

## List No. 20

<b>Didsbury West Ward</b>	<b>Application Number</b> 082214/FO/2007/S2	<b>Date of Appln</b> 28th Feb 2007	<b>Committee Date</b> 31st May 2007
---------------------------	--	---------------------------------------	--

**Proposal** Conversion of Needham Hall into 11 apartments; erection of four 3 storey buildings, one 3½ storey building (with basement car parking) and one 4 storey building to form 27 townhouses and 8 apartments, with associated landscaping and car parking, following demolition of the vacant student accommodation.

**Location** Former Needham Hall, Palatine Road, Didsbury, Manchester, M20 2TU,

**Applicant** P J Livesey Living Space (North) Ltd Ashburton Park, Beacon Road, Trafford Park, Manchester, M17 1AF

### Agent

### Description

This application relates to the site known as Needham Hall on Palatine Road and measures approximately 1.35 hectares (3.33 acres) in size. The site is home to a variety of buildings, all of which are vacant and which were last used as student halls of residence. The western half of the site is occupied by Needham Hall itself and the large lawns which adjoin it. Needham Hall has previously been extended to the south by a modern single storey canteen building though this has now been demolished. The eastern half of the site is dominated by three 3 storey accommodation blocks, built in the 1960/70's, tennis courts and a row of detached garages located along the boundary of the site with The Lodge adjacent to Marie Louise Gardens. Work is currently underway to demolish the student accommodation. The site is heavily landscaped with a variety of semi-mature and mature trees, 71 of which are subject to a Tree Preservation Order (TPO). Pedestrian and vehicular access to the site is currently gained via two entrances off Spath Road and an entrance off Holme Road.

The site is contained by stone retaining walls along its boundaries with Palatine Road, Spath Road and Holme Road. On the opposite side of these roads stands residential accommodation, while to the south of the site, stands Marie Louise Gardens and a detached dwellinghouse, namely The Lodge. The junction of Spath Road and Palatine Road is closed off to traffic.

The applicants are proposing to convert Needham Hall into 11 apartments, to facilitate this a number of minor elevational alterations to the property would be undertaken, along with an extension to the northern elevation. In addition to this, the applicants propose to erection a total of six new buildings on the site:

- a 3 storey building forming 3 townhouses (block A),
- a 3½ storey building forming 4 townhouses with car parking in the basement (block B),
- a 4 storey building forming 6 townhouses with 8 apartments above on the 2<sup>nd</sup> and 3<sup>rd</sup> floors (block C).
- a 3 storey building forming 4 townhouses (block D),
- two 3 storey buildings of 5 townhouses each (blocks E and F),

## **List No. 20**

In total, the applicants are proposing to create 19 apartments and 27 town houses. In addition to the above, the applicants are proposing to provide 77 car parking spaces, 34 of which would be located in a basement parking area under block B. Vehicular and pedestrian access would be obtained via Spath Road and Holme Road.

Block A would be located to the south-east of Needham Hall and beyond that, occupying the corner of the site adjacent to the Spath Road/Holme Road junction, would be located block C. Blocks B and D would line up with block C and front Holme Road. The remaining 2 blocks, E and F, would be located within the site and adjacent to the large lawn to the side of Needham Hall.

Originally block C was proposed to be 4½ storeys high and located on the Holme Road frontage. However, following negotiations it was reduced in height to 4 storeys and relocated to the eastern corner of the site. The 3½ storey block B (which was originally 4 storeys high) is now proposed to be located in the original position reserved for block C.

Originally the applicants proposed to fell 41 trees, 23 of which are protected by a TPO. However, following negotiations the number to be felled has been reduced to 18 trees, 14 of which are protected by a TPO.

The previous owners of the site, Manchester Metropolitan University (MMU), obtained outline consent in July 2005 (ref. 064199/OO/South2/02) for the siting and means of access of 6 townhouses and 4 apartment blocks, totalling 42 apartments, which varied in height from 2 to 4 storeys. Given that Manchester Metropolitan University also wished to convert Needham Hall itself into 11 apartments this would have resulted in there being a total of 53 apartments on the site and 6 townhouses.

### **Consultations**

**Local Residents** – 16 letters have been received from local residents, the main points of which are outlined below:

- The proposal will spoil the natural surroundings of Marie Louise Gardens.
- The past use of the site has meant that it was in keeping with the quiet leafy suburban nature of the neighbourhood mostly due to the lack of car use by the students. The change of use from halls to a high density housing scheme will be a major one.
- The proposal constitutes overdevelopment.
- Four storey blocks are too high.
- The Holme Road front is overdeveloped and ugly, the rest of the site however is well thought out.

