

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
116474/OO/2017	21st Jun 2017	24th Aug 2017	Levenshulme Ward

**Proposal** Outline planning application for the erection 57 dwellings, with all matters reserved expect for access, with associated access off Cringle Road, car parking, landscaping and other associated works

**Location** Land Off Cringle Road, Manchester

**Applicant** Towerhouse Systems Ltd, C/o Agent,

**Agent** Mr Julian Austin, Paul Butler Associates, 31 Blackfriars Road, Salford, M3 7AQ

### **The proposal**

The applicant is seeking outline planning permission for the erection of 57 residential dwellings, with all matters reserved except for access, with that access being off Cringle Road with associated car parking, landscaping and other associated works.

The application site is allocated in the Development Plan, to which saved policy LL3 within the Unitary Development Plan for the City Manchester (1995) is applicable, which protects the site from development.

Residential development at the application site is therefore considered to be contrary to this saved policy.

### **Description**

The application site is approximately 1.66 hectares and forms an area of open space and recreational land. The land also forms part of a wider area of semi natural open space 'Highfield Country Park' (both pieces of land are protected by saved policy LL3) together with open space which straddles the Manchester and Stockport administrative boundaries. This creates an open aspect to the area and has a positive impact of the visual amenity and the character of the area.

There are two main plots of land which form part of this planning application:

- Plot 1 to Cringle Road which is approximately 0.3 hectares and consists of a series of low rise buildings and associated structures which form a small enclosure where animals are grazed. There is a public entrance to the site during the summer months as part of an animal farm. The site is secured by a low boundary fence;
- Plot 2 (to the rear of plot 1) is approximately 1.3 hectares and is used for equestrian grazing.

The plots are bounded by Cringle Road to the south, a footpath to the east and Highfield Country Park to the north and west. The application site is situated on the administrative boundary with Stockport Metropolitan Borough Council to the east.

The topography of the site is relatively flat. There is currently no formal means of vehicular access to the site with minor servicing taking place from Nelstrop Road North. There is a significant and mature tree line which bounds the site to the north together with more limited coverage to the east, south and west boundaries. This tree and vegetation coverage form a mature landscape setting to the application particularly when viewed in the context of the wider Highfield Country Park.

The surrounding area is characterised by two storey residential properties. The properties located along Cringle Road, Wilsthorpe Close, Red Rose Crescent, and Lingcrest Road are semi-detached in nature. Immediately to the east of the site (beyond the eastern footpath and into Stockport's boundary) there is also an area of open land which forms part of a 'green chain' and strategic open space within the Stockport Development Plan.

The Highfield Country Park, which bounds the site to the north and west, forms part of an area identified as Natural and Semi-natural open space within the Manchester City Wide Open Spaces, sports and recreation study. The entire area (including the application site) is protected by saved policy LL3 within the Unitary Development Plan for the City of Manchester (1995).

The proposed development would be arranged around a new road layout off Cringle Road which would form a loop with all vehicle traffic entering and exiting off Cringle Road. A pair of dwellings will provide a frontage with Cringle Road with the remainder of the dwellings fronting onto the new road layout. The indicative layout shown with this submission is for detached dwellings with front and rear gardens and driveways for off street parking.

## Consultations

**Local residents/public opinion** – Given the scale of the development, the proposal has been classified as a major development. In addition, the proposal is a departure from the Development Plan. The proposal has therefore been advertised as a major development and departure from the Development Plan in the local press and site notices displayed at various locations around the application site. An extensive area of residential properties around the application site (including those within the Stockport MBC boundary) have been notified about this planning application.

A total of 58 individual objections have been received in respect of this planning application. The comments can be summarised as follows:

- There are bats and habitats in the area which should be taken into account;
- Highfield Country Park is a valuable resource and green spaces around it should be protected;
- The proposal will create excess traffic along Cringle Road;
- The proposal represents an overdevelopment of this site;
- The local community farm and green space will be lost;
- The farm is a valuable community resource and helps the learning of children;
- There will be no extra school places for the residents;

- The development of the site would have a negative impact on the neighbourhood;
- Concern that if this development is allowed this will lead to further loss of green space;
- There would be noise and disturbance created by residents;
- No consideration has been given to alternative uses of the site for recreation;
- There are concerns with regards to flood risk;
- There will be a reduction in the value of surrounding properties;
- There will be increased pollution in the area;
- There will be increased crime;
- There will be a loss of privacy to the properties along Marbury Road;
- Will the properties have access to the bridlepath;
- The road entrance is not acceptable and will cause an accident;
- What impact will the fact the site used to be a landfill site?
- Concerns about the impact on Nelstrop Road North;
- The appearance of the properties are not in keeping with the area;
- The view and feel of the park will be lost;
- Impact from the construction process
- Overlooking to surrounding properties.

A letter of support has also been received in respect of this planning application. This can be summarised as follows:

- Support is given to the proposal but the comments state the 20 mph signs need to be made bigger on Cringle Road particularly if this development is to go ahead.

**Cllr Noor (Levenshume Member)** – Objects to the application on the grounds it will change the demographics of the area, increase traffic together with there being a loss of the green space.

**Highway Services** – There is no objection to the level of trip generation from the application site. The proposed development is expected to generate a total of 31 -32 two way vehicle movements on both the AM and PM peak hours. Traffic impacts on the surrounding highway are therefore expected to be accommodated within the existing highway network which is acceptable in principle.

A total of 88 on site car parking spaces are to be provided at the site which exceeds the Manchester standards.

The proposed vehicle access is to be via Cringle Road. The applicant has provided visibility splays at the new junction access into the site which is acceptable in principle. Swept path drawings have been provided which indicates that an 11.5 metre refuse vehicle can safely access/egress the site in a forward gear which is acceptable in principle. The new junction access should incorporate dropped kerbs and tactile paving.

A S38 agreement would be required for all elements of the new highway infrastructure to be constructed to adoptable standards.

An offsite highways agreement will be required (for amendments to the existing adopted highway) in order to achieve the new vehicular access from Cringle Road and driveway accesses on Cringle Road. In order to maintain visibility and access, the new junction access width should be protected via Traffic Regulation Orders (TROs) in the form of no waiting at any time parking restrictions.

The new highway layout should also accommodate a new 20 mph speed limit. Appropriate traffic calming features should be included within the new highway layout. The proposed new driveway access which front Cringle Road appear to be located too close to the new junction access into the site. The driveways should be relocated/removed to avoid vehicular conflicts when accessing/egressing the new development.

A travel plan framework should be promoted and a detailed construction management plan should be submitted as part of the proposals.

It is proposed that the residential waste collection will take place from the kerb side and it has already been demonstrated that a 11.5 metre refuse vehicle can access and egress the site.

**Environmental Health** – Planning conditions should be imposed on any planning permission with regards to the acoustic insulation of the proposed dwellings, refuse arrangements, ground conditions and air quality.

**Flood Risk Management Team** – Planning conditions should be imposed on any planning permission with regards to surface water run off and management.

**Environment Agency** – No objection in principle to the proposed development. Cringle Road is immediately adjacent to a known historic landfill. There is therefore likelihood that the site has been previously impacted by contamination which may pose a risk.

If planning permission is to be granted conditions should be imposed in respect of ground conditions and piling methods to ensure all matters are suitably resolved in this regard

**Greater Manchester Ecology Unit (GMEU)** – There are no significant ecological constraints in respect of this site. Issues relating to nesting birds and ecological mitigation can be resolved through planning condition including no removal of vegetation during bird nesting season. There were no protected species found in the site assessment and therefore there is low risk of all species being found at this site.

**Design for Security at Greater Manchester Police** – The proposed development should be constructed in accordance with the submitted Crime Impact Statement.

## **Policy**

### **The Development Plan**

The Development Plan consists of:

- The Manchester Core Strategy (2012); and
- Saved policies of the Unitary Development Plan for the City of Manchester (1995)

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) and sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents as directed by the National Planning Policy Framework (NPPF).

