



## Planning and Highways Committee

Date: Thursday, 11 April 2019

Time: 2.00 pm

Venue: Council Chamber - Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

### **Access to the Council Chamber**

Public access to the Council Chamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk. **There is no public access from the Lloyd Street entrances of the Extension.**

### **Filming and broadcast of the meeting**

Meetings of the Planning and Highways Committee are 'webcast'. These meetings are filmed and broadcast live on the Internet. If you attend this meeting you should be aware that you might be filmed and included in that transmission.

## Membership of the Planning and Highways Committee

### **Councillors**

Ellison (Chair), Nasrin Ali, Shaukat Ali, Clay, Curley, Dar, Kamal, Kirkpatrick, J Lovecy, Lyons, Madeleine Monaghan, Watson, White and Wilson

## Agenda

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**1. Urgent Business**

To consider any items which the Chair has agreed to have submitted as urgent.

**1a. Supplementary Information on Planning Applications on this agenda.**

The report of the Head of Planning, Building Control and Licencing will follow.

**2. Appeals**

To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.

**3. Interests**

To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.

**4. Minutes**

To approve as a correct record the minutes of the meeting held on 14 March 2019.

7 - 16

**5. 121011/FO/2018 - Garages Rear Of 88 School Lane Manchester M20 6GH.**

**Didsbury East**  
17 - 38

The report of the Head of Planning, Building Control and Licensing is attached.

**6. 121465/FO/2018 - 52 Alness Road Manchester M16 8HW.**

**Whalley Range**  
39 - 68

The report of the Head of Planning, Building Control and Licensing is attached.

**7. 119100/FO/2018 - Former Hardys Well Public House 257 Wilmslow Road Manchester M14 5LN**

**Rusholme**  
69 - 112

The report of the Head of Planning, Building Control and Licensing is attached.

**8. 121857/FO/2018 - 84 Cambridge Street Manchester M15 6BP.**

**Hulme**  
113 - 160

The report of the Head of Planning, Building Control and Licensing is attached.

There will be a site visit for members of the Committee with the

arrangements as follows:-

Meet at the entrance of the Town Hall, Lloyd Street at 10.30am

Arrive at the site at 10.45am

Leave site at approximately 11.10am.

- |            |  |                                 |
|------------|--|---------------------------------|
| <b>9.</b>  | <b>122042/OO/2018 - Land Off Cringle Road Manchester.</b><br>The report of the Head of Planning, Building Control and Licensing is attached.                                     | <b>Levenshulme</b><br>161 - 204 |
| <b>10.</b> | <b>115468/OO/2017 - Land To The Rear Of Whitehouse Club Middleton Road Manchester M8 4JZ.</b><br>The report of the Head of Planning, Building Control and Licensing is attached. | <b>Crumpsall</b><br>205 - 264   |

## Meeting Procedure

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The meeting (and any site visits arising from the meeting) will be conducted in accordance with the relevant provisions of the Council's Constitution, including Part 6 - Section B "Planning Protocol for Members". A copy of the Constitution is available from the Council's website at [https://secure.manchester.gov.uk/downloads/download/4030/the\\_constitution](https://secure.manchester.gov.uk/downloads/download/4030/the_constitution).

At the beginning of the meeting the Chair will state if there any applications which the Chair is proposing should not be considered. This may be in response to a request by the applicant for the application to be deferred, or from officers wishing to have further discussions, or requests for a site visit. The Committee will decide whether to agree to the deferral. If deferred, an application will not be considered any further.

The Chair will explain to members of the public how the meeting will be conducted, as follows:

1. The Planning Officer will advise the meeting of any late representations that have been received since the report was written.
2. The officer will state at this stage if the recommendation of the Head of Planning in the printed report has changed.
3. ONE objector will be allowed to speak for up to 4 minutes. If a number of objectors wish to make representations on the same item, the Chair will invite them to nominate a spokesperson.
4. The Applicant, Agent or their representative will be allowed to speak for up to 4 minutes.
5. Members of the Council not on the Planning and Highways Committee will be able to speak for up to 4 minutes.
6. Members of the Planning and Highways Committee will be able to question the planning officer and respond to issues that have been raised. The representative of the Highways Services or the City Solicitor as appropriate may also respond to comments made.

Only members of the Planning and Highways Committee may ask questions relevant to the application of the officers. All other interested parties make statements only. The Committee having heard all the contributions will determine the application. The Committee's decision will in most cases be taken under delegated powers and will therefore be a final decision.

If the Committee decides it is minded to refuse an application, they must request the Head of Planning to consider its reasons for refusal and report back to the next meeting as to whether there were relevant planning considerations that could reasonably sustain a decision to be minded to refuse.

## Information about the Committee

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The Council has delegated to the Planning and Highways Committee authority to determine planning applications, however, in exceptional circumstances the Committee may decide not to exercise its delegation in relation to a specific application but to make recommendations to the full Council.

It is the Council's policy to consult people as fully as possible before making decisions that affect them. Members of the public do not have a right to speak at meetings but the Committee will usually allow applicants and objectors to address them for up to four minutes. If you have a special interest in an item on the agenda and want to speak, tell the Committee Officer, who will pass on your request to the Chair. Groups of people will usually be asked to nominate a spokesperson.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

Joanne Roney OBE  
Chief Executive  
Level 3, Town Hall Extension,  
Albert Square,  
Manchester, M60 2LA

## Further Information

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For help, advice and information about this meeting please contact the Committee Officer:

Beth Morgan  
Tel: 0161 234 3043  
Email: [b.morgan@manchester.gov.uk](mailto:b.morgan@manchester.gov.uk)

This agenda was issued on **Wednesday, 3 April 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA.

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## Planning and Highways Committee

### Minutes of the meeting held on Thursday, 14 March 2019

**Present:** Councillor Ellison (Chair)

**Councillors:** Nasrin Ali, Clay, Curley, Dar, Kamal, Kirkpatrick, J Lovecy, Lyons, Watson, White and Wilson

**Apologies:** Councillor Shaukat Ali and Madeleine Monaghan

**Also present:** Councillors: A Simcock and Wright

**PH/19/21. Supplementary Information on Planning Applications on this agenda.**

To receive and note the late representations.

**Decision**

To receive and note the late representations.

**PH/19/22. Minutes**

To approve the minutes of the meeting held on 14 February 2019 as a correct record.

**Decision**

To approve the minutes of the meeting held on 14 February 2019 as a correct record.

**PH/19/23. 121941/FO/2018 - 6 Meade Grove Manchester M13 0SG**

The application site relates to a two storey mid-terraced residential property (Class C3) in a predominantly residential area, with all the properties on the street appearing to be in use as Class C3 dwellinghouses. The property includes a small front private area and a medium sized rear garden area and is of an appearance that is uniform with surrounding properties.

Officers advised the Committee that the applicant had made further representation to address the concerns raised by residents, as summarised in the report. The applicant had stated:-

*“They recognise and acknowledge the concerns arisen by the immediate neighbours to the property. They are more than happy to address these concerns. They are confident that offering neighbours a greater understanding of their plans and future prospects will resolve any worries that neighbours may have and make them secure and safe.”*

The Committee asked for clarification regarding the staff to resident ratio, and were told that the intention was to have 4 residents, supported by 3 staff on a 24 hour basis.

The Committee were satisfied that concerns of residents were noted, but it is considered that these were largely based on perceptions of what might occur in a worst case scenario, rather than on actual experiences. The Committee considered that a use of this nature is most appropriately located in a residential area, as this provides the best setting to enable the residents of the premises, to integrate into society. The Committee were satisfied that the conditions and reasons in the report and the late representation would be sufficient to mitigate against and loss of amenity to residents.

### **Decision**

To grant the application subject to the conditions and reasons in the report and the late representation.

### **PH/19/24. 121809/JO/2018 - 51 Blossom Street Manchester M4 6AJ**

The application site relates to a part 8 storey, part 5 storey mixed use building known as 'Smiths Yard' that was granted planning permission in 2016 under planning permission reference 111742/FO/2016/N1. The building consists of 99 residential units and 4 ground floor commercial units which were granted permission for use classes A1 (retail) A2 (professional/financial services) A3 (restaurant/café) B1 (business) and D1 (non-residential institutions) with association car parking, landscaping, amenity space, vehicular access from Bengal Street and other associated works. The units are not yet occupied however are expected to be occupied by a variety of businesses within the permitted use classes.

The submitted application seeks to vary condition 21 attached to planning permission 111742/FO/2016/N1.

Condition 21 states

*The commercial units hereby approved, as indicated on drawing 1823-FCBS-A-2000 stamped as received by the City Council, as Local Planning Authority, on the 31 March 2016, shall not be open outside the following hours:-*

*Monday to Saturday            08.00hrs - 23.00hrs  
Sundays                        09.00hrs - 23.00hrs*

*There shall be no amplified sound or any amplified music at any time within the units.*

*Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.*

The application seeks to vary the operating hours of the commercial units as follows:

*Sunday to Thursday            08.00hrs - 23.30hrs*



Friday and Saturday 09.00hrs - 00.30hrs

The Committee concluded that a variation of condition 21 would not impact unreasonably on the residential amenity of those occupying the properties in the vicinity.

### Decision

To approve the application to vary condition 21 as follows.

*The commercial units hereby approved, as indicated on drawing 1823-FCBS-A-2000 stamped as received by the City Council, as Local Planning Authority, on the 31 March 2016, shall not be open outside the following hours:-*

Sunday to Thursday 08.00hrs - 23.30hrs  
Friday and Saturday 09.00hrs - 00.30hrs

*There shall be no amplified sound or any amplified music at any time within the units.*

*Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.*

### **PH/19/25. 120893/FO/2018 - Land Bounded By Bengal Street, Primrose Street, Radium Street And Silk Street Manchester M4 6AQ.**

The Committee undertook a site visit in the morning before the meeting started.

The site is in the Ancoats Conservation Area and the Ancoats and New Islington Strategic Regeneration Framework (SRF). The delivery of new homes is a key objective in the regeneration of Ancoats to support its vitality and support economic and population growth. The site is within the City Centre and Regional Centre for planning and regeneration purposes.

Councillor Taylor, a local ward member had made a late representation in support of the development. Officers advised that she had said:-

*“The number of small and medium sized businesses in Manchester is growing at an incredible rate and space like this is in demand and welcomes Ancoats and New Islington becoming a hub for these types of businesses.”*

Officers also confirmed that she was supportive of the provision of family accommodation at this location, given the area had much to offer families.

The applicant was present and spoke to the Committee in support of the proposals. He said that they have a similar development, Jactin House, which has co-working space and serviced offices which start from 14 sqm to 279 sqm. It offers affordable and all-inclusive spaces to SMEs who wish to start and grow their business in Ancoats in a modern, well designed and professionally operated setting.

Occupiers would be able to choose from day passes, a monthly arrangement comprising either a floating or fixed desk, or a private office. There would be bookable meeting rooms. Space can be increased/decreased on a monthly basis. Regular networking events and workshops encourage tenants to collaborate.

This development would operate in a similar way and provide a mixed use scheme that would support the economic growth of Ancoats and deliver a key aspiration of the NDF.

He also explained that they had held property interests in the Ancoats area since the 1990's, and had several mixed use schemes in the area, which they had retained for management and maintenance purposes, delivered by a dedicated team based in Ancoats. He also explained that he believed that if they produced an excellent product, customers would be retained. He added that they take a proactive solution based approach to developments, rather than "churning out" developments that were all the same.

The applicant said that he has a long history of living and working in Ancoats, and is committed to providing high quality developments that he himself would be proud to live in. He explained that they had consulted with local residents and businesses, and that as a result the scheme had been reduced in height and scale. In addition, the scheme would provide family style accommodation, not just 3 bedroom accommodation, but specifically designed with family living in mind.

He also said that the strong setback at the top of the building would allow for outside family space on the roof terrace, to complement existing residential amenity. The development of the site would also create improvements to the street scene.

The Committee asked for clarification as to how the scale of the development would relate to the surrounding area, given the concerns raised by Historic England about the impact on the conservation area. Officers told the Committee that the remit of Historic England was very narrow, and they did not consider the broader range of issues that were the responsibility of the Committee to determine. Officers said that the site had always been earmarked for a taller building, and that the character of Ancoats had always been one of mixed use and mixed height buildings. Officers also said that the development would bring a currently derelict site back into productive use.

The Committee also expressed disappointment that the scheme would not provide any affordable housing, and asked whether there was a possibility that the 15 year review clause would provide some income or a contribution to affordable housing in the future. They also queried why there was a discrepancy between the independent viability report and the Council's testing of viability. Officers advised that there were 2 triggers to the review process, the first being that if the development did not commence within 2 years, there would be a review at that stage to determine whether market conditions had changed to allow for some affordable provision. The other trigger mechanism was because this proposal is for build to rent properties, if at some point the developer decides to put any properties up for market sale, within a 15 year period, this would also mean that the profitability of the scheme would be reassessed to determine whether there was any scope for a contribution to

affordability. Officers also confirmed that this was embedded in the S106 agreement, so although the precise details are not in the report, they are fully covered in the S106 agreement that has been reached.

With regard to the discrepancy in the profitability assessment, this is assessed independently, so no explanation for the discrepancy could be offered.

Officers also confirmed that as the proposals related to back-to-pavement development, there would be some street tree planting, but that this would be dependent on what was found once exploratory trenches were laid. Officers confirmed that the developer was committed to maximise the level of street tree planting.

The Committee also asked for clarification as to whether any conditions could address the issue of short term lets, and officers confirmed that this was contained in the development plan, as it was to the benefit of the developer to have longer term stable lets rather than short term lets.

## **Decision**

MINDED TO APPROVE subject to the signing of a section 106 agreement which retains the development as a PRS scheme for a covenant period together with a review mechanism at a future date.

### **PH/19/26. 122183/VO/2018 & 122184/LO/2018 - Manchester Central Convention Complex Windmill Street Manchester M2 3GX.**

The applications relate to the forecourt of Manchester Central. The Complex, consists of three main buildings: the former Central Station (Grade II\* Listed); the Manchester International Convention Centre (MICC); and the Seminar Centre. There are landscaped forecourts at the upper and lower level, the lower one being the former station approach which fronts onto Windmill Street. The complex is bounded by Watson Street/ the Great Northern Tower residential building, Windmill Street, Great Bridgewater Street and Lower Mosley Street. Surrounding the site are the Bridgewater Hall and the Grade II\* Listed Great Northern Warehouse, Radisson Edwardian Hotel and Midland Hotel. The complex is raised above street level and is separated from Lower Mosley Street by the Metrolink viaduct.

Planning permission and listed building consent is sought to erect a stone built circular memorial structure to commemorate the Peterloo Massacre on the north east part of the forecourt. Turner Prize winning architect, Jeremy Deller, has been working in collaboration with Manchester City Council and the Peterloo Memorial Campaign Group on the design which would comprise of two sets of concentric circles. One would rise in a series of steps to a central circular top and the other would be a version of this that is flush with the surrounding paving.

In the centre of both circles would be text in a compass-like configuration referring to analogous events that have occurred in the last 100 years. The circular form is intended to act as a compass, locating places in Manchester and the wider world.

Concerns have been raised about access to the memorial, especially by people with disabilities and wheelchair users. The applicant had undertaken a revision of the scheme that would allow for greater, but not full, access for people unable to climb to the top of the memorial. Officers confirmed that this was a modest adjustment, but would deliver a significant material outcome.

A representative of the objectors spoke to the Committee and said that they supported the idea of a memorial but that it needed to be in the right form. She pointed out that many of the people who survived with injuries after the Peterloo Massacre had been left with what would today be seen as significant disabilities, and that the memorial should take this into full account. She said that Peterloo had been an event of international significance, and that a memorial should be fully inclusive and not discriminatory. However, she did confirm that they had met with the applicant and that the concerns raised had been listened to and fully considered. She added that the applicant had shown a commitment to making the memorial as accessible as possible, and the redesign would make this as participatory as possible. She added that conditions should be in place to make this scheme a fit and proper memorial.

The applicant spoke to the Committee and said that the design of the memorial was intended to be as inclusive as possible, and was intended to be an assembly point and an interactive structure. He said that there was clearly an issue about access to the memorial, and he was profoundly affected by the issues raised, and that the redesign was intended to make the structure more accessible. He admitted that the design is not perfect, but that at this late stage it would be impossible to completely re-think the structure in time for the 200 year anniversary in August 2019.

Officers confirmed that it has proved difficult to find a suitable site for the memorial given the built up nature of the immediate area. The remodelling of the forecourt of Manchester Central had allowed for an area to be made available for the monument, within sight of the original location of St Peter's Field, the site of the Massacre. The area available is tightly constrained, and full access for people with limited mobility would not be possible given the limitations of the site.

The Committee welcomed the proposals, and agreed that this was a very important event, not just for the people of Manchester but internationally. They also welcomed the way that the design had been modified to allow for as full access as possible. The Committee noted the comment by Manchester Historic Buildings and Conservation Areas Panel, who questioned whether the memorial should be more figurative, but concluded that while a figurative memorial would be acceptable, the current design proposals accorded with all relevant Core Strategy policies.

The Committee also asked that display boards be placed close to the memorial to explain to visitors the significance and importance of Peterloo both locally and nationally. This will be an excellent educational opportunity, and officers confirmed that the educational potential of the memorial in relation to the events of 16 August 1819 would be maximised. The Committee also noted the contribution of the Peterloo Memorial Campaign and thanked them for the work that they had done to ensure that the list of those killed was as accurate as possible.

Officers confirmed that display boards would be provided, and while this was not part of this application, the intention was that the educational opportunity would be maximised. Officers also emphasised that while access to the monument would be provided, there would not be the possibility of full access at this stage, but that access would be as good as it could possibly be.

### **Decision**

The approve the application subject to the conditions and reasons in the report and the late representation.

### **PH/19/27. 121857/FO/2018 - 84 Cambridge Street Manchester M15 6BP.**

The Committee received a request for a site visit. The Committee considered that a site visit was appropriate, as they concluded that the report did not provide sufficient information about the scale and setting of the proposed development in relation to surrounding residential properties.

### **Decision**

To defer the matter for a site visit.

### **PH/19/28. 121011/FO/2018 - Garages Rear Of 88 School Lane Manchester M20 6GH**

88 School Lane is a commercial property located at the junction of School Lane and Ladysmith Road. The property is currently vacant and the site has been secured with hoardings. The applicant is proposing to erect a part two/part three storey terrace of four dwellings at the corner of School Lane and which extends down the Ladysmith Road frontage. The properties will be three bed dwellings, two of which will have off-street parking provision for two cars each. The remaining two dwellings will have no off-street parking facilities.

A local resident spoke in objection to the proposals and said that while the site does need to be developed as it was currently derelict, but that the problems related to parking in the area were of concern.

Officers said that since the application had first been submitted, 4 of the proposed houses had been reduced in size from 3 to 2 storeys as a result of concerns raised by residents that the scheme would be too overbearing.

The Committee asked for clarification as to whether the properties in the proposed development would be restricted to not being used as HMO's, as this was a problem in the area, and officers confirmed that Condition 11 in the report fully addressed this issue.

The Committee also expressed concern that 2 of the properties would have no provision for off street parking, and queried whether this meant that the site would represent an overdevelopment. Members of the Committee who were familiar with the area commented that it was inconceivable that residents would not have a car,

and having to park on the street would increase pressure of what was an existing significant problem. Officers told the Committee that the current commercial nature of the site, a significant amount of car parking could be generated already. In addition, the loss of a storey meant the facility to provide parking to all the properties had been lost.

The Committee concluded that the existing parking problems in the vicinity of the site combined with the proposal that 2 of the properties would not be provided with off-street parking was unacceptable, and found themselves minded to refuse the application as a result.

### **Decision**

Minded to refuse the application due to concerns about the impact of additional on street parking due to the lack of provision of parking for 2 properties in the development.

### **PH/19/29. 119951/FO/2018 - 10 Whitechapel Street Manchester M20 6UB**

10 Whitechapel Street is a two storey end-terraced property located on the edge of Didsbury District Centre. The property was formerly used as a sandwich shop but is now fully operational as a café (Class A3). Whitechapel Street runs from Wilmslow Road to Churchwood Road and consists predominantly of residential properties, namely two storey terraced dwellings and a larger 3 storey apartment complex. To the east of the property there is a car park that serves the commercial properties on Wilmslow Road. Immediately adjoining it there is a dwellinghouse (no. 12 Whitechapel Road). Opposite the site there is a turning head. Whitechapel Street is bollarded off approximately a quarter of the way along from the Wilmslow Road end, immediately to the east of the application property. This allows access to the rear of the commercial properties on Wilmslow Road and prevents rat-running along Whitechapel Road.

The applicant is using the basement and ground floor of the property as a café, with the basement being used to prepare the food and the ground floor housing the counter and seating areas. The applicant is also proposing to create a 2 bed self-contained flat on the first floor and in the roof space. Previously the first floor and roof space had been used as kitchens and ancillary accommodation (office and storage) for the previous sandwich shop use.

Officers drew the Committee's attention to the amended condition 3 as set out in the late representation.

The Committee concluded that the property does have a history of commercial use since the original planning permission in 1986 (025690 - alterations to form a retail shop on ground floor and self-contained flat at first floor) and its continued use adds to the district centre offer. .

It is considered that with restrictive conditions, e.g. hours of operation and fume/odour extraction and impact upon existing residents can be managed and kept to a minimum.

### **Decision**

To approve the application subject to the conditions and reasons in the report and the late representation, in particular the amended wording of condition 3.

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<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
121011/FO/2018	5 <sup>th</sup> Sept 2018	11 <sup>th</sup> April 2019	Didsbury East

**Proposal** Erection of a part 2/part 3 storey terrace of four dwellings (3 bedrooms) and one detached 2 storey dwelling (3 bedrooms) following demolition of existing commercial buildings and garages

**Location** 88 School Lane, Manchester, M20 6GH

**Applicant** Mr Marc Silcock , Kamani Property, 6 Tariff Street, Manchester, M1 2FF,

**Agent** Mr Harry Calder, Calder Peel Architects, 20 - 24 Market Court Church Street , Altrincham, WA14 4DW

### Introduction

This application was placed before the Planning and Highways Committee on 14<sup>th</sup> March 2019 and at that meeting the committee were *Minded to Refuse* the proposal due to a lack of car parking provision for two of the proposed dwellings.

Following the meeting the applicant sought to engage with officers in order to address the concerns raised by Members. Revised drawings were received on 29<sup>th</sup> March and include the following amendments:

- All of the proposed dwellings have off-street parking provision (the detached dwelling has two spaces; two of the terraced dwellings have two spaces, while the remaining two have one space each).
- In accommodating the car parking spaces the ground floor footprint of the two central terraced dwellings extends further back into the rear garden area.
- The bins are now stored at the rear of the dwellings, with the central two terraced dwellings having access to School Lane via a footpath for the purpose of refuse collection.
- The design of the Ladysmith Road front and rear elevation has been amended to accommodate the car parking spaces and rear outrigger

The introduction of the additional car parking spaces will ensure that all of the units have an off-street parking provision. This will ensure that any impact resulting from the development on the existing levels of pedestrian and highway safety enjoyed along Ladysmith Road would be minimised.

The design of the proposed terrace has been amended in order to incorporate the two additional parking spaces in undercroft type parking spaces. The introduction of these two spaces has resulted in the central two terraced dwellings now having a single storey outrigger 1 metre in depth. Due to their size and siting it is not considered that these outriggers would not have a detrimental impact upon the levels of residential amenity enjoyed by adjoining neighbours on Ladysmith Road or the future occupant of proposed detached dwelling fronting School Lane.

The revisions to the scheme now see the bins stored at the rear of all the dwellings. This is welcomed and it is acknowledged that siting them in these locations would not have a detrimental impact upon the existing levels of residential and visual amenity enjoyed within the vicinity of the site.

The revised layout and amended elevations of the terraced element are shown below and the following report reflects the details shown in this revised scheme.



## Description

88 School Lane is a commercial property located at the junction of School Lane and Ladysmith Road. The property is denoted by a white X on the photograph below. The property is currently vacant and the site has been secured with hoardings.

Immediately adjoining the site there are residential properties, namely nos. 90 School Lane and no. 3 Ladysmith Road. On the opposite side of Ladysmith Road and School Lane there is a combination of dwellings and commercial properties with residential uses above.



The applicant is proposing to erect a part two/part three storey terrace of four dwellings at the corner of School Lane and which extends down the Ladysmith Road frontage. The properties will be three bed dwellings and following the submission of a revised scheme all will have off-street parking facilities (2 x one car parking space and 2 x two car parking spaces) In addition, to the terrace of four dwellings, the applicant is also proposing to erect a detached two storey dwelling which will front School Lane and be sited to the side of no. 90 School Lane. That property will also have three bedrooms and off-street parking for two vehicles.

Originally, the applicant proposed to erect a terrace of five 3 storey dwellings and one detached three storey dwelling on the site but following concerns about the size of the proposal and the number of units proposed the scheme was amended to that now before the committee.

The applicant has previously obtained planning permission at appeal (APP/B4215/A/09/2110844, allowed on 3<sup>rd</sup> February 2010) for the erection of a 3 storey building to form shops on the ground floor with three self-contained flats above. That permission was never implemented.

## **Consultations**

**Local Residents** – Six letters of objection have been received, two of which relate to the revised scheme, the points raised in relation to the revised scheme have been detailed below:

- The proposal will sit in front of the established building line on Ladysmith Road. While the applicant has made a number of concessions it is still considered that the proposal will be over bearing.
- Being located in front of the recognised building line the development creates a blind spot outside of no. 3 Ladysmith Road, this will reduce security.
- The size, nature and density of housing proposed is not in keeping with the area and still constitutes overdevelopment. The living space footprint has not changed significantly from the original proposal. The proposed size and density of the properties would therefore still seem likely to develop a feel of overcrowding and perhaps introduce a lower standard of living due to the increased density of people within a significantly reduced land footprint.
- Vehicles accessing the proposed parking spaces will prove a danger to pedestrians. The only comparable 'town house' development in the area has arranged it's parking set back around 15 feet from School Lane, respecting the existing building line and perhaps in recognition of the need for a higher level of safety whilst negotiating entry or exit of the integrated garages onto a pavement space used extensively by school children.
- The provision of parking spaces is welcomes. However, if the new buildings are rented out there could be a 'parking overspill' into Ladysmith Rd which is already difficult/impossible to park on. If the tenants in the planned properties could be advised to use their drives to park when they are available it would go some way to helping the situation that already exists with the present neighbours.

Comments received in relation to the original scheme are detailed below:

- The proposal will restrict sunlight into nearby gardens and dwellings and have an impact on privacy.
- The proposal will exacerbate existing parking problems and cause congestion.
- The proposal would constitute overdevelopment as the number of units proposed is too great for the side of the site.
- The three storey nature of the building is out of character with the area.

**Ward Members** – A letter of objection in relation to the original scheme has been received from Councillor Andrew Simcock, his concerns are as follows:

- The proposal constitutes overdevelopment of the site.
- The development is not attuned to the local street scene. The houses should be facing School Lane not Ladysmith Road. There are good examples of houses and flats of a similar height on School Lane but not on Ladysmith Road.

**Highway Services** – Highway Services have made the following comments:

- The vehicle movements generated by the proposal are considered unlikely to impact highway operation or safety.
- The revised scheme indicates that the two central properties offer no in-curtilage parking. It is acknowledged that the surrounding highway network is already subject to high demands for on-street car parking. Ideally, each property should provide in-curtilage parking, however given the previous use at the site, it is accepted that a similar level of on-street parking will be generated.
- It is acknowledged that the houses will have sufficient secure amenity space to store bicycles if required.
- Should the planning application be approved, the applicant will be required to enter into a Section 278 agreement to reinstate redundant vehicular crossing and provide new ones.
- A Construction Management Plan is recommended for this development.

**Environmental Health** – Suggests the imposition of two conditions concerning waste management and contaminated land.

**Greater Manchester Ecology Unit (GMEU)** – GMEU have made the following comments:

**Bats** – The buildings comprise a two storey commercial building with a pitched gable roof together with two garages. The buildings were inspected internally and externally on 27<sup>th</sup> July 2018 and no bats or signs of bats were found during the survey. However, potential bat roosting features were identified and a further emergence survey was recommended. A dusk emergence survey was carried out on 1<sup>st</sup> August 2018, no bats were seen to emerge from the buildings at the time of the survey and only a low level of Common pipistrelle activity was recorded in the locality. No further bat surveys are therefore considered necessary at this time and work can commence with a low risk to roosting bats.

Notwithstanding the above, bats are mobile in their habits and can and do turn up in the most unlikely places. If bats are found or suspected at any time during the works, work should cease immediately and advice sought from a suitably qualified bat worker. GMEU suggest that an informative to this effect be placed on any permission.

**Birds** – The buildings were considered to have some potential to support nesting birds, although no nesting birds were seen during the surveys. All birds, with the exception of certain pest species, and their nests are protected under the terms of the Wildlife and Countryside Act 1981 (as amended). GMEU therefore recommend that demolition should not be undertaken in the main bird breeding season (March-July inclusive), unless nesting birds have found to be absent, by a suitably qualified person. GMEU recommend that a condition to this effect be placed on any permission.

**Biodiversity Enhancement** – In line with Section 11 of the NPPF, it is recommended that opportunities for biodiversity enhancement be incorporated into the new development. These should include:

- Bat bricks and/or tubes within the new development
- Bat boxes
- Bird boxes
- Native tree and shrub planting

**United Utilities Water PLC** – Suggests the imposition of a number of drainage conditions.

### **Policies**

**The National Planning Policy Framework (February 2019)** – The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 59 states that to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

Paragraph 68 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

Paragraph 102 states that transport issues should be considered from the earliest stages of plan-making and development proposals, so that opportunities to promote walking, cycling and public transport use are identified and pursued.

Paragraph 105 states that if setting local parking standards for residential and non-residential development, policies should take into account the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

**Core Strategy Development Plan Document** – 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) as the document that 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. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – 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 and protect and enhance the built and natural environment.

Policy EN 1, *Design Principles and Strategic Character Areas* – This policy states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located. 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.

Policy H6, *South Manchester* – South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes. Outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, the most relevant of which in this instance are:

- 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.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity and landscape.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- 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):-

**The Manchester Green and Blue Infrastructure Strategy (G&BIS)** – The 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.



**Manchester Residential Quality Guidance 2016** – Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The ambitions of the City are articulated in many places, but none more succinctly than in the 'Manchester Strategy' (2016). The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

**Guide to Development in Manchester Supplementary Planning Guidance** – Adopted in 2007, the guidance states in paragraph 2.13 that the scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings. Projections and setbacks from this line, such as bays, foyers and entrance halls, can help to create visual emphasis; they should not, however, reduce safety by creating hidden areas, or accessibility by making obstructions, nor detract from the visual continuity of the frontage.

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

Paragraph 2.15 states that although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations. In established residential areas, significant variation in height may not be appropriate.

## **Issues**

**Principle of the Proposal** – While the predominant character of the area is of two storey dwellings, it is noted that there are a number of examples of three storey dwellings and apartment buildings located along School Lane, most noticeably in this instance nos. 97 to 105 School Lane, which are diagonally opposite the application site. Given this, the residential nature of the area and the fact that the three storey element of the proposal is located at the corner of School Lane and Ladysmith Road, the principle of the proposal is considered acceptable.

Furthermore, the provision of family housing complies with Policy H6, which promotes the provision of such accommodation outside of District Centres.

Notwithstanding this, consideration must be given to the proposal's impact upon the existing levels of residential and visual amenity enjoyed in the locality of the site, particularly by those residents who adjoin the site, and upon the levels of pedestrian and highway safety enjoyed along School Lane and Ladysmith Road.

**Space Standards** – The City Council adopted the Manchester Residential Quality Guidance in December 2016 and within that document reference is made to the use of a combination of the Nationally Described Space Standards and the London Housing Design Guide space standards to form Manchester's space standards (SS) for residential developments.

The amount of floor space proposed for each dwelling, all of which are 3 bed properties and that required under the space standards is detailed below:

- House type A, 2 storey – 90.56m<sup>2</sup> (SS - 87m<sup>2</sup>)
- House type B, 3 storey – 154.65m<sup>2</sup> (SS - 90m<sup>2</sup>)
- House type C, 2 storey – 87.64m<sup>2</sup> (SS - 87m<sup>2</sup>)
- House type D, 2 storey – 95.25m<sup>2</sup> (SS - 87m<sup>2</sup>)

As can be seen above the proposal complies with the space standards.

**Design** – Though the proposal will utilise traditional materials, the design of the dwellings is contemporary in nature and takes its design cues from nos. 97 to 105 School Lane, a terrace of 3 storey flat-roofed dwellings and the flat roofed apartment block, which is also 3 storeys high, at nos. 106 to 110 School Lane.

The brick elevations, a mix of red and lighter brick, are punctuated with recessed vertical glazing, enclosed by grey aluminium frames, and dark metal cladding panels. This variety of materials and planes adds interest to the elevations. The use of flat roofs, evident elsewhere on School Lane, allows the provision of generous accommodation whilst also keeping the overall height of the development below the ridges of the dwellings on Ladysmith Road. Siting the three storey element at the School Lane and Ladysmith Road junction provides a focal point and this is emphasised further by the inclusion of brick detailing panels on this element.

This design approach is welcomed and can be seen below:



*Detached dwelling, School Lane elevation*



*Terrace of four dwellings, School Lane elevation*



*Terrace of four dwellings, Ladysmith Road elevation*

**Residential Amenity** – The eastern elevation of the proposed detached dwelling is located approximately 1 metre away from the boundary with no. 90 School Lane and 3 metres from the property itself. Located within this elevation are three windows – two lounge/diningroom windows on the ground floor and one obscurely glazed bathroom window at first floor. The southern elevation of proposed detached dwelling is located approximately 11 metres away from rear boundary garden with no. 3 Ladysmith Road. Given these distances and the presence of existing and proposed obscurely glazed windows, it is not considered that the erection of the detached dwelling will impact on the level of privacy enjoyed by the residents of no. 90 School Lane and no. 3 Ladysmith Road.

The side elevation of the proposed terrace would be located approximately 2.6 metres away from the side elevation of no. 3 Ladysmith Road. Within that elevation there would be two narrow windows, one to the ground floor lounge and the other to the first floor bathroom, with the latter being obscurely glazed. Given the nature of the proposed windows and that fact the one at first floor will be obscurely glazed, it is not considered that they will lead to a reduction in the levels of amenity enjoyed by the residents of no. 3 Ladysmith Road.

The front elevations of the terrace and detached dwelling will be sited 18½ metres and 21½ to 27½ metres away from the dwellings on the opposite side of Ladysmith Road and School Lane respectively. These elevations consist of a mix of habitable and non-habitable rooms. Given the distance between the proposed and existing dwellings and the fact that both elevations overlook the public realm, it is not considered that the windows in the front elevations will lead to a reduction in privacy and subsequently existing levels of residential amenity. This relationship across a highway is similar to many others within this area of Didsbury.

Local residents have raised concerns about overshadowing. While it is acknowledged that the proposal is closer to no. 3 Ladysmith Road than the existing building, it is considered that as the development is only 2 storeys high in this location it will not lead to undue overshadowing of no. 3 Ladysmith Road. In terms of the impact on no. 90 School Lane, given the orientation of the proposed detached dwelling and the fact that it is also only two storeys in height, this element of the development would not lead to undue overshadowing.

In conclusion, it is considered that the siting of the dwellings in the location proposed, along with the type and number of windows in all of the elevations, will ensure that there is no undue loss to the levels of privacy enjoyed by the residents of no. 90 School Lane and no. 3 Ladysmith Road nor lead to undue overshadowing.

**Permitted Development Rights** – In order to further reduce the impact of the proposal upon neighbouring residents and to prevent the overdevelopment of the site, it is proposed to attach conditions removing Permitted Development Right for domestic extensions/outbuildings and to prevent the conversion of the dwellings into Houses in Multiple Occupation.

**Scale and Massing** – Concerns have been raised about the three storey nature of the proposal and how this is at odds with the scale of dwellings in the area. While Ladysmith Road is made up solely of two storey dwellings, three storey dwellings and apartments blocks are located on a number of sites along School Lane. Given that the three storey element of the proposal is located at the junction of School Lane and Ladysmith Road, it is considered that siting the three storey element at this location is acceptable and not at odds with the overall character of the area.

Originally the applicant did propose to erect a three storey terrace along the Ladysmith Road frontage. However, following concerns about its scale when compared with the neighbouring dwellings the applicant reduced the proposal to two storeys, in addition to also reducing the number of units proposed. The drawing below is of the Ladysmith Road frontage and compares the scale of the scheme as now proposed, the original proposal (A - blue dotted line) and the apartment scheme approved at appeal (B - purple dotted line). As can be seen the overall height of the proposal has been significantly reduced along this frontage and is now more in keeping with the scale of the existing dwellings.



In terms of the massing, this has been broken up by using contrasting and recessed panels of cladding and brick and vertical glazing. This can be seen in the elevational drawings located earlier in this report.

**Siting** – The proposed detached dwelling respects the established building line that runs along the southern side of School Lane. The terrace of four dwellings follows the Ladysmith Road building line though it does sit forward of the one on School Lane. However, as the element that does sit forward is located at the corner of those two roads and is 3 storeys in height, thereby forming a focal point, this is considered acceptable. It should also be noted that the existing building sits forward of the School Lane building line.

**Visual Amenity** – Given the design and siting of the proposed dwellings and the fact that they have been reduced in size and massing to that originally submitted, it is not considered that they will have an unduly detrimental impact upon the levels of visual amenity enjoyed along School Lane and Ladysmith Road.

**Amenity Space** – Sufficient private amenity space would be provided for the future occupants of the proposed dwellings with each house incorporating rear gardens areas.

**Boundary Treatment** – Originally railings were proposed along the School Lane and Ladysmith Road frontages but as boundary walls are the predominant feature in this neighbourhood the applicant has been requested to amend the proposal accordingly.

**Ecology** – It is considered prudent to attach a condition limiting the demolition of no. 88 School Lane to outside of the bird nesting season, unless further surveys reveal an absence of nesting birds. In addition, a condition requiring the use of bat bricks and/or bird boxes within the dwellings and the site is also suggested.

**Landscaping** – The applicant has been requested to explore the provision of a number of street trees along School Lane if none can be accommodated within the site itself.

**Pedestrian and Highway Safety** – It is not considered that the additional dwellings would generate such significant levels of traffic or concentrated traffic movements so as to prove detrimental to the levels of pedestrian and highway safety currently enjoyed along School Lane and Ladysmith Road. It is also considered that any traffic movements generated by the residential development would be less than the previous commercial uses (deli, gym and shop) that have operated from the site in previous years.

**Car Parking** – Following the submission of an amended scheme, all of the proposed dwellings will have an off-street parking provision. Two of the terraced dwellings and the detached dwelling will have two car parking spaces each, while the remaining two terraced dwellings will have one car parking space each. Given the proximity of the site to the Didsbury Village Metrolink station and the Didsbury District Centre, through which regular bus services run, this level of parking provision is considered acceptable in this instance.

**Cycle Parking** – As acknowledged by Highway Services, sufficient space exists within all five dwellings for the storage of cycles.

**Waste Storage** – Environmental Health have confirmed that the submitted waste management strategy is acceptable and have requested that it be conditioned to ensure future compliance with it. The strategy states that four separate 240 litre recycling wheelie bins for each dwelling will be provided and will provide facilities for the recycling of garden/food waste, glass, metal, plastics, paper/cardboard and general household waste. In addition, internal facilities in the form of waste food caddies (23 litres) will be provided to aid further recycling.

Revisions to the scheme now allow for all four bins to be stored at the rear of each dwelling.