## List No. 20

- Since the Spath Road/Palatine Road junction has been closed to traffic, Holme Road has become a cut through instead. The proposal will add significantly to this traffic. The entry and exit of traffic from the site should be controlled to keep the extra traffic on Holme Road to a minimum. All entry and exit should be from Spath Road, perhaps consideration should be given to the reopening of the Spath Road/Palatine Road junction.
- Traffic lights should be installed at the Dene Road West and Palatine Road junction to ease congestion and improve highway safety.
- The loss of the trees, some of which are protected by TPO's, would have a great impact upon the visual amenity of the neighbourhood.
- The *South Manchester Strategic Regeneration Framework Consultation Summary* states that pressure to build new developments is threatening the qualities of the area that make it attractive in the first place. (p. 14)
- Should the proposed development of Needham Hall take place, the substantial increase in traffic near the Barlow Moor Road and Palatine Road junction will only be exacerbated. The *South Manchester Strategic Regeneration Framework Consultation Summary* states that there are issues with the amount of transport using these routes and with the congestion which has a negative effect on the environment. (p. 5)
- As noted in the *South Manchester Strategic Regeneration Framework Consultation Summary*, this area of the city needs more family housing, more social housing and improved access to public transport. However, are there sufficient support services – education, health etc. – to meet the needs of people in this proposed development?
- 2 car parking spaces are required per flat, look at the overspill from the Greystoke Development onto Spath Road, Pencarrow Close and Mersey Road.
- Blocks D and E would have an impact upon the levels of residential amenity that would be expected to be enjoyed by future occupants of The Lodge in Marie Louise Gardens and the recently approved dwelling adjacent to it.
- Block E may impact upon the tree adjacent to it is Marie Louise Gardens.

Comments regarding the original position of Block C have also been received, they are summarised below:

- Block C, which would be built one and a third floors higher than the other blocks, would be highly visible and obscenely intrusive on the Holme Road vista.
- The size of Block C, with flats built on top of town houses, raised to accommodate underground parking, is overpowering and will dominate other residences on Holme Road.

## List No. 20

- Block C, with a flat roof and visual appearance of a business park building, is totally out of keeping with the residential area of Holme Road and the existing Needham Hall.
- The conversion of Needham Hall into apartments is acceptable. Building yet more apartments as part of Block C is totally unnecessary as there is an over capacity of new apartments in Didsbury and a shortage of family housing.
- Block C should be in keeping with the other blocks, i.e. 3 storey family housing.

**Holme Road Residents Association** – The residents association have raised the following concerns:

- The height and design of Blocks A, B, D, E and F take into account the height of the Lodge, to which they are adjacent, and in addition the design acknowledges the height, style and roof aspect of Needham Hall. In contrast, Block C is higher than the apex of the roof of the Lodge, a floor and a third higher than Blocks A, B, D, E and F and its flat roof fails to reflect the attractive pitched roof of Needham Hall. Block C is totally inappropriate in design and concept, overpowering and unsympathetic to Needham Hall, all of the other Blocks and out of character with the area.
- There are no 4 storey blocks in the area. Holme Road has a predominance of traditional 2 storey detached or linked detached family houses – 20 in total. There are three new build apartment blocks along Holme Road, all of which are 2 or 3 storeys high.
- Block C which is an unprecedented 4 storey block, due to the unnecessary addition of 8 apartments on top of the town houses, would present an obtrusive and overtly dominant Block in full view of the residents of the homes on Holme Road and the general public who walk along to Marie Louise Gardens. It fails to take into account the residential character of the surrounding area with an inappropriate and unsympathetic design, which will impair the visual quality of the location. It would be much more appropriate for Block C to be 3 storey town houses, in keeping with the other blocks.
- The proposed building of 8 apartments in Block C (on top of two storey town houses) is clearly not family housing. This is contrary to the Manchester City Council's Strategic Regeneration Framework (SRF) for South Manchester which states: '.....the emphasis behind new housing schemes should be to maintain and increase levels of family housing in the area.'
- Livesey's Planning Statement (page5) states: 'The proposed new buildings will be sited no closer to Spath Road and Holme Road than the existing Halls of Residence.' This is not true. The existing buildings are 20m from Holme Road but the proposed Block C will be only 16.2m from Holme Road and closer to Holme Road than Blocks B and D.