The NPPF requires application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

#### Manchester Core Strategy Development Plan Document (July 2012)

The relevant policies within the Core Strategy are as follows:

Policy SP1 '*Spatial Principles*' states that one of the key spatial principles is the emphasis on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

All development should have regard to the character, issues and strategy for each regeneration area – in this case East Manchester. In addition, new development will be encouraged that maximises the potential of the City's transport infrastructure, in particular promoting walking, cycling and the use of public transport.

The policy goes on to state that development in all parts of the City should:

- Make a positive contribution to neighbourhoods of choice including;
  - Creating well designed places that enhance or create character.
  - Making a positive contribution to the health, safety and well being of residents;
  - Considering the needs of all members of the community;
  - Protect and enhance the built and natural environment.
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

The proposal will have impacts on the natural environment including the loss of green infrastructure, which will affect the visual amenity and character of the area.

Policy T1 '*Sustainable Transport*' seeks to deliver a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking, to support the needs of residents and businesses and to prepare for carbon free modes of transport. The Council will support proposals that:

- Improve choice by developing alternatives to the car;
- Promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services, particularly for those most in need and for those without a car;
- Improve access to transport services and facilities in order to enable disabled people and people with mobility impairments to participate fully in public life;
- Improve pedestrian routes and the pedestrian environment;
- Improve and develop further Manchester's cycle network;
- Contribute to improvements to the extent and reliability of the public transport network through safe and attractive waiting facilities, better priority and information provision,
- Would reduce the negative impacts of road traffic.

It is considered that the proposal will have a detrimental impact on the capacity of the local highway network. There are, however, opportunities to improve access to public transport in the area together with having access to adequate cycle provision.

Policy T2 '*Accessible areas of opportunity and needs*' states that the Council will actively manage the pattern of development to ensure that new development:

- Is located to ensure good access to the City's main economic drivers, including the regional centre and to ensure good national and international connections;
- Is easily accessible by walking, cycling and public transport; connecting residential to jobs, centres, health, leisure, open space and educational opportunities. Particular priority will be given to providing all residents access to strategic employment sites including – links with East Manchester to employment locations such as Eastlands.

Applications should include appropriate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

A transport assessment and travel plan have been prepared in respect to this planning application. This demonstrates that there are no unacceptable impacts on the local highway network. However, there are opportunities to increase the sustainability of the scheme.

Policy H1 '*Overall Housing Provision*' states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors, in particular, the need to diversify housing stock in mono tenure areas by increasing the

availability of family housing. High density developments (over 75 units per hectare) are appropriate in both the City Centre and parts of the Regional Centre given the accessible location. 90% of residential development will be on previously developed land. The re-use of vacant housing, including the renewal of areas characterised by poor quality housing, will be prioritised. New developments should take advantage of existing buildings where appropriate through refurbishment or rebuilding works. If this is not possible, development schemes should contribute to renewal of adjacent areas which contain vacant or derelict buildings.

Policy H1 goes on to state that new residential development should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed site in sustainable locations and which takes account of the availability of developable sites in these areas;
- Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. Schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours.

The proposal represents a green field site and therefore there is a conflict with the provisions of policy H1 which indicates a preference for developing brownfield sites. The proposal also fails to contribute and integrate into the character of the area.

Policy H2 '*Strategic Housing Location*' states that the key location for new residential development throughout the plan period will be within the area to the east and north of Manchester City Centre identified as a strategic location for new housing. Land assembly will be supported in this area to encourage the creation of large development sites or clusters of sites providing the potential for significant regeneration benefits.

Developers should take advantage of these opportunities by:-

- Diversifying the housing offer with particular emphasis on providing medium density (40-50 dwellings per hectare) family housing including affordable housing. In locations which are close to the City Centre, such as the Lower Irk Valley and Holt Town, higher densities will be appropriate. However, the provision of family homes should remain an emphasis in these areas, too.
- Including environmental improvements across the area.
- Creating sustainable neighbourhoods which include complementary facilities and services.

- Considering the scope to include a residential element as part of employment-led development.

Policy H4 '*East Manchester*' states in East Manchester, over the lifetime of the Core Strategy, will accommodate around 30% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within the parts of East Manchester that fall within the Regional Centre which are adjacent to the City Centre.

The proposal would seek to provide new family accommodation in an area where there is demand. However, it is not considered that the need to provide housing overrides the need to protect a valuable piece of open space.

Policy H8 '*Affordable Housing*' states affordable housing contributions will be considered of 0.3 hectares and 15 units or more.

Policy EN1 '*Design principles and strategic character areas*' states that all development in Manchester will be expected to follow the seven principles of urban design. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes. Proposals for new development must clearly detail how the proposed development addresses the design principle, reinforces and enhances the local character of that part of the City and supports the achievement of the Core Strategic objectives.

The proposed layout appears to be acceptable in principle subject to modification. There are, however, concerns about the impact of any development of this site on the character and visual amenity of the area.

EN4 '*Reducing CO<sub>2</sub> emissions by enabling low and zero carbon development*' states that the Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO<sub>2</sub> emissions and rising fossil fuel prices, through the following actions:

All development must follow the principles of the energy hierarchy being designed to:

- Reduce the need for energy through design features that provide passive heating, natural lighting and cooling;
- To reduce the need for energy through energy efficient features such as improved insulation and glazing;
- To meet residual energy requirements through the use of low or zero carbon energy generating technologies

Policy EN5 '*Strategic areas for low and zero carbon decentralised energy infrastructure*' states that with the regional centre (which includes the application site) will have a major role to play in achieving an increase in the level of decentralised, low and zero carbon energy supplies.



Policy EN6 '*Target framework for CO<sub>2</sub> reductions from low or zero carbon energy supplies*' states that developments over 1000 sqm will be expected to meet targets shown with the policy unless this can be shown not to be viable.

The development is considered to comply with policies EN4 – EN6 in that clear consideration has been given to how the buildings functions to reduce overall energy demands. The building fabric is considered to be high quality and will allow energy costs to remain low.

Policy EN9 '*Green Infrastructure*' states that new development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in accordance with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

The proposal will result in the loss of green infrastructure that provides an important visual buffer and connection with the wider landscape. The loss of the green infrastructure will be detrimental.

Policy EN10 '*Safeguarding open space, sport and recreation facilities*' states that the Council will seek to retain and improve existing open spaces, sport and recreation facilities to an appropriate standards. Proposals will be supported that:

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

Proposals on existing open spaces and sport and recreation facilities will only be permitted where:

- Equivalent or better replacement open space, sport or recreation facilities will be provided in the local area; or
- The site has been demonstrated to be surplus for its current open space, sport or recreation function and the City wide standards set out above are maintained, and it could not fulfil other unsatisfied open space, sport or recreation needs, and a proposed replacement will remedy a deficiency in another type of open space, sport or recreation facility in the local area; or
- The development will be ancillary to the open space, sport or recreation facility and complement the use or character.

There will be a clear conflict with the provisions of this policy on the basis that the applicant has failed to demonstrate that the site is surplus to requirements or that it

can be used for an alternative open space, sport or recreation use, to remedy a deficiency in that alternative open space, sport or recreation facility in the area.

Policy EN12 '*Area priorities for open space, sport and recreation*' states that in East Manchester the priority will be to enhance existing facilities and provide new spaces and facilities in accessible locations.

Policy EN14 '*Flood Risk*' states that all new development should minimise surface water run off. In addition, an appropriate Flood Risk Assessment (FRA) will also be required for all development proposals on sites greater than 0.5ha within critical drainage areas. Consideration has been given to the surface water run off from the site and a scheme will be agreed which minimises the impact from surface water run off.

Policy EN15, '*Biodiversity and Geological Conservation*', states that developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on site or adjacent to the site contributing to linkages between valuable or potentially valuable habitat areas where appropriate.

The application site is of local ecological value, however, it is not considered that there will be any detrimental impact on the ecology of the site subject to suitable mitigation.

