

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
116918/FO/2017	18 August 2017	19 October 2017	Gorton North Ward

**Proposal** Erection of a two storey building to form 20 no. one bedroom flats with communal facilities and associated parking, amenity space, bin storage and boundary treatment for use as Learning Disabled Units

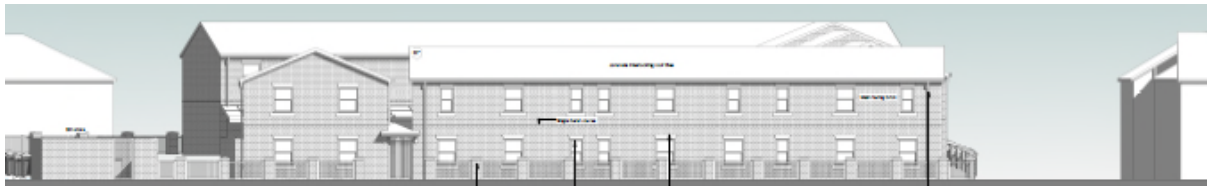
**Location** Land On Constable Street South Of Monmouth Street, Manchester, M18 8QQ

**Applicant** Mr Jon Benson , Mosscares Housing Ltd, 101 Great Western Street, Moss Side, Manchester, M14 4AA

**Agent** Ms Leanne Taylor, BTP Architects Ltd, Elizabeth House, 486 Didsbury Road, Stockport, SK4 3BS

### Description

The development would involve the erection of a two storey building to form 20 no. one bedroom flats with communal facilities and 18 associated parking spaces, amenity space, bin storage and boundary treatment for use as Learning Disabled Units.



The site measuring 0.23 hectares, which constitutes vacant open land is located on Constable Street bounded by Monmouth Street to the north, Freshwater Street to the south and Lees Street to the east.



Manchester City Council, working with Strategic Housing Partnership Registered Providers, created a project group to explore the feasibility of developing 70 new units of supported accommodation for clients with Learning Disabilities some of which replace existing units to be decommissioned and some will be for new clients.

Members of the Committee are advised that the City Council has an interest in the application as land owner. However, the Committee must disregard this interest and discharge its duty as Local Planning Authority only.

### Consultations

The proposal has been advertised in the local press as a major development and a site notice was displayed at the application site. Notification letters have been sent to an extensive area of local residents. No comments have been received.

### Highway Services -

Originally provided comments -

The site is considered to be suitably accessible by sustainable modes for both staff and residents.

It is anticipated that the development is unlikely to generate a significant increase in the level of vehicular trips therefore the proposals do not raise any network capacity concerns. It is noted that an acceptable existing traffic calming arrangement is present on Constable Street and no further measures are considered necessary.

Off-street car parking is being provided for 20 vehicles and this is considered acceptable as is the provision for secure cycle storage. A vehicle crossover/access is proposed on Constable Street and is considered too close to the junction with Monmouth Street. It is recommended that an alternative access is established on Monmouth Street. The agreed access point should then be checked to verify that the required visibility is being provided (in line with Manual for Streets guidance) and that the kerb radii are of an acceptable size to allow the necessary turning movements. Buff tactile paving should be provided either side of the access for visually impaired road users.

The existing traffic calming (flat top road hump) currently coincides with the proposed access and it will be necessary to reposition this to one side of the access in agreement with the MCC team overseeing the S278 design.

Subject to further discussion in relation to the location of the vehicle access, the waste management proposals as detailed within the design and access statement with storage proposals depicted on drawing 102 rev 2 are acceptable from a highway perspective.

Boundary treatments are acceptable subject to the verification that the position of walling W1 lies outside of the visibility splay from the car park access.

From a highway perspective the main pedestrian entrance on Constable Street is acceptable.

Should approval be granted it is recommended that prior to the commencement of the development a detailed construction management plan outlining working practices during development is submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff;
- Community Consultation strategy.

The development shall then be carried out in accordance with the approved construction management plan.

For large developments a dilapidation survey is required which should include photographs and commentary on the current condition of carriageways and footways on the construction vehicle routes surrounding the site.

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester.

Comments following plan revision -

The revised crossover access from Monmouth Street as detailed on drawing CS-BTP-00-SP-DR-A-2914\_102.3 is acceptable in highway terms as is the on-site car parking configurations for 18 vehicles. The applicant will also be required to convert the former access on Constable Street back to footway and these highway matters will be progressed through S278 agreement between the developer and MCC.