## List No. 20

- Holme Road is subject to high levels of through traffic with over 360 cars and heavy vehicles per hour at peak times. The development will add considerably to this traffic movement, particularly at peak times.
- The proposed entrance on Holme Road to the underground parking would have an impact highway safety. At peak traffic times, vehicles turning right into the entrance, across oncoming traffic, would have to slow down and stop on Holme Road, creating a traffic hazard.
- The only entrance into the site should be from Spath Road, which has no through traffic, is wider (8m) than Holme Road (6.5m) and would prevent the removal of the mature trees (with TPO's) along the Holme Road boundary.
- The applicants' planning statement (page 8/9) states: 'Standard visibility splays required for the vehicle access from Holme Road would necessitate the loss of significant numbers of mature trees and lengths of existing retaining walls on Holme Road.' This is unacceptable, as it will require the removal of a mature Oak and Ash (both TPO's) on the site and a mature Lime (located on the pavement outside of the site!) and preventable if the only entrance was from Spath Road.
- The Supplementary Tree and Woodland Management Plan identifies the removal of 41 mature trees. All of these trees are more than 30 years old, in good condition with a large majority having TPO's. This proposal is unacceptable. The removal of trees denudes green spaces and reduces public amenity.

**Didsbury Civic Society** – The civic society support the manner in which Needham Hall is proposed to be converted. They do however have a number of concerns in respect of the new build element of the proposal, namely:

- The siting of the 6 blocks is too regimented, almost barrack like. It must be possible to set them out in such a way that they give some variety and acceptable character to the site.
- The unrelenting style throughout the 6 blocks is also a concern. It may be acceptable if a variation of materials was introduced or if landscape levels were varied.
- A slight variation in the height of Block C may well contribute to some variety.
- Block E is too near the southern boundary.
- The whole site should have respect for its context, specifically in this case the proximity of Marie Louse Gardens. The section of the perimeter adjoining the gardens should be planted with suitable trees to screen it from the development.

## List No. 20

**West Didsbury Residents Association** – The residents association welcome the fact that the applicants are re-using the former footprint occupied by the student blocks and hope that this can be used to minimise tree loss on site. They also welcome the retention of the main lawn area and the wooded border perimeter along Palatine Road and the efforts made by the developer to include native tree planting, bird boxes, habitat piles and standing dead wood to help promote biodiversity on site. They also welcome the proposed boundary treatment of mixed holly and hawthorn hedge planting which, given adequate aftercare, should provide a strong visual screen around the perimeter and promote biodiversity. Yew might also be a more suitable and naturally occurring understorey perimeter hedge species to use in more shaded areas.

The residents association did have concerns about the number of trees originally proposed to be felled. The residents association have been reconsulted on the revised tree felling programme, any comments will be reported at the Committee.

**John Leech MP** – The Member of Parliament is pleased to see the number of houses in the proposed development though remains concerned about the following:

- The number of mature trees proposed for removal.
- The height of Block C, which is out of keeping with the rest of the development.
- The development will result in additional traffic in the area.

The Member of Parliament has also questioned whether the applicants should deposit a sum of money with the City Council in order to make good the highway, should construction vehicles cause damage.

**Ward Members** – The following observations have been received from Cllr Clayton:

It is important to say that the application has considerable merit:

- The applicant has tried quite hard to produce a satisfactory proposal, and this can be seen in the following areas: -
- The proposal has less than the number of units in the outline planning permission.
- Large amount of green space and numerous trees retained.
- Underground car park to reduce surface space lost to parking and overspill onto surrounding roads. Lower usage of surface parking permits the use of 'Grasscrete' or similar treatments, reducing water run off to public sewers.
- Majority of units are houses, even taking conversion of the old house into flats into account.

## List No. 20

- Sensitive conversion of the old house retaining most of the external features and many of the internal ones.
- Split access to reduce traffic problems from such a large development.

Nevertheless there are several aspects of the proposal that could do with improvement:

- Regimented Layout - The blocks are in regular lines and follow the previous dull site layout. A more casual arrangement would be better, in particular setting larger block C further back (at least 20m from the road).
- Underground Car Park - This is a welcome feature, however it would be better to place the parts of the underground car park not under building (block C) under surface car park, access road and hard landscape in front of block C rather than under landscaped areas between block C and blocks B & D.
- Large Block C - Block C is too high, rather higher than most surrounding buildings and in particular it will tower over smaller houses on Holme Road. Its height should be reduced. Possible methods include lowering or removing the car park (best avoided) or removing the top floor, having another block of three storey town houses instead or replacing the top floor with two or three penthouses set back from the Holme Road elevation. Obviously the last results in the least reduction in end value of the development or possibly even an increase.
- Stark Appearance of New Build - Probably the worst aspect of the application is the brutal, stark modernist appearance of the new build. It is rather like any routine office development in the last forty years. The style should be more in keeping with surrounding architecture.
- Holme Road condition - Holme Road is already in poor condition, largely due to a poorly planned and executed traffic calming scheme. Its condition will doubtless be worsened by contractors' plant trundling over it for months, so the applicant should reinstate Holme Road to a good condition before occupation.
- Loss of trees - The site has many trees. Every effort should be made to retain as many healthy specimens as possible and [re]plant where trees are absent or lost.