Policy EN16 '*Air Quality*' states that the Council will seek to improve the air quality within Manchester. The proposal is not considered to compromise air quality.

Policy EN17 '*Water Quality*' states that developments should minimise surface water run off and minimise ground contamination into the watercourse. Consideration has been given to minimising the impact on the adjacent canal particularly during construction.

Policy EN18, '*Contaminated Land*', states that any proposal for development of contaminated land must be accompanied by a health risk assessment. The applicant has provided provisional details relating to ground conditions. Further investigative work will be needed to confirm the findings of the provisional details and determine if any mitigation is required.

EN19 '*Waste*' states that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). Developers will be required to submit a waste management plan to demonstrate how construction and demolition waste will be minimised and recycled.

Had this application been recommended for approval waste management would have been considered further.

Policy DM1 '*Development Management*' all development should have regard the following specific issues:-

- Appropriate siting, layout, scale, form, massing, materials and detail;

- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise;
- Community safety and crime prevention;
- Design for health;
- Adequacy of internal accommodation and external amenity space;
- Refuse storage and collection;
- Vehicular access and car parking;
- Effect on biodiversity, archaeological or built heritage;
- Green infrastructure;
- Flood risk and drainage.

The development is considered to erode local character and fail to integrate into the successfully into the local area. As such, the proposal will be unduly harmful to the visual amenity of the site and fail to create a sense of place and neighbourhood of choice.

For the reasons given below, it is considered that the proposal is not consistent with the policies contained within the Core Strategy.

#### The Unitary Development Plan for the City of Manchester (1995)

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

Saved Policy LL3 '*Environmental Improvements and Protection*' states that the Council will protect from development and improve the major existing areas of open land on the boundary of the area with Stockport. Priority will be given to upgrading Highfield Country Park'

**Reason** – To safeguard the amenity of valuable open space. Highfield Country Park in particular needs major investment to enable it to play an effective role in the recreation needs of the local are during the plan period.

It is considered that the proposal is contrary to this policy on the basis that the proposal will result in the loss of an area identified within this policy. This will have a detrimental impact on the character of the area not only with the rest of Highfield Country Park but the allocated land to the east of the site which is also open space allocated within the Stockport Development Plan.

Saved 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. All new developments containing family homes will be expected to be designed so as to be safe areas within which children can play and, where appropriate, the Council will also expect play facilities to be provided.

Saved policy DC26, *Development and Noise*, states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise. Conditions will be used to control the impacts of developments.

For the reasons given below, it is considered that the proposal is not consistent with the policies contained within the UDP.

### **Other material policy considerations**

#### **The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (Adopted 2007)**

This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people (in accordance with Design for Access 2), pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures and environmental sustainability. Sections of relevance are:

- Chapter 2 'Design' – outlines the City Council's expectations that all new developments should have a high standard of design making a positive contribution to the City's environment;
- Paragraph 2.7 states that encouragement for "the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified form which blends in with, and links to, adjacent areas.
- Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development of new buildings and surrounding landscape relates well to,

and helps to enhance, areas that are likely to be retained and contribute to the creation of a positive identity.

- Paragraph 2.14 advises that new development should have an appropriate height having regard to the location, character of the area and specific site circumstances. 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.
- Paragraph 2.17 states that vistas enable people to locate key buildings and to move confidently between different parts of the neighbourhood or from one area to another. The primary face of buildings should lead the eye along important vistas. Views to important buildings, spaces and landmarks, should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises.
- Chapter 8 'Community Safety and Crime Prevention' – The aim of this chapter is to ensure that developments design out crime and adopt the standards of Secured by Design;
- Chapter 11 'The City's Character Areas' – the aim of this chapter is to ensure that new developments fit comfortably into, and enhance the character of an area of the City, particularly adding to and enhancing the sense of place.

### Manchester Residential Quality Guidance (2016)

The City Council's Executive has recently endorsed the Manchester Residential Quality Guidance. As such, the document is now a material planning consideration in the determination of planning applications and weight should be given to this document in decision making.

The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a City of high quality residential neighbourhood and a place for everyone to live.

The document outlines nine components that combine to deliver high quality residential development, and through safe, inviting neighbourhoods where people want to live. These nine components are as follows:

- Make it Manchester;
- Make it bring people together;
- Make it animate street and spaces;
- Make it easy to get around;
- Make it work with the landscape;
- Make it practical;
- Make it future proof;
- Make it a home; and
- Make it happen.

### National Planning Policy Framework

The central theme to the NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role (paragraphs 6 & 7).

Paragraph 8 of the NPPF goes on to state that these roles should not be undertaken in isolation:

*“...to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system”*

Paragraph 9 of the NPPF states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment as well as in people’s quality of life. This includes making it easier for jobs to be created in cities.

Section 4 outlines the Government’s objectives in respect of promoting sustainable transport, in particular developments should be supported that exploit opportunities for the use of sustainable transport modes for the movement of goods or people.

Section 6 ‘Delivery a wide choice of high quality homes’ outlines the requirements to significantly boost housing supply. This states that Local Planning Authorities should:

- Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area;
- Identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land;
- Set out their own approach to housing density to reflect local circumstances.

Paragraph 49 goes on to state that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

Paragraph 50 provides guidance on the delivery of a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. The guidance goes on to state that Local Planning Authorities should:

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);

- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

Section 7 'Requiring Good Design' outlines the Governments expectations in respect of new developments:

*"The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people"*  
(paragraph 56)

Paragraph 58 states that local plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. In particular, planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Respond to local character and history, and reflect the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation;
- Are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 59 goes on to state that:

*"Local planning authorities should...concentrate in guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally"*

Paragraph 63 of the NPPF also states that great weight should be given to outstanding or innovative design which helps raise the standard of design more generally in the area.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 65 goes onto state that buildings which are incompatible with an existing townscape but are of high level of sustainability in general can be supported if mitigated by good design.

Section 8 'Promoting healthy communities' is an integral part of delivering the Government sustainable vision; this includes creating safe and accessible environments where crime and disorder do not undermined quality of life. In addition, there should be high quality public spaces.

Paragraph 73 states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

Paragraph 74 goes to state that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Paragraph 109 of section 11 '*Conserving and enhancing the natural environment*' states that the planning system should contribute to and enhance the natural and local environment. In particular, "*protecting and enhancing valued landscapes*".

Paragraph 111 states that "*planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land)...*"

Paragraph 124 states that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

Meeting the challenge of climate change is also important part of the NPPF. This includes supporting energy efficient developments as part of a low carbon future. In addition, areas at risk of flooding should be avoided. Conserving and enhancing the natural environment is also a key consideration and efforts should be made to increase biodiversity at development sites.

Paragraphs 11, 12, 13 and 14 of the NPPF outline a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse



impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

### National Planning Policy Guidance (NPPG)

The relevant sections of the NPPG are as follows:

*Open space, sports and recreation facilities, public rights of way and local green space* states that open space should be taken into account in planning for new development and considering proposals that may affect existing open space. It is advised that Sport England are consulted where the loss of major sporting facilities is proposed.

*Air Quality* provides guidance on how this should be considered for new developments. Paragraph 8 states that mitigation options where necessary will be locationally specific, will depend on the proposed development and should be proportionate to the likely impact. It is important therefore that local planning authorities work with applicants to consider appropriate mitigation so as to ensure the new development is appropriate for its location and unacceptable risks are prevented. Planning conditions and obligations can be used to secure mitigation where the relevant tests are met.

Examples of mitigation include:

- the design and layout of development to increase separation distances from sources of air pollution;
- using green infrastructure, in particular trees, to absorb dust and other pollutants;
- means of ventilation;
- promoting infrastructure to promote modes of transport with low impact on air quality;
- controlling dust and emissions from construction, operation and demolition; and
- contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development.

