of land ownership and rights of access have been addressed and should not be given any further weight in this instance.

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One particular objection relates to the extension of the property to the east towards the front of the site and Conyngham Road. This must be a misunderstanding of the submitted application drawings, as the extension is to the rear of the property to the west towards the back boundary of the site, not to the front.

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Planning has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

On the basis that the proposal is in accord with the City Council's Unitary Development Plan (in particular Policies RF1, RF5, H1.2, H2.1, H2.2, H2.7, E2.6, E3.8, T2.4, T2.6, T3.1, DC5, DC7, DC16 and DC18) and with other material considerations of material weight (in particular the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Planning Policy Statement 1 (PPS1), Planning Policy Statement 3 (PPS3), and the Regional Spatial Strategy for the North West.) and there are no material considerations of sufficient weight to indicate otherwise.

Conditions and/or Reasons

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) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

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Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policy RF1, RF5, H1.2, H2.1, H2.2, H2.7, E3.8, DC16 and DC18 of the Unitary Development Plan for the City of Manchester.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: the Arboricultural Report stamped as received on the 20th December 2006, the Design and Access Statement, PPG15 Justification Statement, the Bat Survey, the Structural Investigation Report, the Breeam Pre-Estimator Report and the drawings numbered 3161 (PL) 090, 3161 (PL) 091/B, 3161 (PL) 092/B, 3161 (PL) 094, 3161 (PL) 095 and 3161 (PL) 096, stamped as received on the 22nd February 2007, and the amended drawings numbered 3161 (PL) 109/A, 3161 (PL) 110/A, 3161 (PL) 111/A, 3161 (PL) 200/A and 3161 (PL) 201/A, stamped as received by the Local Planning Authority on the 12th July 2007.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies RF1, RF5, H1.2, H2.1, H2.2, H2.7, E2.6, E3.8, T2.4, T2.6, T3.1, DC5, DC7, DC16 and DC18 of the Manchester Unitary Development Plan, the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Planning Policy Statement 1 (PPS1), Planning Policy Statement 3 (PPS3), and the Regional Spatial Strategy for the North West.

4) Notwithstanding the submitted landscaping drawing, no development shall commence until a hard and soft landscaping treatment scheme showing the existing trees to be retained and the proposed new trees has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. 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, unless otherwise agree in writing by the City Council as local planning authority.

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 RF1, RF5, H1.2, H2.1, H2.2, H2.7, E2.6, E3.8, DC16 and DC18 of the Unitary Development Plan for the City of Manchester.

5) 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 RF1, RF5, H1.2, H2.1, H2.2, H2.7, E2.6, E3.8, DC16 and DC18 of the Unitary Development Plan for the City of Manchester.

6) All tree work carried out during the construction of the development hereby approved should be carried out in accordance with in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area, pursuant to Policies E2.6, and E3.8 of the adopted UDP for the City of Manchester.

7) No clearance of vegetation or trees from the site should be carried out in the bird nesting season (March to July inclusive). If clearance during the nesting season is unavoidable then a survey for nesting birds must be undertaken prior to work commencing and submitted to and approved in writing by the City Council as local planning authority. If nesting birds are found by the survey and are likely to be disturbed by clearance works then clearance should be delayed until after the young have fledged.

Reason

The site supports habitats suitable for use by nesting birds, which are protected by the Wildlife and Countryside Act 1981, and pursuant to Policy E2.4 in the Unitary Development Plan for the City of Manchester.

8) The development shall not be occupied unless accreditation, confirming achievement of the Secured by Design standards in respect of the development has been issued by Greater Manchester Police, unless otherwise agreed in writing by City Council as local planning authority.

Reason - To reduce the risk of crime pursuant to Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

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9) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with Policies DC5, DC7 and T2.6 of the Unitary Development Plan for the City of Manchester.

10) Before the development hereby approved commences, full details regarding the waste management strategy for the development, namely the refuse storage space for segregated waste collection and recycling and details of all internal and external storage areas, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason

In the interests of amenity and public health, pursuant to policy H2.2 of the adopted UDP.

11) No external lighting shall be erected on or around the site without the prior written approval of the Local Planning Authority. Details of any proposed external lighting within the site must be submitted to and approved in writing by the City Council as Local Planning Authority. The lighting must only be implemented in accordance with the approved details.

Reason

To safeguard the amenities of the occupiers of nearby residential accommodation once the development is completed, pursuant to Policy H2.2 of the adopted UDP for the City of Manchester.

12) The details of an emergency telephone contact number for the owner, the architect and the contractor shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

13) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies T3.1, T3.6 and T3.7 of the Unitary Development Plan for the City of Manchester.

List No.