**Accessibility** – The site is nominally flat and wheelchair access from School Lane and Ladysmith Road is unobstructed. In addition to the level access, the interior layout of the proposed dwellings is considered acceptable. The level threshold leads to a hallway, off which stands a W.C., the kitchen, lounge and dining areas, while the upper floors offer spacious circulation space.

Given the above and the fact that the development has been design in accordance with Part M of the Building Regulations the accommodation is considered acceptable in terms of accessibility.

**Crime and Disorder** – Concerns have been raised about the siting of the proposal and the impact this has upon the security of no. 3 Ladysmith Road. As the development lines up with the forward most part of no. Ladysmith Road it is not considered that the proposal will lead to the creation of any “blind-spots” and as a result compromise safety.

The standard Secured by Design condition is suggested in this instance.

**Environmental Standards** – The dwellings will be constructed to Part L of the Building Control regulations, which equates to level 4 of the Code for Sustainable Homes scheme. In addition, the dwellings will be fitted with ducting to enable the future provision of vehicle electrical charging points.

**Air Quality** – The erection a five dwellings in this location will not have an undue detrimental impact upon the air quality experienced in the vicinity of the site. A construction management plan condition will be attached to any consent granted to ensure that dust suppression measures are implemented while the development is being built.

In terms of the running of additional households in this location, it is not considered that the comings and goings associated with the dwellings will have an undue detrimental impact upon air quality.

Sufficient space exists within the curtilage of the site to allow for the storage of cycles while the integral garage and other dwellings will have an electrical connection, therefore allowing for the future connection of a vehicle electrical charging point. Both of these measures reduce reliance on the traditional motor vehicle.

## **Conclusion**

The siting and massing of the proposed dwellings is comparable with that in existence on School Lane and Ladysmith Road. While the design is of a style not seen on Ladysmith Road, contemporarily designed dwellings can be found on a number of sites along School Lane. As a result it is not considered that the proposal will have a detrimental impact upon the character of the area or existing levels of visual amenity. In addition to the above, given the siting of the proposal it is not considered that the proposal will give rise to disamenity or overlooking.

**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 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 to resolve any problems arising in relation to dealing with the planning application.

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

#### **Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse**

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:

- a) Drawing no. 18075 (PL) 001D, stamped as received on 29<sup>th</sup> March 2019
- b) Drawing no. 18075 (PL) 170, stamped as received on 30<sup>th</sup> January 2019
- c) Drawing no. 18075 (PL) 181B, stamped as received on 29<sup>th</sup> March 2019
- d) Drawing no. 18075 (PL) 182A, stamped as received on 29<sup>th</sup> March 2019
- e) Drawing no. 18075 (PL) 200C, stamped as received on 29<sup>th</sup> March 2019
- f) Drawing no. 18075 (PL) 210A, stamped as received on 30<sup>th</sup> January 2019
- g) Drawing no. 18075 (PL) 250C, stamped as received on 29<sup>th</sup> March 2019
- h) Drawing no. 18075 (PL) 251C, stamped as received on 29<sup>th</sup> March 2019

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).



3) Above-ground construction works shall not commence until samples and specifications of all materials, including window frames, to be used in the external elevations have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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 (2012).

4) 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.

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 Manchester Core Strategy (2012).

5) Prior to the occupation of the development hereby approved, a Contaminated Land Verification Report shall be submitted to the City Council as local planning authority.

Reason - To confirm that appropriate remedial action has been taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy (2012).

6) Above-ground construction works shall not 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 policies SP1 and DM1 of the Manchester Core Strategy (2012) and to reflect the guidance contained in the National Planning Policy Framework.

7) The storage and disposal of waste shall be undertaken in accordance with the Waste Management Strategy stamped as received on 5th September 2018 and shall remain in situ whilst the development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Manchester Core Strategy (2012).

8) Above grounds works shall not commence until details of biodiversity enhancements (bird boxes and/or bat bricks), including a timetable for their installation and maintenance regime, have been submitted to and been approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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 policy EN15 of the Manchester Core Strategy (2012).

9) Demolition works shall not take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of the building for active birds' nests immediately before the building is demolished and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the 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 policy EN15 of the Manchester Core Strategy (2012).

10) Before first occupation the first floor windows in the eastern elevation of the detached dwelling and the southern elevation of the terrace shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking and re-enacting that Order with or without modification) no part of any dwelling shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1, H7,H8 and DM1 of the Manchester Core Strategy (2012).

12) Above-ground construction works shall not commence until details of the measures to be incorporated into the development to allow for the provision of electric vehicle charging points have been submitted to and approved by the City Council as Local Planning Authority.

Reason - To promote sustainable development and in the interests of residential amenity, pursuant to Policies DM1 and EN16 in the Manchester Core Strategy (2012).

13) Above-ground construction works shall not commence until a landscaping treatment scheme, including tree planting, boundary treatment and bin store design, 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 dwellings 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 Manchester Core Strategy (2012).

14) No development shall take place until surface water drainage works, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, have been submitted to and approved in writing by the Local Planning Authority.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN08 and EN14 in the Manchester Core Strategy (2012) and national policies within the NPPF and NPPG.

15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages or extensions shall be erected other than those expressly authorised by this permission.

Reason - In the interests of residential and visual amenity, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

16) Prior to the commencement of the development hereby approved or any phase thereof a Construction Environmental Management Plan must be submitted to and be approved by the City Council as local planning authority and thereafter implemented in accordance with those approved details. The Construction Environmental Management Plan must show how the main construction effects of the development are to be minimised, with include detailed mitigation measure such as:

1. details of construction and demolition waste management;
2. details of pollution prevention;
3. dust control measures;
4. details of any lighting scheme proposed during construction;
5. details of site access, working and safety zones, together with temporary fencing proposals for the site access and site perimeter.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and 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: 121011/FO/2018 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:**

Greater Manchester Police  
 Greater Manchester Ecology Unit  
 Didsbury Civic Society  
 United Utilities Water PLC

**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:**

Greater Manchester Ecology Unit  
United Utilities Water PLC

**Relevant Contact Officer** : David Lawless  
**Telephone number** : 0161 234 4543  
**Email** : d.lawless@manchester.gov.uk



Application site boundary ● Neighbour notification  
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<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
121465/FO/2018	25th Oct 2018	11th Apr 2019	Whalley Range Ward

**Proposal** Proposed conversion of existing loft space with rear dormer extension and erection of a three storey rear extension to create 3 no. Class C3a additional apartments (11 no. apartments in total) with associated elevational alterations to the existing building, the reconfiguration of external space to form amenity space, car parking, bin storage, cycle storage, landscaping and new boundary treatments

**Location** 52 Alness Road, Manchester, M16 8HW

**Applicant** Mr Peter Armistead, Crossland Road,

**Agent** Mr Simon James, Simon James Arq Ltd, Flat 1, 346 Barlow Moor Road, Manchester, M21 8AY

### **Site and Area Description**

The application site comprises a large Victorian double fronted four storey property including accommodation within the basement. The property currently contains 8 no. one bedroom flats though it retains much of its original character from when it was a single family dwellinghouse. The application states that the property was originally converted to 8 apartments approximately 30 years ago.

The character of the property is a mainly red facing brick building with an original slate roof, with two bays either side to the front, and feature arches over the entrance door and the windows. There are detailed brick work features on the front elevation, a decorative porch and two existing dormer window structures to the front elevation of the roof. The rear elevation of the building is much plainer in detail as would be expected for this period of property and includes stone cill and brick curved header detailing only.

A photograph of the front of the building can be seen below:



The boundary treatment to the front of the property is comprised of the original stone wall together with stone feature gateposts. However, the original profile stone coping stones on the top of the wall are hidden below an overhanging hedge. The northern and southern boundaries are also traditional brick garden walls, however again some of these are hidden from view due to mature landscaping around the site. The shared boundary to the rear of the site is a modern timber panel fence with concrete posts.

The property is then set in a mixture of hard and soft landscaping. This is predominantly hard landscaping comprised of either tarmac or concrete. There is some soft landscaping within the front garden around the edges and an area of amenity space in the rear garden which is comprised of grass and some further shrub planting. There is an existing bicycle shed that is in a poor state of repair and space for 6 cars to be parked, however these are currently not demarcated.

The application outlines that the property is currently in full occupation with the 8 no. 1-bedroom apartments fully let. The exterior is in an acceptable condition but it is stated that the building is reaching a point where a refurbishment would benefit the longevity of the building and stop any deterioration. The interior is very badly laid out, very out of date and does not satisfy current building regulations.

This part of Whalley Range is characterised by large detached and semi-detached Victorian properties, many of which have historically been subdivided into smaller units of accommodation. These properties then sit aside some late 20th century low-rise apartment blocks and further low-rise two storey housing. Many of the roads are characterised by street trees.

The application site is bounded on all side by residential properties with those immediately either side of the site being low-rise two storey semi-detached houses. The property at No. 50 Alness Road is currently occupied as a nursing home.

The application site is not located within a Conservation Area and is not designated as a Listed Building. The nearest Conservation Area to the application site is the Whalley Range CA, which is located a number of streets away to the north.

### **Development Proposals**

Planning permission is sought for the extension and refurbishment of this property to create 3 no. new two bedroom self contained apartments. This development would see the introduction of three further units of accommodation, the 11 resultant units would constitute: 8 no. existing one bedroom flats and 3 no. new two bedroom flats, two of which are duplex flats within the new extension and one within the enlarged attic space.

The development proposals for the extension to the rear of this property have changed significantly since the original submission. The plans submitted initially for the application included a substantial four storey extension to the rear including a roof garden and large flat roof dormer that extended across the full width of the existing roof. The extension projected 10.7 m from the rear of the existing property, was 8.2 m in width and 7.3 m in height. The extension also included the provision of



an undercroft parking area due to the amount of footprint space required for the large extension.

Following detailed negotiations with the applicant, the scheme now includes a much more modest three storey rear extension to the rear, with one of the floors being at the lower ground level. The amended extension would project 6.3 m from the rear elevation (4.4 metre lesser projection than the previous proposal), is 8.5 m in width at its widest part and is 5.4 m in height from the existing ground level (1.9 metre lesser in height than the previous proposal). The size of the extension is significantly smaller than the main building, being almost 3.5m narrower in width and over 2.5m below the existing eave height of the main building.

The proposed extension has a flat roof design with a mix of brickwork to match the existing property and more modern cladding to mark where the old meets the new extension. A rear dormer is also proposed, which is stepped in towards the centre to give the appearance of two smaller dormers to match the design seen on the front of the property.

To the site frontage, 2 car parking spaces would be formalised whilst retaining an existing mature tree. A concealed bin store would be provided, along with some additional soft landscaping. A new pedestrian entrance is to be provided within the existing boundary wall and the existing vehicular access is to be widened. The car parking spaces would be set behind the existing wall and the retained existing hedge and shrubs.

To the rear, 7 formalised car parking spaces would be introduced, with two spaces being served by electric vehicle charging points. A new secure bicycle store is to be provided for 11 bicycles along with an electric bicycle charging point. A new soft landscaped amenity area is to be provided along with newly planted borders and 2 new trees. The newly extended light wells around the lower ground floor of the building will be rationalised and new private garden areas created for the lower ground flats.

It has been confirmed within the Design and Access Statement that all the main exterior materials will be replaced with like for like. The front stone garden wall and side brick garden walls will be repaired, cleaned and repointed. The stone gateposts will be retained and refurbished. A new 500mm timber latt fence will be introduced to the top of the existing boundary walls along the northern and southern boundaries to increase the current heights of 1.2m to 1.4m up to 1.9m in overall height to enhance the security and privacy of the side boundaries. The rear boundary fence which is approximately 1.8m tall will be over clad with timber latt to match the new side boundaries.

## **Consultations**

### Local Residents

9 letters of objection were received from 6 different local properties in response to the original application. The comments made can be summarised as follows:

- The height of the proposed extension is a concern, due to overshadowing and blocking sunlight/daylight.
- The roof garden and balconies would result in overlooking and loss of privacy.
- Size - It is far too large for the site and would not be in keeping with the architecture of the local surroundings.
- The noise pollution for major works like this would be lengthy and detrimental. Further noise pollution generated from the additional flats and cars that would be parking in the new renovated car park at the back. This will also lead to an increase in air pollution, something that we want to avoid in the garden areas but also for the climate in general. Residents enjoy their gardens to escape from hustle and bustle of city life and this would be adversely affected should this go ahead.
- The likely increase in cars would cause traffic congestion on Alness Road, which is already very congested due to St Bede's school run.
- From the significant increase in flats, this would cause light pollution into our property and garden, as well as neighbouring ones.
- The location of the application is highly sensitive, being adjacent to a care home for various vulnerable groups who need to be protected. The most direct effect would be on them, which is very disappointing.
- This is not an application based on residential need but is purely based on profit, which must be taken sensibly into account. This appears to be a major project for profit only and does not address any social housing needs
- The local habitat will be damaged by the development. Bats, hedgehogs and Owls all reside in or visit this block, alongside our more familiar foxes, birds, toads, frogs and countless insects and of course bees.
- The balance in our neighbourhood between social housing, rented property and homeowners is long established and gives this neighbourhood a character. A precedent would be set and this may see further development on garden plots that would tip the balance in our area.
- The applicant runs his property business from Canada and there have been ongoing issues with other properties owned by him in relation to poor maintenance.
- Whalley Range is indeed a cosmopolitan location with some parts having been declared a conservation area thanks to their wide, tree-lined streets and large red brick villas. However, we do not require further red bricks villas, or to be precise in this case, red brick monstrosities.

Following the submission of the amended proposals, a full 21 day re-notification of local residents and contributors was completed. Following this, 5 further letters of objection have been received. The comments made on the amended proposals are as follows:

Comments made previously in relation to the following issues still stand:

- Impact on wildlife;
- The balance of social housing, rented properties and homeowners being affected;
- The noise pollution from the major works;
- The overshadowing and loss of privacy caused by the extension;

- The extension being too high and obtrusive;
- Traffic congestion from the increase in cars;
- Light pollution from the new flats;
- Impact on the nursing home at No. 50 Alness Road;
- The precedent of building beyond the current rear building line; and
- The applicant not sufficiently maintaining their properties in this area.

New comments received for the amended proposals include the following:

- Increased demand on the drains, which may not cope with the additional flats; and
- Increased pollution and the impact on local children playing in their gardens

### Ward Councillors

Comments were received from Ward Councillors Stogia and Razaq in relation to the original scheme submitted for planning permission. The comments made can be summarised as follows:

- Overdevelopment: the proposed conversion is excessive in terms of the quantity of buildings proposed and the intensity of use for the site. What is proposed is excessive in terms on the impact on local amenity and character of the area. It is noted that the site is just outside the conservation area, but it is felt very strongly that the impact of the character of the local area will be significantly compromised.
- Overlooking: The proposed development will use significant space at the garden of the existing property, the extension is very near other properties and will overlook adjoining properties. We are also very concerned about the roof garden and high level windows which will be overlooking the residential homecare facility located near the property.
- Loss of light to the excising properties. The proposed development will have a huge impact on the nearby properties reducing the amount of light entering the windows to an unreasonable degree.
- Further to the above, Councillors have had a number of representations from residents both via email as well as at our advice surgery and there is very strong feeling in the community that this is not the right proposal for the area. Councillors agree with the residents.

No further comments have been received following the submission of the amended proposals.

### Highway Services

The site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities. It is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.

From a highway perspective the front boundary proposals with new pedestrian access is acceptable. The vehicle access will be slightly widened and will lead to

parking to the front and rear for 9 cars. Whilst the in curtilage car parking has been reduced to nine spaces (82% provision), the layout is considered to be an improvement on that previously submitted. Given that 100% secure cycle parking is now being provided to the rear, we consider that the amount of overall parking is acceptable.

A bin store area is being provided to the front so that bins can be presented for collection more easily and this is supported.

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.

### Environmental Health

No objections to the proposals subject to the inclusion of conditions relating to construction management, waste management and contaminated land.

### Flood Risk Management Team

A condition is requested that requires the submission of a surface water drainage strategy prior to the commencement of the development.

### Arboriculture

The footprint of the proposed new development does not fall within the root protection zones of any of the offsite trees. There are a number of offsite trees which will require root protection during the installation of the new proposed car park area. Any excavation works within the tree protection zones of the offsite trees must be done so in accordance to BS:5837. On this basis, there would have no objection from an Arboricultural perspective as no trees will be impacted by the additional parking spaces.

### Greater Manchester Ecology Unit

Due to the creation of accommodation within the attic space, a request was made for the completion of a preliminary bat report to be completed and submitted. However, existing photographs of the attic space was provided by the applicant that showed that most of this space is already currently occupied. Therefore, GMEU have confirmed that on this basis, it is possible to include an informative that requests that if a bat is found, all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s).

### **Policy Context**

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 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 onto 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 proposed development is considered to be in accordance with policy SP1 in that a high quality residential development will be provided that contributes towards meeting housing growth in the City and creating a high quality neighbourhood for residents to live in. Consideration has been given to minimising the impact on local residents.

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. The proposal is located in an area where there is access to a range of public transport modes, whilst also encouraging other forms of transport such as cycling, and electric vehicle charging points.

Policy EN1 'Design principles and strategic character areas'. The proposed development is considered to be a good quality scheme in terms of its design and appearance that would enhance the regeneration of this area of the City.

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. Policy H1 prioritises residential development on previously developed land, in particular through the re-use of vacant housing or other existing buildings. The redevelopment of this brownfield site would accord with policy H1. Consideration has been given to the design, siting and scale of the extension and the new apartments. In addition, the proposal will also provide accommodation which will be attractive to a diverse range of housing needs through varying accommodation size. The accommodation is generous in size with the new flats being 2 bedroom accommodation.

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 applicant has given careful consideration to the design, scale and layout of the development along with providing solutions address amenity space for the occupants, refuse storage, car parking and cycle parking. Impacts on residential amenity are assessed in the section below.

For the reasons given above, it is considered that the proposal is consistent with the policies contained within the Core Strategy.

### Unitary Development Plan (1995)

The majority of the previous UDP policies have been replaced by the Core Strategy, however there are still saved policies that remain extant. The relevant policies for this application are set out below.

Policy DC5 sets down the criteria to be considered in determining applications for flat conversions. The policy establishes the principles for converting large properties and the need for adequate parking, and amenity space.

The application site is already given over to flats. The scheme would see the introduction of three further units, it would improve the standard of accommodation, improve the appearance of the site whilst providing shrubbery and retaining a tree to the frontage, adequately addressing car parking, amenity space, bin storage and the impact on surrounding residential properties. The scheme is therefore considered to accord with saved policy DC5.

### National Planning Policy Framework (2018)

The revised NPPF was adopted in July 2018. The document states that the ‘purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the ‘objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs’ (paragraph 7).

In order to achieve sustainable development, the NPPF states that the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 5 ‘Delivering a sufficient supply of new homes’ states that in order to support the Government’s objective of significantly boosting the supply of homes, ‘it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay’ (paragraph 59).

Section 8 ‘Promoting Healthy and Safe Communities’ states that planning policies and decisions should aim to achieve healthy, inclusive and safe places (paragraph 91).

Section 9 ‘Promoting Sustainable Transport’ states that ‘significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health’ (paragraph 103).

Section 11 ‘Making effective use of land’ states that ‘planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions’ (paragraph 117).

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this' (paragraph 124).

Paragraphs 10, 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.

### Planning Practice Guidance (PPG)

The relevant sections of the PPG are as follows:

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.

#### 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.

##### 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.

### Other legislative requirements

Section 149 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.

Section 17 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

The application site is located within the South Manchester, as allocated within the Manchester Core Strategy (2012). Policy H6 states that this area will accommodate around 5% of new residential development over the lifetime of the Core Strategy. Outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing. Policy H1 also seeks to ensure good quality housing. The application site is an important site within the area and it is recognised that the building is in need of refurbishment and the existing accommodation within the property needs upgrading. Whilst it is considered that the principle of the development is consistent with planning policy framework, there are detailed matters that require particular attention. This report will therefore consider the following material considerations and determine whether any undue harm will arise as a consequence of the development.

### Design

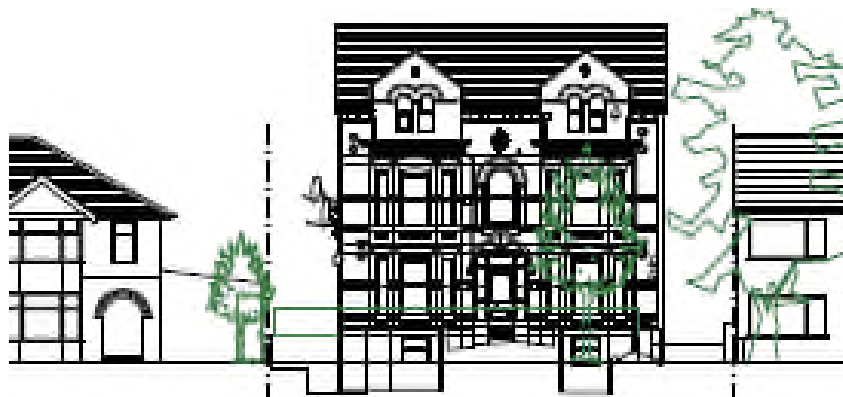
Policy EN1 of the Core Strategy states that opportunities for good design, that enhance the overall image of the City, should be fully realised. This is reiterated within the Guide to Development in Manchester SPD along with the NPPF. It is considered that the design of the proposed development has been to adopt many of the key characteristics of the surrounding area.

The extension would have a more contemporary design than the existing building, but will be complimentary through the use of matching brickwork. Modern materials including a grey fibre cement board and grey powder coated aluminium windows along with large modern proportioned windows will enhance the appearance of the

extension clearly distinguishing the original Victorian property from the newly created later addition. It is considered that this approach to design is acceptable in this context. The property is not located within a Conservation Area and the property is not listed, and therefore, this contemporary design is considered to be appropriate.

The proportions of the extension have altered from the original scheme, now being entirely subordinate to the host building and relating to the existing features to the rear elevation. Through a set back being provided in the middle of the new dormer roof extension on the rear, this has also been designed to be in keeping with the character of the original property but with a contemporary approach. This design give the appearance of two smaller extensions to mirror the existing dormer structures on the front of the property.

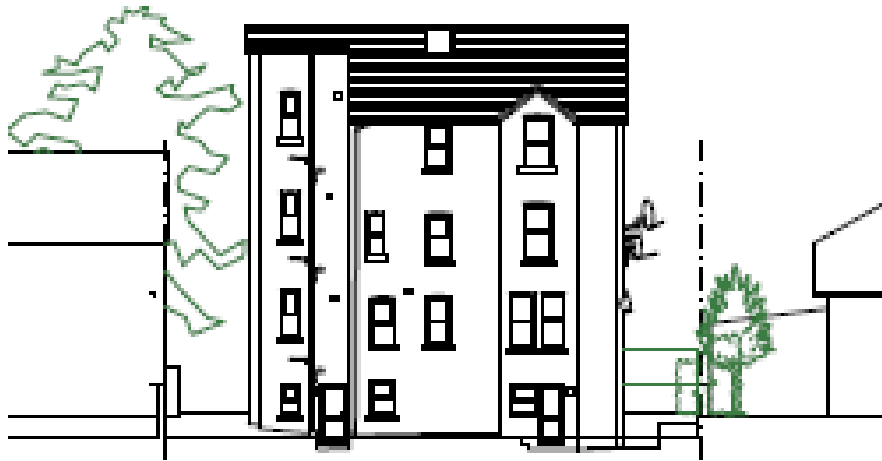
The existing and proposed elevations of the building and the extension can be seen below:



*Existing Front Elevation*



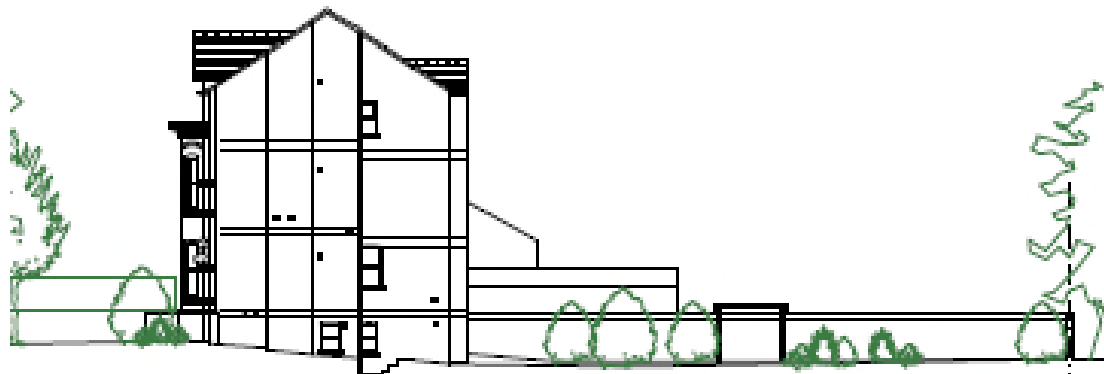
*Proposed front elevation*



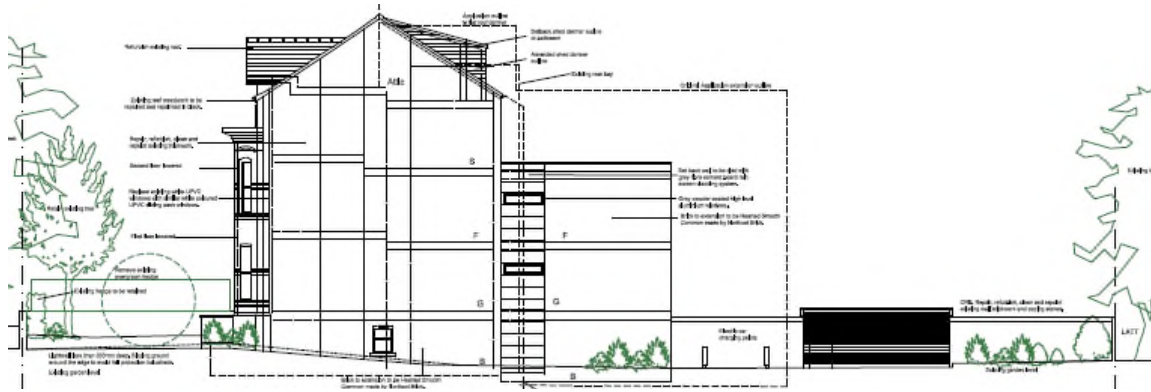
*Existing Rear Elevation*



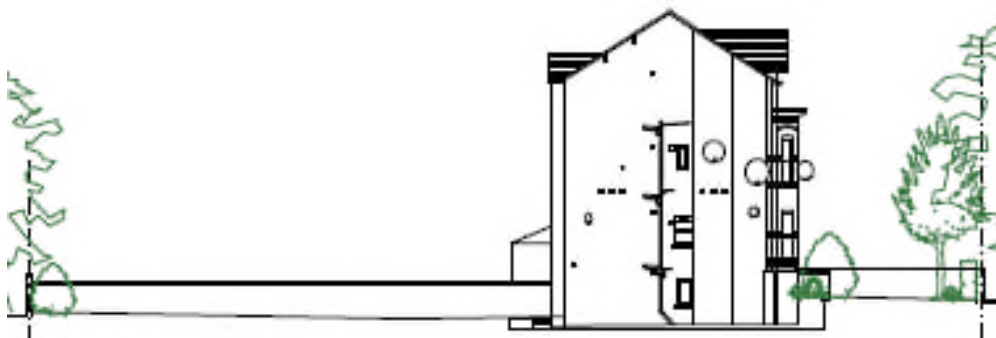
*Proposed Rear Elevation*



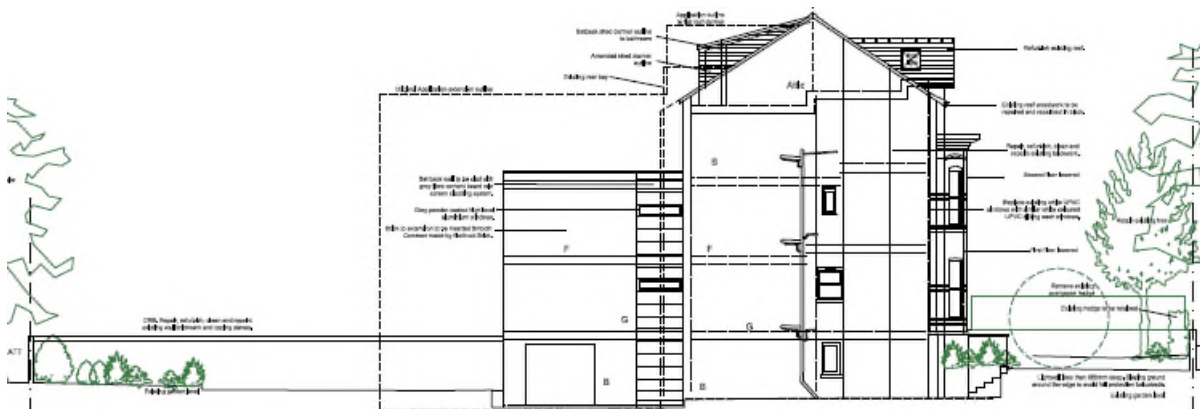
*Existing North Elevation*



*Proposed North Elevation*



*Existing South Elevation*



*Proposed South Elevation*

It should be noted that the dashed lines shown on the side elevations above are to highlight the outline of the original proposals submitted with the application and the significant decrease in scale of the proposals now being applied for.

It is considered that the appearance of the development will be a good quality development both to streetscene and within the area. The simple arrangements of the elevations along with the quality and use of materials, position of the building on

the site and its scale, will enhance the setting of the existing Victorian property and improve this site. It is recommended that a condition of the planning approval is that the final materials are agreed with the applicant to ensure they are suitable.

### Landscaping / Car Parking / Amenity Space

The proposed development includes the provision of both landscaped front and rear gardens, including an ample area of private outdoor amenity space for the future occupants of this development. The planting of new trees is proposed to improve the amount of soft landscaping at the site and the necessary tree protection of the trees in neighbouring gardens is ensured through a condition.

The existing frontage is currently mainly given over to hardstanding. The bins that are currently stored in a prominent location would be sensitively screened from view in a newly created bin store. The frontage would be enhanced by proposed landscaping comprising ground cover plants around the 2 new demarcated car parking spaces which is well screened by the existing brick wall and mature hedge along the frontage.

The unattractive rear garden area that is mainly given over to hard surfacing and a poorly maintained grass and shrub area, would be replaced with formalised car parking for 7 cars, a new secure bicycle storage shed for 11 bikes, and a newly created rear amenity area, which is a mix of grass and patio and is boosted by new planting and separated from the car parking by a new beech hedge. Two new trees are proposed to be planted in the rear garden to improve this space for future occupants. Further private amenity areas are proposed within the expanded light well areas for the lower ground floor apartments.

Looking at the historic pattern of development in the area, ideally there would be a greater amount of soft landscaping provided. However, regard has been paid to the current condition of the rear garden associated with the existing 8 residential units, which has not constituted a useful amenity space to the current occupants of the building nor contributed positively to the residential amenity of any neighbour overlooking the site or the character of the area.

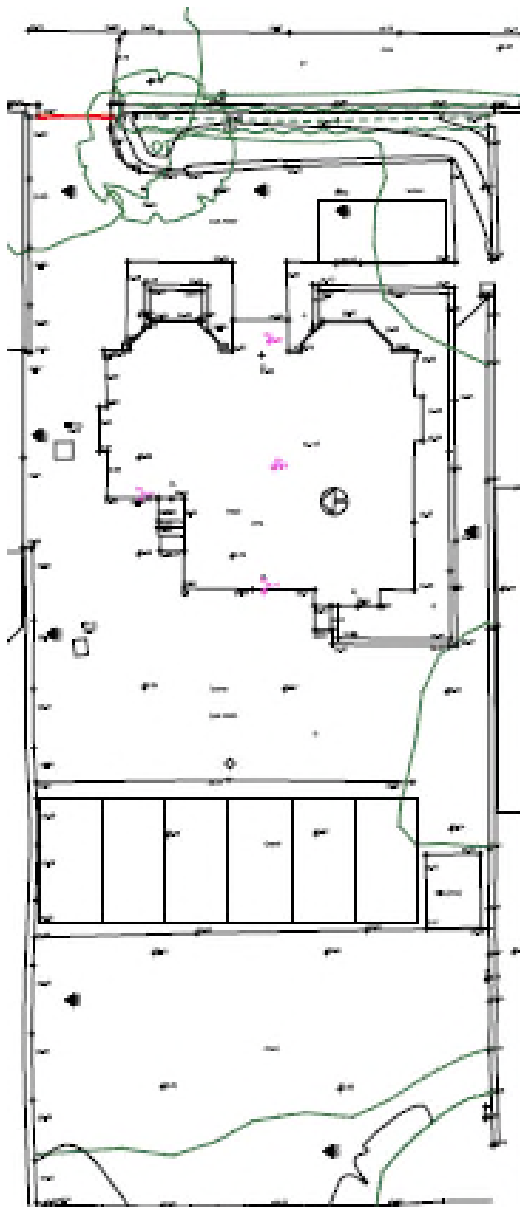
The development proposal constitutes an improvement in this regard. The applicant has also increased the amount of amenity space from the originally submitted drawings, which only indicated a very small area of amenity space. It is now considered that there would be sufficient amenity space provided for the enjoyment of the occupiers of the building.

Policy T1 and T2 of the Core Strategy seeks to encourage modal shifts away from the car and locate new development that is accessible by walking, cycling and public transport. Policy DM1 goes on to state that traffic generation and road safety must be considered as part of new developments.

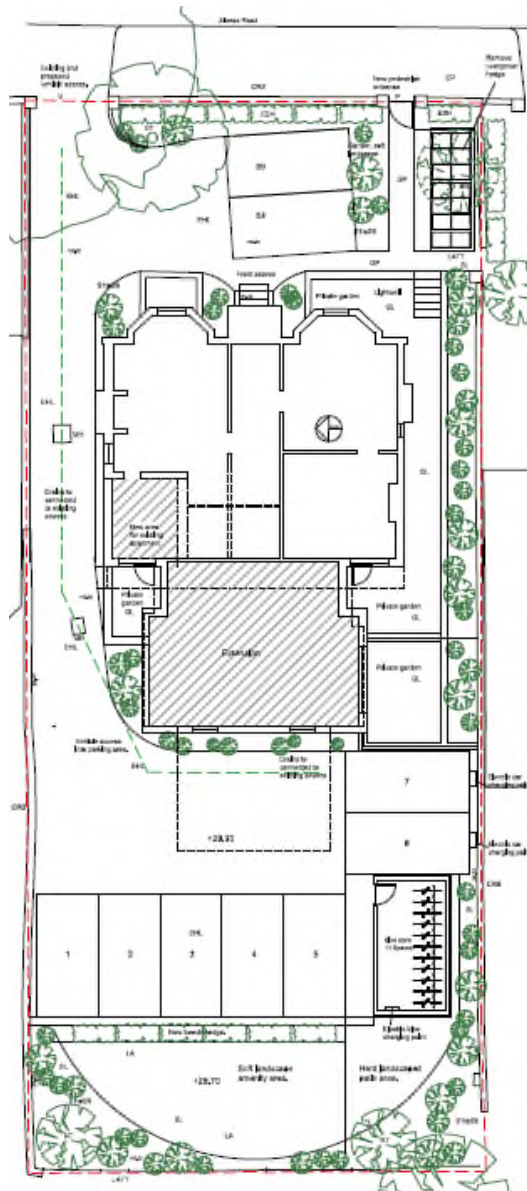
The provision of 9 parking spaces for a development of 11 flats has been assessed by Highway Services. The streets in the immediate area are not heavily parked due to the majority of properties having sufficient off street parking. Despite the 9 spaces constituting a 82% provision, the layout of the site is considered to be an

improvement by Highway Services over the original layout and given that 100% cycle parking provision is being provided along with 2 electric vehicle charging points and one electric bicycle charging point being provided, it is considered that the overall provision of car parking is acceptable for this development. Highway Services have also raised no issues with the access arrangements.

The existing and proposed site layout plans can be seen for comparison below, including the site layout plan for the previously proposed scheme:



*Existing Site Layout*



*Proposed Site Layout*

As the proposals only include the provision of 3 additional flats, the comings and goings should be limited and will not have any effect on the capacities of the surrounding roads. Overall, it is considered that the development will have a minimal impact on the local highway network transport and there will be adequate car and cycle provision to serve the needs of the development. The proposal therefore accords with policies SP1, T1 and DM1 of the Core Strategy.



### Proposed Accommodation

As outlined within the Design and Access Statement, the proposed development is, in addition to the extension, to significantly enhance the existing accommodation that is in need of updating. This includes a number of features like the interiors, uninsulated roof, wall and floors, windows and the brickwork needs to be cleaned, repaired and re-pointed. The scheme will also provide better boundary treatment, improvements to access landscaping, better defined car parking, soft landscaping, secure bike storage and better located semi enclosed bin store areas.

The rear elevation windows will be reconfigured to enhance the quality of light received within the existing accommodation and together with the main apartment living spaces, will be oriented to the westerly sunlight and views over the garden. This is in response to the Residential Quality Guidance recommendations that designs should address the need for increased levels of natural light to reduce the need for artificial light.

The proposal is to convert the existing 8 one bedroom flats within the existing building into 8 no. larger one bedroom apartments and 1 no. 2 bedroom flat within the roof space. The extension would then provide 2 no. additional duplex 2 bedroom flats to make a total of 11 self-contained apartments over 5 floors. The existing flats will be retained as existing, refurbished and where possible more efficiently laid out around a better located circulation core accessed through the existing main entrances. The existing northern apartments will be improved using the additional floor space brought into use by infilling the north-western corner of the building. The 2 new 2-bedroomed apartments will have a duplex configuration offering the greatest open space, views and light to the living area. The 3 no. new apartments being provided are measured at 75 sqm, 76 sqm and 76 sqm all of which meet the internal space standards outlined within the Residential Quality Guidance. The basement apartments would retain their lightwells and full height private garden amenity spaces would be provided.

Therefore, the layout of the existing building and extension has been designed to provide an appropriate level of privacy for existing neighbouring residents as well as those that will occupy the building. All new apartments are appropriately sized in line with the space standards referenced in the Manchester Residential Quality Guidance. Therefore, the proposed accommodation is considered to be acceptable in this case.

### Residential Amenity

Objections from local residents that live around the application site have been received. In relation to an impact on amenity, concerns relate to the scale of the proposed extension and the intensification of the use, the overshadowing and loss of privacy caused by the extension, the provision of the car parking to the rear and the current condition of the site.

It was acknowledged that the scheme as originally submitted was an overdevelopment of this site, and that the substantial extension would have resulted in an unacceptable detrimental impact on the amenity currently enjoyed by the



surrounding properties. However, detailed negotiations have taken place with the applicant, and the height, scale and massing of the proposed extension have been significantly reduced to ensure that the extension proposed would not have an adverse impact upon the surrounding properties. As outlined above, the amended proposals include a 4.4 metre reduction in the projection from the rear of the building and a 1.9 metre reduction in height than the previous proposal. The significant rear dormer extension to the roof has also been reduced in size to address the concerns raised in relation to an overshadowing impact on the adjacent properties.

The extension now proposed is considered to be subservient and of an appropriate scale in comparison to the existing application site and to the properties either side of the site. The roof garden has been omitted from the scheme and the only windows to the sides of the extension proposed would be high level windows, which means that there would be no overlooking created.

The extension proposed would be 3 m from the side boundaries with the adjacent properties on Alness Road, 11.8 m from the rear boundary of the site with 45 Manley Road and a much greater distance from other properties that have objected to the application. Whilst the extension would be due south of the property at 50 Alness Road, the separation distance provided would negate any unduly unacceptable impact with regards to loss of light / overbearing impact. Therefore, it is not considered that there will be a detrimental impact caused to the residential amenity of these properties from either overshadowing or overlooking.