## List No. 20

- Local Traffic Effects - Since the closure of Spath Road (without full appreciation of the traffic effects), Holme Road is now much used by local residents in southern Didsbury to get to and from Palatine Road via Dene Road. The proposed development would increase this problem. Subject to a satisfactory road safety and traffic assessment and local consultation I would support the partial reopening of the Spath Road / Palatine Road junction to left turn ingress and left turn egress ONLY. This would ease traffic on Holme Road, distribute traffic between Spath Road and Dene Road, without [re]introducing conflicting traffic movements. This might require land from the fringe of the development for execution, however the provision of such land and payment for the improvement would in my opinion be highly suitable for a S.106 agreement.
- Access - The new access to the underground car park should be resited / rearranged (e.g. build out) to remove the need to fell mature street trees on Holme Road.

**Head of Environmental Services** – Suggests the imposition of a condition requiring for the provision of segregated waste storage facilities.

**Head of Engineering Services** – The Head of Engineering Services has made the following observations:

- There are concerns with vehicular accesses at Palatine road and Spath road particularly as Spath Road has an existing POD in place to eliminate rat-run. Therefore, it is preferred that access to Spath road is limited to cyclists and Pedestrian only.
- The access/egress at Palatine road will need to be widened to accommodate two -way flow. However it is also preferred that this access is relocated south of the junction at Spath Road/ Palatine Road by approximately 24m to avoid clashes with main junction.
- Safe pedestrian route is required across the site, footpaths should be a minimum of 2m.
- Access road should be a minimum of 5.5m wide in order to accommodate a refuse vehicle.
- Further elevations details required for the driveway to the undercroft parking. Ramp should be no steeper than 1 in 10 with a safe level distance of 5.5m from the back of footpath.
- Again two-way flow is required to the undercroft car park.
- Pedestrian and vehicular splays are required at each vehicular access/egress linked to highway.
- As required by DfA2 a minimum of 12 disabled bays should be provided for a scheme of this scale.
- Pedestrian splays to be provided around ground level bays applicant to be mindful of location of vegetation.

## List No. 20

- Has applicant considered transport implications a review of bus stops around Palatine Road would be required, however GMPTE may have already commented.

**Landscape Practice Group** – A detailed landscaping plan should be submitted for this site. Any comments regarding the amendment to the number of trees to be felled will be reported at the Committee.

**Environment and Operations, Technical Services** – Any comments regarding the amendment to the number of trees to be felled will be reported at the Committee.

**Greater Manchester Police (GMP)** – The architectural liaison officer has no objections to the proposal.

**Greater Manchester Ecology Unit (GMEU)** – The bat survey report has been conducted by suitably qualified surveyors, but has been carried out in January. At this time of year bats are inactive and bat surveys can therefore be inconclusive. In this case, the survey has found no signs of bat occupation in the buildings to be demolished/converted but has found that Needham Hall has some potential to support roosting bats.

The surrounding habitat is suitable for use by bats and bats have been recorded locally. It is considered by the surveyors that if bats do in fact use the building then this use is likely to be by single bats or small numbers of bats, GMEU is in agreement with this assessment. In these circumstances it is considered that providing suitable precautions are taken, the conservation status of bats will not be affected by the development and therefore there are no objections to the development on these grounds.

However, GMEU recommends that:

- roof tiles on Needham Hall are removed by hand, with the possibility of bats being found borne in mind. If bats are found at any time then work must cease immediately and advice sought from a suitably qualified bat worker.
- alternative bat roosting potential (e.g. bat boxes, bat bricks) is provided for bats to replace roosting potential lost to the development
- no vegetation clearance or tree felling should be carried out in the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent by a suitably qualified person
- as the tree stock in this area is a valuable local nature conservation resource it is recommended that suitable conditions be set on any permission granted to safeguard trees on the site and/or to seek replacement planting if any trees are lost to the development

**Environment Agency** – The findings of the flood risk assessment are acceptable, therefore there are no objections to the proposal.

## List No. 20

### Issues

**Unitary Development Plan (UDP)** – There are no specific allocations for this site within the U.D.P. However when dealing with applications of this nature, consideration is given to policies E2.6, H2.2 and H2.7 in part 1 of the UDP and policies DC7 and DC16 in part 2 of the UDP.