*Noise* states that 'Local planning authorities' should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise

transmission through the use of screening by natural or purpose built barriers, or other buildings;

- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

*Design* states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other
- form – the shape of buildings
- scale – the size of buildings
- detailing – the important smaller elements of building and spaces
- materials – what a building is made from

*Health and well being* states opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation);

*Travel Plans, Transport Assessments in decision taking* states that applications can positively contribute to:

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;
- creating accessible, connected, inclusive communities;
- improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

## **Issues**

### **Principle of development**

#### *Status of the development plan and housing land supply*

The determination of a planning application for planning permission must be made in accordance with the relevant development plan, unless material considerations indicate otherwise (Section 70(2) of the Town and Country Planning Act 1990, section 38(6) of the Planning and Compulsory Purchase Act 2004, paragraphs 11 to 13 of the NPPF).

In accordance with the above, the National Planning Policy Framework (NPPF) is a material consideration for the purposes of determining this planning application, however, it does not replace the presumption in favour of determining a planning application in favour of the development plan.

In this instance, the development plan consists of:

- The Manchester Core Strategy (CS) (2012); and
- The saved policies within the Unitary Development Plan (UDP) for the City of Manchester (1995).

Within the proposals map within the development plan, the application site is allocated as an ‘*Environmental Improvement Area*’ to which saved policy LL3 of the UDP applies. This policy states:

*“The Council will protect from development and improve the major existing areas of open land on the boundary of the areas with Stockport. Priority will be given to upgrading Highfield Country Park”*

The purpose of the policy is to safeguard the amenity of valuable open space.

The proposal to erect 57 two storey dwellinghouses at the application site would mark a clear conflict with saved policy LL3 of the UDP. It involves development and would not safeguard the amenity of this valuable open space.

In determining the weight given to saved policy LL3 of the UDP, consideration should be given to paragraph 49 of the NPPF. This states:

*“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites”*

The recent Supreme Court decision in *Richborough Estates Partnership LLP v Cheshire East Borough Council* [2017] held that the expression “policies for the supply of housing” should be interpreted narrowly and should not extend to policies which merely affect the supply of housing. However, if as a result of the operation of policies affecting the supply of housing there is no five year housing supply, such policies may still be considered out of date.

Policy H1 of the Core Strategy seeks to provide 3,333 dwellings per year for the plan period. It is acknowledged that Manchester City Council does not currently have a five year supply of deliverable housing to meet this target. In light of this, policies affecting the supply of housing will be considered out-of-date, and there is a presumption in favour of granting planning permission for sustainable development in accordance with paragraph 14 of the NPPF. This states that the presumption in favour of sustainable development should be applied in the following way:

*“Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole; or*

- *specific policies in this framework indicate development should be restricted”*

As detailed above, saved policy LL3 of the UDP seeks to safeguard the amenity of this valuable open space. It is acknowledged that saved policy LL3 is much older than other policies within the development plan and, together with the fact the City Council cannot demonstrate a five year housing supply, the NPPF directs local planning authorities in the direction of the presumption in favour of development.

In this instance it is considered that policy LL3 is not a policy for the supply of housing, but that its operation contributes to the lack of a five year land supply and therefore the tilted balance in paragraph 14 should apply.

In line with paragraph 14, it is considered that the adverse impacts associated with developing this site for residential purposes in this instance would outweigh the positive benefits of increasing housing supply. Indeed, the City Council contends that there is specific guidance within the NPPF namely that the loss of valuable open space is unacceptable.

Furthermore, the weight that should be applied to policy LL3 should also be considered in the context of Annex 1 to the NPPF. Paragraph 210 reiterates that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. In supporting this approach, the NPPF emphasises the value of the development plan and the role that they play in reflecting the needs and priorities of local people for their area:

*“...it provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities”* (paragraph 1 of the NPPF)

*“...Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities...”* (paragraph 150 of the NPPF)

As policy LL3 pre-dates the NPPF, the weight to be given to it should accord with the degree of consistency with NPPF. Indeed, paragraph 211 provides that *“the policies in the Local Plan...should not be considered out-of-date simply because they were adopted prior to the publication of the Framework”*. In giving effect to this, paragraph 215 requires that:

*“due weight should be given to the relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the framework, the greater the weight that may be given”*

On this basis, it is necessary to consider in what way, and to what extent, the policy LL3 is consistent with the NPPF. The policy was saved by way of direction in 2007 by the Secretary of State.

In terms of the extent to which this policy was consistent with the current policy in the NPPF, the thrust of policy LL3 is to *‘protect from development’* and *‘improve the major existing areas of land on the boundary of the area with Stockport’*.

As detailed above, Stockport MBC have also allocated the land immediately to the east of the application site for open space. Indeed, the relevant saved policy within the Stockport UDP states that *'only limited development'* in this area will be permitted. The policy goes on to state that *'development which, by reason of its type, scale, siting, materials or design would be insensitive to the maintenance or enhancement of attractive green and open areas for public enjoyment and recreation will not be permitted'*

The need to retain and protect vital open spaces/recreational land from development in order to support the wellbeing of sustainable communities and promote development of previously developed land is a theme which has continued to be re-stated within the current iteration of local planning policy (in the form of policies SP1, H1, EN9 and EN10 of the Core Strategy).

The policies are considered to be up-to-date, having been adopted in 2012, and were judged to be in line with the NPPF at the Examination in public. As such, these policies are based upon the NPPF and consistent with the guidance, particularly sections 8 and 11 of the NPPF.

Section 8 of the NPPF seeks to *'promote healthy communities'* whilst section 11 is to *'conserve and enhance the natural environment'*.

Paragraph 109 of section 11 of the NPPF states that the planning system should contribute to and enhance the natural and local environment. In particular, *"protecting and enhancing valued landscapes"*. Paragraph 111 states that *"planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land)..."*

Within the Core Strategy, policy H1 *'Housing'* similarly seeks to promote the re-use of brownfield sites stating that *"90% of residential development will be on previously developed land"* with the emphasis being of the re-use of vacant housing and renewal of existing areas.

Section 8 of the NPPF is dedicated to promoting healthy communities and states within paragraph 73:

*"that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities"*

Paragraph 74 goes on to state that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

This approach to promoting and conserving open space for access by local communities is reiterated within policy SP1 '*Spatial Principles*' of the Core Strategy states that '*the City's network of open spaces will provide all residents with access to recreation opportunities*'. This policy also outlines a number of core development principles that all development in the City should adhere to. This includes making a positive contribution to health, safety and wellbeing of residents together with the protection and enhancement of the built and natural environment (consistent with paragraphs 73 and 109 of the NPPF). The policy also emphasises the re-use of previously developed land wherever possible (consistent with paragraph 111 of the NPPF) along with improving access to open space by being located to reduce the need to travel (consistent with paragraphs 73 of the NPPF).

Policy EN9 '*Green Infrastructure*' of the Core Strategy also seeks to protect open spaces and states that '*new development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function*'. The policy goes onto state that where there are opportunities, there should be an enhancement to the quality and quantity of green infrastructure in order to improve the performance of its functions and create and improve linkages to and between areas of green infrastructure.

Further specific guidance on the need to retain and improve open spaces, sport and recreation facilities is provided within policy EN10 '*safeguarding open space, sport and recreation facilities*'. This policy is consistent with paragraph 73 of the NPPF in that that proposals on existing open spaces and sport and recreation facilities will only be permitted where:

- Equivalent or better replacement open space, sport or recreation facilities will be provided in the local area;

or

- The site has been demonstrated to be surplus for its current open space, sport or recreation function and the City wide standards are maintained, and
  - o it could not fulfil other unsatisfied open space, sport or recreation needs, and
  - o a proposed replacement will remedy a deficiency in another type of open space, sport or recreation facility in the local area;

or

- The development will be ancillary to the open space, sport or recreation facility and complement use or character.

In conclusion, policies such as LL3 in the UDP, which pre-date the NPPF, and which, are inconsistent with the NPPF shall be given limited weight.