Concerns have also been raised in relation to light pollution from the additional flats. It is not expected that the light emitted from the site will increase significantly through the erection of the extension, however a condition has been included that states that if any lighting at the development causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, then this must be addressed by the applicant.

The introduction of 3 no. additional flats (provision of 6 further bedrooms across all units) would not be considered to constitute overdevelopment of this site that would adversely impact upon residential amenity. As the proposals only include the increase of 3 flats, the additional comings and goings should be limited and should not have a significant effect on the residential amenity currently enjoyed by the surrounding occupants.

The use of the rear area of the site for car parking is an existing arrangement and it was noted at the site visit that only one car was parked at the property. The proposals include the creation of only one additional space to the rear, and the existing boundary treatment and soft landscaping around the site is to be improved to help to screen the formalised parking area. Therefore, it is not considered that the proposals would cause a loss of amenity to surrounding properties. The screening would help to block out light and sound created within this area.

Concerns have also been raised about the potential impact of the development on the vulnerable occupants of the nursing home at 50 Alness Road. As raised above, the proposals only include the increase of 3 apartments and the additional comings and goings from the site will be limited. The proposed extension has been

redesigned to reduce the previously considered significant unacceptable impact on the property at 50 Alness Road and therefore, it is not considered that the development will have an unacceptable impact on these vulnerable occupants.

Therefore, it is considered that this site will benefit from the well designed good quality extension and elevational and site improvement works, and that the development will not create a significant adverse and harmful impact on the residential amenity or outlook experienced from existing residential properties. Therefore, it is considered that the proposals are in accordance with Policy DM1 of the Core Strategy.

### Construction Management

Objections have been received from local residents about the potential disturbance to their amenity created by the construction works necessary to build the extension and to upgrade the existing building. It is acknowledged that there would be some impact from the resulting construction works, however this would only be in the short term and the relevant restrictions on construction sites in the City will also apply here in relation to permitted hours of work and considerate neighbour rules. Due to the location of the development adjacent to existing residential properties, a condition has been included to require the submission of a construction management strategy which addresses issues such as how the construction process will be managed at the site, particularly in respect of the operating hours, dust suppression, wheel washing, routing strategies, security and waste.

### Other Resident Objections

In addition to the objections received in relation to an impact on residential amenity and highway related matters that are addressed in the sections above, comments have also been received in relation to ecological concerns, and the ongoing maintenance of the property. The Greater Manchester Ecology Unit has been consulted on this application and no concerns have been raised by them in relation to potential harm on the ecological value of the site. An informative has been included in relation to if any bats are found in the attic, and to remind the applicant about the legal requirements within the Wildlife and Countryside Act. A good amount of soft landscaping is being provided at the site along with the retention of some of the existing planting around the site. Therefore, it is not considered that the proposed development would have a detrimental impact on the local habitats or wildlife at the site or within the wider area.

In relation to problems experienced locally with other properties owned by the applicant in terms of ongoing maintenance, even though this is not an issue that can be given any significant weight in the consideration of this application, the concerns are acknowledged and the applicant will be notified of the concerns raised. Through the submission of the application, it appears that the applicant does acknowledge that upgrade works are necessary to the existing property and that efforts are being made through the development proposals to improve the overall appearance of the site for the existing occupants and to the benefit of the wider area.

### Waste

A concealed bin store would be provided to the front of the building close to the shared boundary with No. 54 Alness Road. Plans have been submitted showing the final design of the bin store to be constructed, however it is considered that further negotiations are required to ensure the best quality appearance for this structure. Therefore, this is requested through an appropriately worded condition.

The applicant has identified the number of bins that are required having regards to Manchester City Council segregated waste standards and indicated how these will be accommodated in the bin store. It is stated that each kitchen will have separated recycling bin cubes under the kitchen sink in a deep bin drawer. The bins will be moved to the collection point and returned to the bin store, on bin day by the occupants. The submitted waste management strategy has been assessed by Environmental Health and it has been confirmed that the arrangements are acceptable for this development.

### 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. It is recommended that a condition of the planning approval is that details should be submitted in relation to the contamination of the ground. Once the remediation strategy has been approved this shall be implemented and a verification report submitted on completion of the development to verify that all the agreed remediation has been carried out. This approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

### 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. It is recommended that a condition of the approval should clearly define the approved residential units under the C3(a) use and to remove the permitted development rights that would normally allow the change of use of a property to a House of Multiple Occupation (HMO) falling within use classes C3(b) and C3(c) without the requirement for formal planning permission. This is to protect this development and 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.

### Conclusion

Careful consideration has been given to the scheme with regards to the siting, scale and appearance of the development proposed. On balance, it is believed that the scheme would provide a good quality development which would improve the appearance of the building and the site. It is not considered that the scheme would have a detrimental impact upon surrounding residential accommodation, subject to appropriate conditions being put in place.

**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 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 planning application. Officers have communicated their concerns about the original proposals submitted to the applicant during the course of the planning application and these concerns have been addressed through negotiations and the submission of amended drawings. Appropriate conditions have also been attached to ensure that the development is acceptable. Therefore, the proposal is now considered to be acceptable, in compliance with local and national planning policies and has been determined in a timely manner.

### **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:

Site Location Plan 127 PL OSL1  
stamped as received by the Local Planning Authority on the 5<sup>th</sup> October 2018  
Pre-Development Tree Condition Survey

stamped as received by the Local Planning Authority on the 25th October 2018

Drawings:

127 PL EL1 B

127 PL EL2 B

127 PL GA2 B

127 PL GA3 B

127 PL GA4 B

127 PL GA5 B

127 PL GA6 B

127 PL GA7 B

Amended Design and Access Statement

stamped as received by the Local Planning Authority on the 27<sup>th</sup> February 2019

Waste Management Strategy

Drawing 127-PL-GA1revD

stamped as received by the Local Planning Authority on the 28th March 2019

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) In accordance with the principles outlined with the Design and Access Statement, prior to the erection of the above ground structure, final samples and specifications of all materials 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. 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) a) The development hereby approved shall be completed in accordance with the hard and soft landscaping scheme shown on the Proposed Site Layout drawing numbered 127-PL-GA1revD stamped as received by the Local Planning Authority on the 28<sup>th</sup> March 2019.

b) The approved scheme shall be implemented within a timescale previously agreed in writing by the local planning authority.

c) 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 EN9, EN15 and DM1 of the Core Strategy.

5) 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.

6) a) Prior to the commencement of the development, a scheme for the drainage of surface water from the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority. The development shall then be constructed in accordance with the approved details, within a previously agreed timescale.

b) Prior to the first occupation of the extension hereby approved, a verification report shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved details.

Reason - The application site is located within a critical drainage area and in line with the requirements in relation to sustainable urban drainage systems, further consideration should be given to the control of surface water at the site in order to minimise localised flood risk pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

7) In this condition "retained tree" means an existing tree, shrub or hedge within or bordering the application site which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 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) Prior to the commencement of the development hereby approved, 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;

- Display of an emergency contact number;
- Details of Wheel Washing;
- Compound locations where relevant;
- Location, removal and recycling of waste;

- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff; and
- Sheeting over of construction vehicles.

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, EN19 and DM1 of the Manchester Core Strategy (July 2012).

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

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to Policies T2, SP1 and DM1 of the Core Strategy.

11) The provision of space and facilities for 11 no. bicycle parking spaces within the development shall be completed in accordance with the drawings numbered 127-PL-GA1revD dated 28/03/19 received by the Local Planning Authority on the 28<sup>th</sup> March 2019. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies SP1, T1, T2, EN6 and DM1 of the Core Strategy and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

12) The provision of space and facilities for 2 no. electric vehicle charging points and 1 no. electric cycle charging point within the development shall be completed in accordance with the drawings numbered 127-PL-GA1revD dated 28/03/19 received by the Local Planning Authority on the 28<sup>th</sup> March 2019. The approved spaces shall be provided at the site prior to the first occupation of the extension hereby approved and these facilities shall then be retained and useable for as long as the development is occupied.

Reason - To ensure that adequate provision is made for electric vehicle and cycle charging so that persons occupying or visiting the development have a range of options in relation to mode of transport and to reduce air pollution within the City in order to comply with Policies SP1, T1, T2, EN6 and DM1 of the Core Strategy and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

13) The development hereby approved shall be completed and occupied in accordance with Waste Management Strategy stamped as received by the Local



Planning Authority on the 28<sup>th</sup> March and the layout plan numbered 127-PL-GA1revD dated 28/03/19 received by the Local Planning Authority on the 28<sup>th</sup> March 2019. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policies SP1 and DM1 of the Core Strategy and guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

14) Prior to the construction of the above ground structure, elevational drawings and specifications for the proposed refuse store and the cycle shelter shown on the proposed site plan numbered 127-PL-GA1revD dated 28/03/19 received by the Local Planning Authority on the 28<sup>th</sup> March 2019 shall be submitted to an approved in writing by the Local Planning Authority. The development shall then be constructed in accordance with approved drawings prior to the first occupation of the extension hereby approved.

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 Core Strategy.

15) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1

and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

### **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: 121465/FO/2018 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.

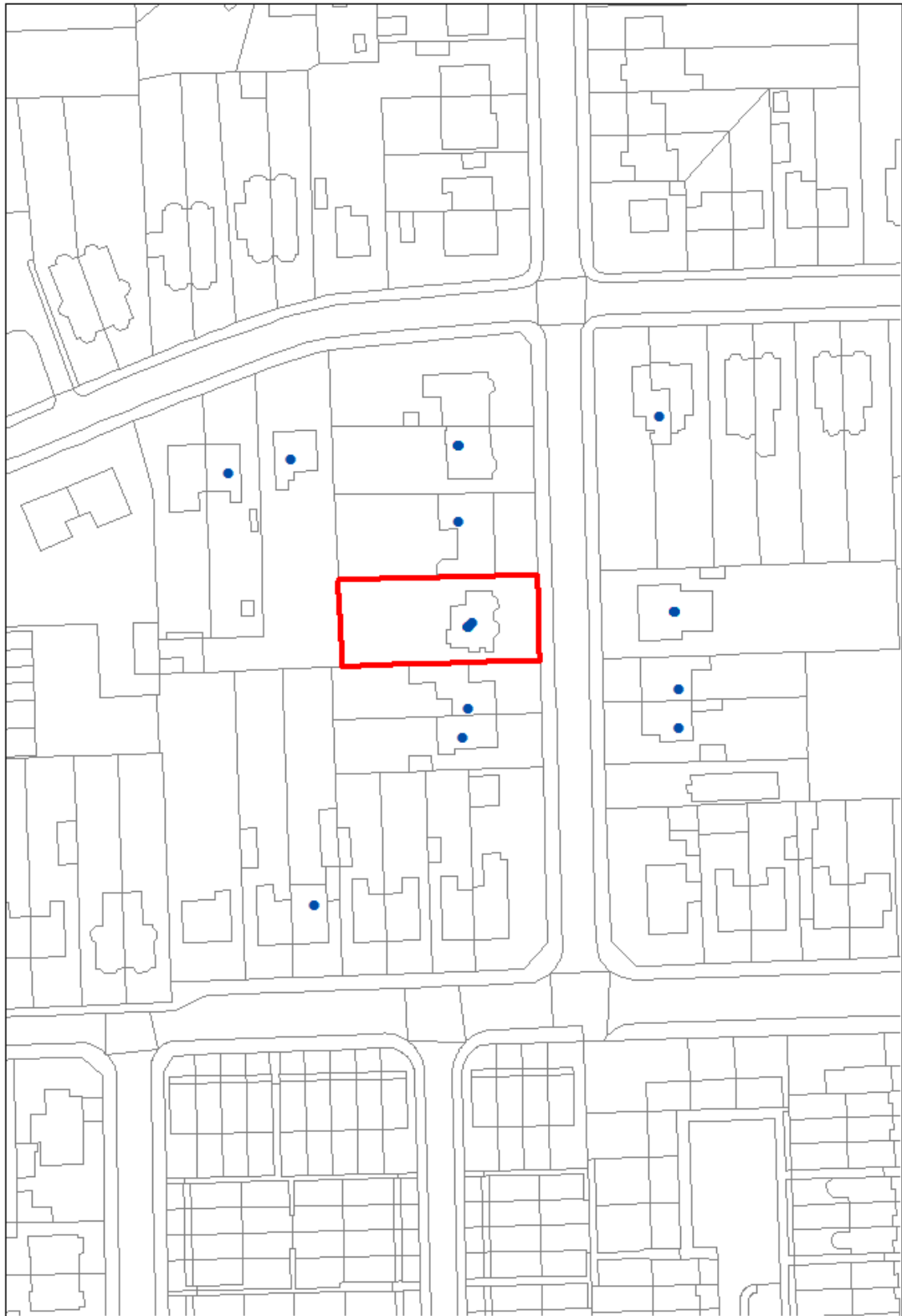
### **The following residents, businesses and other third parties in the area were consulted/notified on the application:**

Highway Services  
Environmental Health  
Neighbourhood Team Leader (Arboriculture)  
MCC Flood Risk Management  
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:**

**Relevant Contact Officer :** Jeni Regan  
**Telephone number :** 0161 234 4164  
**Email :** j.regan@manchester.gov.uk



 Application site boundary  Neighbour notification  
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<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
119100/FO/2018	5th Mar 2018	11th Apr 2019	Rusholme Ward

**Proposal** Erection of a part two, part three, part four and part five storey building to provide 8 ground floor A1 retail / A2 financial and professional services at ground floor and 35no. apartments above with associated access, parking and landscaping arrangements

**Location** Former Hardys Well Public House, 257 Wilmslow Road, Manchester, M14 5LN

**Applicant** Eamar Developments (UK) Ltd, C/o Agent

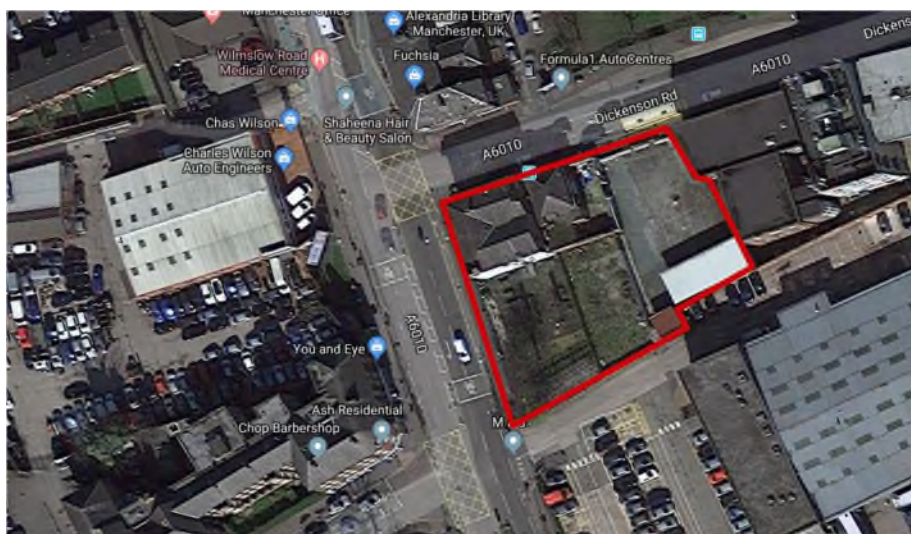
**Agent** Mr Tom Collins, nineteen47, Pure Offices, Lake View Drive, Sherwood Park, Nottingham, NG15 0DT

## Description

The site lies on the east side of Wilmslow Road, to the south of the junction with Dickenson Road at the south end of Rusholme District Centre.

The site measuring 0.19 hectares comprises a vacant two storey public house known as Hardy's Well, the pub closed in July 2016. To the south of the public house fronting Wilmslow Road lies the former beer garden. To the rear of the building is a single storey extension and hard surfaced car parking area accessed from Dickenson Road.

The site is bounded by commercial premises to the north that front Wilmslow Road and residential to the north east, residential to the east on Dickenson Road, the former Bus Depot to the south and commercial premises to the west, such as Charles Wilson Garage. There are 7 trees within the site, 6 of which are protected trees to the south of the site in the former beer garden fronting Wilmslow Road.



Hardy's Well was well known as a pre-match drinking venue prior to Manchester City games at Maine Road and has Lemn Sissay's first piece of public poetry painted on the southern elevation. Whilst the building is not listed and is not located within a Conservation Area, it is considered to be a building of local interest and has clear historical value that contributes to the character of Rusholme District Centre in this location. The property was listed as an Asset of Community Value in 2015, it was removed from the register after it was sold in June 2017. The poem to the side elevation contributes to the cultural heritage of Rusholme District Centre.



The application that is submitted, as amended, retains the former Hardy's Well public house. A part three, part four storey extension would run to the south facing Wilmslow Road, the extension would be substantially setback to allow the Lemn Sissay's poem to remain and show deference to the historic building of local interest. The extension would be constructed utilising red brickwork, with contrasting brick soldier lintels and cills in blue glazed brick (taking a cue from the blue mosaic on the existing building), the windows would be aluminium with some structural glass to enclose balconies. The fourth floor would be setback further and be constructed using glass curtain walling with an aluminium finish to the eaves detail. At ground floor there would be four A1/A2 units proposed with shop fronts with internal roller shutters and designated signage areas behind the glazing. The units would sit behind a landscaped courtyard in the location of the existing beer garden to be enclosed by railings similar to those currently in situ.

The former Hardy's Well building itself would be retained and refurbished (existing timber windows and the parapet with Hardy's sign would be refurbished), accommodating an A1 / A2 at ground floor with residential accommodation above.

To the Dickenson Road frontage there would be a further extension that would be part three storey and part four storey immediately adjoining the retained pub building replicating the scale and arrangement of the extensions to the Wilmslow Road frontage. The height of the extension would then increase to five storey in height as the building extends to the east, bringing the building to the same height as the building to the rear known as the Telephone Exchange. The use of materials for this extension would be consistent with the materials to the extension to the Wilmslow Road frontage.

Car parking would be provided in a ground and basement car park below the proposed building including manoeuvring space for smaller service vehicles and a secure room for cycle parking. Servicing for larger HGV's would be carried out from

Dickenson Road. Bin stores for both the commercial and residential units would be provided by the access to the car park from Dickenson Road. A landscaped garden area would be provided for the benefit of the occupiers of the residential units at first floor level.

## History

In 2015 the car park to the rear was utilised for a hand car wash operation during the day following an appeal against the refusal of application reference 106476/FU/2014/S1 for the change of use of part of pub car park to hand car-wash and erection of a canopy.

This application was originally submitted in March 2018 for the erection of a six storey building to provide 903 sq. m A1 retail floor space at ground floor and 62 no. apartments above with associated access, parking and landscaping arrangements. The application as originally submitted was not supported and has seen an exchange of a number of sets of revised plans in order to address concerns expressed. Revised plans were reconsulted upon in January 2019.

## Consultations

Publicity – The development was advertised in the Manchester Evening News as a major development. A site notice was placed next to the site boundary. A map showing the extent of residents and businesses notified of the application is set out at the end of this report.

**Local Members** - We have held further consultations with our residents on the revised planning submission for this very prominent site.

The major changes that have been secured - enabling the original Birch Villa structure to be retained and reducing the number of flats very significantly to 35 - are widely and warmly welcomed, as is the retention of a paved patio area with trees to the side of the Villa on the Wilmslow frontage of the site.

However the development of the site as proposed continues to raise very serious concerns. Of these we want to focus on four key issues.

1. The critical mismatch between the ambitions of the proposed development - to provide 35 flats each with on-site parking in the double basement parking and the actual location of the Hardy's Well site.
  - a. This is a corner site positioned alongside two very busy traffic light junctions, at Dickenson Rd/ Wilmslow Rd and Wilmslow Rd/ Platt Lane, and has a bus-stop on Dickenson Rd immediately adjacent to the designated roller-shutter controlled entryway to the basement car parking. Wilmslow Rd is a major artery into the City Centre. The Dickenson Rd now carries a much heavier east-west traffic flow circumventing the bus gate on Oxford Rd.

- b. Cars seeking to exit and either join or cross queueing traffic, and cars queueing to enter or to turn across traffic to enter, will clearly exacerbate the congestion on both Dickenson and Wilmslow roads, especially in peak periods. As will servicing vehicles for the retail units and refuse management vehicles - it is not clear that there is space for them to enter into the site in its current layout.
  - c. Given the strong public transport provision along Wilmslow Rd, wouldn't development on this site be ideally suited for flats marketed for modern residents wanting to walk, cycle and use public transport, thus saving the costs involved in the deep excavation required for on-site parking, and enabling more affordable accommodation to be provided of the kind our Ward needs?
2. Retail over-development, with 8 units planned: how are these to be serviced? where are customers to park?
  3. The lack of any communal area for the flats residents, and potentially available for community use: wouldn't it be appropriate for at least part of the ground floor of the original Birch Villa / Hardy's Well to be designated for social use as a communal space?
  4. The lack of any Section 106 funding for local / public amenities. Such funding could, in particular, provide for a zebra-crossing further along Dickenson Rd where local parents and children cross to and from St James Primary School.

### **Resident comments**

18 objections have been received from 17 separate addresses in relation to the revised scheme that is the subject of this report. The comments are as follows:

- Changes are welcomed, however the scheme has some way to go.
- Given the strong public transport provision along the Wilmslow Rd, wouldn't development on this site be ideally suited for flats marketed for modern residents wanting to walk, cycle and use public transport, thus saving the costs involved in the deep excavation required for on-site parking (which would be disruptive during construction), and enabling more affordable accommodation to be provided. The proposal are not compliant with policy T2, which aims at promoting walking, cycling and use of public transport. Development of a car park was allowed at Rusholme Gardens and the Council need to be consistent.
- Parking in Rusholme is at 'crisis point,' any plans must not add to the horrendous problem. Traffic is at a standstill and the noise and exhaust fumes are a health risk. Visuals submitted with the application do not convey the traffic situation.
- Ingress / egress to/from the car park will create serious congestion around Dickenson Road / Wilmslow Road junction.
- How are the retail units to be serviced? Where are customers to park?
- Refuse strategy does not look to be addressed properly, a layby for refuse/service vehicles should be introduced.



- Why is there a need for further units when there are empty units in the centre.
- Lack of communal space within the development for residents / lack of recreational space for bicycles and prams to be accommodated with public seating.
- Lack of Section 106 for local / public amenities such as a crossing on Dickenson Road
- Do not agree with the Heritage Statement that the building is a heritage asset of limited significance. The pub should be kept separate from the rest of the development so that it stands out.
- Mosaic facades should be restored
- Density of development is too high
- Are the changes in levels between the existing building and additions feasible?
- The scheme will bring traffic chaos, during construction, associated with access and servicing complicated by the presence of a bus route and bus stop
- The development does not offer parking for electronic vehicles
- The construction would adversely impact upon the movement of mobility scooters
- Concrete covering over drained land would cause flooding, which will impact upon the movement of mobility scooters.
- There should be community use included in the scheme as the property is an Asset of Community Value.
- Is it safe to dig down into the ground to create a basement car park and cause structural damage to surrounding houses? Where are the emergency access points?

**Rusholme & Fallowfield Civic Society** - Although this amended application is a great improvement on the original one, there are still several areas of concern that we have. Specifically,

1. There is no new application form, that describes the lowering of flats from 62 to 35, or the increase in residents/traders' parking spaces. This information can be gleaned from the Rubbish document and the floor plans, but it should be clearer.
2. As a result it is not clear whether these new flats will be for sale or rent.
3. There is no new "affordable housing" statement.
4. There is no traffic management plan.

Positive comments:

- a. Welcome the reduction in number of apartments and the fact that they all have N, S or W facing windows.
- b. Like the fact that Hardy's Well pub is retained in its entirety.

- c. Like the community outdoor space, which is now South facing (rather than boxed in with much less light as the previous application).

However:

- a. Feel that vehicle access into and out of the building is still a major problem. Dickenson Rd is an extremely congested road. During construction access will be very difficult; following construction there will need to be very regular access for rubbish and maintenance vehicles and delivery vans/bicycles at all times of day; in addition to residents' own cars
- b. Are concerned at the inclusion of car parking in the scheme. Development is close to excellent public transport links and a segregated cycle lane. The Council aims to limit car driving as much as possible, to prevent CO2 emissions; therefore this would seem an admirable scheme to be built and marketed especially to "people without cars"
- c. If there were no car parking facilities provided on site the cost of the development would drop greatly, which would enable the flats to be much cheaper
- d. If there were no car parking facilities provided on site, the construction time would be much shorter and the impact on Dickenson Road users much less.
- e. Encouraging car owners to rent/buy these properties encourages yet more cars - visitors and families with more than one vehicle. These would need to park in the available streets around, which is already a serious problem.
- f. Unconvinced about the need for shops on the ground level. The RDC retail area is struggling, with shops everywhere attempting to be turned into restaurants or fast food place (with the exception of the barbers). And the commercial sense of this area finished quite clearly before Dickenson Rd, and thereafter becomes residential. It would be preferable to perhaps add community facilities instead of retail - a community centre room, a launderette, the rubbish bin storage, bicycle storage, delivery and maintenance vehicle access. An additional flat could be located in the ground floor of the old pub.

Consider that the amended planning application is still contrary to a number of Manchester City Council's adopted planning policies.

Core Strategy - Policy SP1 Spatial Principles. This policy requires 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 wellbeing of residents.

The siting of the access to and from the proposed development will still introduce significant risks to the safety of pedestrians, cyclists and motorists using the busy A6010 Dickenson Road.

Core Strategy - Policy H1 Overall Housing Provision. This policy states that

Within the Inner Areas in North, East and Central Manchester densities will be lower but generally around 40 units per hectare. This proposal is in the Inner Area in Central Manchester, and proposes a density of 35 units in 0.19 hectares. This is a density of 175 units per hectare. This represents a significant over-development of the site.

Core Strategy - Policy H1 Overall Housing Provision (contd). This policy also requires that the design and density of a scheme should contribute to the character of the local area and be designed to give privacy to both its residents and neighbours.

The footprint and density of this proposal does not contribute to the design principles that are characteristic of the nearby multi-storey buildings - Platt and Worsley Courts. The amenity space provided is very overlooked. The development has not been designed to give privacy to both its residents and neighbours. Also, the proposal does not address the future deficiencies in physical infrastructure likely to arise from the requirement for up to 35 vehicles, plus service and delivery vehicles.

Core Strategy - Policy C2 District Centres. This policy states that Development will support thriving district centres. This development proposal will result in significant additional capacity in the RDC. There is little need for additional retail units, and this development might result in older units remaining vacant and thereby affect the vitality and viability of the existing units in the district centre.

Core Strategy - Policy C5 Central Manchester District Centres - There is further capacity for approximately 3,000 square metres of convenience and 1,500 square metres comparison retail development in the area up to 2027. Additional floorspace will be delivered in Hulme and Longsight, whilst more moderate provision is expected in Rusholme. Additional retail development will be supported in Rusholme, but this should complement the distinct commercial character of the District Centre. Capacity for additional retail in Rusholme can be adequately provided in other centres, including Hulme and Fallowfield. The improvement to the quality of the environment in Rusholme and Longsight is a priority to help retain and attract shoppers and visitors.

This proposal includes 903 square metres of A1 - Shops Net Tradable Area. The same developer has another site in development at the northern end of the RDC that will introduce 1030 square metres of A1, A2 and A3. Taken together, this is not "moderate provision" in the RDC.

Core Strategy - Policy C10 Leisure and the Evening Economy This policy states: New development and redevelopment that supports the evening economy, contributes to the vitality of district centres and supports a balanced and socially inclusive evening/night-time economy will be permitted.

The RDC is expressly excluded from MCC's Hot Food Takeaway Supplementary Planning Documents March 2017, so it is possible that the use of some or all of the units could be changed to A3 or A5 and become part the night-time economy, with all the problems that are already generated by such premises in the RDC, including transient noise, inconsiderate parking, litter and fly-tipping.

Core Strategy - Policy T1 Sustainable Transport. This development proposal seems to prioritise car-owning residents.

Core Strategy - Policy T2 Accessible Areas of Opportunity and Need. The proposal does not meet the minimum standards in Appendix B, nor does the application include a proportionate Traffic Impact Assessment, given that there are likely to be access issues during the construction phase and when the building is occupied.

Core Strategy - Policy EN2 Tall Buildings Proposals. It will be necessary for the applicant/developer to demonstrate that proposals for tall buildings are viable and deliverable. This is a relatively tall building incorporating two storeys underground. The applicant must demonstrate that the proposal is viable and deliverable - and that it is possible for the building construction activities to be managed on such a relatively small plot situated on such a busy corner. The developer has another site in development at the northern end of the RDC. This development is taking a very long time to complete and has necessitated the closing of the adjacent public road, Banff Road, for many months.

Core Strategy - Policies EN4 - EN9 Carbon Emissions/Climate Change/Green Infrastructure etc. The applicant seems to be seeking to maximise the revenue-generating capacity of the site, and this might be at the cost of sustainability. The application is for a residential development of 10 or more units, Policy EN 6 requires an energy statement to be submitted as part of the Design and Access Statement. This statement doesn't seem to have been supplied. Also, in Policy EN 9, MCC encourages green roofs, green walls, tree planting and other forms of green infrastructure to allow for the adaption to climate change in heavily urbanised areas. The development proposal in its current form has too little regard for this set of policies.

Core Strategy - Policy EN19 Waste. This Policy states that MCC will Require all developers to submit a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled on site wherever possible and how the sustainable waste management needs of the end user will be met... Encourage communities to take responsibility for the waste they create through the provision of accessible facilities. The applicant's waste management plan does not show how both construction and demolition waste will be minimised; or location plans showing the proposed collection point and the route the collection vehicle will take.

With respect to the Council's Saved UDP:

Citywide Development Control Policies - DC6. Housing On "Backland" Sites  
 DC6.1 The Council will not normally grant consent for residential development on "backland" sites, that is, sites with limited access to a road because they are surrounded by housing or other uses. DC6.2 b. access and parking arrangements do not significantly increase noise and disturbance for occupiers of existing adjoining dwellings. During the construction period, access and parking arrangements for works vehicles are likely to significantly increase noise and disturbance for occupiers of adjoining dwellings. The proposed and existing dwellings retain adequate levels of private amenity space;

All the tests set out in the policy would be applied before planning permission could be considered.

Consider that the amended planning application is still contrary to a number of Manchester City Council's adopted planning policies. On this basis, we request that the planning department determines/recommends refusal of the application in its current form. That said, we are very open to proposals to bring this key Rusholme District Centre (RDC) plot into use, and would welcome a few remaining changes from the developer for more a sympathetic development that is in line with MCC's planning policies.

When the above points are taken into consideration, this planning proposal appears to be demonstrably contrary to a number of the Council's stated planning policies. The Council must, therefore, refuse planning permission.

#### **Moon Grove Residents Association –**

- Vehicular access to the premises would appear only to consider provision for the tenants to access the basement parking. This access is on Dickenson Road and very close to the traffic lights that manage access into Wilmslow Road. The Dickenson Road and Wilmslow Road junction is normally busy and the planning application would appear to wholly disregard this matter. The slightest traffic problem adjacent to the traffic lights at this junction rapidly causes congestion and tailbacks particularly on Dickenson Road.
- Where will delivery vehicles park, when delivering goods and services to the commercial premises in this development? Internet shopping is very much normal household behaviour - the tenants of the 35 apartments will expect their parcels to be delivered to their homes, Where will white van drivers considerately park their vehicles? Both commercial and residential tenants will need their waste to be collected, several different times a week. How will large bin lorries access the yard to collect large commercial bins?
- How will residential tenants access the basement if they drive from Wilmslow Road into Dickenson Road, as they queue to turn right across the westerly heading traffic then other vehicles behind them will block Wilmslow Road as a tailback develops.
- At present the tailbacks along Dickenson Road can reach Wallace Avenue, this often means that residents of Stanley Avenue, Moon Grove and Wallace Avenue have in difficulty in leaving their street by car, (all three are cul-de-sac).
- One further consequence of this situation is that cars are already using Hall Road and Birch Grove as 'Rat-runs', this will bound to become a serious problem if no further consideration is given to this potential problem. The only practical remedy is to remove one of the retail units adjoining the proposed vehicle access point on Dickenson Road and the apartment above, together with providing a yard at this point the enlarged access will make a substantially improved and safer development.

**Platt Claremont Residents Association** – Any comments received will be reported to Committee.

**Manchester Civic Society** - Manchester Civic Society objects to this proposal, although they welcome the improvements made so far to the original scheme.

Hardy's Well was listed as an Asset of Community Value in 2015 as a result of an application by the Rusholme and Fallowfield Civic Society. The existing facade is a Non-Designated Heritage Asset. They do not agree with the Heritage statement that Hardy's Well is 'a heritage asset of limited significance'.

The parapet to the northern, western and eastern elevations has mosaic tiled signage which formerly read 'Birch Villa' but has more recently been painted over once the building became known as Hardy's Well in the later 20th century. This attractive signage originally comprised gold and blue tiling.

The southern elevation contains a poem by Lemn Sissay, commissioned for the site by Andy Pye, the then landlord of the pub, in the mid 1990s. Mr Sissay, MBE, is now the current Chancellor of Manchester University.

Retention and restoration of fabric - The interior still contains attractive original windows, some stained glass, some leaded lights, together with some mahogany fittings.

Manchester Civic Society disagrees with the proposal in the Heritage statement that the 'removal of fixtures and fittings..... will result in the loss of historic fabric considered to be of some limited aesthetic and historic value but the level of harm is minimal'. Believe that the windows and mahogany fittings should be retained, even if they are moved within the building. The mosaic facades should be restored and paint removed to reveal their original glory.

Density - The density proposed here, of 175 units per hectare is far too high for the locality. Policy H1 (Overall Housing Provision) envisages around 40 units per hectare for a site such as this. The proposal represents a significant over-development of the site.

Communal Value - Although the developer states that '*the building is considered to be of limited communal value due to its longevity of use as a public house, serving the population of Rusholme village and gradually expanding, reflecting the suburbanisation and population expansion of the area*' we disagree. Even now, it is a handsome element of the street scene of both Wilmslow Road and Dickenson Road and much loved by the multitudes who, over many decades, have travelled past it from the south into the city centre along the popular bus route to the city.

Inadequate documentation of amendments - It is difficult for a layman to assess from the limited information provided how the levels between the original buildings and the proposed additions can be resolved. Are they feasible?

Unnecessary retail and food outlets - This development is at the southern end of the 'Curry Mile' replete with shops, some vacant. There is no need for a mixed development of shops and residential here.

Manchester Civic society sees these amendments as an improvement on what had previously been floated. Whilst we welcome the improvements made so far, they still have some way to go.

**Highway Services** – The site is located adjacent to the junction of the adopted highways Wilmslow Road with Dickenson Road where the adopted highway extends to the building line of the property. This signalised box junction offers controlled pedestrian crossing facilities across two arms of the junction with further pedestrian refuge island on the southerly arm.

Traffic Regulation Orders are present across both elevations of the building, with No Loading at Any Time and further No Waiting throughout the duration of the morning and evening peak periods. A cycle lane is operational on Wilmslow Road, with adequate footway provision to accommodate the high volume of footfall in this location.

#### TRIP GENERATION AND JUNCTION CAPACITY:

The proposed development is likely to generate an increase in vehicle trips. Whilst the development has been scaled down from the original 62 apartments, no amendments to the original Transport Statement have been provided. However, Highways acknowledge that the level of trips generated will be less than the previously submitted 16 two-way trips during AMP/PM peak. Given the District Centre location of the development, it is accepted that any increase in vehicular trips will be absorbed on the network with no significant Highways implications. It is also noted that a number of trips to the ground floor units are likely to form pass-by and linked trips. Therefore, the volume of additional trips is not anticipated to pose any significant concerns.

#### SITE ACCESSIBILITY:

The site is located within Rusholme District Centre and as such, is well accessed on the local bus network. Regular services are routed along Wilmslow Road providing connections across surrounding area. It is noted Rusholme offers no rail/ Metrolink services within a walkable distance. A Road Safety Assessment has been undertaken, assessing accident history across the past 3 year period, demonstrating no significant highway safety concerns given the minimal accident record. On this occasion, it is therefore accepted that 3 years is sufficient, as opposed the typical 5 year requirement. The mixed use, retail/ residential development is considered appropriate for the location of the site on Wilmslow Road.

#### PARKING AND ACCESS:

In excess of 100% provision is offered for the residential element of the proposal, with access maintained from Dickenson Road. This is offered within a secure basement car park. The swept path submitted confirms that the layout of the car park can sufficiently accommodate safe access and egress from all spaces. It is recommended that a Car

Parking Management Strategy be conditioned to any approval of the application. This should demonstrate allocation of spaces for resident use with appropriate signage measures.

#### CYCLE PARKING:

100% cycle parking provision is offered. This provision is accepted by Highways, in line with MCC Residential Guidelines and LTP3 standards. Further cycle parking is encouraged for the provision of staff cycles associated with the ground floor commercial units. It is accepted that further short-stay visitor demands can be accommodated on-street across the surrounding area.

#### REFUSE AND SERVICING:

Servicing for larger vehicles is proposed from the kerbside along Dickenson road with smaller vehicles servicing internally within the site's curtilage. Whilst on-street servicing is not typically preferred by Highways, it is considered acceptable on this occasion given that Dickenson Road comprises two-lanes and this servicing requirement is anticipated to be minimal with the majority of vehicles accessing the site internally.

Refuse collection is noted weekly by private waste contractor, with dedicated refuse storage areas provided within the site perimeter, noted and accepted by Highways.

It is recommended that a Servicing Management Plan be conditioned to any approval of the application, in order to manage all deliveries associated with the various units and allow for effective scheduling of servicing vehicles accessing the site.

#### CONSTRUCTION MANAGEMENT:

A Construction Management Plan should be provided by the applicant prior to any construction works beginning. The Construction Management Plan should detail the phasing and quantification / classification of vehicular activity associated with planned construction. This should include commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway. The document should also consider ongoing construction works and contractor parking in the locality.

**Neighbourhood Team Leader (Arboriculture)** - The proposal is to remove T1, T2, T3, T4, T5 and T6 which are all protected by a Tree Preservation Order.

The trees are in a prominent position on Wilmslow Road and should be a consideration in this development and therefore, would object to the proposals for this site from an arboricultural perspective.

**Environmental Health** – Recommend conditions with regards to delivery hours, opening hours of the commercial premises, acoustic insulation, construction management, Refuse, Air Quality, Contaminated Land and External Equipment Insulation.



**Greater Manchester Police** - Recommend that a condition is put in place to ensure that development takes place in accordance with recommendations of the Crime Impact Statement.

**Greater Manchester Ecology Unit** – Have no objections to the application on ecological grounds.

**Flood Risk Management** - Any comments received will be reported to Committee.

**Manchester Conservation Areas and Historic Building Panel** - The Panel noted that the Hardy's Well building is of good quality Italianate style and the drawings do not convey its quality. They welcomed its retention.

The Panel would like to see a thorough restoration of the elevations including all of the original windows and return them back to traditional style sliding sashes. The Panel noted a metal window and leaded windows at the side and said that these should be retained and repaired.

The Panel would also like to see the restoration of all original features such as the mosaic / tiles and any other detailing including railings.

The Panel queried the floor level and how they worked with both buildings and noted that the floors seemed to cut through the windows of the existing building which would have a detrimental effect on the elevations.

The Panel noted a level of discrepancy between the drawings which was of concern and suggested a lack of rigour.

The Panel would like to see a much better junction between the existing and new buildings. They suggested that the existing single storey building should be retained as it is a good part of the building and would provide a good link between the two.

The Panel noted that the design looked as if a large section had been taken out of the 5 storey building in an abrupt way.