Policy E2.6 states 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.

Policy H2.2 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 its impact in terms of noise, vibration, traffic generation, road safety and air pollution.

Policy 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.

Policy DC7, "New Housing Development", 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, "Street Landscapes", states that in considering development proposals for any site, the retention of existing trees and the planting of new trees within the public highway and along the public frontages of the site will be encouraged by the Council. Except where trees are shown to be in poor health or are individually of little amenity value, or where a satisfactory replanting scheme is more desirable, the Council will not normally permit development proposals which would involve the loss of significant trees and would thereby change the visual character of the street.

**Regional Spatial Strategy for the North West** – Formerly RPG13, this provides planning guidance for the North West region. Since 2004, the RSS has formed part of the development plans, as such the weight to be attached to its policies has increased. It contains policies that address core principles of development including the following:

DP2, Enhancing the Quality of Life - ensuring development provides a high quality of life for this and future generations

DP3, Quality in New Development - ensuring that new development demonstrates good design and respect for its setting.

**The North West Plan, draft Regional Spatial Strategy (RSS)** – Publicised in January 2006, this draft RSS document provides a framework for the physical development of the region over the next 15 to 20 years.

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

## List No. 20

### **Planning Policy Statement 1 (PPS1) – *Delivering Sustainable Development***

On the subject of sustainable economic development, paragraph 23 vii states that Local Planning Authorities should ensure the provision of sufficient, good quality, new homes (including an appropriate mix of housing and adequate levels of affordable housing) in suitable locations.

**Planning Policy Statement 3 (PPS3), *Housing*** – On the subject of design, paragraphs 12 to 13 of PPS 3 states that good design is fundamental to the development of high quality new housing, which contributes to the creation of sustainable, mixed communities. Reflecting policy in PPS1, it states further that good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.

On the matter of housing type, paragraph 20 states that the key characteristics of a mixed community are a variety of housing, particularly in terms of tenure and price and a mix of different households such as families with children, single person households and older people. Paragraph 21 continues, stating that Local Planning Authorities should plan for a mix of housing on the basis of the different types of households that are likely to require housing over the plan period. This will include having particular regard to the current and future demographic trends and profiles and the accommodation requirements of specific groups, in particular, families with children, older and disabled people.

Paragraph 69 of PPS3 states that in general, in deciding planning applications, Local Planning Authorities should, amongst other things, have regard to:

1. achieving high quality housing;
2. ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups - in particular, families and older people;
3. the suitability of a site for housing, including its environmental sustainability;
4. using land effectively and efficiently;
5. ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives e.g. addressing housing market renewal issues.

**Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (formerly referred to as the draft Guide to Development in Manchester 2)** – This Guide was adopted in April 2007 and incorporates much from the former Guide to Development in Manchester 2.

## List No. 20

Under the section headed *Design*, sub-section *Character and Context*, paragraph 2.3 states a high quality environment is created by buildings which reflect their purpose and respect the place in which they are located. Different parts of the City, its neighbourhoods and streets have distinct or individual characters which are a product of the design of their buildings, the nature of the streets, the quality of the landscape or the nature of their activities. Such positive characteristics should be recognised and enhanced by new development. Each new development should be designed having full regard to its context and the character of the area.

Paragraph 2.7 states that the layout of a scheme and the design, scale, massing and orientation of its buildings should achieve a unified urban form which blends in with, and links to, adjacent areas. It states further that density levels must be informed by the character of an area and the specific circumstances of a proposal.

Under the sub-section *Continuity and Enclosure*, paragraph 2.13 states that the scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. It states further that buildings should recognise the common building line created by the front face of adjacent buildings.

Paragraph 2.14 state that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.15 states that although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations.

**City Council Interim Policy Approach (High Density Residential Developments)** – On 13<sup>th</sup> September 2006 the Executive Committee of the Council approved an interim policy approach in respect of proposals for high density residential developments. It states that high density apartment led developments outside the city centre and its fringes will not be supported by the Council, unless it can be demonstrated that such development is required on a particular site to achieve the city's aims and objectives.

**Principle of the Proposal** – Though the principle of a residential development on the site has already been established with granting of the outline consent in July 2005, since then the City Council has introduced its interim policy approach on high density residential developments. The applicants have acknowledged this and current market trends and as a result have reduced the number of apartments proposed on the site from 53 (the MMU proposal) to 19. In the light of this, it is believed that the provision of an element of flatted accommodation on this site is acceptable.

