

**APPENDIX TO AGENDA
(LATE REPRESENTATIONS)**

**Planning and Highways 28th October 2010
Committee**

**Plans List 7
No.**

Application Number 092762/FO/2010/S2

**Main Agenda 5
No.**

Ward Didsbury
West Ward

Description and Address

Erection of 11 x 3 storey town houses, associated garages, landscaping and boundary treatment, following demolition of existing synagogue and outbuildings, Shaare Sedek Synagogue, Old Lansdowne Road, Didsbury, Manchester, M20 2PA

1. Local residents/public opinion, further comments

1 letter of objection were received after the report was published, the comments are summarised as follows:

- Plot 7 - The amendments to Plot No. 7 to allow a 2 storey dwelling instead of a 3 storey dwelling, still present issues. The rear of Tripps Mews will act as a boundary wall for Plot No. 7, children could use rear wall for ball games etc. The side elevation of Plot 7 which faces the rear elevation of Tripps Mews is south facing, there is the possibility that the new family would prefer to use the full extent of the south facing elevation which in turn could lead to unacceptable noise levels.
- Bins - Bins will be stored the right side elevation of Plot 7, this could be a potential health hazard
- Access issues - I still believe that gaining access to maintain the rear of our property will be a major issue and may cause many possible disputes, disagreements.

A further letter of objection was received from Didsbury Civic Society, the comments are summarised as follows:

- The current proposal is unsatisfactory in a number of regards and consent should be refused. It is very unlikely that bats will be able to use the replacement bat roosts on this site given the excessive mature tree and habitat removal combined with poor temporary roost provision. The result could be the loss of a significant maternity colony. Satisfactory alternatives

should and can be found to the wholesale removal of building roosts and habitat on this site.

- The density of the development should be reduced, to conserve the garden to the rear of Tripps Mews and to improve mitigation for the bats.

A further letter was received from West Didsbury Residents Association:

- Plot 7 The latest 4 bed version is an improvement but is still too large a house for the plot, impacting on the amenity of Tripps Mews residents.
- The omission on plans of the existing buildings to the rear of 1-3 Brownmere Drive appears to have gone uncorrected, impeding consideration of the full impact of the proposed development.
- There has been a marked increase in car parking in the immediate vicinity of the application site resulting from the popularity of the newly opened Bar and Restaurant. This should be acknowledged in the form of some further off road parking provision for the intended residents and their invitees.
- Bats - For the "favourable conservation status" argument to be successful it seems to us that a more comprehensive and long term action plan for bat welfare would be necessary.
- WDRA do not object to the proposed demolition of the Synagogue and associated buildings, However the present proposal does not represent the best outcome for the neighbourhood, or the best interests of the bat colony.

2. Officer/Outside bodies

Greater Manchester Ecology Unit

We are now satisfied that the favourable conservation status of the bats can be maintained at this site, subject to the following conditions.

1. The compensation scheme for the loss of the bats roost as outlined in the "application for a licence bat – method statement", shall be implemented in full.
2. The deed to the properties on plots 6 and 8 shall include provision for the retention and maintenance of the bat buildings (also used as garages). These buildings shall not be altered in any way without the prior written approval of the LPA; any roost entrance must not be obstructed and or lit in any way. Access to the properties for inspection of the roosting features must be allowed.
3. The replacement trees on the site should be of locally native species, with the species being agreed in writing by the council

Since a licence will be required to derogate the terms of the Conservation Regulations, any committee papers and decisions must clearly demonstrate that in reaching their decision the council has considered all three test required to derogate these Regulations. The three tests are as follows:

- i) That the development is “in the interest of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequence of primary importance for the environment”;
- ii) That there is “no satisfactory alternative”;
- iii) That the derogation is “not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range”.

**3. Head of Planning -
Further Observations/Modifications to Conditions**

The number of objections in the report should state 12 not 121.

Plot 7 – It is considered that the amendments to this plot satisfy concerns that this plot may have had in terms of disamenity to the occupants of Tripps Mews. It is considered that the proposed scale, and massing the proposed 2 storey coach house style dwelling is acceptable in the location.

Bins – There is approximately 6 metres between the bin store area of plot 7 and the rear wall of Tripps Mews, therefore it is considered that the bin store area will not cause disamenity to the residents of Tripps Mews.

Access issues – This is a civil matter between both parties.

The plans now contain all the neighbouring buildings.

It is therefore considered that an adequate level of parking is provided.

Bats – A further Bat survey was received and the mitigation measures are considered by GMEU to be acceptable.

In light of the comment made by Greater Manchester Ecology Unit, specifically in respect of the 3 tests in PPS9, it recommended that the application is **Deferred** in order to consider all three tests required to derogate the terms of the Conservation Regulations.