The Panel noted that there may have been a preference to bring the development forward to reinstate the buildings at the back of pavement and that artwork on the gable end should not dictate good urban design. They stated that this would also have the benefit of removing the area of landscaping to the forecourt that currently looked poorly designed. The Panel stated that if this area is to remain to the front then it should either have residential behind at ground level with this area as amenity space for the residents with a good boundary treatment, or it should be a high quality landscape scheme again with a good boundary to prevent parking.

The Panel questioned the viability of retail units to Wilmslow Road and noted that the floor to ceiling heights in these units would not provide enough flexibility for a variety of commercial uses.

The Panel noted that the massing wasn't ideal but could be a lot worse. They observed the roof overhang as being an awkward feature lacking in substance and suggested a true parapet detail that would give longevity.

The Panel noted that the vertical blue brickwork didn't connect well with the base and its use needs to be carefully handled.

The Panel noted that there was a lack of consistency in the drawings and there needed to be clarity over what was happening with the floors and levels.

The Panel would like to see advertising giving proper consideration.

## **Policies**

### **Relevant Local Policies**

#### **Local Development Framework**

The relevant development plan in Manchester is the Core Strategy Development Plan Document 2012-2027 (the "Core Strategy"), adopted in July 2012, and the saved policies from the Manchester Unitary Development Plan (UDP), adopted July 1995. The Core Strategy is the key document 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. The proposals are considered to be consistent with the following Core Strategy Policies SP1, H1, H5, H8, C2, C5, EN1, EN3, EN4, EN9, EN14, EN15, EN16, EN17, EN18, EN19, T1, T2 and DM1.

Policy SP1 - Spatial Principles. This sets out the key special principles which will guide the strategy. 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, make a positive contribution to the health, safety and wellbeing of residents, consider the needs of all members of the community regardless of disability and protect and enhance the built and natural environment." The development would reuse previously developed land to improve the built environment and local character.

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 on previously developed land in a sustainable location close to services and public transport routes. The proposals incorporate apartments. On this basis the proposals are considered to accord with the policy H1

of the Core Strategy subject to consideration of matters set out within the issues section of this report.

Policy H5 – Central Manchester Housing Policy. Central Manchester, over the lifetime of the Core Strategy, will accommodate 14% 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 or adjacent to the Regional Centre (Hulme and Higher Education Precinct) as well as within Hulme, Longsight and Rusholme district centres as part of mixed use schemes. The development proposals would accord with policy H5 of the Core Strategy.

Policy H8 – Affordable Housing. Policy states that affordable housing contributions will be considered of 0.3 hectares and 15 units or more. The development would not be above the site size threshold but would be above the unit number threshold.

A Viability Appraisal has been submitted to the Local Planning Authority regarding the provision of affordable housing. The appraisal demonstrates that the proposed scheme cannot support affordable housing. This issue is discussed in more detail below.

Policy C2 – District Centres. The proposal would contribute to the vitality and viability of Rusholme District Centre through the provision of employment and housing and efficient use of land positively contributing towards regeneration.

Policy C5 – Central Manchester District Centres. The policy states that additional retail development will be supported in Rusholme that complements the distinct commercial character of the District Centre. The improvement of the quality of the environment in Rusholme is a priority to help retain and attract shoppers and visitors. This application proposes a complementary commercial offer that would improve the environment.

Policy EN1 - Design Principles and Strategic Character Areas. The site currently has a building on site with a façade that has historic architectural features. The proposal involves the retention of this structure, the extensions to the building would be of a good quality design, and would enhance the character of the area and the overall image of Manchester. The positive aspects of the design are discussed in more detail below.

Policy EN3 – Heritage. The proposal would have an impact on a building of local interest. This is discussed in more detail later in the report.

Policy EN4 - Reducing CO2 Emissions by Enabling Low and Zero Carbon Development. The proposal would follow the principle of the Energy Hierarchy to reduce CO2 emissions.

Policy EN9 - Green Infrastructure. The development includes tree planting and landscaping to a roof terrace.

Policy EN14 - Flood Risk. A Drainage Strategy has been submitted and this is discussed in more detail below.

Policy EN15 - Biodiversity and Geological Conservation. The redevelopment is considered to have an acceptable impact upon ecology.

Policy EN16 - Air Quality. The proposal would be highly accessible by all forms of public transport.

Policy EN17 - Water Quality. The development would not have an adverse impact on water quality. Surface water run-off and grounds water contamination would be minimised.

Policy EN18 - Contaminated Land and Ground Stability. A site investigation, which identifies possible risks arising from ground contamination has been prepared.

Policy EN19 – Waste. The development would be consistent with the principles of waste hierarchy.

Policy T1 - Sustainable Transport. The development incorporates electronic vehicle charging points for 3 vehicles. There would be 100% cycle parking provision. It is noted that there is 100% car parking for the residential element of the development, however there is a notable on street parking pressure in this locality and it is considered that the scheme does encourage a modal shift away from car travel to more sustainable alternatives.

Policy T2 - Accessible Areas of Opportunity and Need. The proposed development would be easily accessible by a variety of sustainable transport modes and would help to connect residents to jobs, local facilities and open space.

Policy DM1 - Development Management. This sets out the requirements for developments in terms of sustainability and outlines a range of general issues that all development should have regard to. Of these, the following issues are or relevance to this proposal:

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Design for health;
- Adequacy of internal accommodation and amenity space;
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- That development should have regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- Accessibility to buildings, neighbourhoods and sustainable transport modes;
- Impact on safety, crime prevention and health; adequacy of internal accommodation , external amenity space, refuse storage and collection, vehicular access and car parking; and
- Impact on biodiversity, landscape, archaeological or built heritage, green Infrastructure and flood risk and drainage.

These issues are considered full, later in this report.

### **Saved UDP Policies**

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.

It is considered that the proposal is consistent with the policies contained within the UDP.

### **National Planning Policy Framework**

The NPPF sets out the Government's planning policies for England and how these are expected to be applied and is a material consideration in the determination of all planning applications.

There are three overarching objectives to sustainable development: economic, social and environmental:

- an economic objective, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation; and improved productivity ; and by identifying and coordinating the provision of infrastructure;
- a social objective, supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective, contributing to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, use natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy.

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 103 states that the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused in locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.

Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or

the residual cumulative impacts on the road network would be severe. Within this context paragraph 110 states that applications for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use.

Paragraph 117 indicates that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Including giving substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

Paragraph 127 confirms that planning decisions should 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; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 197 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The NPPF states that where proposed development accords with an up-to-date Local Plan it should be approved. The proposals would create additional residential accommodation in a sustainable location and as set out in this report are indicated as being in accordance with the up to date Core Strategy Development Plan Document and therefore accord with the main principles and expectations of the revised National Planning Policy Framework.

## **Other Material Considerations**

### **Guide to Development in Manchester Supplementary Planning Document (SPD) and Planning Guidance (April 2007)**

Part 1 of the SPD sets out the design principles and standards that the City Council expects new development to achieve, i.e. high quality developments that are safe, secure and accessible to all. The SPD states that proposals should seek to ensure that the use of the building reflects their purpose and the place in which they are located. Development should enliven and define neighbourhoods and promote a sense of place. Development should have regard for the location of sustainable public transport and its proximity. In relation to crime issues, the SPD requires that prevention measures should be demonstrated, and include the promotion of informal surveillance, CCTV, good lighting and stewardship.

### **Residential Quality Guide**

Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

### **The Manchester Green and Blue Infrastructure Strategy (G&BIS)**

The 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.

### **Central Manchester Strategic Regeneration Framework**

This Strategic Regeneration Framework sets a spatial framework for Central Manchester within which investment can be planned and guided in order to make the greatest possible contribution to the City's social, economic and other objectives and identifies the Southern Gateway area, within which the site sits, as one of the main opportunities that will underpin the Framework, which is extremely important for Central Manchester, the city as a whole and the surrounding area. It is considered that the application proposals will contribute significantly to achieving several of the key objectives that are set out in the Framework, including creating a renewed urban environment, making Central Manchester an attractive place for employer investment, and changing the image of Central Manchester.

### **Legislative requirements**

Section 149 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.

Section 17 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.

**Environmental Impact Assessment - The Town and Country Planning (Environmental Impact Assessment) Regulations 2017** specifies that certain types of development require an Environmental Impact Assessment (EIA) to be undertaken.

The proposal is below the thresholds at Schedule 2 of the EIA Regulations and it is not located within a 'sensitive area,' as such, the proposals do not comprise 'Schedule 2 development' and a Screening Opinion was not sought.

Having taken into account the EIA Directive and Regulations it is therefore considered that an Environmental Assessment is not required in this instance.

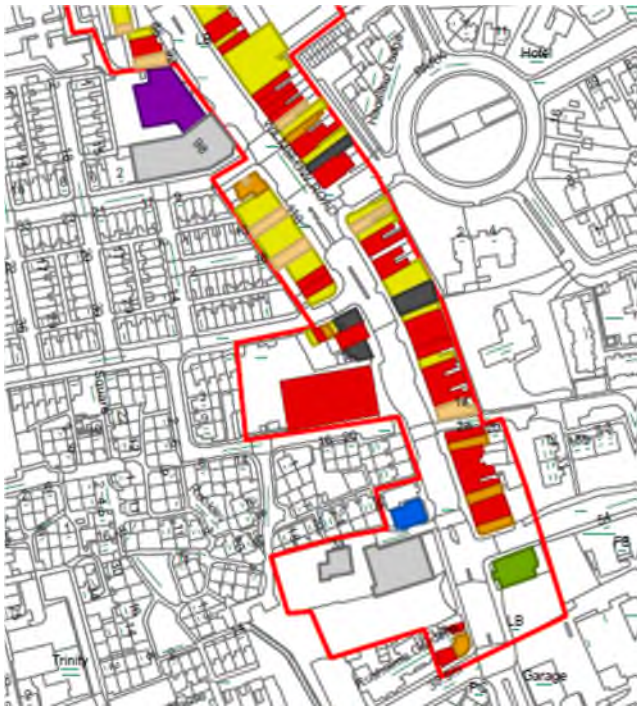
### **Issues**



### **The principle of the proposed development**

The principle of a mixed A1 retail and A2 financial and professional services offer in this location is acceptable as the site is located at the southernmost tip of Rusholme District Centre. Until a recent alteration to the Use Classes Order the existing public house on the site could have been converted to an A1 use without the benefit of a further application for planning permission.

Policies C2 and C5 of the Core Strategy support development that provides complementary employment and housing uses whilst using land efficiently, regenerating the District Centre, improving the environment and supporting vitality and viability. Concerns have been raised with regards to the need for the commercial floor space in this location, however the site is located within the Rusholme District Centre and is identified in the adopted Core Strategy as an appropriate location for mixed use development. The amount of floor space for A1 use (retail shops) and A2 use (financial and professional services) is approximately 900 sqm which is considered to be an appropriate level of provision to support the vitality and viability of the District Centre. This scheme is therefore considered to contribute positively towards achieving the objectives set out within the adopted development plan policies.



**Map showing extent of southern extent of Rusholme District Centre including the site of the former Hardy's Well**

The proposals would provide for 35 accessible, sustainably located residential units brought forward as part of a mixed use development that accord with the standards set out in the residential quality guide in accordance with the aspirations of policies H1 (Housing) and H5 (Housing in Central Manchester) of the Core Strategy.

### **Density**

Comments have been received stating that a density of 35 units in 0.19 hectare is inappropriate representing overdevelopment of the site. Policy H5 states that high density housing will be permitted within or adjacent to the Regional Centre (Hulme and Higher Education Precinct) as well as within Hulme, Longsight and Rusholme district centres as part of mixed use schemes. The National Planning Policy Framework states that planning policies and decisions should support development that makes efficient use of land.

### **Affordable Housing**

Policy H8 requires that development should contribute to the City-wide target that 20% of new housing is affordable. 20% is used as a starting point for calculating affordable housing and homes should be available for social or affordable rent or affordable home ownership. If this is not provided on site, an equivalent financial contribution should be made to off-site provision.

The level of affordable housing required should reflect the type and size of the development and take into account factors such as an assessment of a particular local need, any requirement to diversify housing mix and the need to deliver other key outcomes, particularly regeneration objectives.

Should a viability assessment demonstrate that a scheme cannot deliver affordable housing, the applicant may request an exemption from providing affordable housing, or provide a lower proportion, a variation in the mix of affordable housing, or a lower commuted sum. Examples of these circumstances are set out in part 4 of the Policy H8.

The application proposes 35 apartments which could be for sale or rent. The proposal would redevelop a brownfield site and create active street frontages in a prominent position. It would be a quality scheme in terms, of its appearance and would comply with the Residential Quality Guidance. It also delivers a significant component of commercial space whilst maintaining a building of local interest that affects the overall viability of the scheme. All these matters have an impact on the scheme's overall viability.

A viability report that has been assessed and verified by the Council, demonstrates that it is not possible to provide a contribution towards affordable housing in this instance. This is based on a site value of £1,038,012. Construction costs are £5,410,417 with total costs at £6,575,560.81. Based on the inputs and outputs this would lead to a residual land value of -£1,123,576 equating to a -13.6% deficit for the development, however, the developer has set out that whilst they are making a loss on this site they believe the development is deliverable, as it is intended for the applicant to retain ownership, with revenue to be collected as rent from tenants over a very long-term period.

The Council's modelling of the viability suggested that the construction cost would be broadly similar as the cost of converting the old building will be substantial. However some appropriate adjustments have been made to the other inputs such as rental values, yields and the Base Land Value, The result being a marginally negative profit figure albeit improved from that communicated in the viability assessment submitted.

An argument was put forward by objectors that if the basement car park is omitted then this would bring the development into the realms of profitability that could contribute towards making the apartments proposed more affordable. The applicant has provided the figures for the development without the basement car parking and the development would still not be able to support a contribution for affordable housing. The residual land value without the construction of the car park would be - £926,232. However, it must be noted that the submitted scheme includes the car park and this is the scheme which is required to be assessed.

The figures above clearly demonstrate that the scheme is not viable, but that the developer believes that the scheme is deliverable as a long-term investment.

The viability report has been tested by the Council and it has been agreed that it would not be possible for the development to make provision on site or a financial contribution towards offsite affordable housing without undermining viability.

The applicant has agreed to enter into a legal agreement which will include a provision for a reconciliation which would require a contribution to be paid if values change at an agreed point, there would also be provision for a future review mechanism so if the residential units are to be retained as a rented scheme or are changed from rented to sale at a future date.

### **Highway Safety**

The access for the proposed development would remain in the same location as the historic access to the public house car park. The roller shuttered entrance to the car park would be operated by remote activation.

A number of the objections raised focussed on concerns related to the proximity of the access/egress of the proposed development to the junction of Wilmslow Road with Dickenson Road. The junction has become busier in recent history as people adjust to the new highway arrangements with regards to the Oxford Road bus corridor. The applicant submitted a Transport Statement to accompany the application and provided further information with regards to tracking to satisfy questions raised by Highways. The number of trips generated by a development of 35 residential units with 8 small scale commercial units is not forecast to place any undue additional pressure upon the highway network.

This same access was used in 2015 for hand car wash use for park of the car parking area for the public house. In the appeal inspectors decision notice she stated:

‘A number of concerns have been raised regarding highway and pedestrian safety issues that may result from the scheme. However, I note that there is no objection to the scheme from the Highway Engineer. In the light of this, and observations made during my site visit, I am satisfied that the existing highway network would be able to cope with any additional traffic movements created by the proposed development, and that the proposal could operate in a way that would not be detrimental to highway or pedestrian safety.’

The use as a hand car wash placed more pressure upon the highway in this location than the proposed development would.

A request has been made for payments for offsite contributions towards the costs of a pedestrian crossing on Dickenson Road. However, given that the development would not place significant pressure on the highway network and would not be generating a significant increase in the local population in this location it is not considered that the obligation could be substantiated. Any requirement to mitigate harm must be proportionate to the harm caused and in this case it would not be reasonable to require mitigation through the provision of a crossing. It must also be noted that the use as a public house had the potential to generate significant numbers of pedestrian movements.

### **Car Parking**

The National Planning Policy Framework and the policies of the Core Strategy do place emphasis on sustainable development in locations that are well served by public transport asking that developers support a modal shift away from reliance of the car. The development proposals provide 36 spaces within a ground and basement car park.

The 36 spaces would be provided for the 35 residential units proposed. They would include for disabled car parking and would provide 3 No. electronic vehicle charging points.

No car parking facilities are provided for the staff or for visitors to the proposed A1 / A2 ground floor uses. Given the location in a District Centre location this is considered to be acceptable.

There is a localised parking issue in Rusholme associated with the use of the centre and car parking associated with the nearby hospitals that has been expressed in a number of the objections received.

It has been raised that planning permission was granted for the development of a car parking area adjacent to flats to the opposite side of Wilmslow Road known as Rusholme Gardens. Planning permission was granted on the grounds that land to the rear of the existing flats (which was largely occupied by outbuildings used for the storage of appliances) was improved, involving the demolition of outbuildings and laid out for car parking for the use of the flats.

The level of car parking provision is appropriate for the scheme having regards to the particular circumstances of this site. The car parking has been provided to serve the residential use to minimise the likelihood of additional parking on nearby residential streets that are suffering from an on-street parking problem.

### **Cycle Parking**

Cycle Parking has been provided within the secure basement parking area for 42 spaces (35 units and provision for the staff of the commercial units), development is

located in a sustainable location with regards to cycle travel being located adjacent to the enhanced Oxford Road cycle network. It is considered that the level of provision is acceptable.

### **Servicing**

Servicing for larger vehicles is proposed from the kerbside along Dickenson Road (as was previously the case with the servicing for the former public house) with smaller vehicles servicing internally within the site's curtilage. Highways consider this to be acceptable on this occasion given that Dickenson Road comprises two-lanes and the servicing requirement is anticipated to be minimal. This arrangement is common place in the District Centre.

It is recommended that a Servicing Management Plan be conditioned to any approval of the application, in order to manage all deliveries associated with the various units and allow for effective scheduling of servicing vehicles accessing the site.

### **Refuse**

Refuse collection is to take place weekly by private waste contractor, with dedicated refuse storage areas) for both the residential units and commercial units provided within the site, located near the service stair and corridor adjacent to the car park entrance area. It would be the responsibility of the residents and the commercial operators to place the bins at the collection point on Dickenson Road and return bins to the store following collection. There is adequate space within each of the apartments to accommodate recycling facilities within the kitchen, residents on upper floors have access to a lift to convey waste to the refuse store. A waste management strategy has been submitted to accompany the application that Environmental Health have confirmed provides sufficient capacity for both residential and commercial bin storage (including appropriate levels of bins for separated waste).

Residential – 0.43m<sup>2</sup> has been provided per apartment for container space. Space to manoeuvre and access containers individually has also been provided so that each container can be accessed and removed for collection individually. There will be containers for glass, cans, paper and general waste.

Commercial – 4 x 1100 general waste, 1 x 1100 pulvable recycling, 1 x 1100 mixed recycling, 1 x 1100 food waste, 1 x 1100 industrial waste

The City Council acknowledge that waste management in Rusholme District Centre has caused difficulties and as such a condition is recommended that the bin storage accords with the information submitted.

### **Heritage**

The application was accompanied by a Built Heritage Impact Assessment prepared by Cotswold Archaeology. The former Hardy's Well was named after Hardy's Brewery and was formerly known as Birch Villa, which has existed on site since

1837. The building was extended in the early 20<sup>th</sup> Century with a large single storey function room to the rear with an extension to the cellar following the ground floor footprint. A new internal stair was also inserted and there was an internal remodelling. Internally much of the earlier spatial layout was lost as the requirements for larger spaces resulted in the opening up of the ground floor bar area. The building is said to have undergone significant internal alteration which greatly limits its heritage interest. Mahogany and stained glass features have been relocated from their original positions.



The significance of the building is said to lie in its architectural and historic interest as an example of a prominent but decoratively restrained Victorian public house situated on the main road into Manchester from the south. The statement shows cognisance that the late 20<sup>th</sup> Century poem by Lemn Sissay is important.

An objector has been critical of the report in that it states that there is minimal harm to a heritage asset of limited significance. The building is, in fact, recognised as a heritage asset in the document submitted by the applicant. It is a building of local interest that the developer has been encouraged to retain in its entirety since earlier iterations of plans submitted. To address concerns that had been expressed about the levels internally and how the scheme would be fitted out, the applicants have confirmed in writing that the existing first floor timber structure within Hardy's Well will be retained as existing in its existing location and that existing windows on Wilmslow Road and Dickenson Road would be replaced with traditional sliding sash timber windows.

Paragraph 197 of the National Planning Policy Framework states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Following amendments to the application, it is considered that the scheme will cause minimal harm to the building and will secure its long term retention as a part of a redevelopment scheme that would provide regeneration benefits to the area. A condition is recommended for a schedule of works to the building to ensure that features of merit (stained glass windows / decorative tile panels) noted within the heritage assessment are maintained or reutilised.

### **Asset of Community Value**

The former Hardy's Well Public House was registered as an Asset of Community Value in 2015, however it was removed from the register after it was sold in June 2017.

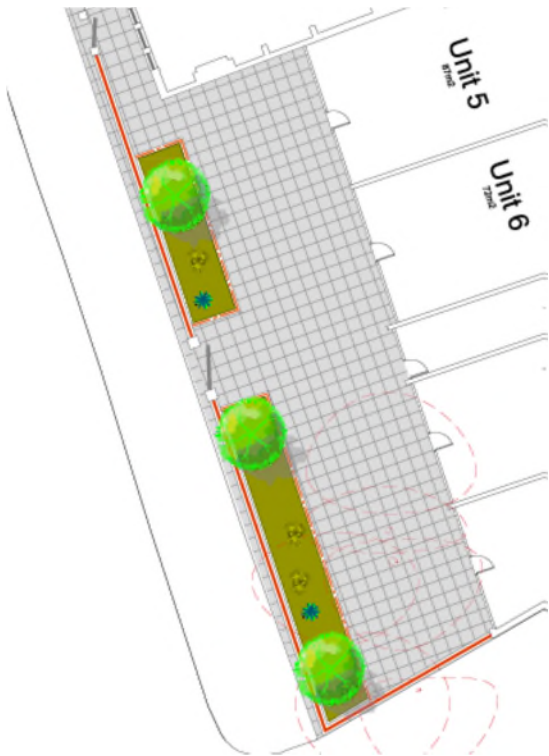
### **Urban Design**

With regard to the Manchester Conservation Areas and Historic Building Panel's comments about the setback of the extension to Wilmslow Road, it would usually be the case, that buildings sit to the back of footpath to replicate the local pattern of development. Setbacks in the street scene often create areas for anti-social behaviour to occur and there is an issue with incidents of anti-social behaviour in this location as evidenced by the information contained within the Crime Impact Statement.

The driver behind the setback is to pay respect to the historic and local interest of the former Hardy's Well public house and to try to retain the poem to the southern elevation of the building. The earlier submitted plans showed a six storey building that subsumed the former Hardy's Well and had a glazed atrium to the Wilmslow Road which offered views through the poem on the southern elevation, however, this was not considered to provide adequate views through to the poem.

Greater Manchester Police provided a Crime Impact Statement to assess the creation of this setback, they are satisfied subject to the incorporation of internal roller shutters and maintenance of visual openness of the courtyard created to the Wilmslow Road frontage. The landscaping plan submitted shows a conservation type flag to the site frontage enclosed by a wall with railings atop with planted areas within conservation edging behind. Three extra heavy standard 4 – 6m street trees would have canopy of a sufficient height to maintain views into the courtyard area.





Layout plan showing the Wilmslow Road frontage site layout



Proposed ground floor layout plan



In street scene terms with regards to Wilmslow Road it is considered that the significant setback maintains the former Hardy's Well as the focal feature to the corner of Wilmslow Road and Dickenson Road. There is a currently a gap between the former Hardy's Well and the former First Bus depot where the beer garden was (although records indicate that a structure covered this land until 1989, in 1908 a large marquee was erected to house comedy shows, this was then used as a car works from 1951 until 1989). A condition is recommended to prevent any inappropriate structures from being placed on this land.



#### **Wilmslow Road frontage**

In street scene terms the impacts of the proposals upon Dickenson Road can be seen in the image below. It is considered that the back of pavement proposals would significantly improve the current street scene, which sees the entrance to a car park which has been utilised as a hand car wash and has recently had unauthorised storage of containers. The scale of the proposals is considered to be acceptable having regards to the height of the property immediately to the east.



**Dickenson Road/Wilmslow Road junction view**

### **Amenity Space and Green Infrastructure**

The proposals include a substantial first floor amenity space for the 35 residential units proposed. This would include lawned areas, feature paving, areas for seating, one sheltered and the planting of 11 trees.



**First Floor outdoor amenity space**

A number of the apartments have balconies to provide further amenity spaces. It is therefore considered that having regard to the on-site provision and the proximity to Platt Field Park, the development would be adequately catered for with regards to amenity provision.

The 7 trees to be removed, 6 of which are protected are defined by the arboricultural survey to be category C trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm.

The proposed three trees to the landscaped courtyard to the Wilmslow Road frontage would be extra heavy standard 4 – 6m street trees added to the 11 trees proposed to the amenity space, this would provide 14 trees for 7 poor quality trees to be removed. The loss of trees would be justified by the need for housing and commercial development as part of an appropriate mixed use development in a District Centre location.

### **Sustainability**

The agent has stated that the building is designed to be environmentally friendly with reduced energy usage and heat losses to be better than the current Building Regulation standards. Natural ventilation will be via opening windows and some mechanical ventilation to kitchens and bathrooms be designed to be energy efficient. A condition has been attached to secure compliance with this commitment.

### **Air Quality**

The scheme proposed would be located in a sustainable location and provides for 42 cycle parking spaces and 3 No. electric charging points. The scheme itself would provide for only a further 35 residential units and 8 small scale commercial units and the amount of traffic associated with such a development is not considered to be substantial. Subject to the requirement of appropriate controls through a Construction Management Plan, it is considered that the proposals would have an acceptable impact upon air quality.

### **Accessibility**

The apartments will be accessible as the ground floor units will have level access and the upper floor are accessible through the provision of a lift. 2 No. disabled car parking spaces have been provided within the ground floor car parking spaces.

### **Residential Amenity**

The extensions to the existing Hardy's Well building would be setback significantly from the Wilmslow Road frontage and would be additionally separated by a four lane carriageway with significant footways to either side from property to the west at Charles Wilson garages and to the commercial parade turning the corner with Platt Lane. The proposals would have no impact with regards to loss of light or overlooking due to the separation distances involved which are estimated to be 31m. The existing building to be retained would be some 25m from property to the west.

To the north lies the gable of No 255 Wilmslow Road, which turns the corner onto Dickenson Road at the end of a terrace of commercial properties. There are four first floor windows that appear to provide light to a first floor office, that look towards the development site. At this point the building would be maintained at 2 storey in height,

although the extension down Dickenson Road would increase in height to part three, part four and part five storey development to the back of footpath separated by c. 15m. It is not considered that the proposals would have such any undue impact on these windows as would warrant the refusal of consent.

Further down Dickenson Road the development would be opposite an MOT centre which is set back behind a deep forecourt and the gable of a house which is setback, has no windows and is screened by dense tree planting. It is not considered that the development proposals would have any impact on light availability or with regards to overlooking in this location.

To the eastern boundary lies the two storey blank gable of the telephone exchange building. The five storey extension in this location would not have any impact upon the amenity of the adjoining building. The telephone exchange building rises further to the east and has three windows facing towards the development proposals, however given their orientation and the separation distance proposed of 13m it is not considered that these windows would be adversely impacted upon. There are windows to the west elevation of a projection to the rear of the telephone exchange building that would be predominantly looking out upon the first floor roof terrace proposed. To ensure that privacy is retained to the outdoor amenity space and to neighbouring sites it is considered necessary that a privacy screen be installed along the outer boundary of this amenity space. An appropriately worded condition is proposed for these details to be approved.

To the south the site adjoins a former bus depot which has a large surface area car park to the Wilmslow Road frontage. The office building which is setback significantly in the site does have 9 windows at first floor to the north elevation, the building is away from the shared boundary by 10m and the proposals in this location, oriented to the north, would be predominantly one storey with the landscaped terrace on top.

There are two windows proposed to the south elevation of the proposed extension to the Wilmslow Road frontage for a first and second floor bedroom. These would need to be obscurely glazed to protect the amenity of the residents of the proposed building.

The windows to the rear of the Dickenson Road extension would be significantly separated from property boundary to the south (by 14 – 22m) with the rooftop terrace and its tree planting in the intervening distance to prevent there being any overlooking from the south facing windows proposed.

It is considered that the proposals would not adversely impact upon residential amenity with regards to overlooking or loss of light subject to the imposition of the condition with regards to two windows as detailed above.

## **Noise**

It is anticipated that the main sources of noise would be related to traffic noise given the sites location adjacent Wilmslow Road and Dickenson Road and from activity associated with the commercial uses in Rusholme District Centre and adjacent sites.

The application proposals have been assessed by Environmental Health officers who have recommended the imposition of appropriate planning conditions to ensure that residential and commercial accommodation are appropriately insulated and that the hours of the ground floor commercial units are to be agreed prior to their first use then the proposal would be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF.

### **Permitted Development**

The 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.

The applicant has indicated that the proposed residential properties may be sold or rented in the future. It is therefore considered necessary that a condition be attached to any approval for the submission and approval of a residential management strategy to provide details of how properties in the development would be managed.

In addition it is recommended that a condition of the approval should clearly define the approved residential units under the 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. This is to protect this development and its future residents from the problems associated with the change of use of properties to HMO's.

### **Quality Residential Guidance**

There would be 10 No. 1 bed apartments, 21 No. 2 bed apartments and 4 No. 3 bed apartments. They would all meet the space standards set out in the quality residential guidance.

### **Conclusion**

The scheme proposed would provide housing of a good standard and employment in Rusholme. The site is currently not being used efficiently and the development proposals would deliver regeneration benefits that would contribute positively to the vitality and viability and environment of Rusholme District Centre. The scale and massing of the development as amended that retains the former Hardy's Well public house, which is a building of local interest, responds to the site specific context and has regard to its relationship to neighbouring properties.

**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 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**

#### **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:

Site Location Plan (F05-EA-03A)  
 Existing Block Plan (F05-EA-01A)  
 Existing Ground Floor (F05-EA-S-01)  
 Existing First Floor (F05-EA-S-02)  
 Existing Basement (F05-EA-S-03)  
 Existing Elevations (F05-EA-S-04)  
 Existing Elevations (F05-EA-S-05)  
 Proposed Basement (F05-EA-07H)  
 Proposed Ground Floor (F05-EA-5 Rev J)  
 Proposed First Floor (F05-EA-8 Rev K)  
 Proposed Second Floor (F05-EA-9 Rev K)  
 Proposed Third Floor (F05-EA-12 Rev D)  
 Proposed Fourth Floor (F05-EA-21 Rev B)  
 Proposed Landscape Layout (2922-102 Rev F)  
 Proposed Elevations (F05-EA-10 Rev M)  
 Proposed Elevations Dickenson Road (F05-EA-13 Rev J)  
 Proposed Elevations / Courtyard Sections (F05/EA/14 Rev L)  
 Proposed South Facing Side Elevation (F05/EA/15 Rev F)  
 Swept Path Analysis 2070-SP01 Rev B  
 Proposed wall abutments between existing and proposed junctions (F/05/EA/22 Rev A)  
 Section Details at 1:20 Secret Gutters, Balconies and Handrail and Curtain Walling and Parapet (F05/EA/23 Rev A)  
 Proposed Wilmslow Road Elevation indicating new boundary wall, fence and gate (F05/EA/25)

Arboricultural Survey  
 Transport Statement  
 Bat and Ecology Survey  
 Affordable Housing / Viability Statement  
 Design and Access Statement  
 Heritage Impact Assessment  
 Drainage Statement  
 Phase 1 Geo-Environmental Desk Study  
 Waste Management Strategy proforma  
 Crime Impact Statement reference 2007/0956/CIS/01

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. Above-ground construction works shall not commence until samples and specifications of all materials to be used in the external elevations and hard landscaping around the buildings as detailed on the approved drawings have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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 Core Strategy.

4. The development hereby approved shall only be carried out in accordance with the recommendations of the Crime Impact Statement reference 2007/0956/CIS/01.

Reason - To reduce the risk of crime pursuant to Policy DM1 of the Adopted Core Strategy for the City of Manchester.

5. Notwithstanding the information submitted, no development shall commence prior to the submission of further details with regards to the sustainability performance of the development proposed. The development hereby approved shall only be carried out in accordance with measures detailed in the submitted sustainability performance information submitted.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework (NPPF).

6. No drainage shall be installed until the full details of a surface water drainage scheme has been submitted to and approved in writing by the City Council as local planning authority.



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.

7. No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
  - a. Verification report providing photographic evidence of construction as per design drawings;
  - b. As built construction drawings if different from design construction drawings;
  - c. Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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.

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 removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the 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 and to comply with policy EN15 of the Core Strategy.

10. Notwithstanding the approved plans within three months of the commencement of development details of the hard and soft landscaping scheme for the site shall be submitted 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.

11. Prior to first occupation of the development the cycle parking shall be implemented in full and made available for use. The approved scheme shall remain available for use whilst the development is occupied.

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

12. The car parking layout indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the buildings hereby approved being occupied. The car parks shall remain in use at all times thereafter.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

13. Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Dickenson Road and Wilmslow Road shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB  $L_{Aeq}$  (individual noise events shall not exceed 45 dB  $L_{Amax,F}$  by more than 15 times)  
 Living Rooms (daytime - 07.00 - 23.00) 35 dB  $L_{Aeq}$   
 Gardens and terraces (daytime) 55 dB  $L_{Aeq}$

Reason - To secure a reduction in noise from Wilmslow Road and Dickenson Road; in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

14. The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

Where entertainment noise is proposed the  $L_{Aeq}$  (entertainment noise) shall be controlled to 10dB below the  $L_{A90}$  (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63Hz and 125Hz octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47dB and 41dB, respectively.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy.

15. Prior to occupation of the development a scheme for the acoustic insulation of any externally mounted ancillary equipment to ensure that it achieves a background noise level of 5dB below the existing background ( $L_{A90}$ ) in each octave band at the nearest noise sensitive location shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

16. The waste management arrangements shall be carried out in accordance with the Waste Management Strategy received by the City Council. 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.

17. 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.

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.

18. When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and 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.

19. Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

20. Prior to the first occupation of the development hereby approved, a detailed servicing strategy shall be submitted for approval in writing by the

City Council, as Local Planning Authority. The approved strategy, including, shall be implemented and be in place prior to the first occupation of the student accommodation and thereafter retained and maintained in operation.

Reason - To ensure appropriate servicing arrangements are put in place for the development in the interest of highway and pedestrian safety pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

21. Prior to the commencement of the development a detailed construction /demolition management plan and outlining working practices during development shall be submitted to and approved in writing by the local planning authority. 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, EN15, EN19 and DM1 of the Manchester Core Strategy.

22. Prior to occupation of the commercial premises a schedule of the proposed opening hours shall be submitted in writing to the local planning authority for consideration.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

23. The landscaped courtyard in front of the commercial units fronting Wilmslow Road shall be kept clear of any obstruction. No structures shall be erected at any time to maintain the openness of the frontage.

Reason – In the interests of visual amenity and to reduce the risk of crime pursuant to Policy DM1 of the Adopted Core Strategy for the City of Manchester.

24. a) Prior to the commencement of the development, details of a Local Labour Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Labour Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Labour Proposal

iii) measures to monitor and review the effectiveness of the Local labour Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason – The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

25. a). Three months prior to the first occupation of the development, a Local Labour Proposal Framework that outlines the approach to local recruitment for the end use(s), shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the occupation of the development.

In this condition a Local Labour Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Labour Proposal
- iii) measures to monitor and review the effectiveness of the Local labour Proposal in achieving the objective of recruiting and supporting local labour objectives

(b). Within 6 months of the first occupation of the development, a Local Labour Proposal which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council, as Local Planning Authority. Any Local Labour Proposal approved by the City Council, as Local Planning Authority, shall be implemented in full at all times whilst the use is in operation.

Reason – The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012)

26. Notwithstanding the details as set out in condition 2 above a Schedule of Works for the retained former Hardy's Well Public House building shall be submitted for approval.

Reason - In the interests of visual amenity and because the proposed works affect a building which is of historic interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies EN3 of the Core Strategy.

27. No externally mounted telecommunications equipment shall be mounted on any part of the buildings hereby approved, including the roofs.

Reason - In the interest of visual amenity, pursuant to policy DM1 of the Core Strategy.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) none of the apartments hereby approved shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

29. The window to the south elevation of the proposed building to bedrooms in apartment 9 and 22 should be obscurely glazed. The window shall be obscure glazed to a specification of no less than 5 of the Pilkington scale and shall be retained at all times thereafter.

Reason - In the interests of residential amenity and to ensure a satisfactory development, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

30. Prior to the first use of the first floor outdoor private amenity space a scheme for the provision of a privacy screen to its eastern and southern boundaries shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be installed prior to the first use of the space and shall be retained in perpetuity thereafter.

Reason – In the interests of privacy of the users of the outdoor amenity space and to reduce the opportunities for overlooking adjacent properties pursuant to policy DM1 of the Core Strategy.

31. Prior to the first occupation of the development hereby approved full details of the ongoing maintenance and management of all the soft and hard landscaping approved under condition 10 of this approval shall be submitted to and approved in writing by the City Council as local planning authority. The approved landscaping shall be managed and maintained in accordance with the agreed details thereafter.

Reason – To ensure that the approved hard and soft landscaping scheme for public and private amenity areas is appropriately managed and maintained pursuant to policy DM1 and EN9 of the adopted Core Strategy.

### **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: 119100/FO/2018 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  
Neighbourhood Team Leader (Arboriculture)  
Environmental Health  
Corporate Property  
Greater Manchester Police  
Greater Manchester Ecology Unit  
Flood Risk Management  
Rusholme & Fallowfield Civic Society  
Moon Grove Residents Association  
Platt Claremont Residents Association

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

**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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<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
121857/FO/2018	15th Nov 2018	11 <sup>th</sup> April 2019	Hulme Ward

**Proposal** Erection of a twelve-storey purpose built student accommodation building comprising 97 units with roof top terrace and associated landscape and highway works, following demolition of existing structures.

**Location** 84 Cambridge Street, Manchester, M15 6BP

**Applicant** Alumno Group, C/o Agent

**Agent** Mr Ryan McTeggart, GL Hearn, Vantage Point, 4 Hardman Street, Spinningfields, Manchester, M3 3HF

### **Description**

Members will recall that at the Planning and Highways Committee meeting on 14 March 2018, members resolved to defer determination of this application in order to undertake a site visit before making a decision. The recommendation of approval remains unchanged.

The site lies on the west side of Cambridge Street in Hulme, just north of the junction with Cavendish Street and to the south of the Mancunian Way. The site is viewed in the context of the Mancunian Way and Manchester City Centre when approaching Manchester from the south.

The site measuring 0.3 hectares comprises a vacant public house known as the Church Inn, the pub closed in March 2016. The site is bounded by student accommodation blocks immediately to the north (Cambridge House) and south (Manchester House), Cambridge Street to the east with Manchester Metropolitan University student accommodation and facilities on the opposite side of the street. To the west lies a housing estate managed by One Manchester, the site immediately adjoins the turning head to Bristle Street and lies in close proximity to property on Elmdale Walk and Dalesman Walk.