**Access for Disabled People** – All of the proposed townhouses are either fully accessible or capable of being adapted to be fully accessible. The proposed apartments in block C are also accessible, having lift access and adequately sized bathroom facilities.

## List No. 20

It has been harder to provide fully accessible accommodation in Needham Hall itself as the applicants are keen to retain as many of the original features of the building as possible. Despite it not being possible to provide lift access in the building, it is believed that an adequate standard of accessibility would be created in Needham Hall.

**Design** – While there is no objection in principle to a modern design approach, it is felt that the design of the proposed buildings needs to be improved upon. The applicants have been asked to improve the design quality of blocks A to F and this is reflected in the recommendation. Any progress will be reported at the at the Committee

**Siting** – The siting of the proposed new buildings is considered to be acceptable. Blocks B to D would be sited approximately 15 to 16 metres (50 to 53 feet) from the back of footpath on Holme Road, with the taller block C now being sited in the more appropriate corner location. Blocks E and F would be sited in the centre of the site, with block E only being visible from Marie Louise Gardens. Block A would be sited behind the building line established by Needham Hall and behind the belt of landscaping which runs along the Spath Road frontage.

**Massing** – The massing of the proposed buildings is broken up with bays, single storey elements and varied eaves heights. While the applicants have been requested to amend the design of these buildings, it is not envisaged that their massing would be compromised.

**Visual Amenity** – It is not anticipated that the proposal would have a detrimental impact upon the existing levels of visual amenity enjoyed in the vicinity of the site given that blocks A, B, C and D would be sited sufficiently back from Spath Road and Holme Road and be located behind the mature perimeter landscaping which is to be supplemented with further planting.

**Residential Amenity** – Blocks B and D are sited sufficiently back from Holme Road so as not to pose of problem of overlooking to nos. 23 and 25 Holme Road. The relocation of block C east of the Spath Road/Holme Road junction now means that it is sited opposite Cairncroft, a property comparable in overall height and which has been converted into apartments. Again the distance between Cairncroft and block C is such that it is not anticipated that there would be any issues with overlooking and loss of privacy. Blocks A is situated sufficiently back from the Spath Road so as not to overlook the residential properties on the opposite side of Spath Road.

Notwithstanding the above, it is recognised that the siting of blocks D and E may impact upon the future levels of residential amenity that would be enjoyed by the occupants of The Lodge to the north of Marie Louise Gardens and the recently approved dwelling adjacent to it. In order to limit the overlooking of both of these properties and their gardens it is felt prudent to require the windows in the southern elevations of blocks D and E to be fitted and maintained with obscure glazing, in addition a condition requiring the southern most terrace in block D to be screened from The Lodge is also suggested. It is believed that the proposed planting scheme to be implemented along the boundary with The Lodge will prevent any overlooking of the garden areas of The Lodge and those of the recently approved dwelling adjacent to it.

## List No. 20

**Traffic Congestion** – It is not believed that the 46 residential units proposed would generate such levels of additional traffic so as to prove detrimental to the levels of pedestrian and highway safety enjoyed in the locality of the site. Notwithstanding this, the reduction in the number of parking spaces accessed from Holme Road is welcomed.

**Car Parking** – The number of basement and external parking spaces has been reduced to allow for more landscaping and for the relocation of block C, in total the number of spaces proposed has been reduced from 90 to 77. This provision, for 46 residential units, is considered acceptable.

**Pedestrian/Highway Safety** – The Head of Engineering Services has requested a number of amendments to the scheme, primarily to do with the provision of a pedestrian footpath through the site and adequate visibility splays.

The applicants have provided a footpath to certain elements of the internal access. Given the number of units proposed and the layout of the access road, it is not felt that a pedestrian footpath is required the full length of the development. In addition, the provision of additional pathways would erode the area of landscaping and potentially cause disturbance to existing trees.

The provision of pedestrian and vehicular splays would also result in the disturbance and/or removal of existing trees and associated vegetation, as well as require the alteration of part of the original stone retaining wall which runs along the Spath Road and Holme Road frontages. Notwithstanding this, the applicants have been requested to investigate whether it would be possible to improve visibility without prejudicing the health of those trees which adjoin the access points.

**Trees** – The reduction in the number of trees to felled is welcomed. However, to compensate for their loss, the applicants will be required to plant sufficient replacements trees to form a 10% net increase.

**Landscaping** – The indicative landscaping plan shows that considerable planting of shrubs and replacement trees would take place predominantly along the Holme Road and Spath Road frontages and around the 6 proposed buildings. To ensure that this is the case a detailed landscaping plan has been requested from the applicants. Once this has been received the Landscape Practice Group will be asked to comment further.