Indeed, there are no objections to the provision of new housing in the City subject to the location, size and site specific circumstances making sites appropriate for

residential developments as part of creating neighbourhoods of choice. In this case, the proposal would have a harmful impact on local character and a parcel of land which has a role to play in terms of maintaining the openness of the area together with the recreational value of the site.

In this regard, and as detailed above, the provisions of paragraph 215 of the NPPF require consideration. This allows '*due weight*' to be given to development plans policies to according their degree of consistency with the NPPF. It is considered entirely relevant that weight should be given to saved policy LL3 of the UDP, together with the other policies in the Core Strategy, due to their consistency with the NPPF for the reasons outlined above. In addition, given the strength of the evidence from local residents with regards to the value and contribution that this space has in terms of its group value with Highfield Country Park, and neighbouring land in Stockport, together with the positive impact on the visual amenity of the area require due consideration and weight.

#### *Loss of open space*

As detailed above, the application space is allocated within the proposal map contained with the development plan as an '*Environmental Improvement Area*' to which saved policy LL3 of the UDP is relevant.

Due to the consistency with the aims of the NPPF, substantial weight should be attached to this policy and its objective of protecting the land which forms Highfield Country Park from development. It is considered that the proposal will conflict with this policy together with other policies within the Core Strategy.

As details elsewhere within the report, paragraph 74 of the NPPF together with policy EN10 of the Core Strategy states that existing open spaces should not be built upon unless a specific criteria can satisfied, namely that:

- Equivalent or better replacement open space, sport or recreation facilities will be provided in the local area;

or

- The site has been demonstrated to be surplus for its current open space, sport or recreation function and the City wide standards are maintained, and
  - o it could not fulfil other unsatisfied open space, sport or recreation needs, and
  - o a proposed replacement will remedy a deficiency in another type of open space, sport or recreation facility in the local area;

or

- The development will be ancillary to the open space, sport or recreation facility and complement use or character.

The applicant has sought to demonstrate that the proposal is in compliance with this policy through its supporting planning statement on the basis that:

- The site does not fulfil a function as open space having limited public accessibility and therefore does not serve the local community;
- There would not be any appreciable loss of accessible open space and therefore does not need to be replaced;
- It is not necessary to consider the need for alternative provision.

It is noted that the 2009 City Wide Open Spaces, Sport and Recreation Study prepared by the City Council does not include the application site. However, the wider Highfield Country Park site is identified as a natural and semi-natural open space. As detailed above, Highfield Country Park (which includes the application site) together with the open space allocated adjacent within Stockport, provide a valuable green wedge in this part of the City and provides a contribution to the visual amenity of the area.

It should be noted that simply because the site was not considered as part of the open study, it does not mean that the tests of policy EN10 do not apply. The application site is an area of open and recreational space and therefore its loss requires careful consideration against this policy and the NPPF.

The Open Space study suggests that the level of use of open space is high, but that the quality of open space in the area is varying. There are a lack of amenities within the park together with shortfalls in natural and semi-natural open space and amenity space which are considered to be large.

The applicant contends that because there is limited public access to the site it has no value as open space despite the saved policy. They go on to state that as a consequence of this, it does not currently make any provision to the supply of open space.

The assessment prepared by the applicant that the open space contribution of the application site is limited has been considered in detail. However, it is considered that this assessment has failed to demonstrate that the application site is no longer surplus to requirements. In addition, and as required by policy EN10, no exploration has been given as to whether the application site could fulfil another open space, sport or recreation requirement i.e. would remedy a deficiency in another type of provision.

The starting point for any assessment for the loss of this site is a consideration of the current use of the site. As detailed above, part of the site is currently used as an animal farm, the remainder of the site is used for equestrian grazing. It is clear that both parts of the site have a recreational function.

With regards to the site being surplus to requirements in qualitative terms, the applicant also believes that as the site has no open space function its loss can be justified. However, given the deficiency in open space and recreational land identified in the open space audit, it is considered that it is too simplistic an approach to take, to say that the land, despite its allocation in the UDP, would not fulfil another open



space or recreational function just because the current use is not longer viable or, as in this case, the owner wishes to retire.

It is considered that the applicant's position conflicts with the guidance within paragraph 74 of the NPPF and the Core Strategy.

It has already been demonstrated that the UDP is still relevant and consistent with the NPPF and the Core Strategy and therefore weight can be attached to it. In addition, it is not considered that the requirements of policy EN10 and paragraph 74 of the NPPF have been satisfied by the applicant.

Saved policy LL3 states that the site will be protected from development with priority given to upgrading the site. The 2009 open space study states that there is a deficiency in south Manchester for natural and semi-natural spaces together with other provision.

Notwithstanding this, it is also considered that the application site forms a key part of the group value of the Highfield Country Park allocation together with the land allocated adjacent within Stockport. Furthermore, the applicant has not tested if the site could fulfil another function instead relying on the provision of the wider area of Highfield Country Park. Whilst the current function may no longer be viable, there is nothing to suggest that the site would be unsuitable for alternative recreational or outdoor uses.

Paragraph 73 of the NPPF makes it clear that access to high quality open space and opportunities for sport and recreation is important to the health and wellbeing of communities. Accordingly, policy EN10 is consistent with the provisions of paragraph 74 in that it requires equivalent or better replacement open space, sport or recreation facilities will be provided in the local area or that the site has been demonstrated to be surplus for its current open space, sport or recreation function and the City wide standards are maintained including that it could and not fulfil other unsatisfied open space, sport or recreation needs together with remedy a deficiency in another type of open space, sport or recreation facility in the local area.

The applicant has not proposed any provision of land for replacement provision in the area. However, they have stated that they are willing to make a financial contribution to the Council towards improvements at nearby open spaces such as Highfield Country Park.

It is considered that the principle of developing the site for housing would not be acceptable in principle. Whilst residential growth within the City is vital, in terms of meeting housing and economic growth, it is important residential growth is located in the right location and responds positively to the site specific circumstances.

The site is 'greenfield' by definition and given the preference towards developing brownfield sites, this proposal would be contrary to that approach. In addition, the proposal would result of the loss of the site which could be used for alternative recreational or open space provision. The unduly harmful impacts in this regard are not considered to outweigh the benefits of increasing the housing supply in this area of Manchester.

## **Material planning considerations**

Whilst the principle of the development is not considered to be consistent with planning policy framework, there are, however, other detailed matters that require particular attention. This report will therefore consider the following material considerations and determine whether any other unduly harmful impacts that will arise as a consequence of the development:

- Affordable housing;
- Type of residential development;
- Visual amenity;
- Ecology;
- Effect of the development on the local environment and existing residents;
- Effect of the development on the proposed residents;
- Trees coverage;
- Landscaping and amenity space /boundary treatment;
- Impact on the highway network/car/cycle parking;
- Flood Risk/surface drainage;
- Waste management;
- Sustainability;
- Designing out crime;
- Ground conditions; and
- Construction management.

The above matters will be considered in turn below.

### **Affordable Housing**

Policy H8 of the Core Strategy requires that consideration be given to the provision of affordable housing within all new residential developments on site of 0.3 hectares and above or where 15 or more units are proposed for development to contribute to the City-wide target for 20% of new housing provision to be affordable.

The supporting SPD to this policy states that there are exemptions to the policy where either a financial viability assessment is conducted that demonstrates that it is not viable to deliver affordable housing or a proportion, or where material considerations indicate that intermediate or social rented housing would be inappropriate.

The criteria that might qualify development for exemptions that are of relevance in this instance include:

- that inclusion of affordable housing would prejudice the achievement of other important planning or regeneration objectives which are included within existing Strategic Regeneration Framework, planning frameworks or other Council approved programmes.
- It would financially undermine significant development proposals critical to economic growth within the City;

- The financial impact of the provision of affordable housing, combined with other planning obligations would affect scheme viability.

The applicant has presented a viability appraisal in support of their planning application to demonstrate that no affordable housing can be provided at the application site.