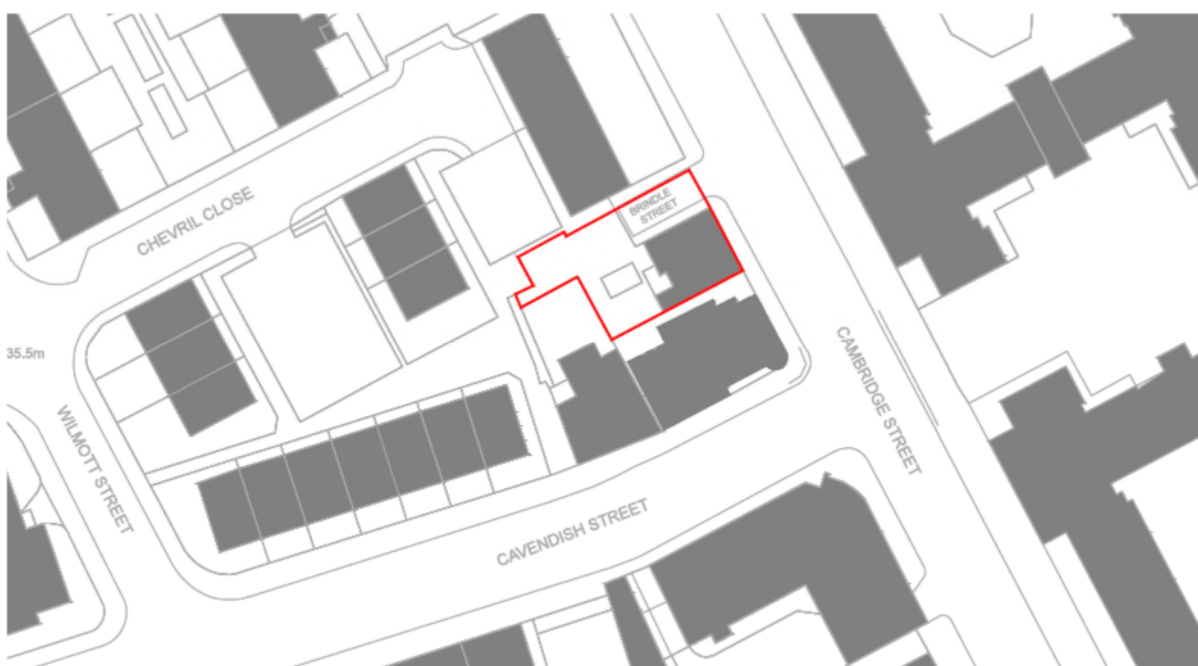
The proposal comprises the demolition of the Church Inn and redevelopment of the site to create a twelve-storey purpose built student accommodation building comprising 97 units with roof top terrace and associated landscape and highway works.

A total of 97 student rooms would be provided within the development, arranged in 25 studios and 36 two bed clusters with en-suite facilities. The development would provide communal areas in the form of a reception, lounge, office, box room, laundry, cycle storage for 16 cycles, toilet and bin store at ground floor and common room with roof terrace to the 11<sup>th</sup> floor. There would be an electricity substation incorporated to the west of the ground floor.

The proposed building would occupy the majority of the site with the main entrance facing Cambridge Street. It would occupy the unadopted highway known as Brindle Street that sits immediately to the north of the existing Church Inn building to accommodate the building (the applicant is in the process of acquiring this land). The rear garden would also be occupied by development. There are two category B trees (a Wild Cherry and a Grey Elder) to the rear boundary of the site with Elmdale Walk that would be removed as a result of the development proposals.



**(Ground Floor Plan)**



**(Site Context)****(Street View Visualisation)****Consultations**

Publicity – The development was advertised in the Manchester Evening News as a major development. A site notice was placed next to the site boundary. A map showing the extent of residents and businesses notified of the application is set out at the end of this report.

**Residents**

123 letters of objection have been received to the development proposal on the following grounds:

- Loss of historic building, with well preserved original features, that will have a detrimental impact upon the character of the area. The frontage should be retained. The building is a heritage asset of community value and could be used as a social hub and the application equates to vandalism of important social fabric as there are too few public houses and this is one of the very few original Hulme buildings left. MMU own the two nearest pubs and would commercially benefit from the demolition of the Church Inn.
- No more profit driven student accommodation that imbalances the population mix, there is a decline in the environment with social disruption and street litter. This development does not provide community benefit. There is a need for social housing. Existing residents are being forced out.

- The dense development is out of scale, the building dwarfs surrounding structures, glass should not be used in construction, the replacement building is not of excellent design quality.
- Impact on privacy and light to neighbouring buildings specifically on Elmdale, Dalesman and Broomwood Walk, where vulnerable occupants (children / elderly) reside and play outside. The levels of loss of light are beyond those acceptable having regard to BRE standards and it is odd that students within the student accommodation blocks to either side apparently deserve less right to light as a transitory population. The Vertical Sky Component daylight amenity for occupants of Manchester House is of particular concern.
- Congestion on roads, too many people in a restrictive area overstretching local services. There will be disruption during construction.
- Servicing entrances to the building are close to the residential area with associated nuisance
- The building does not lie within the City Centre and should not be considered as such.
- The scheme would affect TV reception.
- The loss of the trees takes away an existing screen to the residents to the rear
- The scheme is not policy compliant.
- A site visit is requested by committee members to fully appreciate the local impact.

A petition with 62 signatures has been received stating that:

We the undersigned, ask for permission to be refused on the grounds that the size, scale, mass and density of the proposal would cause an unacceptable loss of amenity to all its neighbours including:

- Reductions in daylight below recommended levels
- Massive overshadowing, overlooking and loss of privacy inside properties and gardens
- No provision for adequate means of access for the increased traffic generation due to servicing the building and parking which would compromise safety
- Noise disturbance and anti-social behaviour of such a dense population of teenagers on local elderly and child residents.

One neutral comment was received stating that student accommodation was highly sustainable and accessible in this location but raised queries in relation to the ground floor facing Cambridge Street which they did not consider to be an active frontage or to provide a community hub as the current facility could. The comment went on to state the Cambridge Street elevation is too thin, and leaves a noticeable large gap in the streetscape, when the planning department should be creating a street 'wall'. The comment also stated that the scheme should consider landscaping, cycle lane, the pedestrian environment and crossing points.

### **Local Members**

Councillor Annette Wright has asked that a site visit be undertaken prior to any decision being made by Planning and Highways Committee. She states that there are residential properties immediately behind this site and there are concerns about

the impact of the development on the residents on the estate with regards to the effects on light, the fact that there is existing anti-social behaviour in the area and the development would create an enclosed area out of sight of the main road.

### **Campaign for Real Ale**

Trafford and Hulme branch of CAMRA objects to the above application on the basis that it will involve the loss of a public house in an area that has already seen a number of recent closures (the Junction and the Whalley), leaving just a handful of pubs in the Hulme area. If it is lost, there are only four remaining pubs, the nearest being the Salutation which is in the ownership of MMU and leaves neither significant competition nor a facility specifically catering for non-student local residents. Further afield, there is the 3 Legs of Man, and the Ducie Arms and Old Abbey Taphouse on the southern fringes of the Hulme area are a significant walk away.

The branch would also disagree with the findings of the historic building report submitted with the application. Whilst the building may not be worthy of listing, its main facade is interesting and attractive, and represents the last vestige of the Edwardian era in an area that has undergone extensive redevelopment over many decades.

GL Hearn's argument that the pub is not viable due to past problems of anti-social behaviour is neither evidenced nor a valid one for changing the use. This is entirely a matter of how the pub and the surrounding area have been managed and there is no reason why the pub could not be viable again given the right approach. In particular, we urge the Council to apply CAMRA's public house viability test (please see attached) to ensure this judgement rests on a proper evidence base. For instance, have there been any serious attempts to market the pub as a going concern?

Despite the fact that the pub has been closed for a few years now, there has been vocal support for it within the Manchester Shield Facebook group, as well as within CAMRA circles, reflecting the fact that its value has not been forgotten.

Finally, a small point but potentially an important one. It is disappointing that the application fails to mention the words 'Church Inn' in its title and therefore deflecting attention away from the fact that this is a proposal involving the loss of a public house, an important local facility. It is notable that at a time when the country has lost a quarter of its entire stock of public houses in the past 10 years and continues to lose them at a rate of 18 per week, forward looking cities such as London are making specific planning policy commitments to preserve the public houses they have left. CAMRA would urge Manchester to do the same.

### **Highway Services**

Directly adjacent to the development site, No Waiting at any time restrictions are operational, with No Loading during the morning and evening peak periods. Adopted highway extends to the building line, with comprehensive footways and street lighting.

For the avoidance of doubt, all external doors (with the exception of fire doors) should be inwardly opening, in order to prevent obstruction to passing footway users.

#### TRIP GENERATION AND JUNCTION CAPACITY:

It is accepted that the proposed development is likely to generate only a negligible increase in traffic accumulation, given the car-free nature of the development. As such, any slight increase in trips can be absorbed on the existing network with no significant implications.

The Transport Statement indicates that in comparison to the former public house use, the proposed development is anticipated to have a total two way trip generation of 1 vehicular movement during the PM peak hour and a total daily flow of 14 vehicles, with a significant reduction in vehicle trips across the day.

HFAS (Highway Forecasting and Analytical Services) and UTC (Urban Traffic Control) were consulted in relation to the trip generation and junction capacity assessments and confirmed that trip levels present an accurate assumption.

#### SITE ACCESSIBILITY:

The site is in a highly sustainable city centre location with a high level of public transport provision including city centre shuttle buses, high frequency local bus services, national coaches, Metrolink trams and local, regional and national train services.

Accident data has been considered which indicates no significant highway safety concerns within the last 5 year period.

#### OFF-SITE HIGHWAYS WORKS:

All amendments to the adopted highway will be subject to Section 278 Agreement

- **FOOTWAY IMPROVEMENTS:** Highways would recommend that the footway across the perimeter of the site be resurfaced as part of the development.

#### PARKING:

It is understood from the application and supporting documentation that this development will be car free, therefore there will be no on site provision offered.

Given the nature of this development, low levels of vehicle ownership are anticipated and given its accessible location, this is deemed to be acceptable to the Highways Team. It is recommended that the operator monitors demand for potential leased parking with nearby operators as part of the Travel Planning Strategy.

Car Club provision has been referenced within a walkable radius of the site, the use of which should be fully promoted through a Travel Plan.



The inclusion of one off site disabled bay is considered appropriate for the scale of the development.

Chevril Close currently offers 16 Resident Parking bays (underpinned by associated TRO) in an echelon arrangement to the northern side of the carriageway. In principle, Highways accept the proposed addition of a disabled bay in this location, to replace an existing RP bay.

#### PICK-UP/ DROP-OFF:

The TS provides no commentary regarding the intended location for vehicles to load and therefore further information is sought.

Given the end users of the site, it is likely that there will be high levels of pick-up/ drop-off activity and therefore it is recommended that a pick-up/ drop-off strategy is agreed with MCC Highways and conditioned to any future consent, in order to cater for these vehicles.

Although some reference has been made to check in/out during key enrolment periods within a Student Management Plan, it is recommended that this be conditioned to any future consent of the application as it is likely to generate increased amounts of vehicular traffic to and from the site.

#### CYCLE PARKING:

The level of cycle parking is acceptable for the development. There are 28 spaces to be offered on-site (equating to circa 28% provision), with an additional 8 spaces to be provided within the MMU Campus on Brompton Docks (36 spaces equating to 37% cycle parking provision). This is in-line with comparable student residential developments. The indicative location of the cycle storage within the building is accepted.

#### REFUSE AND SERVICING:

Highways have been in discussion with the applicant to discuss refuse collection and servicing at the application site.

#### BASEMENT / STRUCTURES:

It is recommended that discussion is held with MCC's Structures Team. Should there be any excavations and former cellars adjacent to the highway.

#### CONSTRUCTION MANAGEMENT:

A Construction Management Plan should be provided by the applicant prior to any construction works beginning. The Construction Management Plan should detail the phasing and quantification / classification of vehicular activity associated with planned construction. This should include commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent

highway. The document should also consider ongoing construction works and contractor parking in the locality.

It is also requested the applicant provides a dilapidation survey as part of the Construction Management Plan document. The survey should include photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

It is recommended that the above is conditioned and attached to any planning permission that may be granted.

### TRAVEL PLAN:

A framework Travel Plan has been prepared which sets out a list of potential measures that could be implemented to influence modal choice, and a management strategy for producing a full Travel Plan in the future.

A number of sustainable travel initiatives are proposed to encourage against reliance on car travel to access the development. It is important to influence travel patterns at the beginning of occupation. If the Travel Plan is to be successful, it will be dependent on establishing a culture of sustainable travel behaviour at the outset, rather than on changing already established travel practices. The success of the travel plan measures will depend on their effective delivery and commitment from the occupiers and therefore robust arrangements for the implementation and running of the Travel plan need to be included from the outset, in the plan itself, including:

- A travel plan budget and resources for the day to day implementation and management of travel plan measures.
- Appropriate management structures.
- Detailed timeframes for delivery.
- Travel plan handover arrangements when developer responsibility ceases.
- Target and monitoring arrangements.

Should the application be approved, it is suggested that further development, submission, implementation and monitoring of the Travel Plan be attached as conditions of any planning consent.

Highways suggest conditions relating off-site Highways Works, Cycle Storage, Servicing Management Strategy, Student Management Plan (Enrolment periods), Pick-up/ Drop off Strategy, Construction Management Plan and Travel Plan.

### **Environmental Health**

Recommend conditions relating to construction management, external equipment and contaminated land. Environmental Health have assessed the information with regards to lighting, acoustic insulation, refuse and air quality that has been submitted to accompany the application and consider it to be acceptable.

### **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

**Arboricultural Section**

Any comments received will be reported to Committee

**Greater Manchester Ecology Unit**

The ecological assessment of the site has been undertaken by suitably qualified consultants and was to appropriate standards.

The building to be demolished has been assessed as having only low potential to support bats, although not negligible. The recommendation is that as a precautionary measure any demolition method statement prepared for the development should include specific actions to be taken to avoid any possible harm to bats during demolition. I would support this recommendation and would advise that the details of these measures be required by means of a condition placed on any approval granted to the development. Once approved the demolition method statement must be implemented in full.

The two trees on the application site are not of particularly high quality but they are in an area where tree cover is sparse. Compensation should therefore be sought for any tree losses.

**Policies****Relevant Local Policies****Local Development Framework**

The relevant development plan in Manchester is the Core Strategy Development Plan Document 2012-2027 (the "Core Strategy"), adopted in July 2012, and the saved policies from the Manchester Unitary Development Plan (UDP), adopted July 1995. The Core Strategy is the key document 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. The proposals are considered to be consistent with the following Core Strategy Policies SP1, EN1, EN2, EN3, EN4, EN6, EN9, EN14, EN15, EN16, EN17, EN18, EN19, T1, T2, DM1 and H12.

Policy SP1 - Spatial Principles. This sets out the key special principles which will guide the strategy. 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, make a positive contribution to the health, safety and wellbeing of residents, consider the needs of all members of the community regardless of disability and protect and enhance the built and natural environment." The development would reuse previously developed land to improve the built environment and local character.

Policy EN1 - Design Principles and Strategic Character Areas. The site currently has a building on site with a façade that has historic architectural features. However, the building lies empty and has no remaining historical features internally. The building currently has a negative impact and there is an opportunity to enhance the area. The proposal involves a good quality design, and would enhance the character of the area and the overall image of Manchester. The design responds positively at street level. The positive aspects of the design are discussed in more detail below.

Policy EN 2 - Tall Buildings. The proposed development would have a high standard of design quality, be appropriately located within the site, contribute positively to sustainability, contribute positively to place making and would bring significant regeneration benefits.

Policy EN3 – Heritage. The proposal would have an impact on a non-designated heritage asset. This is discussed in more detail later in the report.

Policy EN4 - Reducing CO2 Emissions by Enabling Low and Zero Carbon Development. The proposal would follow the principle of the Energy Hierarchy to reduce CO2 emissions.

Policy EN6 - Target Framework for CO2 reductions from low or zero carbon energy supplies. The development would comply with the CO2 emission reduction targets set out in this policy.

Policy EN 8 - Adaptation to Climate Change. The energy statement sets out how the building has been designed to consider adaptability in relation to climate change.

Policy EN9 - Green Infrastructure. The development includes tree planting and landscaping to a roof terrace.

Policy EN14 - Flood Risk. A Flood Risk Assessment has been submitted and this is discussed in more detail below.

Policy EN15 - Biodiversity and Geological Conservation. The redevelopment would have an acceptable impact upon possible roosting bats and breeding birds on the site subject to conditions.

Policy EN16 - Air Quality. The proposal would be highly accessible by all forms of public transport and reduce reliance on cars and therefore minimise emissions from traffic generated by the development.

Policy EN17 - Water Quality. The development would not have an adverse impact on water quality. Surface water run-off and grounds water contamination would be minimised.

Policy EN18 - Contaminated Land and Ground Stability. A site investigation, which identifies possible risks arising from ground contamination has been prepared.

Policy EN19 – Waste. The development would be consistent with the principles of waste hierarchy. In addition the application is accompanied by a Waste Management Strategy.

Policy T1 - Sustainable Transport. The development would encourage a modal shift away from car travel to more sustainable alternatives.

Policy T2 - Accessible Areas of Opportunity and Need. The proposed development would be easily accessible by a variety of sustainable transport modes and would help to connect residents to jobs, local facilities and open space.

Policy DM1 - Development Management. This sets out the requirements for developments in terms of sustainability and outlines a range of general issues that all development should have regard to. Of these, the following issues are or relevance to this proposal:

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Design for health;
- Adequacy of internal accommodation and amenity space;
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- That development should have regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- Accessibility to buildings, neighbourhoods and sustainable transport modes;
- Impact on safety, crime prevention and health; adequacy of internal accommodation , external amenity space, refuse storage and collection, vehicular access and car parking; and
- Impact on biodiversity, landscape, archaeological or built heritage, green Infrastructure and flood risk and drainage.

These issues are considered full, later in this report.

Policy H12 - Purpose Built Student Accommodation. The provision of new purpose built student accommodation will be supported where the development satisfies the criteria below. Priority will be given to schemes which are part of the universities' redevelopment plans or which are being progressed in partnership with the universities, and which clearly meet Manchester City Council's regeneration priorities.

1. Sites should be in close proximity to the University campuses or to a high frequency public transport route which passes this area.
2. The Regional Centre, including the Oxford Road Corridor, is a strategic area for low and zero carbon decentralised energy infrastructure. Proposed schemes that fall within this area will be expected to take place in the context of the energy proposals plans as required by Policy EN 5.
3. High density developments should be sited in locations where this is compatible with existing developments and initiatives, and where retail facilities are within walking distance. Proposals should not lead to an increase in on-street parking in the surrounding area.

4. Proposals that can demonstrate a positive regeneration impact in their own right will be given preference over other schemes. This can be demonstrated for example through impact assessments on district centres and the wider area. Proposals should contribute to providing a mix of uses and support district and local centres, in line with relevant Strategic Regeneration Frameworks, local plans and other masterplans as student accommodation should closely integrate with existing neighbourhoods to contribute in a positive way to their vibrancy without increasing pressure on existing neighbourhood services to the detriment of existing residents.
5. Proposals should be designed to be safe and secure for their users, and avoid causing an increase in crime in the surrounding area. Consideration needs to be given to how proposed developments could assist in improving the safety of the surrounding area in terms of increased informal surveillance or other measures to contribute to crime prevention.
6. Consideration should be given to the design and layout of the student accommodation and siting of individual uses within the overall development in relation to adjacent neighbouring uses. The aim is to ensure that there is no unacceptable effect on residential amenity in the surrounding area through increased noise, disturbance or impact on the street scene either from the proposed development itself or when combined with existing accommodation.
7. Where appropriate proposals should contribute to the re-use of Listed Buildings and other buildings with a particular heritage value.
8. Consideration should be given to provision and management of waste disposal facilities that will ensure that waste is disposed of in accordance with the waste hierarchy set out in Policy EN 19, within the development at an early stage.
9. Developers will be required to demonstrate that there is a need for additional student accommodation or that they have entered into a formal agreement with a University, or another provider of higher education, for the supply of all or some of the bed spaces.
10. Applicants / developers must demonstrate to the Council that their proposals for purpose built student accommodation are deliverable.

The proposals are in accordance with this policy and this is discussed in detail below.

### **Saved UDP Policies**

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.

It is considered that the proposal is consistent with the policies contained within the UDP.

### **National Planning Policy Framework**

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF was revised in July 2018 and is a material consideration in the determination of all planning applications.

There are three overarching objectives to sustainable development: economic, social and environmental:

- an economic objective, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation; and improved productivity ; and by identifying and coordinating the provision of infrastructure;
- a social objective, supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective, contributing to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, use natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy.

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 103 states that the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.

Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Within this context paragraph 110 states that applications for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use.

Paragraph 117 indicates that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Including giving substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

Paragraph 127 confirms that planning decisions should 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; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 197 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The NPPF states that where proposed development accords with an up-to-date Local Plan it should be approved. The proposals would create additional residential accommodation in a sustainable location and as set out in this report are indicated as being in accordance with the up to date Core Strategy Development Plan Document and therefore accord with the main principles and expectations of the revised National Planning Policy Framework.

### **Other Material Considerations**

#### **Guide to Development in Manchester Supplementary Planning Document (SPD) and Planning Guidance (April 2007)**

Part 1 of the SPD sets out the design principles and standards that the City Council expects new development to achieve, i.e. high quality developments that are safe, secure and accessible to all. The SPD states that proposals should seek to ensure that the use of the building reflects their purpose and the place in which they are located. Development should enliven and define neighbourhoods and promote a sense of place. Development should have regard for the location of sustainable public transport and its proximity. In relation to crime issues, the SPD requires that prevention measures should be demonstrated, and include the promotion of informal surveillance, CCTV, good lighting and stewardship.

#### **The Manchester Green and Blue Infrastructure Strategy (GandBIS)**

The GandBIS 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.

### **Central Manchester Strategic Regeneration Framework**

This Strategic Regeneration Framework sets a spatial framework for Central Manchester within which investment can be planned and guided in order to make the greatest possible contribution to the City's social, economic and other objectives and identifies the Southern Gateway area, within which the site sits, as one of the main opportunities that will underpin the Framework, which is extremely important for Central Manchester, the city as a whole and the surrounding area. It is considered that the application proposals will contribute significantly to achieving several of the key objectives that are set out in the Framework, including creating a renewed urban environment, making Central Manchester an attractive place for employer investment, and changing the image of Central Manchester.

### **Oxford Road Strategic Spatial Framework**

This Strategic Spatial Framework adopted in March 2018 can be used to guide decision-making on planning applications.

At figure 2 the site is identified as a site for increased density opportunity.

Paragraph 4.15 states that where the density of development increases, it should be noted that a further premium must be placed on the quality of design and public realm. In development management terms, new development must respond to its context, be mindful of the amenity of all users and existing residents, and contribute positively to public realm and permeability including with surrounding

neighbourhoods. Higher density development must have particular regard to architectural quality and consider microclimatic effects carefully. Whilst high density forms of development can be inherently sustainable, strategies must be in place to maximise energy efficiency, carbon reduction and to deal with climate change issues such as green infrastructure, drainage / use and ongoing effective maintenance of Sustainable Urban Drainage Systems (SuDs).

Paragraph 4.16 states that any proposals for taller buildings must be able to robustly satisfy the firmly established criteria for assessing the merits of tall buildings within national and local planning policy guidance, including Manchester City Council's Core Strategy Policy EN2 Tall Buildings and Historic England Advice Note 4 on Tall Buildings. In assessing tall buildings, this means that particular emphasis will be placed on:

- Understanding effects on the historic environment through a visual impact analysis and assessment of verified key views.
- Ensuring that microclimatic effects in terms of wind and sunlight / daylight, do not have an adverse effect on the safety, comfort or amenity of the area.
- Proposals for tall buildings will need to be sustainable. In terms of energy use, the City Council's policy standards will be expected to be properly addressed and where possible surpassed.
- Landmark buildings will need to be of the highest architectural quality and have a positive relationship to the City's skyline.
- They should contribute to the legibility of the area, and the provision of public space and high quality public realm.
- The design needs to be credible and therefore demonstrably deliverable.
- Tall building proposals within key city centre regeneration areas such as
- Oxford Road Corridor should have clearly identified regeneration benefits.

### **Legislative requirements**

Section 149 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.

Section 17 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.

**Environmental Impact Assessment** - The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 specifies that certain types of development require an Environmental Impact Assessment (EIA) to be undertaken.

The proposal is below the thresholds at Schedule 2 of the EIA Regulations and it is not located within a 'sensitive area,' as such, the proposals do not comprise 'Schedule 2 development' and a Screening Opinion was not sought.



Having taken into account the EIA Directive and Regulations it is therefore considered that an Environmental Assessment is not required in this instance.

## Issues

### Principle of student accommodation

The application site is unallocated previously developed land, located within a sustainable location characterised by a range of types and sizes of residential accommodation and is immediately adjoining Manchester Metropolitan University and its Halls of Residence.



### (Photograph of site as existing)

The proposed development is therefore well connected to and in close proximity to the University Campus and would satisfy the requirements of point 1 of Policy H12.

This development would be energy efficient and achieve BREEAM very good. It is considered therefore that the proposal would meet the requirements of point 2 of Policy H12.

The principle of a high density development has been established by the Oxford Road Strategic Spatial Framework. The site is highly sustainable and close to a wide variety of amenities and services, as well as public transport. The target population is expected to have zero levels of car ownership. Along with the provision of cycle parking and a Travel Plan, it is expected, therefore, that the proposal would not result in an increase in on-street parking in the surrounding area. It is considered therefore that the proposal would meet the requirements of point 3 of Policy H12.

The site lies on a key gateway route from the south into the City Centre. Although the site is in part occupied by a former public house of some local value, it generally creates a poor quality built environment and has raised issues of crime and safety. The redevelopment of the site would have a hugely beneficial impact on the area, improve the perception of the City at a key location and improve the vitality and safety of the surrounding streets. It is considered therefore that the proposal would meet the requirements of point 4 of Policy H12.

A condition should require compliance with the Crime Impact Statement and Secured by Design accreditation. It is considered therefore that the proposal would meet the requirements of point 5 of Policy H12.

The applicant is an established provider of purpose built student accommodation with an understanding of how to appropriately integrate such developments into existing urban areas. A detailed Management Strategy accompanies the application controlling the management and operation of the development. The development would be subject to appropriate acoustic insulation levels. It is considered therefore that the proposal would meet the requirements of point 6 of Policy H12.

There are no listed buildings in the vicinity of the site. The Church Inn building on the site proposed to be demolished, is of some local value. Although it retains limited features of interest to the façade there is very little in terms of any interior features of historic value retained. The building in its current disused state that is an attractor for anti-social behaviour and does not contribute positively to the street scene or to the character of the local area. Therefore point 7 of Policy H12 is considered to be complied with.

Waste would be stored at ground level in an accessible stores. A private waste collection service would remove waste from the site twice a week. It is considered therefore that the proposal would meet the requirements of point 8 of Policy H12.

Alumno have demonstrated in their supporting information that there is a need for additional student accommodation, the development would be in the immediate vicinity of the Manchester Metropolitan University campus. Commercial negotiations between MMU and the applicant are ongoing and there is potential for MMU to take a long lease on the building. If agreed, the building would be managed as part of MMU's wider residential portfolio, including 24/7 staffing and security. It is considered that point 9 of policy H12 is satisfied. An email from Manchester Metropolitan University has been supplied by the applicant that states they are very supportive of Alumno's proposals.

In terms of the deliverability of the scheme, Alumno have provided supporting information and have supplied credentials. It is considered that the proposal would meet the requirements of point 10 of Policy H12.

### **The need for student accommodation**

The supporting Study of Needs documentation with this application states that according to the evidence, there is a gap in the provision of bed spaces in Manchester.

This application seeks to accommodate 97 bed spaces and based on the supporting information, there is an established need for this type of purpose built student accommodation.

Therefore subject to consideration of the detailed matters set out below the principle for the redevelopment of previously developed land for student accommodation is considered to be acceptable.

## Consultation

The application is accompanied by a Planning Statement and Statement of Community Engagement that sets out that prior to submitting the application the developer met with local Members and One Manchester Housing Association. They held a focus group with current students at Manchester Metropolitan University and held a public exhibition at Hornchurch Court Community Room, a communications company commissioned by the applicant also conducted door to door visits to local residents. Details of an extensive area for a letter drop that was undertaken and a press release placed in the Manchester Evening News have also been provided.

Eight individuals made submissions during the public consultation via an online form raising concerns regarding the height of the proposed development, particularly in relation to other buildings in the local areas and the impact this would have on adjacent residents and with regards to the development being targeted at students. Comments were also received about the retention of the historic pub building.

The City Council have consulted individual properties directly affected by the proposals.

## Tall Buildings Assessment

One of the main issues to consider in assessing the scheme is whether this is an appropriate site for a tall building. The proposal has been thoroughly assessed against the City Council's policies on tall buildings, the NPPF and the following criteria as set out in the Guidance on Tall Buildings Document published by English Heritage and CABE in July 2007.

## Height and Scale



The development proposal would comprise a 12 storey building measuring c.40m in height.

The site currently accommodates a two storey public house, which is conspicuous by its small stature, having regard to surrounding buildings. The student accommodation blocks to the south and north are five storey in height. The halls of residence to the east are four storey with five storey features. To the west the social housing units and the rear of the Best One premises fronting Cavendish Street are three storey in

height. Views to the north are dominated by the Mancunian Way and the eight storey Manchester Metropolitan University Business School Building.



**(View of the proposed development from Cambridge Street towards the City Centre)**





**(View of the proposed development from Cambridge Street towards the South)**



**(View of the proposed development from south towards the City Centre)**

To the south stands the Crowne Plaza, a 19 story building located on Booth Street West and to the west the residential Hornchurch Court stands at 15 storeys. Planning permission has also recently been approved for the construction of a part 6, part 11 and part 16 storey building comprising 491 student bed spaces (application 120896/FO/2018) on Stretford Road (Birley Fields Plot E) approximately 160 m to the west of the site.

The site has been identified as a site for high density development in the Oxford Road Strategic Spatial Framework. It is considered that the development proposals are acceptable in urban design terms having regard to the context of the buildings of varying heights in the skyline associated with the Inner Ring Road, the City Centre and the Oxford Road Corridor.

In addition the revised National Planning Policy Framework at (paragraph 123) sets out that where there is an existing shortage of land for meeting identified housing needs it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

The design of the building focusses on high quality materials to complement the local architectural materiality and vernacular which is characterized by the Manchester red brick.

On the main Cambridge Street elevation, the building would be red and grey. It is proposed that the walls of the taller element (to the north) is built from a variegated red brick. The lower element (to the south) would be constructed using grey precast concrete. Between these there would be a black brick panel and aluminium composite windows with glazed spandrels.

The facade of the ground floor podium would be predominately glazed. The north and south elevations would predominately comprise red brick and the west elevation would replicate the treatment to the Cambridge Street elevation.

A signage strategy has been submitted which fully incorporates wayfinding into the design of the building in the form of a large feature 84 to the façade and any further signage being incorporated into the ground floor facade glazing.

It is considered that the design of the proposed development is complimentary to the immediate local context whilst providing a building of good architectural quality, providing a landmark building in a prominent gateway location in accordance with policy.

### **Loss of Public House**

A large number of the responses received in relation to the application (including the Campaign for Real Ale) relate to the loss of the Church Inn Public House on site. The premises has not operated as a Public House since March 2016 when it was the subject of a violent armed robbery.

It is recognised that public houses can make a valuable contribution to a community. They have traditionally been of intrinsic value of British life and in this case, Manchester culture and many are steeped in history, forming part of local social and cultural heritage. Often they form an essential part of an area's daytime and evening economy.

It is therefore important to protect public houses where they possess a heritage, economic, social or cultural value to local community or where they contribute to wider daytime/evening economic objectives.

In the case of the Church Inn Public House, the premises is not listed by the Council as a 'community asset'. It is understood further that the premises ceased trading in 2016 and has been closed ever since.

Whilst it is believed the building was initially marketed for reoccupation, no interest was forthcoming and realistically, the building is highly unlikely to be reoccupied for its original use. The building is situated on the edge of the city centre, where a plethora of public houses and bars are present. A feasibility report to this effect has been submitted to accompany the planning application.

In light of the above, it is not believed that the loss of the public house should form a barrier to redevelopment in this instance.

### **The Heritage of the Public House**

The application is accompanied by a Heritage Assessment prepared by Stephen Levrant Heritage Architecture. The building was constructed in the c.1820's as a dwelling and was converted to a Public House in 1852. The principal elevation was replaced in 1900, hence the terracotta high level sign stating Church Inn 1900. A two storey extension to the rear was added in 1986. A single storey extension was added in 2007. The findings of the report are that the building frontage had aesthetic value of local interest but did not meet the criteria for statutory listing.



(Front Elevation)



(Side Elevation from Brindle Street)

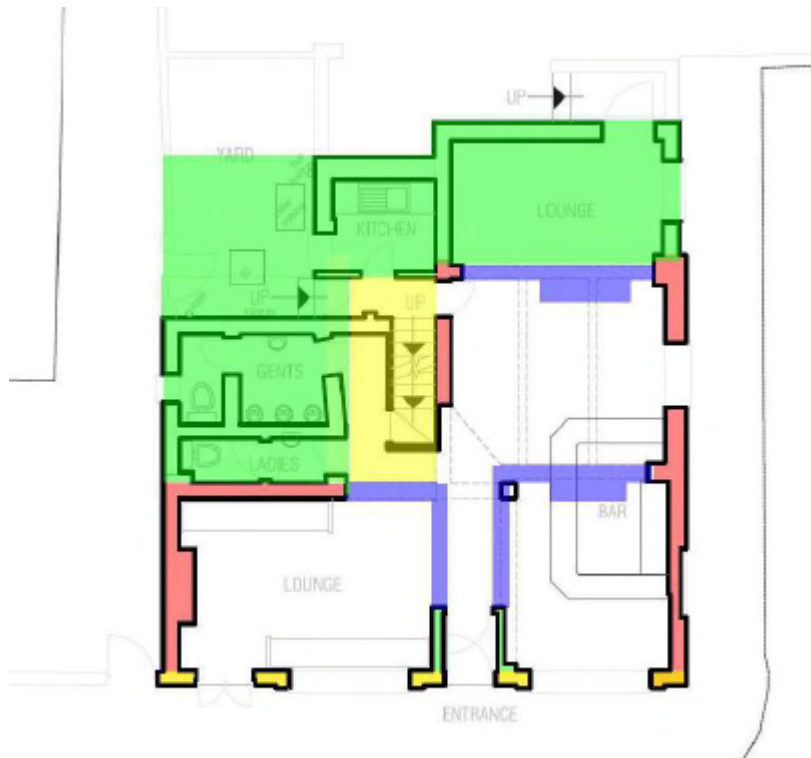




(Building from Rear)

(Side Elevation)

The internal ground floor layout of the building is significantly altered. Whilst some features have been retained such as a tiled floor within the ground floor, most features of a historic nature have been removed.



(The ground floor plan dating to 2009 showing the c. 1825 parts shaded red, the former positions of original walls and chimney breasts shaded blue (now removed), the 1900 alterations shaded yellow, and modern extensions shaded green. This plan illustrates the substantial internal alterations that have taken place to the building.)





(Photos of the Ground Floor Bar)



(Photos of first floor accommodation)

Whilst it is acknowledged that the building may have some local value, the pub has been extensively altered both internally and externally over the years which has significantly undermined any original architectural quality or historic value of the building

Paragraph 197 of the National Planning Policy Framework states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The loss of the building which is not within a Conservation Area and does not meet the criteria for statutory listing, has been balanced against both its remaining value but also importantly the benefits and merits of the scheme. In this instance the loss of the building would facilitate redevelopment that would offer public benefits by leading to environmental improvements, increased vibrancy and vitality to the street scene and create direct and indirect employment through the operation of student accommodation and via the construction of the proposed replacement building has been assessed in line with guidance within the NPPF as being acceptable.

The applicant has stated that a feature installation of a model of the Church Inn will be kept in the reception area, a condition requiring that this is adhered to is attached.

Reference has also been made to the reuse of elements of the existing façade within public seating and art works. Further details are to be required by condition.

## **Residential Amenity**

### **Loss of Light**

Concerns have been raised about the loss of light to existing properties. A daylight / sunlight study has been submitted which predicts impacts of the proposal on individual windows against the standards set out in the BRE Guide to Good Practice – Site layout Planning for Daylight and Sunlight Second Edition BRE Guide 2011.

The submitted daylight / sunlight study had used the following method to assess the impact on the surrounding properties:

#### **Daylight**

Vertical Sky Component (VSC) – This is a measure of the amount of sky visible from a centre point of a window. A window that achieves 27% or more is considered to provide good levels of light, but if with the development in place the figure is both less than 27% and would be reduced by 20% or more, the loss would be noticeable.

No Sky Line (NSL) – The no sky line is the divider between the part of the working plane from which a part of the sky can be seen directly and the part from which it can't. This is often given as a percentage indicating the area from which the sky can be seen, compared to the total room area. The deeper the no-sky line permeates the room, the brighter the scene appears. A room will appear gloomy if more than 50% of the working plane is beyond the no sky-line. The working plane is usually taken to be horizontal at 0.85m above the floor in houses.

The BRE Guide recognizes that different targets may be appropriate, depending on factors such as location. The achievement of at least 27% can be wholly unrealistic in the context of high density locations as this measure is based upon a suburban type environment (equivalent to the light available over two storey houses across a suburban street). It should be noted that the VSC level diminishes rapidly as building heights increase relative to the distance of separation. Within high density locations the corresponding ratio for building heights relative to distances of separation is frequently much greater than this.

The assessment in this application has assumed layouts for rooms in surrounding properties where it was not possible to obtain the room layouts.

#### **Sunlight**

The BRE guidance sets out that if a habitable room has a main window facing within 90 degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:

- Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and;
- Received less than 0.8 times its former sunlight hours during either period and;
- Has a reduction in sunlight over the whole year greater than 4% of annual probable sunlight hours.

Impact on each neighbouring development is set out below:

### Cambridge House

There are 15 windows identified as being affected at the student accommodation at Cambridge House (5 bedrooms and 5 living kitchen diners facing Cambridge Street and 5 secondary side windows to the living kitchen diners set on the corner of the building facing towards the development). The development would see a reduction in the VSC of the side facing secondary windows to the living kitchen diners at Cambridge House beyond the BRE guidance (resulting in 0.01/0.02 times its former value), however, these are secondary windows to the kitchen living diners; the windows facing Cambridge Street would still receive an appropriate level of daylight (marginally below the level suggested in some instances at 0.70 times its former value) and sunlight having regards to the BRE guidance above. These windows are to the communal areas of Student Accommodation, which forms temporary accommodation rather than a permanent place of residence.