14) The wheels of contractors vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

Reason - In the interest of pedestrian and highway safety, as specified in policy H2.2 of the Unitary Development Plan for the City of Manchester.
15) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'very good' or 'excellent' and at least three star sustainability rating under the code for sustainable homes for those elements of the development which are residential in nature. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before any of the buildings hereby approved are first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies E1.5 and E1.6 in the Unitary Development Plan for the City of Manchester, policies ER13 and DP3 of Regional Planning Guidance for the North West (RPG13) and the principles contained within The Guide to Development in Manchester 2 SPD and Planning Policy Statement 1.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 081739/FO/2006/N2 held by Planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are all held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Chief Executive's Landscape Practice Group
Engineering Services
Environmental Health
Director Of Housing
Environment & Operations (Trees)
Environment & Operations (Refuse & Sustainability)
Greater Manchester Police
South Manchester Regeneration
Rusholme & Fallowfield Civic Society
36A Denison Road, Manchester, M14 5SQ
10 Conyngham Road, Manchester, M14 5SA
12 Conyngham Road, Manchester, M14 5SA
14 Conyngham Road, Manchester, M14 5SA
Flat 10, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 11, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 12, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 13, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 1, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 14, Martin House, 4 Conyngham Road, Manchester, M14 5SA

List No.

Flat 15, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 16, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 17, Martin House, 4 Conyngham Road, Manchester, M14 5SA
The White House, 6-8 Conyngham Road, Manchester, M14 5SA
Flat 18, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 19, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 20, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 2, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 3, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 4, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 5, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 6, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 7, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 8, Martin House, 4 Conyngham Road, Manchester, M14 5SA
Flat 9, Martin House, 4 Conyngham Road, Manchester, M14 5SA
4 Upper Park Road, Manchester, M14 5RU
Flat 1, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 2, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 3, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 4, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 5, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 6, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 7, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 8, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 9, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 10, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 11, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 12, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 13, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 14, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 15, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 16, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 17, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 18, Regent House, 36 Denison Road, Manchester, M14 5RY
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Flat 21, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 22, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 23, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 24, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 25, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 26, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 27, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 28, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 29, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 30, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 31, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 32, Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 33, Regent House, 36 Denison Road, Manchester, M14 5RY
22 Denison Road, Manchester, M14 5SQ
24 Denison Road, Manchester, M14 5SQ
26 Denison Road, Manchester, M14 5SQ
28 Denison Road, Manchester, M14 5SQ
30 Denison Road, Manchester, M14 5SQ

List No.

32 Denison Road, Manchester, M14 5SQ
34 Denison Road, Manchester, M14 5SQ
Regent House, 36 Denison Road, Manchester, M14 5RY
Flat 1, 8 Conyngham Road, Manchester, M14 5SA
Flat 2, 8 Conyngham Road, Manchester, M14 5SA
Flat 3, 8 Conyngham Road, Manchester, M14 5SA
Flat 4, 8 Conyngham Road, Manchester, M14 5SA
Flat 5, 8 Conyngham Road, Manchester, M14 5SA
Flat 6, 8 Conyngham Road, Manchester, M14 5SA
Flat 7, 8 Conyngham Road, Manchester, M14 5SA
Flat 1, 6 Conyngham Road, Manchester, M14 5SA
Flat 2, 6 Conyngham Road, Manchester, M14 5SA
Flat 3, 6 Conyngham Road, Manchester, M14 5SA
Flat 4, 6 Conyngham Road, Manchester, M14 5SA
Flat 5, 6 Conyngham Road, Manchester, M14 5SA
Flat 6, 6 Conyngham Road, Manchester, M14 5SA
Flat 7, 6 Conyngham Road, Manchester, M14 5SA
Flat 1a, 8 Conyngham Road, Manchester, M14 5SA
Flat A2, 6 Conyngham Road, Manchester, M14 5SA
Flat A3, 6 Conyngham Road, Manchester, M14 5SA
Flat 1, 2 Conyngham Road, Manchester, M14 5SA
Flat 2, 2 Conyngham Road, Manchester, M14 5SA
Flat 3, 2 Conyngham Road, Manchester, M14 5SA
Flat 4, 2 Conyngham Road, Manchester, M14 5SA
Flat 5, 2 Conyngham Road, Manchester, M14 5SA
Flat 6, 2 Conyngham Road, Manchester, M14 5SA
Flat 7, 2 Conyngham Road, Manchester, M14 5SA
Flat 9, 2 Conyngham Road, Manchester, M14 5SA
Flat 10, 2 Conyngham Road, Manchester, M14 5SA
2B Conyngham Road, Manchester, M14 5SA
Flat 2a, 8 Conyngham Road, Manchester, M14 5SA
Flat 3a, 8 Conyngham Road, Manchester, M14 5SA
Flat 8, 6 Conyngham Road, Manchester, M14 5SA
Flat 9, 6 Conyngham Road, Manchester, M14 5SA
Flat 10, 6 Conyngham Road, Manchester, M14 5SA
Martin House, 4 Conyngham Road, Manchester, M14 5SA
6 Conyngham Road, Manchester, M14 5SA
8 Conyngham Road, Manchester, M14 5SA
39 Denison Road, Manchester, M14 5LZ
33 Denison Road, Manchester, M14 5LZ
45 Denison Road, Manchester, M14 5LZ
43 Denison Road, Manchester, M14 5LZ
41 Denison Road, Manchester, M14 5LZ
35 Denison Road, Manchester, M14 5LZ
31 Denison Road, Manchester, M14 5LZ
37 Denison Road, Manchester, M14 5LZ
47 Denison Road, Manchester, M14 5LZ
49 Denison Road, Manchester, M14 5LZ
51 Denison Road, Manchester, M14 5LZ
53 Denison Road, Manchester, M14 5LZ
55 Denison Road, Manchester, M14 5LZ
57 Denison Road, Manchester, M14 5LZ
59 Denison Road, Manchester, M14 5LZ
61 Denison Road, Manchester, M14 5LZ