Subject to the above, highways have no issues with the proposed development.

**Environmental Health** - Recommend that conditions are attached to any approval relating to Acoustic Insulation, Construction Management, Refuse, Air Quality and Contaminated Land. They also recommend informatives and notes relating to guidance and construction works.

**Neighbourhood Team Leader (Arboriculture)** - The site currently has a number of large mature trees which have high visual amenity. With Gorton having one of the lowest canopy cover percentages in Manchester the loss of any trees could be mitigated with a 3 for 1 replacement policy.

If sufficient new trees cannot be accommodated on the proposed development site alternative planting locations could be found in the two nearby parks, Lees Street Park and King George V Park.

**MCC Flood Risk Management** - Conditions are recommended relating to surface water and maintenance of a sustainable urban drainage scheme.

**Greater Manchester Police** - Any comments received will be reported to Committee.

**Greater Manchester Ecology Unit** - As you are aware the information submitted with the application includes an ecology survey. This found the site to be generally of low ecological interest. However, the report identified some of the trees on site as being Black Poplar. This is a Greater Manchester Biodiversity Species and the proposals will result in their loss. We would therefore expect these trees to be either retained on site or if this is not possible be replaced elsewhere, in line with Policy EN15 of Manchester's Core Strategy. We would therefore recommend that the landscaping plan includes the replacement planting of Black Poplar.

In addition as the trees may be used by nesting birds, we would recommend that a condition be attached with regards to nesting birds.

The ecology survey also makes a number of suggestions for biodiversity enhancement measures for the site, in line with the requirements for National Planning Policy Framework. We would therefore advise that these be required by condition, should permission be granted.

**United Utilities** - Were not consulted as a statutory body but have no objection subject to the imposition of conditions relating to drainage

**Policy**

### Manchester Core Strategy

The adopted Core Strategy contains a number of planning policies relevant to the consideration of the application proposals. These are set out below:

#### Policy H1 – Housing Provision

This policy identifies that approximately 60,000 new dwellings will be provided in Manchester between March 2009 and March 2027 equating to an average of 3,333 units per year although this rate will vary across the identified period. The policy identifies that the emphasis outside of the City Centre and the City's Inner areas is to increase the availability of family housing. It is expected that 90% of residential development will take place on previously developed land and sites in close proximity to centres and high frequency public transport routes.

The application proposals would contribute to the overall provision of new residential units in the City in a sustainable location close to services and public transport routes. The proposals would contribute to creating a mixed community by providing house types to meet the needs of a diverse and growing Manchester population, specifically in this instance, disabled people and people with specific support requirements, diversifying housing stock.

On this basis the proposals are considered to accord with the policy H1 of the Core Strategy.

#### Policy H8 – Affordable Housing

There is a need for additional housing provision for older people or disabled people either as affordable or market housing dependent on the results of a financial viability assessment of the scheme.

This application triggers the requirement for the provision of affordable housing, being a scheme that comprises over 14 units, the application proposals will see new build, specialist and supported housing provided at Social Rent and Affordable Rent levels.

All the rents will be set at Social Housing Target rent levels. This will ensure that single residents in need of support, who are on or below the average household income for Manchester, will have access to decent and secure homes.

#### Policy H 10 - Housing for people with additional support needs

Proposals for accommodation for people with additional support needs will be supported where:-

There is not a high concentration of similar uses in the area already.

Where it will contribute to the vitality and viability of the neighbourhood.

Where there would not be a disproportionate stress on local infrastructure such as health facilities.

As referenced above Manchester City Council, working with Strategic Housing Partnership Registered Providers have developed 4 schemes, of which this is one, to provide created 70 new units of supported accommodation for clients with Learning Disabilities to meet a specific need, in areas where this type of accommodation is required. The development will therefore satisfy policy H10.

#### Policy T1 – Sustainable transport

This policy embeds the delivery of a high quality integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking. It indicates support for proposals that: improve choice by delivering alternatives to the car; promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services; improve access to transport services and facilities for all; improve pedestrian routes and the pedestrian environment; facilitate modes of transport that reduce carbon emissions; reduce the negative impacts of road traffic.