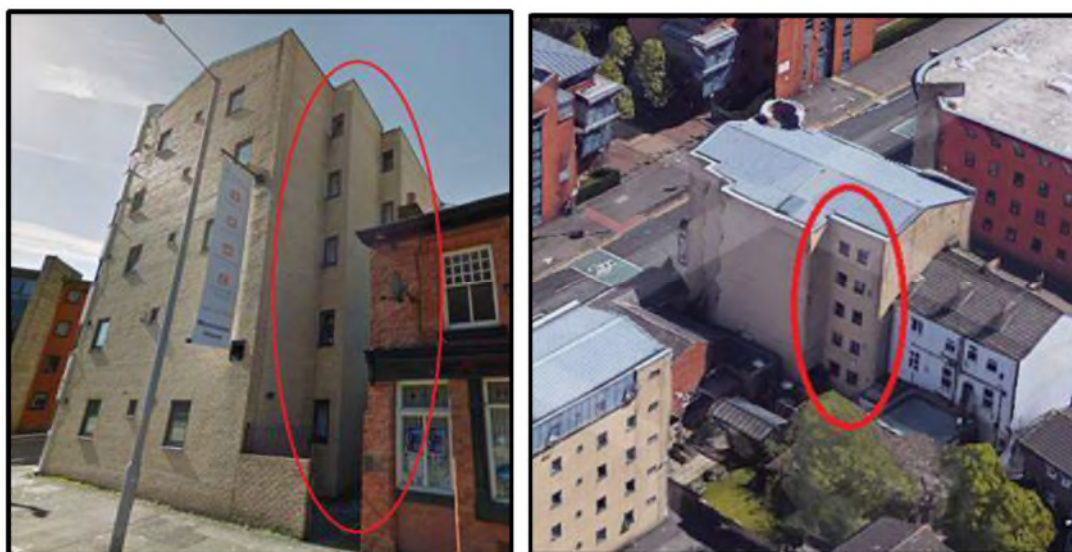


### Manchester House

There are 20 bedroom windows to the student accommodation at Manchester House that were assessed for impact (10 facing Cambridge Street and 10 facing north towards the development site). With regards to daylight the 10 windows facing Cambridge Street would be impacted upon with a VSC marginally below the 0.8 recommended (at 0.76 times its former value).

The 10 north facing windows are predicted to be impacted upon beyond the levels that are set out as acceptable with regards to BRE guidance (resulting in 0.30 times its former value). The affected habitable windows serve student bedrooms where the requirement for natural light is less in comparison to permanent residents. This is because the students occupying these rooms are transient and usually occupy rooms for a maximum of nine months. In addition, students typically follow living patterns that differ from that of a more traditional dwelling.

In terms of sunlight, none of the windows analysed are orientated within 90 degrees of due south and as such do not require assessment with regards to the BRE guidance.



#### 44 Cavendish Street

There are four windows which serve habitable windows (2 of which are to bedrooms which are afforded less significance in terms of protection and 2 Living room / Kitchen / Diner) affected at the flats at No. 44 Cavendish Street. The development would see a reduction in the VSC to these north facing windows greater than the levels that are set out as acceptable with regards to BRE guidance (at 0.40 – 0.63 times its former value).

In terms of sunlight, again, none of the windows analysed are orientated within 90 degrees of due south and as such do not require assessment with regards to the BRE guidance.

The conclusion of the assessment is that only two windows would be impacted by the development in terms of loss of light. This is to the 2 habitable windows on the rear of the building. On balance and given the limited impact overall it is not considered this would warrant a reason for refusal, particularly given the other significant benefits of the scheme.





### Elmdale Walk

The assessment indicated that there are four kitchen windows (out of six) affected at the three storey flats to the rear at 2 – 12 Elmdale Walk which would be impacted upon with a VSC marginally below the 0.8 recommended.

In terms of sunlight, none of the windows analysed are orientated within 90 degrees of due south and as such do not require assessment with regards to the BRE guidance.



With regards to an assessment of overshadowing of amenity spaces there would be a projected 1% loss of light to 2 – 12 Matham Walk and a projected 4% loss of light to Loxford Gardens to the north. The BRE guidance states that at least half of a garden or amenity space should receive at least 2 hours of sunlight on 21 March. If the sunlight level is less than 0.8 of its former level the loss of sunlight would be noticeable. All surrounding amenity spaces analysed would achieve full BRE compliance with the development in built and in place.

Light to windows to Manchester House, 44 Cavendish Street and less so at Cambridge House and at 2 – 12 Elmdale Walk would be affected by the development

proposals, however, the loss of daylight to student accommodation and to four windows to flats, beyond levels acceptable under advisory BRE guidance is not considered to outweigh the overall benefits of developing the site and the regeneration benefits for the local area.

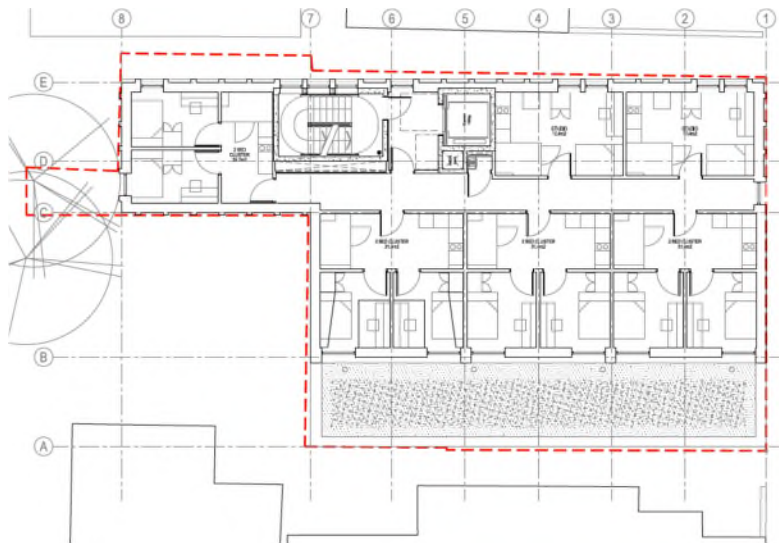
It is also recognised that this site is not within a traditional suburban location; its context being more urban with higher density development and of a tighter knit grain. The BRE guidance advocates flexibility in such situations, it is considered the relationship to surrounding developments responds to its location and particular characteristics.

### **Loss of privacy**

The community statement submitted to accompany the application states that the Alumno Group recognised that respondents to pre-planning consultations were concerned that adjacent properties could be overlooked by the proposed building on the site of the Church Inn.

The applicant states that the building has been designed in a sensitive manner to ensure that no properties will be directly overlooked.

The first floor plan included below shows the relationship of the building to the site boundaries. The plan below shows the proposal in a wider context.





The windows to the north directly overlook the existing alleyway that provides pedestrian access to Dalesman Walk.

The plan shows that there are a limited number of windows to the rear elevation in an offset position, 7.5m from the three storey flats at 2 – 12 Elmdale Walk, preventing any undue overlooking.

There would be one window per floor facing out of the rear (western) elevation. The majority of these windows, with the exception of the tenth floor, are likely to serve studio apartments rather than communal areas. As such, only nine residents would look out to the rear of the site at an oblique angle (separated by c. 7.5m from neighbouring residential property), while the impact of windows serving the communal area on the tenth floor is likely to be minimal due to the relative height of this floor.

The amenity space to the side of 2 – 12 Elmdale Walk is currently overlooked by existing windows within Manchester House and to 44 Cavendish Street. There would be additional overlooking of the garden space in close proximity, however it is not considered that the view from windows proposed would cause such an undue impact as to warrant a reason for refusal in this particular context.

With regard to windows on the south elevation (facing Manchester House) these would overlook the external wall of Manchester House which has ten windows to the westernmost part of the elevation separated by c. 7m. On the opposite side of the building, the north elevation faces Cambridge House which has windows that face toward Cambridge Street. There are some corner windows to communal spaces c. 2m separation from the proposal but this relationship is considered to be appropriate in this context.

Whilst the proposed building would be close to surrounding property, the siting and layout provides an acceptable arrangement. The privacy distances provided in this city fringe context, the response of the building proposed to the heights of the buildings surrounding, and the orientation of each element of the development is considered to be in accordance with policies SP1, EN1 and DM1 of the Core Strategy.

Policy EN1 of the Core Strategy states that opportunities for good design, that enhances the overall image of the City, should be fully realised. This is reiterated within the Guide to Development in Manchester SPD along with the NPPF.

Overall, the development proposed would deliver a high quality building which has a clear contextual link to the Regional Centre, providing significant regeneration benefits.

### **Building Management**

The application is accompanied by a detailed Management Plan. The applicant works alongside a facilities management company who have other student housing development in Manchester. There would be an on-site point of contact for 24 hours a day. The applicant states that the management company would have robust procedures in place to manage student behaviour. They reiterate that students will not be allowed to bring to the site or park locally (with the exception of students requiring accessible accommodation). During the move in / move out process over two weekends in the academic year arrivals will be staggered and additional staff will be employed to minimise disruption, further details of this will be required by condition. Tenancy agreement will have regards to noise and anti social behaviour. There will be rules and regulations relating to the property, local neighbourhood consideration, parking rules and enforcement measures. Should there be any serious incidents, ongoing or repeated complaints received from local residents about a student, the student will be treated as having a serious breach of the tenancy agreement which in turn will trigger the landlord to make an application to the court for possession of the accommodation.

### **Servicing**

The applicant initially proposed to service the building and have waste collection from Cambridge Street during the evening hours. This raised some concern with regards to impact on the highway network.

An alternative arrangement of servicing and waste collection from Chervil Close to the west was suggested to ensure the safe operation of the highway. Both parties agree that deliveries can be directed to Chervil Close.

Whilst this arrangement could have a more measurable impact on residential amenity, it is not considered that a twice weekly collection of bins and the servicing of the building from this location would have an unduly adverse impact upon residential amenity.

The applicant still wishes to take some servicing from Cambridge Street. A condition recommending a servicing agreement is recommended.

### **Trees, Landscaping and Public Realm**

Two category B trees (a Wild Cherry and Grey Elder) to the rear of the site near Elmdale Walk would be lost as a result of the development. Greater Manchester Ecology Unit comments that they are not of particularly high quality but they are in an



area where tree cover is sparse and states that compensation should be sought for any tree losses.

The arboricultural report submitted to accompany the application recommends mitigation for the loss of the trees in the form of tree planting.

Plans now received include 2 trees to the rear which are to be contained in planters, there is also landscaping to the level 11 roof terrace.

The applicant has also stated that they will accept a condition for off site tree planting. A condition recommending that off site street trees are provided is attached.

### **Ecology**

An ecological assessment of the site has been undertaken by suitably qualified consultants and was to appropriate standards. Greater Manchester Ecology Unit recommend a condition requiring a demolition method statement that should include specific actions to be taken to avoid any possible harm to bats during demolition.

### **Wind**

A wind microclimate assessment has been submitted to assess the impact of wind on the pedestrian environment within the site and its surroundings.

The proposed development is aligned such that its south facing façade is exposed to prevailing southerly winds, introducing the potential for flow acceleration at its south-eastern and north-western corners.

This direct exposure to prevailing winds creates a pressure drop downstream. The air is thus forced to gain speed around the corner, leading to increased wind speeds and less comfortable wind conditions.

Given the above the reports concluded that mitigation measures are necessary to provide comfortable and safe wind conditions for all.

The proposal responds to the wind assessment in order to mitigate potential impact through certain design measures including the positioning of the primary entrance on Cambridge Street away from the windiest south-east corner of the site; articulation within the building facades to assist in the surface break-up and deflection of wind; and the provision of a protective screen, pergola and planting upon the roof terrace and 2 trees in planters.

On the basis of the mitigation measures proposed the scheme proposed is considered to be acceptable in relation to the local wind environment.

### **Noise**

A Noise Assessment Report was submitted to accompany the application that assesses noise breakout and the protection afforded to residents of the development from outside noise. This has been considered by Environmental Health who are

satisfied subject to the imposition of a condition requiring compliance with the measures set out in the report.

The application also includes a management strategy, which sets out that on signing the tenancy agreement students will have to have regards to noise and anti social behaviour. There will be rules and regulations relating to the property, local neighbourhood consideration, parking rules and enforcement measures. Should there be any serious incidents, ongoing or repeated complaints received from local residents about a student, the student will be treated as having a serious breach of the tenancy agreement which in turn will trigger the landlord to make an application to the court for possession of the accommodation.

## **Highways**

The scheme has been assessed as having an acceptable impact in terms of it being in a sustainable location within walking distance of the City Centre core, Oxford Road Corridor and MMU Birley Campus which places no pressure on the highways network. There is no parking at any time on Cambridge Street and there is a residents parking scheme in operation in the area.

The Highway Authority suggest conditions relating to off-site Highways Works, to include works to resurface footways and to provide an on street disabled accessible car parking space. Conditions would also be required for a pick up / drop off strategy, for construction management and to ensure travel planning occurs in line with the Travel Plan submitted (welcome pack, communal noticeboards, email updates, calendar of events, cycle parking provision and encourage use of city car club). The applicant is agreeable to undertaking the works required.

With regards to servicing and deliveries, the applicant has set out that deliveries to the development will be directed to use Chevril Close and students will be informed of this rather than stopping on Higher Cambridge Street.

Highways have set out that servicing from Chevril Close presents the most viable servicing strategy. It is acknowledged that servicing from this location is not ideal, however this is preferred to loading from Cambridge Street. Highways would recommend that all servicing, including refuse collection, is taken from this location as opposed to from Cambridge Street.

A condition requiring the agreement of a servicing strategy is required.

## **Cycle Parking**

Cycle Parking provision has increased from 16% in the originally submitted plans to 28 spaces to be offered on-site (equating to circa 28% provision), with an additional 8 spaces to be provided within the MMU Campus on Brompton Docks (36 spaces equating to 37% cycle parking provision). This is in-line with comparable student residential developments. The location of the cycle storage within the building is accepted. The level of cycle parking is considered to be acceptable for the development subject to a condition requiring maintenance of this level.

## **Sustainability**

The combined use of passive design, energy efficiency building services and low and zero carbon technologies would achieve an overall reduction in regulated carbon emissions of 25%, exceeding the City Council's reduction targets. The inclusion of the air source heat pump would provide 44% of the buildings energy demand. The building would be BREEAM Very Good.

## **Air Quality**

An Air Quality Assessment has been submitted with the application. The Assessment concludes that overall, the construction and operation air quality effects of the proposed development would not be significant. The assessment has been considered by Environmental Health and the development is considered to be Policy EN16 compliant.

## **Waste**

Bin provision will be provided within each cluster kitchen for general food/waste, paper and card and glass and tins. It would be the responsibility of the students to pre-sort the waste into the correct bins. The students would then transfer waste to the ground floor secure bin store, which is located to the west of the building footprint, regularly, to be inspected by the management company.

The management company propose to ensure bins are taken to the collection points to be emptied and returned to the bin store. The bins would be collected by a contracted waste transfer company twice weekly. The bin need has been calculated to be will 3 1280 litre bins (2 x General Waste and 1 x Mixed Recycling). Servicing is shown as taking place from Cambridge Street. The level of provision has been assessed by Environmental Health as satisfactory.

## **Crime and Disorder**

A recommendation of the Crime Impact Statement is to secure the pathway connecting Cambridge Street with Elmdale Walk. Gating of this route did not form part of the planning submission. The applicant is hesitant to close the pathway off as it is an existing right of way for residents to access the City Centre and as it constitutes an existing right of way the City Council would not wish for this route to be closed. The pathway would be overlooked by the proposed development and measures will have to be introduced to ensure the security of this route to the satisfaction of Greater Manchester Police.

A Crime Impact Statement has been prepared by Greater Manchester Police and explains how the design may contribute to, or mitigate against, crime and anti-social behaviour. A condition requiring the achievement of a Secure by Design accreditation will be attached to any consent granted.

## **Disabled Access**

The development has been designed to take into account the Equality Act and Part M of the Building Regulations. The site is generally flat, all pedestrian routes to the building connect with level access into the building. The development will also incorporate a digital Beacon system approach to aid wayfinding for partially sighted individuals.

An off site disabled car parking bay would be secured through a planning condition.

### **TV Reception**

A baseline Television Reception Survey has been carried out. The report concludes and recommends mitigation measures should any interference be found, as follows:

- Interference to analogue television service reception would not be possible
- Whilst widespread interference to Freeview service reception is not expected, the development and use of tower cranes could cause interference to adjacent properties viewing Winter Hill transmissions on Cavendish and Higher Cambridge Street. Antenna betterment / repositioning should restore all services and is the simplest and most cost-effective mitigation solution. If this is required, it is advised that a registered antenna installer undertakes all required work.
- The development and use of tower cranes could cause interference to digital satellite reception within 90m to the immediate northwest of the site. Whilst it was not possible to locate all satellite dishes during the survey as it is expected that most were located on rooftops, dish relocations to positions where views to the serving satellite remain unobscured should restore all services and is the simplest and most cost-effective mitigation solution. If this is required, it is advised that a registered antenna installer undertakes all required work.

A condition requiring a post-construction survey and any mitigation measures should be attached to any permission to ensure that any mitigation measures are appropriately targeted. Given the above, it is considered that the proposal would not have a significant adverse impact on TV reception.

### **Drainage / Flooding**

The site falls within Flood Zone 1 and is at low risk of flooding, the applicant has provided a Flood Risk Assessment and drainage strategy to accompany the application. Following receipt of these documents the Councils Flood Risk Management Team raise no objections to the proposals and have recommended a number of conditions be attached to any approval. The application proposals are therefore considered to accord with policy EN14 of the Core Strategy.

### **Infrastructure**

Comments received raised concerns in relation to the impact of the proposed development upon infrastructure in the locality, specifically upon medical services. The proposed development is in walking distance of local shopping parades, Asda Hulme and the City Centre, as such it is considered that the scheme would be well

catered for and that the small increase in student numbers would not have a detrimental impact.

## **Conclusion**

It is recognised the proposal has raised concerns; most notably due to the loss of the former public house and potential impact on residents from loss of light. As set out in the report the former public house, which has some local value, has been subject to significant alteration over time. The exception being the front façade which dates back to 1900. Internally very little remains of the original structure. The use itself ceased in 2016 and it is understood no interest was forthcoming when marketed.

The applicants confirmed that it was not viable or feasible to reuse the existing building as part of the development due to the extent of the existing basement, the impact that piling for the new building's structure would have on the existing building and the constraints of the existing building.

It is proposed, in recognition of the former use to place a model in the reception area for so long as the use is in operation and to utilise elements of the façade for public seating and art.

The potential impact on loss of light has been fully assessed. The conclusion is that all but four windows in nearby apartments would be unaffected, of the four windows, two windows would be impacted by the development in terms of loss of light. On balance and given the limited impact overall it is not considered this would warrant a reason for refusal, particularly given the other significant benefits of the scheme.

The impacts, both the loss of the former public house and light, together with all other impacts have been fully assessed and balanced against the merits and benefits of the proposal.

With an identified need for University supported purpose built student accommodation, the proposal would deliver a high specification development in a highly sustainable location that also responds to its location on the corridor.

The development proposals would result in the loss of 2 trees, however, the trees are of low amenity value and the appropriately detailed replacement strategy can maximise high quality site landscaping that will benefit the visual amenity of the local area.

On balance, the proposals are considered to be consistent with Core Strategy Policies SP1, EN1, EN2, EN3, EN4, EN6, EN9, EN14, EN15, EN16, EN17, EN18, EN19, T1, T2, DM1 and H12 and Saved Unitary Development Plan Policy DC26.

**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 and 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 planning application. The proposal is considered to be acceptable and has been determined in a timely manner.

### **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

Location Plan – As Existing      PL 001

Plans and Elevations – Demolitions PL007

Plan – Level 0 – PL010 Rev A

Plan – Level 1 – PL011

Plan – Level 2 – PL012

Plan – Level 3 – PL013

Plan – Level 4 – PL014

Plan – Level 5 – PL015

Plan – Level 6 – PL016

Plan – Level 7 – PL017

Plan – Level 8 – PL018

Plan – Level 9 – PL019

Plan – Level 10 – PL020

Plan – Level 11 – PL021 Rev A

Plan – Level 12 – PL022 Rev A

Elevation East – PL030 Rev A

Elevation South – PL031 Rev A

Elevation West – PL032 Rev A

Elevation North - PL033  
Section A-A – PL040 Rev A  
Section B-B – PL041 Rev A  
Section C-C – PL042  
Section D-D – PL043  
Section E-E – PL044 Rev A  
Façade Detail 1 – Elevation / Section PL050  
Façade Detail 2 – Elevation / Section PL051  
Drainage Strategy 161045-CON-X-00-DR-C1000 Rev P2  
External Lighting Strategy – SK\_E001  
Design and Access Statement prepared by Carson and DATED November 2018  
Transport Statement Prepared by TPA October 2018 1804-05/TS/01D  
Travel Plan Prepared by TPA October 2018 1804-05/TP/01B  
Waste Management Plan dated 15/11/2018  
Heritage Statement prepared by Stephen Levrant Heritage Associates dated July 2018  
Ground and Contamination Investigation Summary prepared by Conisbee dated September 2018  
Phase 1 Geo-Environment Desk Study prepared by Wardell Armstrong dated February 2017  
Phase 2 Site Investigation Report prepared by Ground Engineering Limited dated September 2018  
Flood Risk Assessment and Surface Water Drainage Strategy prepared by Conisbee dated 01 November 2018  
Arboricultural Impact Assessment prepared by TEP dated October 2018  
Noise Assessment Report prepared by Cundall dated 02 November 2018  
Wind Microclimate Assessment Design Review prepared by RWDI dated 01 March 2019  
Ventilation Strategy prepared by Cundall dated 24 October 2018  
The Impact of Higher Education on the Economy of Manchester prepared by Alumno Group dated 30 October 2018  
Student Accommodation – Church Inn, Manchester prepared by Alumno Group dated 30 October 2018  
Statement of Community Involvement prepared by Lexington Communications North dated August 2018  
Planning Statement prepared by GL Hearn dated November 2018  
Management Plan prepared by Homes for Students dated October 2018  
Energy Statement prepared by Cundall dated 26 October 2018  
Ecological Assessment prepared by TEP dated May 2018  
Daylight and Sunlight Report prepared by GL Hearn dated 01 November 2018  
Crime Impact Statement prepared by Greater Manchester Police reference 2004/0279/CIS/01 Version A: 28/09/18  
Broadband Connectivity Assessment prepared by Cundall dated 29 October 2018  
Bluetooth low energy beacons for Church Inn, Manchester prepared by Danny Ball dated 25 October 2018  
Bream New Construction: pre-Assessment Report prepared by RPS dated 24 October 2018  
Baseline Television Signal Survey and Television Reception Impact Assessment, Church Inn, Manchester dated 26 October 2018  
Air Quality Assessment prepared by Cundall dated 25 October 2018

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. Above-ground construction works shall not commence until samples and specifications of all materials to be used in the external elevations and hard landscaping around the buildings as detailed on the approved drawings have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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 Core Strategy.

4. The development hereby approved shall only be carried out in accordance with the recommendations of the Crime Impact Statement prepared by Greater Manchester Police and shall not be occupied or used until the City Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.

Reason - To reduce the risk of crime pursuant to Policy DM1 of the Adopted Core Strategy for the City of Manchester.

5. The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'Very Good'. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning within six months of occupation.

Reason - In order to minimise the environmental impact of the development pursuant to policies EN4, EN5, EN6 and EN7 of the City of Manchester Core Strategy, and the principles contained within The Guide to Development in Manchester 2 SPD.

6. No drainage shall be installed until the full details of a surface water drainage scheme has been submitted to and approved in writing by the City Council as local planning authority.

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.

7. No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:



- a. Verification report providing photographic evidence of construction as per design drawings;
- b. As built construction drawings if different from design construction drawings;
- c. Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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.

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 removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the 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 and to comply with policy EN15 of the Core Strategy.

10. Prior to occupation further details of hard and soft landscaping treatment shall be submitted. Landscaping 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.

11. Prior to first occupation of the development the cycle parking shall be implemented in full and made available for use. The approved scheme shall remain available for use whilst the development is occupied.

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

12. Prior to the occupation of the development, a scheme of highway works, in order to provide an adequate pedestrian and vehicular environment in the vicinity of the application site, shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

The footway across the perimeter of the site be resurfaced as part of the development.

The provision of an on street disabled car parking space (this space shall be retained and permanently reserved for use by disabled persons);

The approved scheme shall be implemented and be in place prior to the first occupation of the residential element of the development hereby approved and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012)

13. Within six months of the first use of the development, a revised Travel Plan which is consistent with the Framework Travel Plan submitted as part of the application and which takes into account the information about travel patterns gathered following the opening of the building shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel to the building, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

14. The development shall not commence unless and until an access strategy relating to students moving in and out of accommodation, which shall include details of loading and unloading arrangements at the site, has been submitted to and agreed in writing by the City Council as local planning authority. Access for students moving in and out of accommodation shall take place thereafter in accordance with the approved strategy.

Reason - In the interests of public and highway safety and the protection of residential amenity, pursuant to policy DM 1 of the Core Strategy for the City of Manchester.

15. Prior to the commencement of the development a detailed construction /demolition management plan (to include details about the protection of bats) and outlining working practices during development shall be submitted to and approved in writing by the local planning authority. 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, EN15, EN19 and DM1 of the Manchester Core Strategy.

16. Prior to the first occupation of the student accommodation, a detailed servicing strategy (including refuse collection) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy, including, shall be implemented and be in place prior to the first occupation of the student accommodation and thereafter retained and maintained in operation.

Reason - To ensure appropriate servicing arrangements are put in place for the development in the interest of highway and pedestrian safety pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

17. a) Prior to the commencement of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Benefit Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

18. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Reason - To secure a reduction in noise from Cambridge Street; in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

19. Prior to occupation of the development a scheme for the acoustic insulation of any externally mounted ancillary equipment to ensure that it achieves a background noise level of 5dB below the existing background (La90) in each octave band at the nearest noise sensitive location shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the equipment. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

20. The approved waste management scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

21. 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.

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.

22. When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and 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.

23. Assess the impact of the development on television signal reception within the potential impact area identified in the Pre-Construction Signal Reception Impact Survey within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area. The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

Reason - To ensure that the development at least maintains the existing level and quality of television signal reception, pursuant to Policy DM1 of the Core Strategy for the City of Manchester.

24. No externally mounted telecommunications equipment shall be mounted on any part of the buildings hereby approved, including the roofs.

Reason - In the interest of visual amenity, pursuant to policy DM1 of the Core Strategy.

25. Before first occupation of the development hereby approved a strategy for the planting of street trees including details of overall numbers, size and species, planting specification and maintenance, shall be submitted to and approved in writing by the City Council as local planning authority.

Any approved tree planting shall be implemented not later than 12 months from the date the proposed building is first occupied.

Reason - Pursuant to Core Strategy policies EN9, EN15 and DM1.

26. Prior to the first occupation of the use hereby approved, the applicant will display a model of the former Church Inn within the reception area. The model shall be displayed for so long as the use is in operation.

Reason - To commemorate the history of the site by means of model, pursuant to Policy SP1, EN1 and EN3 of the Core Strategy.

27. Prior to first occupation further details of the use of elements of the existing façade within public seating and art works shall be submitted in writing to the local planning authority.

Reason – To commemorate the history of the site, pursuant to Policy SP1, EN1 and EN3 of the Core Strategy.

### **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: 121857/FO/2018 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  
 MCC Flood Risk Management  
 Greater Manchester Police  
 Arboricultural Section  
 Greater Manchester Ecology Unit

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

**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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<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
122042/00/2018	4 <sup>th</sup> Dec 2018	11 <sup>th</sup> Apr 2019	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

## Background

The application site has been the subject of a previous planning application for outline consent for 57 dwellings, with all matters reserved except for access, under reference number 116474/00/2017.

The application was refused at the meeting of the Planning and Highways Committee on the 24 August 2017 for the following reasons:

*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 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 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.*

Following the refusal of planning permission, an appeal to the Planning Inspectorate was submitted under reference number APP/B4215/W/18/3196113. This was subsequently dismissed.

Although the appeal was dismissed, the Inspector considered that there was very limited recreational activity associated with the site and as it had not been designated within the City Council's open space study in 2009, it was held the land had no formal recreational status.

Further the Inspector considered that there was no harm to the landscaped character of the wider area as a result of development at the application site.

The reason for dismissing the appeal was solely on the grounds that there had been no suitable mitigation agreed between the City Council and the applicant to minimise the wider impacts on the Country Park. On this basis the proposal was deemed to be in conflict with policies EN9 and EN10 of the Core Strategy and saved policy LL3 of the UDP.

### **Description**

The application site is approximately 1.66 hectares and forms an area of open land which is used for the grazing of animals. The land also forms part of a wider area of semi natural open space 'Highfield Country Park', together with open space which straddles the Manchester and Stockport administrative boundaries.

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 forming 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 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 of the site 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.

Beyond the 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 an area of 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 subject to a saved policy LL3 within the Unitary Development Plan for the City of Manchester (1995).

### The proposal

The proposal seeks to demolish and remove the existing low rise buildings on the site and grazing land and its redevelopment for 57 dwelling houses. These would be arranged around a new internal road, accessed off Cringle Road forming a loop.



#### *Indicative layout*

The indicative layout shows that the 57 properties could consist of a number of 3, 4 and 5 bedroom family properties either detached or semi-detached with associated car parking and private gardens.

The layout shows that Cringle Road could be activated through the fronting of a dwelling onto this road at the access to the site. The dwellings would then be arranged around the new access road. Front and rear garden areas will be provided along with driveways providing in-curtilage car parking.

As part of this current proposal an offer to mitigate against the impact on the Country Park has been made through a financial contribution together with a 20% affordable on site housing provision by virtue of a S106 legal agreement.

### The planning submission

This planning application has been supported by the following information:

- Design and access statement;
- Crime Impact Statement;
- Transport statement;
- Flood risk and drainage strategy;
- Ecology survey;
- Tree survey;
- Air Quality report;
- Sports scoping study;
- Tree survey;
- Ground conditions report; and
- Affordable Housing Statement;

## 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.

Due to the submission of further information during the course of the planning application two rounds of neighbour notification and consultation with statutory consultees has been carried out.

### First notification

The proposal has been advertised as a major development and of being of public interest together with being a departure to the development plan. A site notices was displayed at the application site. In addition, notification letters have been sent to an extensive area, local residents and businesses.

Two separate notifications with local resident have been carried out. The comments from each notification are detailed below.

### First Notification

A total of 96 individual objections have been received in respect of this planning application. The comments can be summarised as follows:

- The proposal will take away much needed green space in the area;
- The farm is an asset to the community;
- The proposed development will impact on ecology and destroy habitats particularly in mature trees and hedgerows;
- There will be noise and traffic from the development;

- The surrounding highway network is already congested;
- The improvements to the wider park area are not acceptable;
- The proposal will impact on availability of school places and doctors surgeries;
- The proposal will impact on air quality;
- The proposal will impact on pedestrian safety in the local area;
- Drainage in the area will be affected;
- The entrance to the development will affect the houses on Wilsthorpe Close
- The affordable homes provision within the scheme is unacceptable;
- Traffic calming should be introduced to Cringle Road;
- The inspectors decision fails to give sufficient weight to the interaction the community has with this local farm;
- There will be light pollution from the development;
- The farm should be gifted to the local community if they no longer have a use for it;
- This housing development would be out of character in this countryside/parkland setting;
- There will be increased criminal activity in the area;
- Reduction in value of existing houses;
- This will set a precedent for future housing in the area;
- This development will affect underground contamination;
- The size of the houses will mean they will be turned into HMOs

Three comments have been received from residents who neither support or object to the proposal. Their comments can be summarised as follows:

- The site is next to a nature reserve and therefore it would be expected that stronger measures would be put in place for enhancement and biodiversity net gain than that which is suggested in the ecology report.
- A sensitive lighting plan should be prepared in order to minimise the impact on bats;
- Traffic calming measures should be introduced along Cringle Road together with improvements to street lighting;
- There should be more litter bins introduced in the park area;
- It is welcomed that there are proposals to make improvements to Highfield Country Park;
- There should be a replacement facility created within the park area to mitigate against the loss of the application site, for example a new children's play area;
- Air quality is poor in the area so measures to encourage walking and cycling from the development should be introduced;
- There will be impact on local schools as a result of the development.

## **Second Notification**

17 letters of objection have been received. The comments can be summarised as follows:

- Impact on the character of the park and loss of enjoyment;
- Impact on losing access to grazing fields and the community farm;
- Impact on local wildlife in particular bats and badgers;

- Impact on health due to more cars;
- More traffic at the junction to the A6;
- Only 6 of the homes will be affordable;
- Part of the site was funded by the National lottery to support locals with disabilities;
- Public green spaces should not be built upon;
- Cringle Road is already dangerous as a result of cars speeding up and down the road;
- The scheme underestimates the number of cars that will be on the road;
- The provision of monies to improve the park will not outweigh the harm to the area;
- The development will impact on surrounding air quality;
- The park is an important part of the community;
- The landscape character of the development will mean the development is not in keeping with the area;
- There will be disruption and noise from the development;
- The entrance to the estate will be close to neighbouring driveways at number 1 and number 2 Wilsthorpe Close and the general entrance to Wilsthorpe Close. This closeness will cause collisions. The entrance should be moved;
- There will be construction management issues and parking on Cringle Road;

One comments have been received from residents who neither support or object to the proposal. Their comments can be summarised as follows:

- If planning permission is granted it is conditional on upgrading of the access to the walking/cycling path adjoining the south end which currently lacks a dropped kerb for access from Cringle Road together with minor resurfacing and improved lighting.

**Cllr Basat Sheikh (Levenshulme ward Member)** – Objects to the planning application. The residents have serious concerns regarding this development. The development would visually impact the adjoining Highfield Country Park and would affect access to the park along with increased traffic in the area. This is a very quiet area and the increased traffic would impact on the local neighbourhood and also on the Country Park. The mitigation offered is not satisfactory or enough to warrant building on this land.

**Cllr Noor (Levenshulme ward Member)** – The Highfield Park is a nature reserve. This development falls in violation of this status. The development would have a detrimental impact on the natural habitat for birds and insect life in the area.

The lack of school places for children in the ward means the schools are already under pressure. The 57 new homes on the site would put further pressure on already over stretched services and budgets.

There are also pressures on other services such as doctors and transport which are at times over stretched with current demands and lack of funding.

The development will add more to traffic congestion.

There are already high levels of air pollution and the development will increase this.

**Cllr Bernard Stone (Levenshulme ward Member)** – The proposed development has already been rejected by the City Council and there is no reason for it to be granted this time. There would be a great loss of amenity to the local community if this development was built. The land adjoins Highfield Country Park and the development would impact on the site – both visually and loss of access to the Park. There would be an increase in traffic in the area. It is noted that the developer is offering mitigation but this is not enough to warrant building on this land. The loss of the land far outweighs the mitigation proposals in the application.

**Highway Services** – The indicative layout is considered to be appropriate with all new internal access roads maintaining a 5.5 m carriageway width. This is supported by 2 metre footways to accommodate double buggies and other residents/visitors with restricted mobility.

The new layout should accommodate a 20 mph speed restriction similar to the new roads which will require a new TRO. Appropriate traffic calming features should be introduced within the new highway layout. It is also recommended that there is the introduction of traffic calming features on Cringle Road to re-enforce the 20mph limit and deter vehicle speeds.

The traffic calming to Cringle Road has been discussed in detail. It is proposed to include 2 sets of speed cushions, either side of central flat top hump in an appropriate location respective of pedestrian desire lines. Given the width of the road, 3 cushions are included per set to fully deter vehicle speeds.

The traffic calming is unlikely to create a rat run along Milford Drive as an alternative route simply to avoid the features. The introduction of traffic calming on Cringle Road will deter speeds, improve highway safety for both vehicles and pedestrians and is considered appropriate for this location.

The extent of adoption of the new access road should be clarified.

Off site highways works will be required as a result of amendments to the adopted highway which will be necessary 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 should be protected by a Traffic Regulation Order (TRO) in the form of no waiting restrictions.

There will be a maximum of 31-32 two way vehicle movements in both the AM and PM peak hours to be generated by the development. The traffic impacts on the surrounding highway can be accommodated within the existing highway network.

The site is suitably accessed by sustainable modes, with regular bus and train connections provided within a walkable radius of the site.

The proposed new vehicular access is gained from Cringle Road to the south of the site which is acceptable. Visibility splays at the new junction access into the site is

acceptable. The new junction should incorporate dropped kerbs and tactile paving to maintain appropriate pedestrian safety.

Swept path analysis has been provided which indicates that an 11.3 m refuse vehicle can safely access/egress the site in a forward gear, which is acceptable.

The indicative layout shows 88 car parking spaces for the scheme which equates to 154%. Given the size of some of the dwellings this level of parking would seem appropriate.

All individual driveway parking spaces should be a minimum of 3 metres by 6 metres to ensure that vehicles/pedestrians do not impact on the adopted highway. Electric car charging points should also be incorporated into the scheme.

A secure and weather proofed cycle storage should be provided for each dwelling.

All boundary treatments with frontage to the adopted highways will require visual permeability from a height of 600mm upwards in order to maintain appropriate sight lines. Vehicle gates will need to open inwards so they do not impact on the highway.

The waste collections should take place from the highway and a construction management plan should be prepared for this development together with a travel plan.

**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 runoff and management.

**Environment Agency** – No objection in principle to the proposed development. Cringle Road is immediately adjacent to a known historic landfill. As the site is located above a Principal Aquifer associated with the underlying bedrock deposits.

If planning permission is to be granted conditions should be imposed in respect of ground conditions.

**Neighbourhoods (Arboriculture)** – The proposal will involve the removal of low quality trees with some amenity value to allow for access roads into the proposed development. The proposed layout will have little to no impact within the root protection zones of the offsite trees. There are no objections to the proposed development subject to mitigation planting to offset the loss of the onsite trees.

**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.



The existing site consists primarily of habitats of low ecological value, with modest to high value ecological features such as trees and hedgerows potentially retained and mitigated for the outline site layout.

Improvement works to Highfield Country Park are proposed to alleviate the additional recreational pressure the development would cause, with enhancement works proposed for the existing pond. These works are welcomed but more enhancement is encouraged as part of any off site works. Given the main ecological impact is the loss of the low value grassland, the most appropriate management works would be to restore an area of grass land within the Country Park many of which have been lost to scrub and tall ruderal habitat.

It is recommended that the landscaping proposals for the development include a proportion of native tree species and bird and bat boxes in line with the recommendations of the ecology report.

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

**Greater Manchester Archaeology Advisory Service (GMAAS)** – The report submitted within the application has been considered. The report suggests that, in order to protect archaeological interests, an archaeological watching brief should be undertaken during development ground works. GMAAS concur with this recommendation. A Written Scheme of Investigation should be approved as part of the planning conditions.

## **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 wellbeing 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 not considered that the proposal will not 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.

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 Council had previously argued that this is a green field site thereby conflicting with the provisions of policy H1. However, this has been tested at appeal where the Inspector clearly came to the conclusion that subject to suitable mitigation the principle of development would be acceptable.

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.

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 and this is covered in more detail below.

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 proposed dwellings will be appropriate standards as outlined in the environmental standards report.

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.

This issue was tested at appeal and whilst developing this site would result in the loss of open space the Inspector considered the principle of new homes to be acceptable subject to suitable mitigation.

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.

As noted and set out in the report this goes to the heart of the Councils earlier refusal which was tested at the appeal.

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 of 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.

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.

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.

These matters are set out in more detail within the report.

### 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.

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'

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.

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.

### **National Planning Policy Framework (2018)**

The revised NPPF was adopted in July 2018. The document states that the '*purpose of the planning system is to contribute to the achievement of sustainable development*'. The document clarifies that the '*objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs*' (paragraph 7).

In order to achieve sustainable development, the NPPF states that the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 5 '*Delivering a sufficient supply of new homes*' states that in order to support the Government's objective of significantly boosting the supply of homes, '*it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay*' (paragraph 59).

With regards to affordable housing, paragraph 64 states that where major developments are proposed involving the provision of housing, planning policies and decisions should expect at least 10% of homes to be available for affordable

homeownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

Section 8 '*Promoting Healthy and Safe Communities*' states that *planning policies and decisions should aim to achieve healthy, inclusive and safe places* (paragraph 91).

Paragraph 96 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.

Section 9 '*Promoting Sustainable Transport*' states that '*significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health*' (paragraph 103).

Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109).

All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (paragraph 111).

Section 11 '*Making effective use of land*' states that '*planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions*' (paragraph 117).

Decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;



d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

e) the importance of securing well-designed, attractive and healthy places.  
(paragraph 122)

Section 12 '*Achieving Well Designed Places*' states that '*the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this*' (paragraph 124).