**Eco Homes/Code for Sustainable Homes** – The applicants have confirmed that the proposed apartments in Needham Hall would achieve a “good “ rating, while the new build accommodation would achieve a “very good” rating.

**Renewable Energy** – The applicants have confirmed that it is their intention to incorporate solar panels onto the roof of Needham Hall to provide lighting and heating within the communal areas. They also propose to provide connections into the heating systems of the townhouses and apartments should future occupants of this accommodation wish to install similar devices.

**Crime and Disorder** – Though no objections have been received by GMP’s Architectural Liaison Officer it is recommended that a condition requiring the achievement of “Secured By Design” is applied in this instance.

## List No. 20

**Legal Agreement** – In line with the previous outline permission, the applicants have been requested to enter into a legal agreement requiring a financial contribution towards environmental improvements works in the vicinity of the site. In addition, the applicants have been requested to provide future residents with travel vouchers for use on public transport. Any progress on this matter will be reported at the Committee.

**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** **MINDED TO APPROVE** (subject to the signing of a legal agreement in respect of a financial contribution towards environmental improvements; acceptable revisions to the design of the new buildings; improvements to the access and disabled parking provision; receipt of an acceptable landscaping scheme) on the basis that the proposal is in accordance with the Unitary Development Plan for the City of Manchester, in particular policies E2.6, H2.2, H2.7, DC7 and DC16 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) The development hereby approved shall be carried out in accordance with the drawings numbered \_\_\_\_\_, unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason

## List No. 20

To ensure that the development is carried out in accordance with the approved plans, pursuant to Policy H2.2 in the Unitary Development Plan for the City of Manchester.

3) No development that is hereby approved shall commence until hereby approved by this permission shall not take place 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.

### 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, pursuant to Policy H2.2 in the Unitary Development Plan for the City of Manchester.

4) In this condition "retained tree" means an existing tree 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 year 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 5387:2005.

(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 plans and particulars to be submitted and approved by the City Council as local planning authority 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, pursuant to Policies E2.4 and E2.6 on the Unitary Development Plan for the City of Manchester.

## List No. 20

5) The approved landscaping scheme shall be implemented not later than 12 months from the date of commencement of works. Any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted unless otherwise agreed in writing by the City Council as local planning authority.

### Reason

To ensure that a satisfactory landscaping scheme for the development is carried out, pursuant to Policy E2.6 of the Unitary Development Plan for the City of Manchester.

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

### Reason

To ensure that there is adequate car parking for the development proposed, pursuant to Policy H2.2 in the Unitary Development Plan for the City of Manchester.

7) Before the development hereby approved commences a scheme for the segregated storage and disposal of refuse 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.

8) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'good' for the conversion and 'very good' for the new build element. 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 dwellings hereby approved are first occupied.

### Reason

In order to minimise the environmental impact of the development pursuant to policies E1.3, 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 (June 2005) and Planning Policy Statement 1.

9) 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.

## List No. 20

### Reason

To reduce the risk of crime pursuant to policy and E3.5 of the Unitary Development Plan of the City of Manchester, and to reflect the guidance contained in PPS1 "Delivering Sustainable Development".

10) All windows in the southern elevations of block D and E shall be fitted and maintained with obscure glazing, unless otherwise agreed in writing by the City Council as local planning authority.

### Reason

In the interests of residential amenity, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

11) Prior to the commencement of the development hereby approved, details of screening to the southern roof terrace in block D shall be submitted to and approved by the City Council as local planning authority and implemented and maintained thereafter in accordance with those approved details, unless otherwise agreed in writing by the City Council as local planning authority.

### Reason

In the interests of residential amenity, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

12) 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.

## **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: 082214/FO/2007/S2 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:**

The Rookery , 174 – 184, 195 – 221 Palatine Road, Manchester, M20 2UJ  
Morris Feinmann House, 178 Palatine Road, Manchester, M20 2YW  
119 – 129 Barlow Moor Road, Manchester, M20 2PW  
St Ives, Mersey Road, Manchester, M20 2PZ  
1 – 9 The Hollies, Manchester, M20 2GD