List No.

63 Denison Road, Manchester, M14 5LZ
65 Denison Road, Manchester, M14 5LZ
67 Denison Road, Manchester, M14 5LZ
69 Denison Road, Manchester, M14 5LZ
Flat 1, Regent House, Denison Road, Manchester, M14 5RY
Flat 2, Regent House, Denison Road, Manchester, M14 5RY
Flat 3, Regent House, Denison Road, Manchester, M14 5RY
Flat 4, Regent House, Denison Road, Manchester, M14 5RY
Flat 5, Regent House, Denison Road, Manchester, M14 5RY
Flat 6, Regent House, Denison Road, Manchester, M14 5RY
Flat 7, Regent House, Denison Road, Manchester, M14 5RY
Flat 8, Regent House, Denison Road, Manchester, M14 5RY
Flat 9, Regent House, Denison Road, Manchester, M14 5RY
Flat 10, Regent House, Denison Road, Manchester, M14 5RY
Flat 11, Regent House, Denison Road, Manchester, M14 5RY
Flat 12, Regent House, Denison Road, Manchester, M14 5RY
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Flat 24, Regent House, Denison Road, Manchester, M14 5RY
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Flat 28, Regent House, Denison Road, Manchester, M14 5RY
Flat 29, Regent House, Denison Road, Manchester, M14 5RY
Flat 30, Regent House, Denison Road, Manchester, M14 5RY
Flat 31, Regent House, Denison Road, Manchester, M14 5RY
Flat 32, Regent House, Denison Road, Manchester, M14 5RY
Flat 33, Regent House, Denison Road, Manchester, M14 5RY
Flat 34, Regent House, Denison Road, Manchester, M14 5RY
Flat 35, Regent House, Denison Road, Manchester, M14 5RY
Flat 36, Regent House, Denison Road, Manchester, M14 5RY
Flat 37, Regent House, Denison Road, Manchester, M14 5RY
Flat 38, Regent House, Denison Road, Manchester, M14 5RY
Flat 39, Regent House, Denison Road, Manchester, M14 5RY
Flat 40, Regent House, Denison Road, Manchester, M14 5RY
36 Denison Road, Manchester, M14 5SQ
36a, Denison Road, Manchester, M14 5SQ

Representations were received from the following third parties:

Chief Executive's Landscape Practice Group
Engineering Services
Environmental Health
Environment & Operations (Trees)

List No.

Greater Manchester Police
South Manchester Regeneration
Mr A J Beresford, Flat 12, Martin House, 4 Conyngham Road, Manchester, M14 5SA,
S. K. Kayani, Flat 13, Martin House, 4 Conyngham Road, Manchester, M14 5SA,
Kathryn Dixon And Robert Irvine, Flat 14, Martin House, 4 Conyngham Road, Manchester, M14 5SA,
Dr Ian Hawkins, Flat 2, Martin House, 4 Conyngham Road, Manchester, M14 5SA,
Diane Jackson, Flat 17, Martin House, 4 Conyngham Rd, M14 5SA
Diane Jackson, Flat 17, Martin House, 4 Conyngham Rd, M14 5SA
Diane Jackson, Flat 17, Martin House, 4 Conyngham Rd, M14 5SA
Aidan O'Rourke, 21 Tagore Close, Victoria Park, Manchester,

Relevant Contact Officer: : Jeni Wilson
Telephone No. : (0161) 234 4530
Email : j.wilson3@manchester.gov.uk