Planning decisions should ensure that developments:

a) 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;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Section 14 '*Meeting the challenge of climate change, flooding and coastal change*' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 148).

Section 15 '*Conserving and Enhancing the natural environment*' states that planning decision should contribute and enhance the natural and local environment by protecting valued landscapes, minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of sol, air, water or noise pollution or land instability and remediating contaminated land.

Paragraphs 10, 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.

### **Planning Practice Guidance (PPG)**

The relevant sections of the PPG 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.

*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.

*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.

### **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:

### **Manchester Residential Quality Guidance (2016)**

The City Council's Executive has 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.

### **Manchester's Great Outdoors – a Green and Blue Infrastructure Strategy for Manchester (2015)**

*Adopted in 2015, the vision for the strategy is that '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'*

There are four objectives in order to achieve this vision:

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

### **Principle of development**

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 City Council has previously argued that developing this site would be contrary to this saved policy LL3 of the UDP. The City Council also relied on Policy EN10 of the Core Strategy which seeks to retain and improve existing open spaces, sports and recreational facilities and states that proposals on such land will only be permitted in a limited range of circumstances. However, both policies in relation to this site have been tested at appeal, the decision being a material consideration in the determination of this current application.

The Inspector appointed to determine the appeal considered that the application site was grazing land that forms part of a larger site which is not accessible to the public. He concluded that the site had no value as open space or recreational land, as such only limited weight could be attached to the policies outlined above. A significant factor as noted by the Inspector is that the site had not been identified within the City Council’s 2009 open space audit (particularly as the rest of the policy LL3 allocation, which covers Highfield Country Park had been).

*The Inspector noted that ‘the decision not to designate the appeal site as open space in the 2009 study leads me to conclude that only limited weight should be given to the conflict with that policy...the community farm should not be regarded as a recreational facility and that the redevelopment of the site does not give rise to any conflict with policy EN10’*

The weight was further limited as the Council could not demonstrate at that time a 5 year housing supply. Ultimately, the Inspector considered that the appeal should be determined in line with the ‘presumption in favour of development’ as outlined in paragraph 11 of the NPPF particularly sub-paragraph (d) (ii) where the tilted balance was in favour of granting planning permission as there were no adverse impacts that would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Although matters surrounding the City Council's land supply have improved, with the City now being able to demonstrate a five year supply, the Inspectors decision remains a material consideration particularly in relation to the status of the land being of limited recreational use.

What is clear is that the principle of developing the site has been established through the appeal decision subject to suitable mitigation and the more detailed merits of the scheme. In this regard the proposal would provide 57 new family homes in a range of sizes in a highly accessible location. Manchester's population continues to grow and is expected to increase considerably by 2030. This and changes in household formation, requires additional housing.

The proposal would contribute to a target of providing around 2500 homes each year. It would provide larger accommodation for families. The new homes would be consistent with growth priorities and would meet the objectives of policies H1 and H3 of the Core Strategy which should be given considerable weight in the consideration of this planning application.

Importantly the proposal includes a 20% on site affordable housing provision which is fully compliant with policy.

Mitigation is being offered through a financial contribution towards enhancing and improving access to Highfield Country Park. It is considered that the proposed scheme fulfils the reason why the Inspector dismissed the appeal.

The proposal is therefore considered to be consistent with the National Planning Policy Framework, and Core Strategy policies H1, H3, SP1, EC3, EN1, EN9 and DM1.

### **Material planning considerations**

Whilst the principle of the development is considered to have been established through the appeal decision 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 establishes that new development will contribute to the City-wide target for 20% of new housing provision to be affordable and that developers are expected to use the 20% target as a starting point for calculating affordable housing provision. Developers should provide new homes that are available for social or affordable rent or affordable home ownership, or provide an equivalent financial contribution.

The required amount of affordable housing within a particular development will reflect the type and size of the development as a whole and will take into account a number of factors such as an assessment of a particular local need, any requirement to diversify housing mix and the need to deliver other key outcomes particularly a specific regeneration objective.

The application proposes 57 new family homes on a for sale basis. The applicant's viability report has been tested by the City Council which demonstrates in this instance the proposal can sustain a full 20% contribution to affordable housing without undermining the viability or deliverability of the scheme or the schemes ability to mitigate against other factors such as the impact on the country park.

The applicant has agreed to provide the 20% affordable housing on site on a shared ownership basis.

This is welcomed and would be secured by a legal agreement which would also ensure that a variety of property types and sizes would be made available on an affordable basis (at a price equivalent to at least 20% below local market value). These homes would be 'pepper potted' throughout the site and retained at the affordable price in the future. It is understood that the applicant is in discussion with a registered provider in respect of how the shared ownership and starter homes would be provided at the site and this will be secured as part of the legal agreement.

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

The 57 residential units 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.

The proposal would provide the following accommodation schedule:

- 31 x 4 bedroom dwellinghouses;
- 26 x 3 bedroom dwellinghouses.

There is a broad mix of dwellings across the application site which could contribute positively to the housing mix and available standard of accommodation. A condition is recommended to secure this mix.

### **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 Residential Quality Guide, requires consideration be given to the 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.

Access to the site would be retained from Cringle Road via a new vehicular access. The indicative layout shows that natural surveillance is provided to Cringle Road through the siting of a dwelling house fronting this road.

From Cringle Road, the new access road will create a loop road and all of the proposed new homes will fronting this road which is welcomed. There will be only one 'in and out' as part of the indicative layout. However, this represents an appropriate layout as it provides permeability and makes the most efficient use of the application site.

Car parking is shown as being accommodated within the curtilage of each plot which is welcomed. The indicative plan shows in part car parking situated at the front of each dwellinghouse which will need to be considered further at the detailed reserved matters stage to ensure that an appropriate balance is created in terms of parking, landscaping and space between properties.

Indicative details have also been provided for the scale of the dwellings which range between two stories. This is considered to be appropriate and would ensure that the dwellings complement the wider area which is dominated by two storey properties.

As noted conditions are recommended in relation to design parameters including height.



*Indicative image of the dwellings*

One of the key reasons for refusal of the previous application was the visual impact on the landscape setting of the application site. The application site is situated within a landscaped setting with mature vegetation and trees. There is a built settlement to the south.

The inspector within the appeal noted that the application site landscape quality was low given it consisted of rough grazing land and poor quality structures. The Inspector also noted that there was a visual break between the application and the Country Park as a result of a mature band of trees.

In considering the harm developing the application site for new housing would have on the landscaped character of the site, the Inspector noted that the development would represent a “*substantial change to the landscape but the effects of the change would be very localised*” and noted that improvements to the landscaping within the development itself would help soften the overall effect of the new buildings.

The inspector concluded that:

*“...the proposal would cause minimal harm to the landscape of the site and no harm to the landscape character of the wider area. the effect on view from a small number of viewpoints would be moderate or substantial but these would be localised and the overall harm to the visual amenity of the area would be moderate. Given the absence of any harm to landscape character and the localised visual effects, the proposal would cause no detriment to policy EN1”*



## Disabled access

Although the residential element is only at outline, with limited information in this regard, it is anticipated that all the dwellings will meet current building regulations to ensure the accommodation is accessible and adaptable for the house hold needs.

## Tree coverage

There are 12 individual trees at the application site and 4 groups 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 of trees, a Hawthorn Elder, category C group, from the frontage of the site to Cringle Road.

The remainder of the trees would be retained which includes a series trees along the northern boundary to the wider part of the Highfield Country Park would 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. Appropriate mitigation will be secured as part of the landscaping proposals for the site which will include the provision of street trees.

The indicative layout shows in excess of 50 trees can be replaced at the site together with the retention of the majority of the trees at the site. These trees will be located in the front gardens and along road frontages together with provision within rear gardens particularly where it is visible from the public domain.

This mitigation will be secured by planning condition.

### **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.

Private rear gardens would be 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 would be functional allowing 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, consideration should be given at the reserved matters stage to ensure that car parking and boundary treatments are appropriately designed as part of the scheme to ensure a high quality development. In addition, incidental areas of open space would not be acceptable as such spaces prove difficult to maintain.

At this stage, the indicative information submitted does not appear to show any boundary treatment to the front of the properties.

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.

It is essential that provision of appropriate boundary treatment, particularly to the site frontages are agreed in the interest of visual amenity and ensuring a high quality development is created. This must include a clear provision between the public and private spaces. Therefore a condition is recommend to ensure that appropriate boundary treatment is provided.

The Inspector in the recent appeal noted that the provision of the additional homes as part of this development would bring new visitors to the park. Accordingly, without appropriate mitigation, the development would cause further deterioration to the park. As part of this planning application, further discussions have taken place with the applicant and an appropriate sum has been agreed for improvements to the Country Park. This mitigation will be secured through a legal agreement.

Overall, whilst the private amenity space for the dwelling is comparable with the local context. Further consideration should be given to landscaping, site layout and boundary treatment at the reserved matters stage to ensure a high quality development.

Appropriate conditions are recommended to cover these important aspects of the scheme.

### **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 potential impacts for consideration:

- 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.

Due to this relationship the proposed development would not give rise to any unacceptable impacts with regards to overlooking, overbearing/overshadowing or undue noise and disturbance.

The proposed dwellings fronting Cringle Road have the closest relationship to the existing residential properties. These would look onto the gables of properties along Wilsthorpe Close and Red Rose Crescent with a distance of 25 metres. It is not considered this would result in any unacceptable loss of amenity.

With regards to comings and goings, whilst it is inevitable residents would notice some increased comings and goings along Cringle Road, it is not considered that this will lead to any unacceptable levels of harm.

It is noted that residents are concerned about the impact of the development on local school places and GP surgeries. It is considered that the number of new homes created at this site will not be excessive and place undue pressure on local amenities and resources and will easily be absorbed into the local population.

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

#### **a. waste management**

A major residential development of this nature would generate waste which would 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.

The applicant has committed to providing the required number of bins (including those for recycling) as part of the development proposals. There is sufficient room to accommodate the bin storage area within the development plots. These can be accommodated behind the building line to minimise the visual impact of the refuse area on the street scene.

It is considered that the development would be able to suitably accommodate its waste management requirements within the curtilage of each dwellinghouse.

It is recommended that a detailed waste management strategy should be agreed at the reserved matters stage including details of an appropriate refuse storage area

#### **a. Acoustic insulation**

The application site is not located near noise sources that requires the properties to be acoustically insulated against.

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

Policy SP1 of the Core Strategy states that new developments should 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 submitted which considers the sites sustainability in terms of proximity to public transport, together with an assessment of the impact of the proposal on the local highway network.

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 also indicates that servicing requirements for the development would not be an issue.

Access to the site is shown off Cringle Road. There is no objection to this in principle and the applicant has suitably demonstrated that there would be adequate visibility for vehicles entering and exiting the site. Two dwellings with driveways have been shown on the indicative layout fronting onto Cringle Road, this would need further consideration at the reserved matters stage to ensure there is no conflict with highway safety.

It is noted that residents have raised concern about the position of the access in relation to Wilsthorpe Close. Highway Services have assessed this and it is not considered there will be any conflict with highway and pedestrian safety with regards to the position of the access.

Consideration has been given to the potential impact on Cringle Road. In this instance it is considered appropriate to introduce traffic calming measures along a section of Cringle Road. Details at this stage include the provision of 2 sets of speed cushions, either side of central flat top hump in an appropriate location respective of pedestrian desire lines. Given the width of the road, 3 cushions are included per set to fully deter vehicle speeds.

Electric vehicle charging and cycle parking will be key components of the scheme and appropriate conditions will be imposed on the planning permission.

### **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 exasperate

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 which requires further clarity as 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.

These are matters that are capable of being conditioned as part of any planning approval.

### **Air quality**

The main impacts during the operational phases would be from vehicle movements and servicing requirements. The impacts associated with dust and emissions can be carefully controlled through the construction management plan which would form part of the conditions of the planning approval.

There will be on site cycle parking and electric car charging points will also be secured through planning conditions.

Environmental Health concur with the conclusions and recommendations within the air quality report. In light of the mitigation measures proposed above, which will be secured by planning conditions, it is considered that the proposal would comply with policy EN16 of the Core Strategy, paragraph 8 of the PPG and paragraph 124 of the NPPF in that there will be no detrimental impact on existing air quality conditions as a result of the development.

### **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. The homes will be designed so that they are energy efficient and compliant with relevant regulation. As the application is for outline only, further details will be required once the homes have been designed in detail. It is recommended that such details are obtained as part of the conditions of the planning approval.

## **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. A condition of the planning approval shall be that the development achieves Secured by Design Accreditation.

## **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.

The appropriate remediation of the site will be secured through an appropriately worded planning condition.

## **Construction management**

The work would take place close to homes and comings and goings from the site are likely to be noticeable. However, these impacts should be short in duration and predictable. A condition requires a construction management plan to be agreed which would include details of dust suppression measures, highways management plan and details of use of machinery. Wheel washing would prevent any dirt and debris along the road and beyond.

Limited information has been provided about routing but construction vehicle will use Cringe Road and connect to Stockport Road. There is unlikely to be any cumulative impact from construction activity.

Provided the initiatives outlined above are adhered to, it is considered that the construction activities are in accordance with policies SP1 and DM1 of the Core Strategy and extant policy DC26 of the Unitary Development Plan. However, it is recommended that a condition of the planning approval is that the final construction management plan is agreed in order to ensuring the process has the minimal impact on surrounding residents and the highway network.

## **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.

It is recommended that 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) be restricted and that a condition be attached to this effect. This is important given the emphasis and need for family housing in the city.

It is also considered appropriate to remove the right to remove boundary treatments as these would, if envisaged, form an important feature in the street scene.

## **Conclusion**

The proposal would result in the loss of a low quality landscape which has been determined to have a limited recreational value through the recent appeal decision. The provision of 57 new homes at the application site is therefore considered to be acceptable and would contribute positively to the new homes required in the City.

Provision of 20% affordable housing, provided on a shared ownership basis, will provide access to affordable home ownership at the application site together with monies to make improvements at the adjacent Highfield Country Park. These obligations will be secured by a legal agreement.

The indicative layout for the residential element demonstrates that it is possible to achieve a suitable development at the application site arranged around the new road network. The indicative scale of these properties would respond positively to the character of the area.

The proposal is not expected to create any unduly harmful impacts as a result of traffic on the local highway network. Appropriate provision for car parking can be created at the development together with electric car charging and cycle provision. Traffic calming will be provided on Cringle Road as part of the planning conditions.

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

**Recommendation**      **MINDED TO APPROVE subject to the signing of a legal agreement in order to secure monies associated with**



**mitigating and improving access to Highfield Country Park as a result of the development together with securing 20% on site affordable housing on a shared ownership basis.**

### **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 has been sought in respect of this matter where early discussions took place regarding appropriate mitigation for Highfield Country Park. Further work and discussion have taken place with the applicant through the course of the application, particularly in respect of the affordable housing, site layout and traffic calming. The proposal is considered to be acceptable and therefore determined within a timely manner.

### **Reason for recommendation**

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

1) Applications for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission. The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2) Approval of the details of the layout, scale, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Plans and particulars of the reserved matters shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason - To ensure the satisfactory development of the site and because this application is in outline only.

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

#### Drawings

L(--)-012 stamped as received by the City Council, as Local Planning Authority, on the 5 March 2019

#### Supporting information

Crime Impact Statement, Design and access statement, planning statement, environmental standards statement, air quality assessment, noise assessment, stage 1 tree survey, phase one habitat survey, flood risk assessment, phase 1 geo environmental report, transport statement and travel plan framework stamped as received by the City Council, as Local Planning Authority, on the 4 December 2018

Traffic calming measures (SCP/17029/SK01) stamped as received by the City Council, as Local Planning Authority, on the 5 March 2019

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.

4) Any application for reserved matters relating to scale and layout shall follow the principles and parameters set out in the approved plans, in particular drawings L(--)-012 stamped as received by the City Council, as Local Planning Authority, on the 5 March 2019

and shall include:

- A maximum height of the residential dwellings 2 storeys;
- No more than 57 dwellings
- No more than 31 x 4 bedroom houses (between 107 and 124 sqm)
- No more than 26 x 3 bedroom houses (between 96-102 sqm)

Reason: To ensure the development does not exceed the parameters disclosed in the planning application, pursuant to policies DM1 and SP1 of Manchester Core Strategy.

5) No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:

(a). A phased programme and methodology of investigation and recording to include:  
- an archaeological watching brief

(b). A programme for post investigation assessment to include: - production of a final report on the significance of the below-ground archaeological interest.

(c). Deposition of the final report with the Greater Manchester Historic Environment Record.

(d). Dissemination of the results of the archaeological investigations commensurate with their significance.

(e). Provision for archive deposition of the report and records of the site investigation.

(f). Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - To investigate the archaeological interest of the site and record and preserve any remains of archaeological interest, pursuant to policy EN3 of the Manchester Core Strategy (2012) and saved policy DC20.1 of the Unitary Development Plan for the City of Manchester and guidance in the National Planning Policy Framework.

6) a) Prior to the commencement of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Benefit Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason – The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

7) a) The development shall not commence until a scheme for the drainage of surface water for the development has been submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
- Hydraulic calculation of the proposed drainage system;
- -Construction details of flow control and SuDS elements.

(b) The development shall then be constructed in accordance with the approved details, within an agreed timescale.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

8) a) The development shall be carried out in accordance with the Geo-Environmental site assessment report (ref. 102978P1R1) stamped as received by the City Council, as Local Planning Authority, on the 4 December 2018

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.

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

- Display of an emergency contact number;
- 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; and
- Sheeting over of construction vehicles.

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

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN9, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

10) (a) Prior to any above ground works associated with the development, a programme for the issue of samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority, the programme shall include timings for the submission of samples and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining in and a strategy for quality control management.

(b) All samples and specifications shall be submitted to and approved in writing in accordance with the programme as agreed under part (a). The approved materials shall then be implemented as part phase one 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 Core Strategy.

11) Prior to the first occupation of the development hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt the scheme shall include the following:

- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The approved scheme for phase one shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

12) No demolition works or vegetation clearance shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

13) Prior to the first use of the development details of a hard and soft landscaping treatment (including tree planting and street trees) shall be 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.

14) Prior to the first occupation of the development, details of the siting, scale and appearance of the boundary treatment shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented and be in place prior to the first use of the development. The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

Reason – To ensure that appropriate boundary treatment is put in place in the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

14) The development shall be carried out in accordance with the Environmental Standards report stamped as received by the City Council, as Local Planning Authority, on the 4 December 2018. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority for each phase.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

15) (a) Prior to the first occupation of development, details of the siting, scale and appearance of the waste storage area together with a waste management strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) The approved waste storage and strategy shall be implemented in accordance with the approved details and be put in place prior to the occupation of the residential development within phase two 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 residential element pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

16) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority prior to the first occupation of the development.

The approved scheme shall be implemented in full prior to the first occupation of the development and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

17) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

18) The development shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 4 December 2018. 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 policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

19) (a) The development hereby approved shall be carried out in accordance with the travel plan framework stamped as received by the City Council, as Local Planning Authority, on the 4 December 2018

In this condition a Travel Plan means a document which includes:

- i. the measures proposed to be taken to reduce dependency on the private car by those living at the development;
- ii. ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building and thereafter from time to time
- iii. iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv. iv) measures for the delivery of specified travel plan services
- v. v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

(b) Within six months of the first occupation of the development, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

20) Prior to the first occupation of the development, details of a secure cycle store (including capacity) for each property shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall be implemented prior to the first occupation of the development and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - To ensure there is sufficient cycles stand provision at the development pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

21) Prior to the first occupation of the development, the car parking layout shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

Reason - To ensure car parking is available for the hotel element of the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

22) Prior to the first occupation of the development, details of electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall then be implemented as part the development and be in place prior to the first occupation of the development.

Reason - In the interest of air quality pursuant to policy EN16 of the Manchester Core Strategy (2012).



23) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

24) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages or extensions (including roof alterations); shall be erected other than those expressly authorised by this permission in relation to the residential element of this development within phase two.

Reason - In the interests of residential amenity pursuant to policy DM1 and SP1 of the Manchester Core Strategy (2012).

25) 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.

26) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no additional glazing, windows or doors, other than those shown on the approved plans, shall be inserted at the property unless Planning Permission is specifically granted in relation to this development.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to policy DM1 of Manchester's Core Strategy and saved policy DC1 of the Unitary Development Plan for the City of Manchester.

27) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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

28) Prior to the first occupation of the development hereby approved, details of the number, siting and appearance of bat and bird boxes at the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented and be in place prior to the first occupation of the development hereby approved and shall thereafter be retained and maintained in situ.

Reason – In the interest of providing habitats for bats and birds to improve the ecological value of the application site pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

29) Prior to the first occupation of the development hereby approved, a scheme of highway works in relation to the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- traffic calming measures along Cringle Road as indicated on drawing SCP/17029/SK01 stamped as received by the City Council, as Local Planning Authority, on the 5 March 2019;
- Traffic calming within the proposed development;
- Amendments to highway along Cringle Road to form new access and driveway(s) as indicated on drawing L(--)-012 stamped as received by the City Council, as Local Planning Authority. On the 5 March 2019
- Junction protection measures to new junction and Cringle Road in association with the new access in the interest of visibility and associated highway works
- 20 mph speed limit for the new access road including associated amendments to the highway in order to facilitate this.

The approved scheme shall be implemented and be in place prior to the first occupation of the residential element of the development hereby approved and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

### **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: 122042/OO/2018 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.

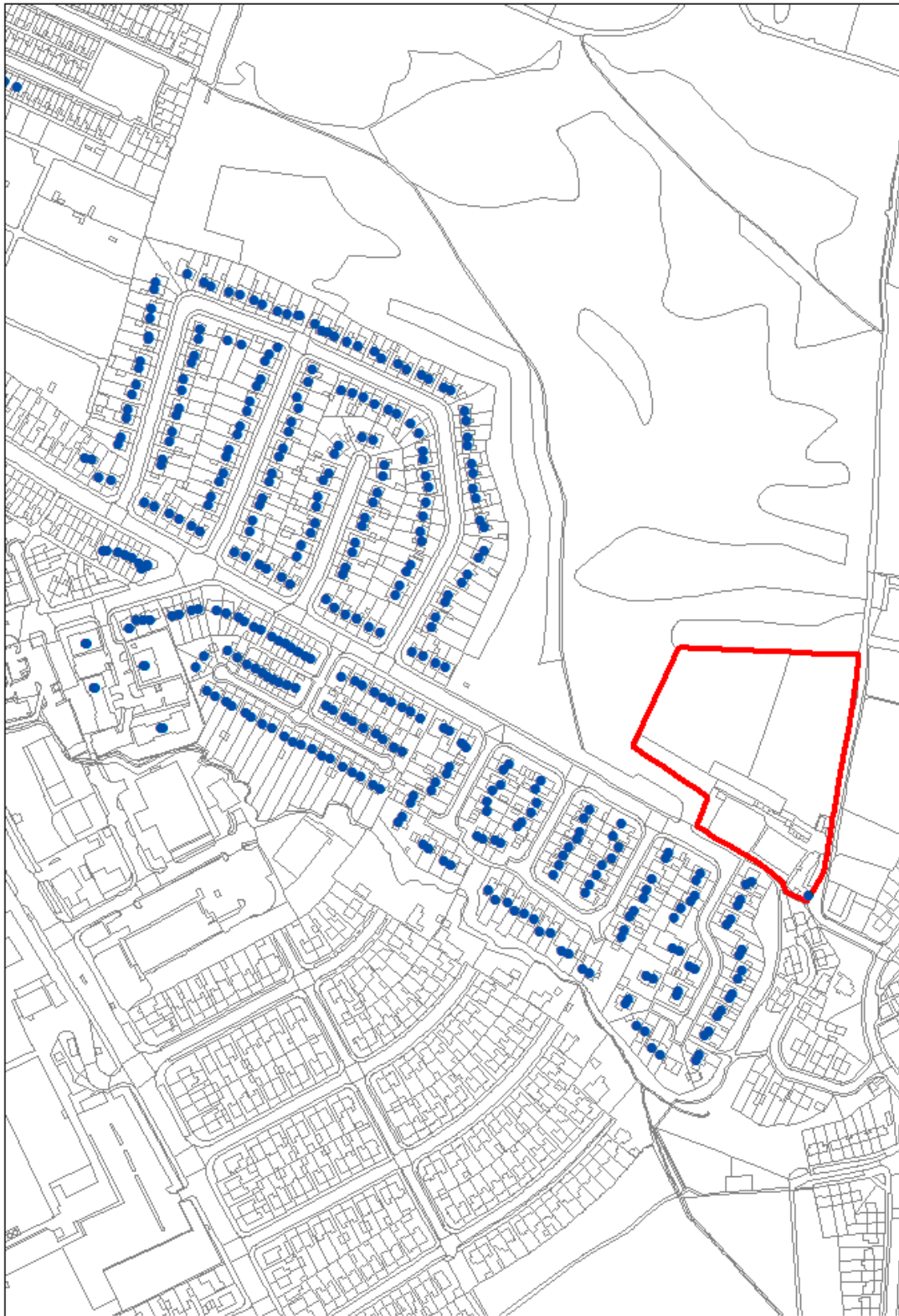
### **The following residents, businesses and other third parties in the area were consulted/notified on the application:**

Highway Services  
 Environmental Health  
 Neighbourhood Team Leader (Arboriculture)  
 MCC Flood Risk Management  
 Greater Manchester Police  
 Environment Agency  
 Greater Manchester Archaeological Advisory Service  
 Greater Manchester Ecology Unit  
 Stockport Metropolitan Borough Council  
 Environmental Health  
 MCC Flood Risk Management  
 Greater Manchester Ecology Unit  
 Highway Services  
 Neighbourhood Team Leader (Arboriculture)  
 Stockport Metropolitan Borough Council  
 Environment Agency  
 Greater Manchester Archaeological Advisory Service  
 Greater Manchester Police

**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:**

**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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<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
115468/OO/2017	14th Aug 2018	11 <sup>th</sup> Apr 2019	Crumpsall Ward

**Proposal** Outline application for development comprising: Erection of part two storey, part three storey social club with associated car parking, landscaping, public realm and other associated works following demolition of the existing social club and bowling green; and

Outline application (with all matters reserved except for access) for the erection of 74 residential dwellinghouses

**Location** Land To The Rear Of Whitehouse Club , Middleton Road, Manchester, M8 4JZ

**Applicant** Dappa Homes Ltd, C/o Agent

**Agent** Mr Greg Dickson, Barton Willmore, Tower 12, 18 - 22 Bridge Street, Manchester, M3 3BZ

### Description

The application site is approximately 1.59 hectares and contains the existing Whitehouse club building, car park and associated bowling green which is located off Middleton Road.



*Existing Whitehouse club building with car parking to the front fronting on Middleton Road*





*Bowling Green located to the rear of the existing Whitehouse Club*

To the rear of the site are former playing fields which were last known to be used in 2006.



*Grass pitch to the rear of the application which are over grown and disused*

The site is accessed by Middleton Road to the eastern boundary of the site which is surrounded on all sides by residential properties. The properties which lie to the north and west of the site are two storey in nature whilst the properties to the south are a mixture of low rise apartment building.

Generally the surrounding area is characterised by two storey residential properties; those on Windsor Crescent, Whitehouse Avenue and Edenfield Road are all two storey semi-detached properties. The properties to the south are low rise apartments no greater than 3-4 storeys

The site is situated immediately adjacent to the administrative boundary of Bury Metropolitan Borough Council which bounds the site to the west and north.

There are numerous trees around the perimeter and within the centre of the site which form a mature landscape and buffer to the surrounding residential properties that abut the site boundaries.

Middleton Road is a major arterial road route connecting this part of north Manchester to the City Centre. Heading northwards along Middleton Road is a junction with the M60 outer ring road. The site is well connected to local amenities being within a short walk to Bowker Bank Metrolink stop together with a 15 minutes walk to Heaton Park.

## **The proposal**

The application is in outline although full details have been provided for part of the development. The latter relates to the demolition of the existing Whitehouse Club, removal of the bowling green and its replacement with a modern part two storey, part three storey club building with associated car parking to the rear. The replacement club would operate along the lines of the existing offering a function suite, lounge room and snooker room over the ground and first floor.

The second floor of the proposed building will comprise a 3 bedroom apartment with kitchen and living space which it is understood is to provide landlord accommodation. In addition, this floor will also accommodate a committee room and ancillary office and storage accommodation.

A 43 space car park is proposed to be located to the rear of the site along with a beer garden.

To the rear of the site are the former playing pitches and the applicant is seeking consent for the principle of development with all matters, except access reserved for a future a date. The indicative proposal is to continue the new section of road into this part of the site and provide two, three storey apartment blocks near to the club house car park with two and three storey residential dwelling houses making up the remainder of the application site.

An indicative layout shows that each apartment block would have parking and amenity space. The dwellinghouses would include in curtilage parking for at least one car together with a private garden.

### **The planning submission**

This planning application has been supported by the following information:

- Design and access statement;
- Crime Impact Statement;
- Transport statement;
- Flood risk and drainage strategy;
- Ecology survey;
- Tree survey;
- Air Quality report;
- Sports scoping study;
- Tree survey;
- Ground conditions report; and
- Affordable Housing Statement;

### **Consultations**

**Local residents/public opinion** – The proposal has been advertised as a major development and of being of public interest. A site notices was displayed at the application site. In addition, notification letters have been sent to an extensive area, local residents and businesses.



Two separate notifications with local resident have been carried out. The comments from each notification are detailed below.

### **First notification**

Two letters of support have been received in respect of this matter. The comments can be summarised as follows:

- This is a great idea but understand that there will be residential properties built on the field at the back and there is concern for the foxes.

24 letters of objection have been received in respect of this matter. The comments can be summarised as follows:

- Concern about the position of the access off Middleton Road due to the heavily congested nature of this road;
- The proposal will represent the loss of a local sporting facility;
- The properties adjacent to the application site will be overlooked;
- The proposal will increase traffic and noise in the area;
- There will be an increase of anti-social behaviour as a result of this development;
- There will be increased noise during the building process together with noise from the entertainment uses within the club along with general comings and goings;
- There will be dirt and dust during the construction process;
- The proposal will have an adverse impact on property values in the area;
- The site is currently a playing field and absorbs water but if it is built on it will force water to adjacent properties and possibly cause flooding;
- The proposed club will look directly on to properties along White House Avenue;
- The scale of the development will bring more cars to the local area;
- There will be excessive refuse arrangements for this development;
- The proposed development seems to be of very high density for this area and will result in the overdevelopment of the site;
- There will be a loss of wildlife habitats;
- The proposal does not provide any affordable homes.

A petition has been received from the Treasurer/Trustee of the Whitehouse Club. The petition contains 423 signatures from club members and the wider community who wish to express their support for the planning application. A summary of the reasons for the petition are detailed below:

- The club wish to highlight some of the key ways in which the club benefit the local area including provision of events, conference facilities, music events, polling station and fund raising days;
- The clubs membership continues to increase but the buildings maintenance is an issue. The roof leaks and there are issues with drains;
- The club is not fit for long term purpose and the disabled facilities are limited;

- If the club is to have a meaningful long term future it requires a new clubhouse building which will bring it into the 21<sup>st</sup> Century. The proposed new club house will be a low maintenance, low costs, energy efficient clubhouse;
- Without the club house the building will not serve the local community. The proposals will benefit the local community and maintain the future of the club.

### **Second notification**

A total of seven letters of objection have been received. The comments can be summarised as follows:

- Noise and disruption from the construction process;
- The proposal would seem more appropriate in a rural setting where it is not so close to other people's homes;
- There will be extra lighting pollution on the surrounding area;
- There is be a visual impact associated with the 3 storey apartments together with a loss of privacy with views into garden areas from the apartments;
- Additional comings and goings and traffic associated with the extra people and cars a development of this nature will create. In particular, Middleton Road will become very busy;
- A large social club does not fit into an area of this nature.
- The club should not be allowed to run the grass pitch down so they can build on it;
- The air quality will be made worse by this development;
- The scale of the apartments is not appropriate in this area;
- The 2 storey dwellings will be elevated and as a result there will be a loss of privacy;
- The position of the refuse storage will affect properties on Cobb Close;
- The proposal will affect house prices in the area.

### **Councillor Nasrin Ali (on behalf of all three Crumpsall Ward Councillors) –**

There are no objections to the revised scheme which is being brought forward to planning committee.

**Strategic Housing** – The provision of 20% affordable housing is acceptable as is the mixed proposed for this affordable homes.

**Highway Services** – The site is considered to be suitably accessible by sustainable modes and is in close proximity to public transport facilities.

It is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.

The car parking proposals for the social club will be 43 spaces which is acceptable and consistent with existing provision.

For the residential dwellings, one parking space is being provided per unit and whilst this is acceptable for the apartments and three bedroom houses, two spaces should be provided for each of the four bedroom houses. Each driveway should be a

minimum of 3 metres x 6 metres. Secure cycle storage is required for the two apartment blocks and the applicant is asked to verify the form this will take. Cycle storage should be provided at a ratio of 1 per unit equating to a capacity of 24 cycles.

The indicative road layout is acceptable in principle with minimum carriageway and footway widths of 5.5 metres respectively with 6 metre kerb radii. The swept path data provided indicates that a large refuse vehicle can satisfactorily access and exit the site.

Communal bin stores are to be provided for the apartments which allow ease of access for both residents and refuse collection vehicles. Sufficient in curtilage spaces is available for each house to suitably accommodate the required waste storage bins and waste will be collected from the kerbside which is acceptable from a highway perspective.

The existing stepped pedestrian access off Middleton Road is being replaced with a joint vehicular/pedestrian access which will serve the social club and the housing and is acceptable in principle. The application should provide verification that the minimum visibility is being provided at the junction.

In relation to the number of anticipated vehicle movements, it is considered the retention of the current priority junction arrangement is acceptable.

Alterations to the highway will be undertaken through a relevant s278 agreement. A construction management plan should be agreed prior to the commencement of any development.

**Environmental Health** – Deliveries should be restricted to 07:30 to 20:00 Monday to Saturday with Sundays 10:00 to 18:00. Details of any fume extraction system(s) should be submitted for approval. Opening hours for the proposed club house should be agreed along with details of any plant equipment.

For the residential element of the scheme, the properties should be acoustically insulated.

Details of waste management should be agreed for both the residential and commercial elements.

The recommendations in respect of air quality are considered to be acceptable.

A ground conditions condition is recommended on this scheme to consider any contaminated land issues. This shall specifically include site investigations and a remediation strategy.

**Flood Risk Management Team** – A suitable drainage strategy for the site should be put in place along with a management regime.

**Greater Manchester Ecology Unit (GMEU)** – An ecology assessment has been prepared for this site. The survey found the site to have generally low ecological value.

A bat survey has been prepared which found the buildings to have low potential to support bats, although some fascia boards in the south west corner provide some limited potential. These boards should be removed by hand and this should be included as demolition method statement required by condition.

There should also be no clearance of vegetation at the site during bird nesting season. In addition, a scheme should be prepared which considers biodiversity improvements at the site.

**Neighbourhoods (Trees)** – There does not appear to be a landscaping plan detailing how the loss of trees will be mitigated.

**Sport England** – Comments received on this application initially raised objections to the proposal with regards to the loss of sports facilities at the application site.

As a result of changes to the proposal, which now include mitigation for the loss of the sports facilities at the site, Sport England have indicated their intention to remove their objection provided the mitigation is secured via a legal agreement and that it is clear what the mitigation will be used for.

It is important to note that as the playing field at the application site has not been used for at least five years consultation with Sport England is not a statutory requirement.

**Publicity** - The proposal, by virtue of the size of the site and number of units created, has been classified as a small scale major development. As such, the proposal has been advertised in the local press (Manchester Evening News) as a major development along with being of public interest. A site notice was displayed at the application site. In addition, notification letters have been sent to an extensive area of local residents and businesses.

**Environmental Impact Assessment**- The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 specifies that certain types of development require an Environmental Impact Assessment (EIA) to be undertaken.

The nature of the proposal falls within “Urban Development Projects” being of more than 150 residential units. The City Council has adopted a screening opinion in respect of this matter to determine if this level of assessment was necessary and to determine whether the proposed development was likely to give rise to significant environmental effects.

It was concluded that there would not be significant environmental impacts associated with the proposed development and where there are impacts these will be of no more than local significance. It is concluded that an Environmental Statement is not required.

## **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:

**SO1. Spatial Principles** - provides a framework within which the sustainable development of the City can contribute to halting climate change. This development would be in a highly accessible location and reduce the need to travel by private car.

**SO2. Economy** - supports further significant improvement of the City's economic performance and seeks to spread the benefits of the growth across the City to reduce economic, environmental and social disparities, and to help create inclusive sustainable communities. The scheme would provide jobs during construction and would provide housing near to employment opportunities.

**SO3 Housing** - supports a significant increase in high quality housing provision at sustainable locations throughout the City, to both address demographic needs and to support economic growth. Manchester's population grew by 20% between 2001 and 2011 which demonstrates the draw of the city and the power of its economy within the region. The growth of economy requires the provision of well-located housing such as this to provide an attractive place for prospective workers to live in so that they can contribute positively to the economy.

**SO5. Transport** - seeks to improve the physical connectivity of the City, through sustainable transport networks, to enhance its functioning and competitiveness and provide access to jobs, education, services, retail, leisure and recreation. This development would be in a highly accessible location, close to all modes of public transport and would reduce the need to travel by private car and make the most effective use of existing public transport facilities.

**S06. Environment** - the development would be consistent with the aim of seeking to protect and enhance both the natural and built environment of the City and ensure the sustainable use of natural resources in order to:

- mitigate and adapt to climate change;
- support biodiversity and wildlife;
- improve air, water and land quality; and
- improve recreational opportunities;
- and ensure that the City is inclusive and attractive to residents, workers, investors and visitors.

**Policy SP1 ‘Spatial Principles’** one of the key spatial principles is the emphasis on the creation of neighbourhoods where people choose to live, providing high quality and diverse housing, in a distinct environment. New development should maximise the use of the City’s transport infrastructure, in particular promoting walking, cycling and the use of public transport.

The proposal would contribute towards meeting housing growth in the City and creating a high quality neighbourhood for residents to live in.

**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. The proposal is located in an area where there is access to a range of public transport modes whilst encouraging other forms of transport such as cycle, car sharing and car clubs.

**Policy T2 ‘Accessible areas of opportunity and needs’** This proposal would be in a highly sustainable location, close to all forms of public transport and would have a minimal impact on the local highway network and encourage the use of other forms of transport.

**Policy EN1 ‘Design principles and strategic character areas’** The proposal’s considered to be a high quality scheme in terms of its design and appearance that would enhance the regeneration of the area.

**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.

Although located on a greenfield site, the site is no longer active as a sports facility and its loss has been appropriately mitigated through a commuted sum. The proposal will provide much needed family housing in a sustainable area of the city.

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 H3 ‘North Manchester’** states North Manchester will accommodate around 20% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained.

The proposal would seek to provide new family accommodation in an area where there is demand. The accommodation will be a mixture of two, three and four bedroom properties.

**Policy H8 ‘Affordable Housing’** states affordable housing contributions will be considered of 0.3 hectares and 15 units or more. The development will provide a 20% contribution to affordable housing on site on a shared ownership basis as part of diversifying the area and offering housing choice. Further details will be provided in the main body of the report in this regard.

**EN4 ‘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 CO 2 emissions and rising fossil fuel prices. All development must follow the principles of the energy hierarchy being designed to reduce the need for energy through design and the use of energy efficient features and through the use of low or zero carbon energy generating technologies

**Policy EN5 ‘Strategic areas for low and zero carbon decentralised energy infrastructure’** the regional centre has 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 2 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.