#### Policy T2 – Accessible areas of opportunity and need

This policy indicates that the Council will actively manage the pattern of development to ensure that new development is located to ensure access to the City's main economic drivers; is easily accessible by walking, cycling and public transport; have regard to the need for disabled and cycle parking and the maximum car parking standards set out in the Core Strategy; and, includes proportionate traffic impact assessments and travel plans for all major applications.

The application site is located within a sustainable location close to Gorton Railway Station and bus networks. The level of car parking is considered to be adequate for the sites location and the needs of future residents whilst also providing cycle/mobility scooter parking to broaden the range of sustainable transport modes available to future residents. The application is supported by a Transport Statement. It is considered that the proposals accord with policies T1 and T2 of the Core Strategy.

#### Policy EN 4 - Reducing CO2 Emissions by Enabling Low and Zero Carbon Development

The Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO2 emissions, and rising fossil fuel prices, through the following actions: All development must follow the principle 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. Wherever possible new development and retrofit projects, including energy generation plant, must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies. Where possible new development and retrofit projects will be used as a mechanism to help improve energy efficiency and provide low and zero carbon energy supplies to existing buildings.

Where appropriate new development and retrofit projects will be required to connect to and/or make contributions to low or zero carbon energy schemes and/or to incorporate provision to enable future connection to any existing / potential decentralised energy schemes.

#### Policy EN6 – Target Framework for CO2 reductions from low or zero carbon energy supplies

This policy sets out that major developments are expected to meet the targets set out in the policy which are to be demonstrated through an energy statement.

The applicant has prepared an energy statement which sets out the energy strategy for the development based upon a fabric-first approach to energy efficiency and make use of high efficiency fixed services. Energy efficiency and emission reductions have been maximised for the development.

The development is considered to comply with policies EN4 – EN6 in that clear consideration has been given to how the buildings functions and through a building fabric first approach to reduce overall energy demands.

#### Policy EN9 – Green infrastructure

This policy indicates that new development will be expected to maintain existing green infrastructure in terms of quantity, quality and function. Opportunities to 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.

The application site contains grassland with a substantial group of trees (Poplar, Sycamore, Maple and Beech) shown to be category C in the submitted Arboricultural Report, the City Council's arborist is of the opinion that the trees have a high visual amenity value and must be replaced on a 3 for 1 basis.

The development proposals will result in the loss of the trees on site. The applicant has submitted plans indicating mitigation of the loss of the trees and enhancing the green infrastructure and ecology on site. The outdoor amenity space incorporates tree planting and vegetation buffers as well as ecological enhancements on site.

The loss of trees is regrettable in this location. However, on balance having regard to the use proposed and the category of trees on site, the loss of the trees is considered to be acceptable subject to a detailed landscaping drawing identifying species and numbers (c.45 trees are shown on plan, however, this may alter on the basis of the specimens to be conditioned).

Policy EN 10 - Safeguarding Open Space, Sport and Recreation Facilities - This policy indicates that the Council will seek to retain and improve existing open spaces, sport and recreation facilities and provide a network of diverse, multi-functional open spaces. Proposals will be supported that:

- improve the quality and quantity 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.

#### Policy EN15 – Biodiversity and Geological Conservation

This policy indicates that the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the city. Developers are expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on site, contributing to linkages between valuable or potentially valuable habitat areas where appropriate.

The applicant has provided an ecological impact assessment alongside the application which makes a number of suggestions for biodiversity enhancement measure for the site, to be conditioned.

GMEU recommend the planting of black poplars as part of a landscaping scheme and that nesting birds are protected, which can be secured through suitably worded conditions to ensure that biodiversity enhancements are integrated into the development and accord with policy EN15 of the Core Strategy.

#### Policy DM1 – Development Management

All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

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.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

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.

Effects relating to biodiversity, landscape, archaeological or built heritage.

Green Infrastructure including open space, both public and private.

The use of alternatives to peat-based products in landscaping/gardens within development schemes.

Flood risk and drainage.

Existing or proposed hazardous installations.

Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-



a) For new residential development meet as a minimum the following Code for Sustainable Homes standards. This will apply until a higher national standard is required:

Year 2010 – Code Level 3;

Year 2013 - Code Level 4;

Year 2016 - Code Level 6; and

(b) For new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment Environmental Assessment Method) standards. By 2019 provisions similar to the Code for Sustainable Homes will also apply to all new non-domestic buildings.