### **Residential development - density/type/accommodation standards**

The proposal will provide 56 residential units within the development. This represents a development of 33 units per hectare. Policy H1 states that within the inner areas of north, east and central Manchester densities will be around 40 units per hectare. The proposed development density is therefore consistent with this element of the policy H1.

In terms of the type and standard of accommodation, policies SP1, H1, H2 and H4 of the Core Strategy seek to ensure that the right type and standard of accommodation is created in the City. Policies H1 and H4 in particular, place emphasis on increasing the availability of family housing. However, there is a concern about how the units would be arranged which would emphasise an over development of the site.

The proposal will provide the following accommodation schedule:

- 25 x 4 bedroom dwellinghouses;
- 32 x 3 bedroom dwellinghouses.

The proposed accommodation mix would provide accommodation which would be available to families. In this instance, it is not considered that the provision of the housing at the site outweighs the loss of the open space as detailed above and consideration must now be given as to whether the proposed density creates a suitable layout that contributes to a sense of place.

### **Visual amenity and character of the area**

As detailed elsewhere within this report, the application site forms part of the wider allocation for the Highfield Country Park. The application site therefore plays an important role in maintaining the openness of the area which is also replicated on the Stockport MBC side of the boundary with the land also forming part of a green landscaped area which is formally allocated within their development plan.

Whilst it is noted that the application site was not captured by the Open Space Study, it does not follow that the site automatically becomes a development site. Indeed, in this instance the saved policy remains applicable as does policy EN10 of the Core Strategy. The conclusions above indicate that the test of these policies have not been met.

In addition, the creation of built development at the application will have an unduly harmful impact on the landscaped character and visual amenity of the application site and within the context of the wider area. The open aspect of this 'green wedge' will be broken up and its visual amenity and quality undermine.

As detailed above, it is not considered that the provision of housing at the application site will outweigh, in this instance, the harm that would arise as a consequence of the loss of this site and the contribution it makes to the wider visual amenity and character of the area.

Policies EN1 and DM1 of the Core Strategy, along with the Guide to Development in Manchester SPD and the draft residential design guide, requires that consideration be given to layout of new developments ensuring that they respond to the surrounding context and maximise frontages with the street scene and other important features of sites in order to create neighbourhoods of choice and a sense of place.

The indicative proposed layout of the development is arranged around a new internal road with proposed means of access from Cringle Road. The new internal access road forms a loop within the application site. This will create permeability within the development plot.

All of the proposed dwellings front onto the proposed access road which would provide animation to the street scene. Car parking does dominate the front of the plots, however, this is broken up with areas of landscaping. In addition, there are areas of incidental open space throughout the development. Had the principle of development been acceptable further consideration would have been given to this aspect of the layout.

With regards to height and scale of the proposed development, policies SP1, EN1 and DM1 of the Core Strategy together with the SPD advises that new buildings should be designed to respond to their surrounding context. The proposed dwellings are two storey in height. Given the surrounding context to the application site, it is considered that the scale of the dwellings would be appropriate in this context.

With regards the appearance of the dwellings, the indicative details show that they are of a traditional appearance being of brick construction. Nevertheless, it is not considered that the acceptable appearance of the dwellings outweigh the harm that will cause from developing the open space together with the impact on the character and visual amenity of the area.

### **Tree coverage**

There are 12 individual trees at the application site and 4 group of trees. In terms of the trees quality, there are 5 category B trees (*Trees where retention is desirable*), 8 category C trees (*trees which could be retained*) and 1 category U tree (*Trees of such a condition that they cannot be realistically retained*). With regards to the group trees, there 2 category B groups and 2 category C groups.

The tree coverage is principally around the perimeter of the site and helps add to the quality of the green infrastructure and amenity value of the application site.

Policy EN9 states that new developments will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. The policy goes on

to state that the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

The need to retain trees and existing landscapes is reiterated within paragraph 2.38 of the Guide to Development in Manchester SPD which states that '*new development will fit more easily into their surroundings if they incorporate existing landscapes, and there will be a presumption to retain existing trees and planting with a high amenity and ecological value*'

The proposed development will involve the removal of a group tree, a Hawthorn Elder, category C group, from the frontage of the site to Cringle Road.

The remainder of the trees will be retained which includes a series of trees along the northern boundary to the wider part of the Highfield Country Park will be retained. Whilst the removal of the existing green infrastructure and tree coverage from Cringle Road is regrettable, often some vegetation does have to be removed for future development to take place. Given the remainder of the tree coverage around the site will be retained, it is not considered that the tree removal alone would warrant refusal of this planning application.

### **Landscaping and amenity space /boundary treatment**

Policy DM1 of the Core Strategy requires that green infrastructure including open space (both public and private) is a key consideration in the determination of planning applications. Further detail in this regard is provided by the Guide to Development in Manchester SPD which outlines the need for high quality public realm and together with creating a sense of place and spaces having purpose.

The means of access to the development site is marked by an area of incidental open space. It is unclear from the submitted information how this space will be maintained as it does not form part of the curtilage of any properties. There are further areas of incidental open space created throughout development again without a clear indication of their purpose.

The arrangement of the dwellinghouses around the access road sees a number of driveways created which lead to car parking spaces directly at the front of the dwellings. Where parking is to the front, some landscaping has been introduced to break up the hardstanding. The balance of car parking to soft landscaping will be considered elsewhere within this report.

Private rear gardens are created for the new dwelling houses. These vary in size depending on their position within the application site. In line with paragraph 10.9 of the Guide to Development in Manchester, it is considered that the amenity spaces provided would allow the residents to enjoy useable private amenity space and the size of the spaces appear to be consistent with the character of the area. In addition,

it is considered that the gardens will allow a place for children to play, outside storage, drying of the clothes and a place to relax.

Whilst the amount of private amenity space for each dwelling appears to be acceptable. The frontages are dominated by car parking. Had the principle of the development been considered to be acceptable. Further consideration would have been given in this regard.

In terms of boundary treatment, it is unclear what that would consist of. At this stage, the indicative information submitted does not appear to show any boundary treatment to the front of the properties. This includes no provision of access gates to secure driveways or the parking court to Cringle Road.

Paragraph 2.16 of the Guide to Development in Manchester SPD states that *'the impact of site boundaries can be significant and must be taken into account and incorporated into the design of the new development... well designed new treatment such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment'*.

Paragraph 2.19 goes on to state that *'developments should have a clear edge'* with the boundary walls creating this. The guidance goes on to state that *'street design should help create the clear definition identifying public areas whilst marking and protecting private spaces'*.

The need to provide *'safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space'* is a key requirement of paragraph 69 of section 8 of the NPPF.

The lack of any boundary treatment to the front of the dwellings, driveways, parking courts creates a poor quality environment in visual amenity terms together with compromising the security of the plots. There is no clear division between the public and private space which provides a low quality public realm and does not reinforce the setting of the dwellings or the apartment block. Over time, this arrangement could further diminishes through lack of maintenance.

In terms of proposed soft landscaping, the proposal does appear to make provision for replanting with the front and rear of the curtilages which would help to mitigate against the loss of green infrastructure from Cringle Road.

Overall, whilst the private amenity space for the dwelling is comparable with the local context. Had the principle of development been acceptable, further consideration would have been given to the layout of development including the provision of boundary treatment and soft landscaping through the proposed development to ensure a high quality development.

## **Ecology**

The planning application has been accompanied by an ecological appraisal which assesses the potential impact of the development on local ecology and nature

conservation. This is a key requirement of policies EN15 and DM1 which seeks to ensure that applicants identify, enhance and restore impacts from developments on local habitats.

The report has identified that the application site is of low ecological value. An assessment of protected species has taken place which found there to be no evidence of such species were found and therefore the impacts on habitats is considered to be low risk.

Greater Manchester Ecology Unit have assessed the ecology report and concur with the findings of the report submitted. Had the principle of the development been acceptable, it would have been necessary to condition any planning approval to avoid tree and vegetation removal during bird nesting season along with securing suitable mitigation to ensure biodiversity improvements across the application site.