## List No. 20

29 – 31 Holme Road, Manchester, M20 2UP  
1 – 55 Pencarrow Close, Manchester, M20 2PS  
1 – 11 Samlesbury Close, Manchester, M20 2FJ  
1 – 30 Winchester Park, Manchester, M20 2TN  
1 – 16 Birley Park, Manchester, M20 2TL  
1 – 17 Adamson Gardens, Manchester, M20 2TQ  
1 – 11 Canterbury Park, Manchester, M20 2UQ  
1 – 32 Mersey Meadows, Manchester, M20 2GB  
1 – 6 Guardian Close, Holme Road, Manchester, M20 2TP  
1 – 15 Twyford Close, Manchester, M20 2YR  
1 – 8 Hawthornden Cottages, Palatine Road, Manchester, M20 2TT  
Flat 1 – 36, Spath Holme, Holme Road, Manchester, M20 2TX  
Flat 1 – 24, Victoria Grange, 119 Barlow Moor Road, Manchester, M20 2TS  
Flat 1 – 48, Berkeley Court, Mersey Road, Manchester, M20 2PR  
Flat 1 – 27, Ravenswood, 1 Spath Road, Manchester, M20 2GA  
Flat 1 – 20, Barfield House, 3 Spath Road, Manchester, M20 2BX  
Flat 1 – 21, Langroyd, 2 Spath Road, Manchester, M20 2FA  
Flat 1 – 13, Hawthornden, 201 Palatine Road, Manchester, M20 2TT  
Flat 1 – 12, Beechwood Court, Holme Road, Manchester, M20 2UA  
Flat 1 – 28, Broomfield Court, 121 Barlow Moor Road, Manchester, M20 2TS  
Flat 1 – 12, 2 Spath Road, Manchester, M20 8GA  
Flat 1 – 21, Spath House, 4 Spath Road, Manchester, M20 2FA  
Flat 1 – 16 Cairncroft, Holme Road, Manchester, M20 2UP  
Flat 1 – 6, 20 Lancaster Road, Manchester, M20 2QU  
Flat 1 – 6, Guardian Close, Holme Road, Manchester, M20 2TP  
Apartment 1 – 4, 20 Larke Rise, Manchester, M20 2UL  
1 – 22 Larke Rise, Manchester, M20 2UL  
Jessiefield, Oriel Cottage, Terracotta Cottage, Ravenswood, Barfield House, Spath Road, Manchester, M20 2FA  
2 – 16 Spath Road, Manchester, M20 2FA  
2 Birley Park, Manchester, M20 2TL  
Marie Louise Gardens Lodge, Holme Road, Manchester, M20 2UP  
8, 16 – 30 Lancaster Road, Manchester, M20 2QU  
Lynwood, Holme Road, Manchester, M20 2TX  
23 – 25 Holme Road, Manchester, M20 2UP  
Beechwood Court, Holme Road, Manchester, M20 2UA  
Guardian Close, Holme Road, Manchester, M20 2TP  
Spath Holme, Holme Road, Manchester, M20 2TX  
The Lodge, Marie Louise Gardens, Holme Road, Manchester, M20 2UP  
8, 16 – 30 Lancaster Road, Manchester, M20 2QU  
Buckley House, Lancaster Road, Manchester, M20 8QU  
Langham Court, 10 Mersey Road, Manchester, M20 8PY  
Spath House, 4 Spath Road, Manchester, M20 2FA  
Lynwood Residential Unit, Holme Road, Manchester, M20 2TX  
50 – 59 Langham Court, 10 Mersey Road, Manchester, M20 8PY  
Flat 13 and 21, Barfield House, 3 Spath Road, Manchester, M20 2BX  
Holme Road Residents Association,  
Didsbury Civic Society  
West Didsbury Residents Association

### Representations were received from the following third parties:

K Woodroffe, 7 Canterbury Park,  
N Swimer, 7 Samlesbury Close,

**List No. 20**

R Alaloff, Flat 12, Beechwood Court, Holme Road,  
J Firth, Flat 8, Beechwood Court, Holme Road,  
S and D Katzenellenbogen, 4 Guardian Close,  
J Rushton, Flat 20, Victoria Grange, 119 Barlow Moor Road  
Dr S Dalton And Mrs K Dalton, 23 Holme Road,  
K And B Mccullough, 25 Holme Road,  
David Jones, 5 Pencarrow Close,  
Paul Phillips, 9 Birley Park,  
Bryan John, 4 Samlesbury Close,  
Gerard McDade, 5 Mersey Meadows,  
Catherine McDade, 5 Mersey Meadows,  
Laura Linkomies, 8 Canterbury Park,  
Maria Fernandez, 2 Canterbury Park,  
Kenyon And Company, 1st Floor, 1 Queensway, Didsbury, Manchester, M19  
1QP  
Holme Road Residents Association,  
Didsbury Civic Society  
West Didsbury Residents Association  
Greater Manchester Police  
Greater Manchester Ecology Unit  
Environment Agency

**Relevant Contact Officer:** : David Lawless  
**Telephone No.** : (0161) 234 4543  
**Email** : d.lawless@manchester.gov.uk