The applicant has given careful consideration to the design, scale and layout of the development along with providing solutions to address noise ingress, crime, refuse and car and cycle/scooter parking.

Policy SP 1 (Spatial Principles) – The development would be sustainable. It would be close to sustainable transport provision. Consideration has been given to minimising the impacts of the development on local residents.

#### 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 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. The proposal has been designed to minimise the impact from noise sources.

For the reasons given below, it is considered that the proposal is consistent with the policies contained within the UDP.

#### **Other Material Considerations**

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

In the City of Manchester, the relevant design tool is the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance. The Guide states the importance of creating a sense of place, high quality designs, and respecting the character and context of an area. The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance provides a framework for all development in the City and requires that the design of new development incorporates a cohesive relationship with the street scene, aids natural

surveillance through the demarcation of public and private spaces and the retention of strong building lines and appropriate elevational detailing and strong design particularly to corner plots.

The proposals are considered to have been designed to reflect the sites context and relationships with the surrounding area providing strong built form.

#### Manchester Green and Blue Infrastructure Strategy 2015

The Manchester Green and Blue Infrastructure Strategy (G&BIS) sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

#### Legislative Requirements

S149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

S17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder

## Issues

Principle - It is considered that the principle of development of the site is acceptable. Core Strategy policy H1 prioritises new residential development, specifically where the development proposals meet a particular need, diversifying housing stock. The application proposals are considered to be located in a sustainable location that makes the best use of existing infrastructure. The site is located in a residential area, given this context and subject to consideration of the other matters set out in the remainder of this section of this report it is considered that the principle of residential development on the application site is acceptable and is in full accordance with policy H1 of the Core Strategy Development Plan Document.

This site was selected as there is a need for additional supported living in the east of the City, with currently very limited supported living options for adults with learning disabilities when compared with other areas of the City. Gorton North is a category 'C' area, denoting it to be an area with below average supported accommodation provision. Constable Street lends itself to this use as it is a residential area, which is safe from heavy traffic. The scheme will be a resource for local families who have adult children who need to move to supported living. The development would therefore in accordance with policy H 10 of the Core Strategy Development Plan Document.

Cycle Parking - The proposals incorporate 20 secure cycle/scooter storage spaces sited in the central courtyard adjacent to accommodation. The level of provision is considered acceptable for the development.

Car Parking - The development would provide 18 car parking spaces. The scheme originally included 20 car parking spaces, which was impacted upon by moving the site access to address highways safety concerns. This level of car parking is considered to be acceptable in this sustainable location where there is good access to public transport. Highway Services have no objection to level of car parking to be provided on site.

Safety and security - The applicant has submitted a Crime Impact Statement alongside the application and has discussed the proposals with GMP Design for Security who raise no objections.

It is recommended that a condition be attached to any approval that the development achieves Secure by Design accreditation in line with the recommendations of the Crime Impact Statement.

Waste Management - The applicant has provided waste management details for the development (4 x 1100 litre bins for general (x2), pulpable and mixed and 1 x 240 litre bin for food waste). The secure bin store is located at the corner of Constable Street and Monmouth Street which is accessible for weekly bin collection.

Environmental Health are satisfied with the details submitted for the storage and disposal of waste.

Residential Quality Guidance – The proposals have been designed in accordance with the Councils Interim Residential Quality Guidance and all are identified as exceeding residential space standards. Disabled access car parking spaces are provided in the car parking area.

The design of the building proposed to accommodate the 20 flats responds to the context of the site. The amenity spaces for the flats benefit from overlooking and natural surveillance of the space, from either within the development scheme or from surrounding residential property.

It is considered that the proposed design, appearance and layout of the development are considered acceptable in the context of the site and would provide a high quality scheme.

Green Infrastructure – The application site contains grassland with a substantial group of trees (Poplar, Sycamore, Maple and Beech) shown to be category C in the submitted Arboricultural Report, the City Council's arborist is of the opinion that the trees have a high visual amenity value and must be replaced on a 3 for 1 basis.

The development proposals will result in the loss of the trees on site. The applicant has submitted plans indicating mitigation of the loss of the trees and enhancing the green infrastructure and ecology on site. The outdoor amenity space incorporates tree planting and vegetation buffers as well as ecological enhancements on site.