### **Effect of the development on the local environment and existing residents**

Policies SP1 and DM1 seek to ensure that new developments have a positive impact on existing residents together with creating places that make a positive contribution to neighbourhoods of choice by creating well designed places. Policy DM1 goes further by stating that the effect on amenity is a key consideration particularly effects on privacy and noise.

It is considered that there are three main impacts associated with this development, whether there is:

- a loss of privacy from overlooking;
- any overbearing or overshadowing impacts; and
- any unacceptable noise and disturbance from comings and goings.

It is noted that there are existing residential properties to the south the site along and off Cringle Road. The application site itself, however, is immediately surrounded on all sides by the Highfield Country Park and the green open space allocated in Stockport.

The proposed development will not give rise to any unacceptable impacts with regards to overlooking, overbearing/overshadowing or undue noise and disturbance due to the relationship of the proposed development. The proposed dwellings fronting Cringle Road are the closest proposed dwellings to the existing residential properties. These will look onto the gables of properties along Wilsthorpe Close and Red Rose Crescent with a distance of 25 metres. It is not considered this will result in any unacceptable loss of amenity.

With regards to comings and goings, whilst residents will notice increased comings and goings along Cringle Road as a result of the proposed development, it is not considered that this will lead to any unacceptable levels of harm.

### **Effect of the development on the proposed residents**

- a) waste management

A major residential development of this nature will generate a significant amount of waste which will need to be managed. Policies EN19 and DM1 of the Core Strategy require that applicants show consistency with the waste hierarchy which principally seeks applicants to re-use and recycle their waste.

No specific waste management arrangements have been submitted in respect of this planning application. It is considered that the development would be able to suitably accommodate its waste management requirements within the curtilage of each dwellinghouse. Had the application been recommended for approval at detailed waste management strategy would have been agreed at the reserved matters stage.

b) Acoustic insulation

The proposal involved the creation of a large scale residential development within an existing neighbourhood. Environmental Health consider that it would be necessary for any residential development at the application site to be acoustically insulated against these noise sources in order that there are no unacceptable impacts on residential amenity. Had the application been recommended for approval, this requirement would have been a condition of any planning approval in line with policy of the Core Strategy and saved policy DC26 of the UDP.

**Impact on the highway network/car/cycle parking**

Policy SP1 of the Core Strategy states that new developments will maximise the potential of the City's infrastructure, in particular promoting walking, cycling and use of public transport. Policies T1 and T2 go on to state that there will be modal shifts away from the car and to locate new development that are accessible by walking, cycling and public transport in line with SP1. Policy T2 also states that new developments should provide adequate car parking provision for their needs. The need to assess traffic generation and road safety is a key consideration with policy DM1.

A transport statement has been prepared in respect of this planning application which considers the sustainability of the location of the application site, in terms of proximity to public transport, together with an assessment of the impact of the proposal on the local highway network.

In terms of the proposals impact on the local highway network, the applicant has prepared modelling to assess the ability of the local highway network to accommodate the traffic that is anticipated to be generated by this development. This assessment includes consideration of a number of junctions nearby. This assessment has been reviewed by Highway Services.

It is not considered that there will be any detrimental impacts associated with the trip generation from the application site on the adjacent highway network. In addition, the indicative layout indicates that car parking could be accommodated within the curtilage of each dwellinghouse.

The indicative road layout indicates that it could accommodate the servicing requirements for the development.



With regards to the means of access, this is shown off Cringle Road. There is no objection to this in principle and the applicant has suitably demonstrated that there will be adequate visibility for vehicles entering and exiting the site from the proposed access. The position of two dwelling fronting on Cringle Road, together with their associated driveways, could be problematic and conflict with the access to the site. However, given the layout is only indicative at this stage had the application been recommended for approval this matter could have been resolved at the reserved matters stage.

### **Flood Risk/surface drainage**

The application site is located in flood zone 1 '*low probability of flooding*'. However, the site lies within a critical drainage area (an area where there are complex surface water flooding problems from ordinary watercourses, culverts and flooding from the sewer network). These areas are particularly sensitive to an increase in rate of surface water run off and/or volume from new developments which may exacerbate local flooding problems. As such, policy EN14 states that developments should seek to minimise the impact on surface water run off in a critical drainage area.

The applicant has prepared a drainage statement in support of their planning application. This has been considered by the City Council's flood risk management team who consider that further consideration should be given to how the drainage systems at the site will work in order to prevent surface water run off along with examination of the implementation of sustainable urban drainage principles at the site along with their future management.

Had the recommendation been to approve this proposal, this would have been a condition of any planning approval.

### **Sustainability**

Policy DM1 states that residential developments will be expected to satisfy the Code for Sustainable Homes standards. Policies SP1 and EN4 to EN6 of the Core Strategy focus on reducing emissions and achieving low and zero carbon developments.

Policy EN4 in particular, requires the application of the energy hierarchy to ensure that passive measures, energy efficiency and low and zero carbon generation options are considered. This includes:

- minimising energy demands – consider passive design measures and optimise building envelope in terms of orientation, air tightness and insulation; and
- meet demands efficiency – specify energy efficient plant, heating, ventilation, lighting and system controls to facilitate efficient operation.

The Code for Sustainable Homes has now been revoked and the applicant has not provided any details in respect of how they intend to meet sustainability standards and reduce the energy demands from the building. Had the principle of the

development been considered to be acceptable, further details would have been obtained from the applicant in this regard.

### **Designing out crime**

Policy DM1 of the Core Strategy requires that consideration be given to community safety and crime prevention. The planning application is supported by a Crime Impact Statement (CIS), prepared by Design for Security at Greater Manchester Police, which assess the proposal in terms of crime prevention and safety

### **Ground conditions**

Policy EN18 of the Core Strategy requires that consideration should be given to potential sources of ground contamination and the effect on new developments. Initial site investigation work has been carried out by the applicant. This found a large amount of made ground at the site.

The initial site investigation report has been considered by Environmental Health and the Environment Agency. The site is known to have been historically used as landfill. They have recommended that further consideration be given to this matter, including preparation of a remediation strategy.

Had the recommendation been to approve this proposal, this matter would have been a condition of any approval.

### **Construction management**

In order to minimise the impacts of the construction process on surrounding residential properties, it is necessary to consider a construction management plan. No information has been provided in respect of this matter including construction compounds, routing strategies, dust suppression measures, site security etc. Had the principle of the development been acceptable, a condition of the planning approval would have required consideration of these matters.

### **Permitted Development**

The National Planning Policy Guidance states that only in exceptional circumstances should conditions be imposed which restrict permitted development rights otherwise such conditions are deemed to be unreasonable.

Had the principle of development been acceptable, together with other matters relating to layout and visual and residential amenity, it would have been recommended that a condition of the approval should have clearly defined that the residential units under were permitted under C3(a) use and to remove the permitted development rights that would normally allow the change of use of a property to a HMO falling within use classes C3(b) and C3(c) without the requirement for formal planning permission. It is considered that this would have been necessary to protect a development of this nature together with its future residents from the problems associated with the change of use of properties to HMO's and to promote family accommodation and sustainability within this neighbourhood.

It is considered it would have been appropriate for the development to benefit from permitted development rights in terms of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (GPDO) Order (2015). However, it would be considered appropriate to remove the rights associated with boundary treatment under Part 2 of Schedule 2 in order to preserve the visual character of the development.

## **Conclusion**

The proposal will result in the loss of a recreational space which contributes positively to the visual amenity and character of the wider Highfield Country Park area. The applicant has failed to demonstrate that the land is surplus to requirements in both quantitative and qualitative terms.