The loss of trees is regrettable in this location. However, on balance having regard to the use proposed and the category of trees on site, the loss of the trees is considered to be acceptable subject to a detailed landscaping drawing identifying species and numbers (c.45 trees are shown on plan, however, this may alter on the basis of the specimens to be conditioned).

Loss of Open space - The proposals would result in the loss of open space. However, the proposal sits to the north of Debdale Park.

The application site does not perform a function as an amenity space, due to the trees on site and the difficulty in access due to the number of trees. On balance it is considered that the proposals would regenerate a site for the provision of necessary accommodation in a sustainable location. The site is in close proximity to Debdale Park and the facilities contained within it.

On this basis the loss of open space in this instance is considered to be acceptable due to the public benefits associated with the proposed scheme.

Air Quality – The applicant has provided an Air Quality assessment. This assessment has been assessed by Environmental Health who have confirmed that they accept the content, subject to the measures recommended in the assessment being fully adopted. The Air Quality assessment would be one of the documents that would be the subject of the recommended specified plans condition.

Affordable Housing – There is a need for additional housing provision for older people or disabled people either as affordable or market housing dependent on the results of a financial viability assessment of the scheme.

This application triggers the requirement for affordable housing as set out in Core Strategy policy H8 for the provision of affordable housing, the application proposals will see new build, specialist and supported housing provided at Social Rent and Affordable Rent levels.

All the rents will be set at Social Housing Target rent levels. This will ensure that single residents in need of support, who are on or below the average household income for Manchester, will have access to decent and secure homes

Sustainability – The applicant has provided a Design and Access Statement alongside the application. This confirms that the design of the buildings proposed has sought an improved building fabric first approach to maximise energy and CO2 reduction across the life time of the dwellings rather than being reliant on the life of renewable technology.

The approach to development in respect of sustainability is considered acceptable in this instance.

Design – The scheme has been designed to complement the predominate house type in the area, which is characterised by terraced houses.

The buildings would be predominantly faced in brickwork with concrete interlocking roof tiles to provide a robust appearance, including detailing such as single band course, casement windows and buff colour windows lintels and sills.

The proposed design of the development is considered appropriate in this location and will add to the diversification of the type of residential properties in this area of the City.

Site Layout – The building would be organised into three blocks of terraces to Constable Street, Freshwater Street and Lees Street. The main entrance would be taken from Constable Street. The boundary treatment would comprise low level railings between brick piers to all external boundaries. Internally there would be a secured courtyard area with some 2.1m high close boarded fencing. There would be a 2m brick wall to enclose the amenity space and surrounding the proposed bin storage area.

The site layout has been selected to address the roads and replicate existing terraced housing stock, respecting local vernacular and having regard to the existing separation distances c. 15m front to front across Constable Street c. 11m across Freshwater Street and c.21.5m front to front across Lees Street.

Residential Amenity - Given the distances and relationships between the proposed residential development and existing properties, having regard to the established pattern of development in the locality, it is not considered that the development would give rise to unacceptable impacts on residential amenity as a result of increased

noise, comings and goings, loss of daylight and sunlight or overlooking that would warrant refusal of the application.

The proposals have been designed and sited to minimise impacts on surrounding residential occupiers through the adoption of an appropriate scale, layout, selection of appropriate boundary treatment and suitable acoustic insulation of properties to be secured by way of an appropriately worded condition.

Highways – The applicant has submitted a Transport Assessment. Highway Services are satisfied that the proposals do not give rise to unacceptable impacts on highway or pedestrian safety subject to off-site highways works, which would include making good the pavement to Constable Street, which would be the subject of a condition.

Construction works - It is anticipated that as a result of construction works there would be some temporary short term impacts such as dust and noise. In order to minimise these impacts it is considered appropriate that a condition be attached to any approval for the submission of a construction management plan that sets out measures such as wheel wash facilities for construction vehicles, hours of working and routing of construction traffic.

Conclusion - The proposed development would provide much needed specialised residential accommodation contributing positively to the character of the residential area within which it is located. Any impacts upon residential amenity can be mitigated through the imposition of planning conditions. As such the proposals are considered to accord with local and national planning policies.

**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 polices 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 approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

**Recommendation      APPROVE**

**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 application, particularly in relation to the impact on residential amenity, and the application has been determined in accordance with the policies within the Development Plan.

### **Reason for recommendation**

### **Conditions to be attached to the decision**

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Design and Access Statement 2914\_17.06.22\_  
Arboricultural Report  
Arboricultural Survey ARB/3489/Y/100  
Biodiversity survey and report  
Noise impact assessment  
Drainage Report  
Received 7th July 2017

Location Plan 100 Rev 1  
Site Plan as Existing 101 Rev 1  
Communal Areas 103 Rev 1  
Boundary Details 105 Rev 1  
T1.1B2P Unit Floor Plan 50m2 106 Rev 2  
T2.1B2P Unit Floor Plan 50m2 107 Rev 2  
T3.1B2P Unit Floor Plan 50m2 108 Rev 2  
T4.1B2P Unit Floor Plan 50m2 109 Rev 2  
Site Clearance Drawing 113 Rev 1  
Received 11th July 2017

Crime Impact Statement 2017/0062/CIS/01 Version A 25.07.2017  
Waste Management proforma (including Waste Management Plan 114) Received  
26th July 2017

Transport Statement and Appendices  
Air Quality Assessment  
Received 18th August 2017

Plans as Proposed 102 Rev 3  
Received 28<sup>th</sup> September 2017

Street Elevations as Proposed 104 Rev 3  
Received 06<sup>th</sup> October 2017

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

3) Final samples and specifications of all materials (including appropriate sections to the windows) to be used on the external elevations of the development hereby permitted shall be submitted for approval in writing by the City Council, as Local Planning Authority prior to the erection of the above ground structure. The approved materials shall then be used in the construction of the development.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Manchester Core Strategy.

4) The car parking for the units hereby approved indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the first occupation of the development hereby approved. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with policy DM1 of the Core strategy.

5) Prior to the commencement of the development a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff;
- Sheeting over of construction vehicles; and
- Hours of Construction

Development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and highway safety pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

6) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured by Design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged



in writing that it has received written confirmation of a Secured by Design accreditation.

Reason - To reduce the risk of crime, pursuant to policy DM1 in the Core Strategy Development Plan Document for the City of Manchester.

7) Notwithstanding the plans submitted, no development shall commence until a detailed hard and soft landscaping treatment scheme (to include details of an enhanced tree replacement strategy) has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

8) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

9) No vegetation clearance or building demolition should occur between the 1st March and 31st August in any one year unless nesting birds have been shown to be absent by a suitably qualified person and this has been agreed in writing by the City Council as local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policies EN9 and EN15 of the Core Strategy.

10) Prior to the first occupation of the residential accommodation hereby approved, the accommodation shall be insulated in accordance with a scheme submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall thereafter be retained and maintained in situ for as long as the development remains in use.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

11 a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and

impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority. The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

12) Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public combined sewerage system either directly or indirectly.

The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

13) Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be

submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
- b. Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

14) Before development commences on site, a proposal for any necessary highway works associated with the development shall be submitted to and agreed in writing by the City Council as local planning authority. Any works deemed necessary shall be implemented in full prior to first occupation of the building.

Reason - To minimise impacts on the local highway network and to safeguard the amenities of nearby residents, cyclists and other road users pursuant to policies SP1, DM1 and T2 of the Core Strategy for Manchester.

15) The waste management arrangements shall be carried out in accordance with the Waste Management proforma (including Waste Management Plan 114) received by the City Council, as Local Planning Authority, on the 26 July 2017. The approved details shall then be implemented and be in place prior to the first use of the development hereby approved and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - To ensure adequate refuse arrangement are put in place for the scheme pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

16) Prior to the commencement of the development hereby approved, details of biodiversity enhancements as recommended in the approved ecology statement shall be submitted to and approved by the City Council as local planning authority. The enhancements shall be installed and thereafter maintained in accordance with those approved details.

Reason - To ensure the protection of the habitats under the Wildlife and Countryside Act 1981 and pursuant to policy DM1 in the Core Strategy Development Plan Document.

## **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: 116918/FO/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  
Environmental Health  
Neighbourhood Team Leader (Arboriculture)  
MCC Flood Risk Management  
Contaminated Land Section  
Greater Manchester Police  
Greater Manchester Ecology Unit

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:**

None Received

**Relevant Contact Officer** : Jennifer Connor  
**Telephone number** : 0161 234 4545  
**Email** : j.connor3@manchester.gov.uk



 Application site boundary  Neighbour notification  
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