**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 Core Strategy and saved policies of the Unitary Development Plan, the Head of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the refusal of the application is proportionate to the wider benefits of refusal and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

**Recommendation      REFUSE**

## **Article 35 Declaration**

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice was given in respect of this matter where the applicant was advised that the proposal was contrary to Council policies. The proposal has failed to respond to the policies within the development plan and therefore the development is considered to be unacceptable and therefore recommended for refusal in a timely manner.

## **Reason for recommendation**

1)The proposal to create a residential development will result in the loss and harm to an area of open space and recreation land which forms part of a local landscape

surrounded by built development. This would diminish the recreational value of the site which would therefore be unduly harmful to the recreational, health and wellbeing needs of the local community. The site is not considered to be surplus to local requirements in quantitative or qualitative terms and there has been no consideration of alternative uses of the site that would fulfil an open space, sport or recreational function. The proposal is therefore contrary to saved policy LL3 of the Unitary Development Plan for the City of Manchester (1995), policies SP1 and EN10 of the Manchester Core Strategy (2012), the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).

2) The creation of 56 residential would have an unduly harmful impact on the visual amenity value of the application site and in the wider open space context of Highfield Country Park and other open spaces. The proposal would therefore erode local character and fail to integrate successfully into the local area. As such, the proposal will be unduly harmful to the visual amenity of the site and the local landscape character. The proposal is therefore contrary to policies SP1, H1, EN1 and DM1 of the Manchester Core Strategy (2012, saved policy LL3 of the Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD (2007), the Residential guide (2016) and the National Planning Policy Framework and National Planning Policy Guidance.

### **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: 116474/OO/2017 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 held by the Planning Division.

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

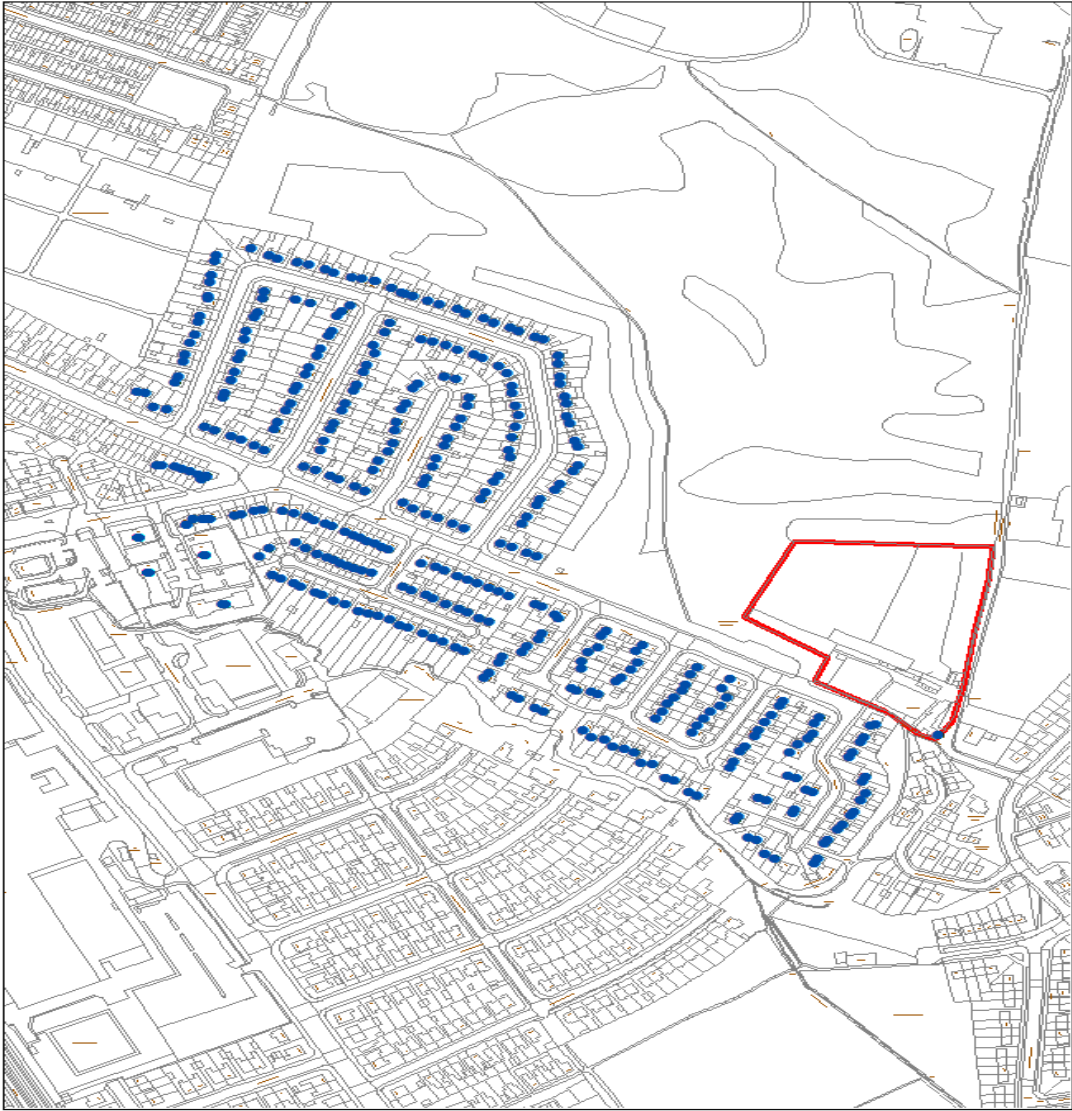
Highway Services  
Parks, Leisure & Events  
Environmental Health  
Neighbourhood Team Leader (Arboriculture)  
MCC Flood Risk Management  
Strategic Development Team  
Greater Manchester Police  
United Utilities Water PLC  
Environment Agency  
Transport For Greater Manchester  
Greater Manchester Archaeological Advisory Service  
Greater Manchester Ecology Unit  
Stockport Metropolitan Borough Council



A map showing the neighbours notified of the application is attached at the end of the report.

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

10 Wilsthorpe Close, Levenshulme, Manchester, M19 2WD  
16 Wilsthorpe Close, Levenshulme, Manchester, M19 2WD  
56 Redrose crescent, Manchester, M192wt  
364 Slade Lane, Manchester, m19 2bu  
2, ASHFORD ROAD, HEATON CHAPEL, SK45JX  
18 Wilsthorpe Close, Levenshulme, Manchester, M19 2WD  
16, Corringham Road, Manchester, M19 2RG  
27 hillcrest drive, levenshulme, manchester, m19 2rx  
17 Red Rose Crescent, Levenshulme, M192WT  
3 Leybourne Avenue, Levenshulme, Manchester, m19 3fg  
103 Cringle Road, Levenshulme, Manchester, M19 2RR  
69 Blackbrook Road, Heaton Chapel, Stockport, SK4 5PD  
77 Milford drive, levenshulme, manchester, M19 2RY  
9 Broom Lane, Manchester, M192TN  
23 Highfield Road, Levenshulme, Manchester, M19 3LL  
16 Redrose Crescent, Manchester, M19 2WT  
14 Milford Drive, Manchester, M19 2SB  
58 watts street, Manchester, M192ts  
96 Cringle Road, Levenshulme, Manchester, M19 2RT  
62 Linden Park, Manchester, M19 2PP  
17 Red Rose Crescent, Levenshulme, M192WT  
The Postmaster's Lodge, Bridgegate Mews, 16 Bridgegate, Retford,  
Nottinghamshire, DN22 6AL  
38 Queens Court, Lloyd Road, Manchester, M19 2QY  
54, Watts Street, Manchester, M19 2TS  
10 Rushden Rd, Manchester, M193fw  
84 Cringle Road, Levenshulme, Manchester, M19  
31 Milford Drive, Manchester, M19 2SA  
16 Simon Freeman Close, Heaton Chapel, Stockport, M19 2WE

**Relevant Contact Officer :** Jennifer Atkinson  
**Telephone number :** 0161 234 4517  
**Email :** j.atkinson@manchester.gov.uk



 Application site boundary  Neighbour notification  
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