Consideration has been given to how the buildings functions would reduce overall energy demands and the building fabric is considered to be high quality and would allow energy costs to remain low.

**Policy EN9 'Green Infrastructure'** states that development should maintain green infrastructure in terms of its quantity, quality and function. Developers should 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 development will result in the loss of a greenfield site which contains trees and other green infrastructure. It is considered that this harm is outweighed by the provision of much needed housing in the area together with mitigation as a result of lost trees and other vegetation as part of the future landscaping scheme.

**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.

The bowling green is now surplus to requirements and mitigation for the loss of the grass pitch has been provided in order that this can be mitigated elsewhere within the ward.

**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'** development should minimise surface water runoff, and a Flood Risk Assessment (FRA) is required for proposals on sites greater than 0.5ha within critical drainage areas. Consideration has been given to the surface water runoff and a scheme will be agreed which minimises the impact from surface water runoff.

**Policy EN15, 'Biodiversity and Geological Conservation'**, requires developers 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 not considered to be of high quality in ecology terms. .

**Policy EN16 ‘Air Quality’** The proposal would not compromise air quality and would incorporate measures to minimise dust from the construction process and car usage during the operational phases.

**Policy EN17 ‘Water Quality’** Consideration has been given to minimising the impact on the surrounding water courses including those which may be under ground.

**Policy EN18, ‘Contaminated Land’**, The applicant has provided provisional details relating to ground conditions and further investigative work would be needed to confirm the findings of the provisional details and determine if any mitigation is required.

**EN19 ‘Waste’** states proposals must be consistent with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). The applicant has a clear waste management strategy for the site which will ensure that residents adhered to recycling principles. Compliance with this strategy will form part of the conditions of the planning approval.

**PA1 ‘Developer Contributions’** states that where needs arise as a result of development, the Council will seek to secure planning obligations. Through such obligations, the Council may seek contributions for a number of benefits, including affordable housing, with priorities assessed on a site by site basis. A legal agreement will be prepared to support this planning application which will include obligations surrounding affordable housing and mitigation of the loss of the grass pitch.

**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 applicant has given careful consideration to the design, scale and layout of the replacement club housing along with indicative parameters relating to the residential element. The proposal also meet the City Councils space standards.

For the reasons given below, it is considered that the proposal is 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:

**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<sub>1</sub>**, 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 and further mitigation will be secured by planning condition.

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

#### **National Planning Policy Framework (2018)**

The revised NPPF was adopted in July 2018. The document states that the *‘purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the ‘objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs’* (paragraph 7).

In order to achieve sustainable development, the NPPF states that the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 5 *‘Delivering a sufficient supply of new homes’* states that in order to support the Government’s objective of significantly boosting the supply of homes, *‘it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed*

*and that land with permission is developed without unnecessary delay'* (paragraph 59).

With regards to affordable housing, paragraph 64 states that where major developments are proposed involving the provision of housing, planning policies and decisions should expect at least 10% of homes to be available for affordable homeownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

Section 8 '*Promoting Healthy and Safe Communities*' states that *planning policies and decisions should aim to achieve healthy, inclusive and safe places* (paragraph 91).

Paragraph 96 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 97 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.

Section 9 '*Promoting Sustainable Transport*' states that '*significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health*' (paragraph 103).

Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109).

Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations (paragraph 110).

Section 11 *'Making effective use of land'* states that *'planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions'* (paragraph 117).

Decisions should support development that makes efficient use of land, taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

b) local market conditions and viability;

c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

e) the importance of securing well-designed, attractive and healthy places. (paragraph 122)

Section 12 *'Achieving Well Designed Places'* states that *'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this'* (paragraph 124).

Planning decisions should ensure that developments:

a) 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;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The NPPF is clear that planning 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, taking into account any local design standards or style guides in plans or supplementary planning documents.

Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to

object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). (paragraph 130).

Section 14 '*Meeting the challenge of climate change, flooding and coastal change*' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 148).

Section 15 '*Conserving and Enhancing the natural environment*' states that planning decision should contribute and enhance the natural and local environment by protecting valued landscapes, minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability and remediating contaminated land.

Paragraphs 10, 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.

### **Planning Practice Guidance (PPG)**

The relevant sections of the PPG 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.

*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.

It further advocates mitigating noise impacts of a development which is dependent on the type of development being considered and the character of the proposed location.

*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.

### **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;
- 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 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.

### **Manchester's Great Outdoors – a Green and Blue Infrastructure Strategy for Manchester (2015)**

*Adopted in 2015, the vision for the strategy is that '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'*

There are four objectives in order to achieve this vision:

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

### **Manchester Playing Pitch Strategy (June 2017)**

The purpose of the playing pitch strategy (PPS) is to provide a strategic framework which ensures that the provision of outdoor playing pitches meet local needs of existing and future residents across Manchester.

The PPS shows that all currently used playing field sites require protection and therefore cannot be deemed surplus to requirements because of shortfalls now, and in the future.

In terms of the application site, the 'Whitehouse Bowling Club' is listed as a 'Lapsed' adult football pitch with a last recorded use in the 2006/2007 season. It outlines that pitch is no longer maintained and has become overgrown.

The PPS defines a 'Lapsed' pitch as:

*"last known use was as a playing field more than five years ago. These sites fall outside of Sport England's statutory remit but still have to be assessed using the criteria in paragraph 74 of the National Planning Policy Framework and Sport England would nonetheless challenge a proposed loss of playing pitches/playing field which fails to meet such criteria. It should be emphasised that the lawful planning use of a lapsed site is still that of a playing field"*

The PPS goes on to state that:

*"Lapsed, disused, underused and poor quality sites should also be protected from development or replaced as there is potential need for playing field land to accommodate more pitches to meet the identified shortfalls"*

The PPS recommends that the Council allocates all disused/lapsed sites as playing fields in the first instance until such time as the Council, community group or developer expresses an interest in such a site.

The document then goes on to outline a priority order of options with regards to addressing disused/lapsed sites. This order is as follows:

1. Firstly, explore the feasibility of bringing the site back into use. A feasibility study may show either:
  - a. The site can be brought back into sustainable use where funding is available and use is secured by the Council and relevant NGBs/Community Groups; or
  - b. The site is not in a sustainable location and in which case no amount of money will make it desirable.
2. The site could become public open space to meet a need identified in the Open Space Study; or
3. Redevelop the site for an alternative use but use the capital receipt to invest in existing sites in the locality

Within the 'North Area Action Plan' the application site the recommended action in respect of this site is to '*consider options for future use including development and reinvestment of capital receipt*'.



## City Wide Open spaces, sports and recreational study (2009)

The site was surveyed as a grass pitch and bowling green at that time.

### Issues

#### Principle of development

The application site consists of a grass playing pitch, Bowling Green and the existing Whitehouse Club building, situated fronting Middleton Road, which contains bar, function room and games room.

The grass pitch was last known to be used around the 2006/2007 season. The sports uses at the application site were also identified within the City Wide open spaces, sports and recreational study in 2009. The application site has also been identified within the Manchester Playing Pitch Strategy 2017 as a 'lapsed' playing pitch and bowling green.

The proposal will result in the erection of a new club building with car parking area to the rear along with a residential development to the rear of the site on the former grass pitch and bowling green.

The principle of a new club house at the site is considered to be acceptable. The club is well used by its membership and is available for community hire for weddings and events. The existing building is in a poor condition and as a result of this fails to contribute positively to the surrounding area, particularly Middleton Road which is a major road route connecting the north of the city with the city centre. These development proposals provide an opportunity to provide a new purpose built building which will not only provide modern and attractive internal spaces but also improve the visual appearance of the building to Middleton Road.

With regards to the loss of the grass pitch and bowling green, the importance of promoting and conserving open space for access by local communities is outlined within policy SP1 'Spatial Principles' of the Core Strategy which 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 paragraph 97 of the NPPF).

Where a development would result in the loss of a use which contributes to these spatial objectives, it is necessary to robustly consider whether development proposals are acceptable.

Given the existing sports uses at the application site it is necessary to consider the requirements of paragraph 97 of the NPPF. This states 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.

Policy EN10 of the Core Strategy is consistent with the assessment criteria within the NPPF and states that existing open spaces should not be built upon unless a specific criteria can be 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
  - 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 use or character.

The Playing Pitch Strategy (PPS) has shown that the Bowling Green in this instance is now surplus to requirements. This is also a position which Sport England concur with. The site has no reasonable prospect of being used for any other type of sport, recreational or open space need and the applicant has offered a financial contribution as part of the planning obligations. This would provide mitigation against its loss by enabling improvements to be made to other sport, recreational or open spaces uses within the area.

The grass pitch has also not be used for a period of time. The PPS action plan states that consideration should be given to future uses of the site, including development, and reinvestment of the capital receipt. The financial contribution being offered would also be consistent with policy EN10 and equates to a like for like replacement of the facility to be lost.

The principle of developing the grass pitch and bowling green is therefore considered to be acceptable in principle, subject to the appropriate and proportionate commuted sum that is capable of being secured as part of a legal agreement.

### **Material planning considerations**

This report will therefore consider the following material considerations and determine 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;
- Permitted development;
- Ground conditions; and
- Construction management.

The above matters will be considered in turn below.

### **Affordable Housing**

Policy H8 establishes that new development should contribute to the City-wide target for 20% of new housing provision to be affordable and that developers are expected to use the 20% target as a starting point for calculating affordable housing provision. Developers should provide new homes that are available for social or affordable rent or affordable home ownership, or provide an equivalent financial contribution.

The required amount of affordable housing within a particular development will reflect the type and size of the development as a whole and will take into account a number of factors such as an assessment of a particular local need, any requirement to diversify housing mix and the need to deliver other key outcomes particularly a specific regeneration objective.

As noted the application proposes 74 new homes on a for sale basis. The applicant's viability report has been tested and this concludes the proposal is capable of sustaining a full 20% contribution to affordable housing without undermining viability or deliverability of the scheme or the schemes ability to mitigate against other factors such as the loss of the sports provision.

The applicant has agreed to provide the 20% affordable housing on site and has offered the following tenures:

- 8 apartments as affordable rent (80% below market rents);
- 4 apartments as shared ownership (at a price equivalent to at least 20% below local market value);
- 3 starter homes (at a price equivalent to at least 20% below local market value and available to first time buyers)

This is welcomed. The 20% provision would be secured by a legal agreement which would also ensure that the variety of property types and sizes detailed above are made available on an affordable basis. These homes would be ‘pepper potted’ throughout the site and retained at the affordable price in the future. It is understood that the applicant is in discussion with a registered provider in respect of how the shared ownership and starter homes will be provided at the site and this will be secured as part of the legal agreement.

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

The 74 residential units represents a development of 47 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 H3 of the Core Strategy seek to ensure that the right type and standard of accommodation is created in the City. Policies H1 and H3 in particular, place emphasis on increasing the availability of family housing.

The indicative plan shows the following accommodation schedule:

- Apartments:
  - 2 x 12 number 2 bedroom apartments
- Dwellinghouses:
  - 32 x 3 bedroom;
  - 18 x 4 bedroom.

This represents a broad mix of dwellings across the application site which is welcomed. Particularly as the main emphasis of the accommodation is on the creation of family accommodation.

As the application is only at the outline stage, further consideration would need to be given at reserved matters on the layout of the development, in particular the apartment block. However, to ensure the scheme does not become apartment led conditions restricting both the numbers of apartments and houses and their sizes, in addition to height parameters, are recommended as part of the approval.

It is also recommended that the new homes regardless of being apartments/houses, are designed and completed in accordance with the Councils space standards.

### **Visual amenity**

Policies EN1 and DM1 of the Core Strategy, along with the Guide to Development in Manchester SPD and the Residential Quality Guide, requires consideration be given to the 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.

Access to the site would be retained from Middleton Road albeit repositioned closer to the boundary with 195 Middleton Road. The proposed club house would be sited on the existing club car parking area, having a much greater presence in the street scene which is welcomed.

The access road would continue into the site providing an entrance to the new 43 space car parking area for the club to the rear of the building. The siting of the car park to the rear of the building minimises its impact and the addition of soft landscaping around the car park and building would further provide an appropriate setting.

The accommodation within the proposed social club briefly comprises a function room and kitchen facilities on the ground floor, lounge room, snooker room and ancillary facilities on the first floor and a three bedroom ancillary residential apartment for the caretaker together with committee space and storage room on the second floor. The floor space of the proposed accommodation equates to 1046 sqm, an uplift of 259 sqm from the current social club. The impacts associated with this increase in floor space are considered elsewhere within this report.



*Indicative layout of the proposed development including new club building to Middleton Road including associated car parking and residential development to the rear*

The club building would be part two storey, part three storey in scale. Its massing and overall height is minimised through the two interlocking mono-pitched roofs together with a split in the front elevation which breaks up the overall massing.

The topography of this section of Middleton Road rises and there is also a variety of property types and sizes. This development would sit appropriately in this context and represent an appropriate transition in scale from the two storey residential property at 195 Middleton Road to the three storey apartment block of Tarnside House which is situated in a slightly elevated position above the application site.





*View of the proposed club house from Middleton Road*



*View of the proposed rear of the Club house from the internal access road*

The club house would be a predominately brick building with glazing and cladding panels used to emphasise the entrances to the building. Vertical off set slot windows are proposed which provide interest to the elevations.

It is considered that the proposals for the club house represent an appropriate design response. The removal of the car parking area and the existing poor quality club house with a quality brick built building with well detailed elevations represents a welcome addition in the street scene.

The remainder of the site would form the residential element of the scheme. Only access is being applied for in detail with, only the principle of development being sought. The access road from Middleton Road extends into the rear of the site which would provide the only 'in and out' for the residential properties. It would have been preferable to have introduced a degree of permeability into the layout by having a through route, however, there are constraints to achieving this due to the changing levels around the application site and land required falling outside of the applicants land ownership.

An indicative layout has been provided which demonstrates that a landscaped buffer would separate the club house activities from the residential part of the site. The layout also shows that 74 dwellinghouses could fit comfortably on the site. This is achieved by having two apartment blocks, with associated car parking areas, flanking either side of the estate road. This leads to a circular cul-de-sac arrangement with a mixture of semi-detached properties and short terrace rows fronting onto the access road.

Car parking is shown as being accommodated within the curtilage of each plot which is welcomed. The indicative plan shows in part car parking dominating the site frontages, this would need further consideration at detailed stage e reserved matters stage to ensure that an appropriate balance is created in terms of parking, landscaping and space between properties.

Indicative details have also been provided for the scale of the dwellings which range between two and two and half stories. The apartments will not exceed 3 stories and it has been tested that the location towards the front of the site, near to the car park of the proposed social club, is the optimum location and will have the least impact on surrounding residential properties. This is considered to be appropriate and would ensure that the dwellings complement the wider area which is dominated by two storey properties.

As noted conditions are recommended in relation to design parameters including height.

### **Disabled access**

The proposed social club and the residential development will be designed to meet current standards and be accessible.

The social club will include the provision of a lift which will allow access to all of the floors of the development. There are level access to the premises, appropriate corridor widths and turning spaces and provision of accessible toilet facilities.

Although the residential element is only at outline, with limited information in this regard, it is anticipated that all the dwellings will meet current building regulations to ensure the accommodation is accessible and adaptable for the house hold needs.

### **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.

In terms of its impact on existing habitats and ecology, the report concludes that the site is of low value. However, the site does contain numerous tree and dense scrub the majority of which exists around its perimeter and scattered across the land.

The report recommends that a bat survey is undertaken to establish the presence of bats across the site.

The Greater Manchester Ecology Unit (GMEU) have carefully considered the findings of the applicant's ecology report. GMEU agree that the site is of low ecological value but that a bat survey should be prepared in support of this planning application.

A bat survey has been prepared in support of this planning application. GMEU concur with the findings of the report in that the existing social club has a low potential to support bats. They have recommend that that a demolition method statement is agreed which ensures that the elements of the building which need to be removed by hand. This should form part of the conditions of the planning approval.

In addition, they consider that it would be appropriate to ensure that no vegetation is cleared from the site during bird nesting season along with securing appropriate biodiversity enhancements as part of any landscaping scheme.

### **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 potential impacts associated with this development which require consideration:

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

The relationship of the proposed dwellings to the surrounding properties ensures that there would be no incidences of overlooking resulting in a loss of privacy. Whilst the topography does vary across the application site, privacy distances have been considered and are appropriate.

In terms of the relationship of any proposed dwellings to those on Edenfield Road, the privacy distances vary between 22 and 25 metres. The topography is relatively



even in this location and therefore the relationship should not give rise to any unduly harmful impacts in terms of loss of privacy or overlooking.

With regards to the properties along Windsor Crescent, there is approximately 26 metres separating these properties from those on the indicative layout. In this location, the topography of the application site is slightly higher than the properties along Windsor Road which abut the site. Notwithstanding this, the privacy distance of 26 metres will ensure that no undue loss of privacy arises.

The residential properties which abut the application site along Cobb Close are adjacent to one of the proposed apartment buildings. The worst case scenario in this instance would be a privacy distance of 18 metres with the apartment building having either a blank or angle gable. The parameters show that the apartment building could be up to 3 storeys and the topography in this location is relatively even. It is not considered that this would give rise to any unduly harmful impacts given that the building can be sited and designed in such a way to minimise any harmful impacts from overlooking.

The other apartment block would be close to residential properties along Counthill Drive. The worst case scenario would be a 20 metre privacy distance. The topography is even in this location and given the measures which can be put in place with regards to privacy and position of windows, it is not considered that this relationship will give rise to any unduly harmful impacts.

The residential properties along Claythorpe Walk would be separated from the nearest dwelling on the indicative layout by 21 metres. Given the properties along Claythorpe Walk are in a slightly elevated position it is considered that 21 metres would be more than adequate to protect privacy and amenity.

The proposed club building itself would be separated by 19 metres to the apartment block on Counthill drive and 22 metres to 152 Middleton Road. These distances are considered to be adequate and are not dissimilar to the current clubs arrangements. Whilst the proposed club building is taller, the distances and topography would ensure that the proposed building does not look out of character in the street scene and there would be no overbearing impacts.

There is no doubt that there would be a change in outlook and character for the existing properties given the existing use of the site. However, it is not considered that there would be a loss in privacy or a sense of overbearing or overshadowing to the existing properties which would give rise to any harmful or undue impacts on residential amenity.

The introduction of the 74 new homes at the site, together with the proposed social club building, would create some additional comings and goings in the local area as a result of traffic and pedestrian activity. However, it is not considered that this level of activity would be harmful given the largely residential context surrounding the application site and the location close to Middleton Road, a busy road route.

There is already a degree of activity associated with the existing social club and although the sports facilities at the site are not currently in use, they are capable of being used and therefore generate activity and noise at the site.

The facilities on offer at the proposed social club are the same as the existing facility. The club's current membership has in excess of 800 members and the event space and social club element remains buoyant. The existing social club is currently used by local groups as well as other private functions.

The existing social club currently provides 787 sqm of floor space. The proposed club will provide 1046 sqm. The uplift in floor space reflects the desire to provide modern facilities at the development in terms of communal spaces and back of house facilities. In particular, snooker accommodation is popular and the scheme seeks to respond to this demand by providing additional facilities. In addition, an upper floor ancillary residential accommodation will be provided for a live in club steward as well as committee space for the club members.

There are currently no restrictions of the operating hours of the existing club house from a planning perspective. However, the licensing hours permit the existing social club to be open:

- Monday to Saturday 11:00 to 00:00
- Sundays 12:00 to 23:30

The applicant intends to operate the proposed club in line with these hours. In line with comments from Environmental Health, the premises shall be appropriately acoustically insulated to prevent the outbreak of noise. This will form part of the conditions of the planning approval.

The proposal will also include use of external areas. In order to prevent any undue harmful impacts on surrounding residential amenity from the use of the external spaces, it is recommended that these are restricted until 9pm.

Overall it is considered that there are no undue unacceptable impacts as a result of the development on the surrounding properties as a result of loss of privacy or any overbearing or overshadowing impacts.

There will be some associated impacts from additional comings and goings at the site, from both the proposed social club and residential element. It is, however, considered that these impacts are not unduly harmful.

The social club will attract similar comings and goings to the existing club but within a modern and appropriately sound insulated building. Although there is a modest uplift in floor space it is not considered that there will be any unacceptable impacts in this regard.

As part of the proposed scheme there will no longer be recreational uses at the site such as the Bowling Green and playing pitch. These facilities would generate their own level of activity and noise. The replacement with residential accommodation will mean that the comings and goings from this part of the site will be different and likely

to be less intensive, being spread evenly across a typically day, therefore being more easily absorbed into the general activity of the local area.

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

#### a. waste management

The residential element and the proposed new club building would generate waste which will need to be managed. Policies EN19 and DM1 of the Core Strategy require applicants show consistency with the waste hierarchy which principally seeks applicants to re-use and recycle their waste.

As the residential element of this scheme is only at outline, it is considered that a planning condition should be used to ensure that these details are appropriate for the residential element.

The new club house will have a dedicated waste store in the car parking area. This will be designed to accommodate a required number of bins for the development which will be agreed through a waste management strategy. The servicing activities would take place within the car parking area and accessed from the developments new access road via Middleton Road. This arrangement is considered to be acceptable and will ensure that there will be no waiting servicing vehicles on the highway.

#### a. Acoustic insulation

The proposal involves the creation of a new club house building and a large scale residential development within an existing neighbourhood. In addition, to the application site is located off Middleton Road which is a busy arterial road route to the City Centre.

Environmental Health consider that it would be necessary for any residential development at the application site to be acoustically insulated against surrounding noise sources in order that there are no unacceptable impacts on residential amenity. In addition, the proposed club house building should also be acoustically insulated to prevent the break out of noise.

There is also likely to be associated plant with the development. In line with the requirements of Environmental Health, the plant should be acoustically insulated and this forms conditions of the planning approval.

As detailed elsewhere within this report, matters relating to the operating hours and use of external areas shall be restricted in the interest of residential amenity.

It is recommended that these matters form part of the conditions of the planning approval in line with policy of the Core Strategy and saved policy DC26 of the UDP.

### **Tree coverage**

There is a significant tree cover within the centre of the site and around the perimeter. This provides a buffer for the existing residential properties together with contributing towards the character and visual amenity of the area.

The applicant's tree survey has identified 30 trees on site (including 14 groups). There are 3 individual trees and 5 group trees which are considered to fall within category A (Trees of High Quality). A further 9 trees and 3 group trees were considered to be category B (Trees where retention is desirable) together with 4 individual and 6 group trees which were categorised as falling with category C (trees which could be retained). There were no category U trees identified.

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 would be required to demonstrate how this loss would 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 applicant has provided a tree survey detailing the current tree coverage and its quality. In addition, a tree removal plan indicates which trees would require removal to facilitate the development. A total of 13 trees would require removal at the application site. This would consist of 4 category A trees, 4 category B trees and 5 category C trees.

The majority of the trees which require removal are located around the edges of the site and in the centre to facilitate the new access road. The remainder of the mature trees surrounding the site will be retained. Whilst the loss of the existing mature tree coverage is regrettable, this would be appropriately mitigated through the provision of new tree planting throughout the development as part of the landscaping scheme.

The indicative details show that there will be in excess of 150 new trees at the application site. This includes planting along the new access road, front gardens and at the front of the new social club along Middleton Road. This will provide a landscaped setting to the application site which is welcomed and will mitigate against the loss of the 13 trees at the application site.

An appropriate landscaping scheme will be secured as part of the conditions of the planning approval.

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

The proposed development would provide an opportunity to improve the setting of the application site from Middleton Road which is currently poor and dominated by the existing social club car park.

The removal of the car park and replacement with the new social club would further see the introduction of soft landscaping around the building. This would be enhanced through the provision of new trees along the access road, in front of the building and around the car park.

The new access road would be lined with new planting and an external amenity space associated with the social club would separate activities from the new residential development.

The indicative layout shows that the residential dwellings would have well sized private gardens allowing for fully functioning amenity space. The setting of the properties from the access road is also enhanced through the provision of front gardens with soft landscaping ensuring the properties are not hard onto the street edge.

The two apartment buildings would also have their own private amenity space for the residents who occupy these properties and provides a sizeable setting for the buildings.

Further details on the landscaping are necessary in order to determine that the spaces are adequate and agree the type and quality of soft landscaping including provision of new trees in mitigation of those that have been lost. It is recommended that such details are secured by planning condition.

With regards to boundary treatment, it will be necessary that all the residential dwellings are defined by appropriate boundary treatment at the front in order to demarcate the public and private spaces. It will be expected that this will take the form of a low boundary wall and railings. The rear gardens will be defined by appropriate divisional fencing.

With regards to the social club, there will be a requirement for new boundary treatment to the front of the site along Middleton Road and around the car parking area to provide security when the site is not in use.

The final details of this will be agreed for all the boundary treatments for the development as part of the conditions of the planning approval.

### **Air quality**

The main impacts during the operational phases would be from vehicle movements and servicing requirements. These impacts can be carefully controlled through the construction management plan which would form part of the conditions of the planning approval.

Beyond the construction phase there would be on site cycle parking and electric car charging points for both the social club and the residential development. These would be secured through planning conditions.

Environmental Health concur with the conclusions and recommendations within the air quality report. In light of the mitigation measures proposed above, which would be secured by planning conditions, it is considered that the proposal would comply with policy EN16 of the Core Strategy, paragraph 8 of the PPG and paragraph 124 of the NPPF in that there will be no detrimental impact on existing air quality conditions as a result of the development.

### **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. The assessment includes consideration of a number of junctions nearby. The conclusion is that there would be no undue impact on the highway network.

In terms of the sustainability and public transport, the site is located close to a major bus corridor and located within a short distance to Bowker Bank Metrolink stop.

The indicative layout has also had regard to highway and pedestrians safety, seeking to utilise and upgrade the existing means of access off Middleton Road. A new carriageway with footways would be created through the site providing access to the proposed residential element to the rear of the site and the proposed club house and car park. The carriageway width appears to be acceptable subject to the relevant detail.

In terms of car parking, the indicative layout demonstrates that there would be sufficient car parking to serve the development site. There is 100% car parking available for the apartment blocks together with a driveway (in some cases accommodating up to two car lengths) for each of the residential properties. The driveway sizes appear to comply with the requirements of Highway Services.

As set out previously there are several instances across the indicative site layout where the hardstanding of the car parking dominates the site frontage. This would be reviewed at the detailed reserved matters stage to ensure that the layout of the car parking is appropriate and minimises visual impact.

43 car parking spaces are proposed for the club house which is considered to be sufficient for the use in question. Electric car charging points will be provided for each dwellinghouse and apartments and a percentage for the new social club.

Highway improvement works will be required in the form of junction protection measures along the new access road and junction with Middleton Road together with regulations to enforce a 20 mph speed limit throughout the estate. These will be secured as part of the conditions of the approval.

There is a commitment for cycle provision both for the proposed social club, apartments and dwellinghouses. Four cycle stands will be provided for the social club which is acceptable to Highway Services. The cycle provision for the dwellings will be within curtilage. Cycle provision is an important requirement in order to promote alternative travel choices for a development of this nature and to take advantage of the nearby cycle routes. This should form part of the conditions of the planning approval to ensure that appropriate provision is put in place.

Another key factor is ensuring servicing for refuse collection is possible. It has been demonstrated that this is capable of taking place from the new access road and manoeuvre appropriately.

A travel plan condition is also recommended to ensure that sustainable travel options are promoted for both the club house and the residential elements of this development.

Overall it is considered that the traffic generated by 74 residential dwellings together with the club house could be satisfactorily accommodated within the capacity of the local highway network. Mitigation measures would be required in order to ensure that the means of access and vehicle and pedestrian environment beyond the application site are safe together with delivering key elements of infrastructure to improve the overall sustainability of the site and ensure access to public transport, walking and cycling.

### **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 exasperate 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.

A condition of the planning approval shall be that this information is submitted and agreed.

### **Sustainability**

Policy DM1 states that residential developments will be expected 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. It is recommended that such details are obtained as part of the conditions of the planning approval.

### **Designing out crime**

A Crime Impact Statement (CIS), prepared by Design for Security at GMPolice, recognises that the development would bring vitality to this area and more active frontage. It is recommended that a condition is imposed to require the full implementation of the CIS and that Secured by Design Accreditation is achieved for both the club house and the residential element of this development.

### **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. 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**

The work would take place close to homes and comings and goings from the site are likely to be noticeable. However, these impacts should be short in duration and predictable. A condition requires a construction management plan to be agreed which would include details of dust suppression measures, highways management plan and details of use of machinery. Wheel washing would prevent any dirt and debris along the road and beyond.

Limited information has been provided about routing but construction vehicle will use Middleton Road and connect to the surrounding road network including nearby motorway. There is unlikely to be any cumulative impact from construction activity.

Provided the initiatives outlined above are adhered to, it is considered that the construction activities are in accordance with policies SP1 and DM1 of the Core Strategy and extant policy DC26 of the Unitary Development Plan. However, it is recommended that a condition of the planning approval is that the final construction management plan is agreed in order to ensuring the process has the minimal impact on surrounding residents and the highway network.

## **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.

It is considered that it would be appropriate and reasonable to attach conditions to prevent the new homes becoming HMOs to ensure they remain in family use. In addition to ensure visual amenity is protected a condition is required to avoid front boundary treatments from being removed without further consideration and extensions being erected.

## **Legal Agreement**

The proposal is minded to approve subject to a legal agreement under section 106 of the Planning Act to ensure there is a mechanism to secure the 20% on site affordable housing as explained in the report. In addition, the agreement would detail the obligations required to secure mitigation against the loss of the grass pitch and bowling green as explained within the heading 'principle of development'.

## **Conclusion**

The proposal would result in the loss of a grass pitch and bowling green in order to facilitate the redevelopment of the site to create 74 much needed new family homes together with a new club house to replace the existing facility. Appropriate mitigation has been secured which would allow for facilitates to be replaced and improved within the Crumpsall ward.

The proposed club house building would provide a modern facility for the members and the functions they provide. The siting, scale and appearance of the building is considered to be appropriate and of sufficient quality for its road frontage. Car parking would accommodate the needs of the development supported by travel planning initiatives.

The indicative layout for the residential element demonstrates that it is possible to achieve a wide range of property type and sizes arranged around a new road network. The indicative scale of these properties would respond positively to the character of the area. The provision of 20% affordable housing at the site to allow access to affordable home ownership which is fully in line with the NPPF and local level requirements which is welcomed.

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

**Recommendation**      **Minded to Approve subject to the signing of a legal agreement in order to secure monies associated with mitigating against the loss of the sports facilities together with securing 20% on site affordable housing**

### **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 has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development along with noise and traffic impacts. Further work and discussion have taken place with the applicant through the course of the application, particularly in respect of the mitigating the loss of the sports facilities, affordable housing and site layout. The proposal is considered to be acceptable and therefore determined within a timely manner.

### **Reason for recommendation**

### Conditions to be attached to the decision

1) (a) The club house development, as shown on drawing 4050/101 Rev M stamped as received by the City Council, as Local Planning Authority, on the 14 February 2019 (hereinafter called "phase one") must be begun not later than the expiration of three years beginning with the date of this permission.

(b) Applications for approval of reserved matters for the residential development as shown on 4050/101 Rev M stamped as received by the City Council, as Local Planning Authority, on the 14 February 2019 (hereinafter called "phase two") must be made not later than the expiration of three years beginning with the date of this permission. The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2) Approval of the details of the layout, scale, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters or phase 2") shall be obtained from the local planning authority in writing before any development is commenced.

Plans and particulars of the reserved matters shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason - To ensure the satisfactory development of the site and because this application is in outline only.

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

#### Drawings

Drawing 4050/101 Rev N stamped as received by the City Council, as Local Planning Authority, on the 1 April 2019

Drawings 4050/110 Rev H and 4050/120 stamped as received by the City Council, as Local Planning Authority, on the 14 August 2018

Site sections 4050/005 Rev A stamped as received by the City Council, as Local Planning Authority, on the 15 March 2019

#### Supporting information

Design and access statement, Phase 1 ground conditions report, crime impact assessment, air quality report, Tree survey, Transport statement, flood risk assessment, stamped as received by the City Council, as Local Planning Authority, on the 14 August 2018

Ecology assessment stamped as received by the City Council, as Local Planning Authority, on the 18 March 2019

Tree removal works plan stamped as received by the City Council, as Local Planning Authority, on the 22 March 2019

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.

4) Any application for reserved matters for phase two relating to scale and layout shall follow the principles and parameters set out in the approved plans, in particular drawing 4050/101 Rev M stamped as received by the City Council, as Local Planning Authority, on the 15 March 2019 and shall include:

- No more than 50 dwellinghouses with a maximum height of between 2 and 2.5 storeys of which no more than 32 shall be 3 bedroom (between 96 and 102 sqm) and no more shall be 4 bedroom (between 107 – 124 sqm);

- No more than 24 x 2 bedroom apartments (minimum of 70 sqm) apartments with a maximum height of the apartments 3 storeys and should be located as shown on drawing 4050/101 Rev M stamped as received by the City Council, as Local Planning Authority, on the 15 March 2019

Reason: To ensure the development does not exceed the parameters disclosed in the planning application, pursuant to policies DM1 and SP1 of Manchester Core Strategy.

5) a) Prior to the commencement of phase one of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Benefit Proposal means a document which includes:

i) the measures proposed to recruit local people including apprenticeships  
 ii) mechanisms for the implementation and delivery of the Local Benefit Proposal  
 iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work within phase one being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason – The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

6) a) Prior to the commencement of phase two of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

In this condition a Local Benefit Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work within phase two being completed, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason – The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

7) (a) Prior to the commencement of phase one of the development, a scheme for the drainage of surface water for the development shall be submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.

- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control and SuDS elements.

(b) The development shall then be constructed in accordance with the approved details, within an agreed timescale.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

8) (a) Prior to the commencement of phase two of the development, a scheme for the drainage of surface water for the development shall be submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.

- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control and SuDS elements.

(b) The development shall then be constructed in accordance with the approved details, within an agreed timescale.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

9) Notwithstanding the Phase I preliminary site investigation report prepared by Brian Clancy Higby Partnership (ref. 1701-6450) stamped as received by the City

Council, as Local Planning Authority on the 14 August 2018 (a) before phase one commences, the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- Submission of Site Investigation Proposals;
- Submission of a Site Investigation and Risk Assessment Report;
- Submission of a Remediation Strategy.

Phase one of development shall then be carried out in accordance with the approved details.

(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 prior to the first occupation phase one of the development.

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 - There is evidence of site contamination at the application site which requires further consideration and examination. In particular, details of outstanding gas monitoring is required to be submitted for consideration and an appropriate remediation strategy prepared. This is pursuant to policy EN18 of the Manchester Core Strategy (2012).

10) Notwithstanding the Phase I preliminary site investigation report prepared by Brian Clancy Higby Partnership (ref. 1701-6450) stamped as received by the City Council, as Local Planning Authority on the 14 August 2018 (a) before phase two commences, the following information shall be submitted for approval in writing by the City Council, as Local Planning Authority:

- Submission of Site Investigation Proposals;
- Submission of a Site Investigation and Risk Assessment Report;
- Submission of a Remediation Strategy.

Phase two of development shall then be carried out in accordance with the approved details.

(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 prior to the first occupation phase one of the development.

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 - There is evidence of site contamination at the application site which requires further consideration and examination. In particular, details of outstanding gas monitoring is required to be submitted for consideration and an appropriate remediation strategy prepared. This is pursuant to policy EN18 of the Manchester Core Strategy (2012).

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

- Display of an emergency contact number;
- 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; and
- Sheeting over of construction vehicles.

The development within phase one shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN9, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

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

- Display of an emergency contact number;
- 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; and



- Sheeting over of construction vehicles.

The development within phase two shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN9, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

13) (a) Prior to any above ground works associated with of phase one, a programme for the issue of samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority, the programme shall include timings for the submission of samples and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining in and a strategy for quality control management.

(b) All samples and specifications shall be submitted to and approved in writing in accordance with the programme as agreed under part (a). The approved materials shall then be implemented as part phase one 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 Core Strategy.

14) (a) Prior to any above ground works associated with of phase two, a programme for the issue of samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority, the programme shall include timings for the submission of samples and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining in and a strategy for quality control management.

(b) All samples and specifications shall be submitted to and approved in writing in accordance with the programme as agreed under part (a). The approved materials shall then be implemented as part phase two 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 Core Strategy.

15) Prior to the first occupation of phase one of the development hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt the scheme shall include the following:

- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The approved scheme for phase one shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

16) Prior to the first occupation of phase two of the development hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt the scheme shall include the following:

- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The approved scheme for phase two shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

17) No demolition works or vegetation clearance shall take place for both phase one and two during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

18) Prior to the first use of the club building within phase one, details of a hard and soft landscaping treatment (including street tree planting) shall be submitted to and approved in writing by the City Council as local planning authority.

The approved scheme shall be implemented prior to the first use of the development. 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.

19) Prior to the first use of the residential development within phase two details of a hard and soft landscaping treatment (including street tree planting) shall be 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.

20) Prior to the first use of phase one of the development, details of the siting, scale and appearance of the boundary treatment shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include boundary treatment to Middleton Road and car parking areas as shown on drawing 4050/101 Rev N stamped as received by the City Council, as Local Planning Authority, on the 1 April 2019.

The approved scheme shall then be implemented and be in place prior to the first use of the development within phase one. The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

Reason – To ensure that appropriate boundary treatment is put in place in the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

21) Prior to the first use of phase two of the development, details of the siting, scale and appearance of the boundary treatment shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented and be in place prior to the first use of the development within phase two. The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or

without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

Reason – To ensure that appropriate boundary treatment is put in place in the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

22) Prior to any above ground works within phase one of the development details of an environmental standards statement shall be submitted for approval in writing by the City Council, as Local Planning Authority. The development shall be carried out in accordance with those details.

A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority for each phase.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

23) Prior to any above ground works within phase two of the development details of an environmental standards statement shall be submitted for approval in writing by the City Council, as Local Planning Authority. The development shall be carried out in accordance with those details.

A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority for each phase.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

24) Prior to the first occupation of the club building within phase one details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval. The approved scheme shall be implemented prior to the first occupation of phase one and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

25) (a) prior to the first use of the club development within phase one, a scheme of acoustic insulation shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 10 Db (without entertainment noise) in each octave band at the façade of the nearest noise sensitive location, and internal noise levels at structurally adjoined residential properties in the 63HZ and 125 HZ octave frequency bands shall be controlled so as not to exceed (in habitable rooms) 47 dB respectively.

(b) The approved scheme shall then be implemented and a post completion survey submitted for approval in writing by the City Council, as Local Planning Authority, prior to the first use of the commercial unit and the gym. The measures implemented shall be retained and maintained for as long as the development remains in use.

Reason - In order to limit the outbreak of noise from the commercial premises pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

26) (a) Prior to the first occupation of the residential accommodation within phase two a scheme of acoustic insulation against road noise and the adjacent club building shall be submitted for approval in writing by the City Council, as Local Planning Authority.

Noise survey data must include measurements during a rush hour period and night time to determine the appropriate sound insulation measures necessary. The internal noise criteria are as follows:

Bedrooms (night time 23:00 – 07:00) 30 dB LAeq (individual noise events shall not normally exceed 45 dB L<sub>Amax</sub> F by more than 15 times  
 Living rooms (daytime – 07:00 – 23:00) 35 dB LAeq  
 Gardens and terraces (daytime) 55 dB LAeq

Where entertainment noise is a factor in the noise climate the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and 125 Hz octave centre frequency bands so as not to exceed (in habitable rooms) 47 dB and 41 dB respectively.

(b) The approved scheme shall then be implemented and a post completion survey submitted for approval in writing by the City Council, as Local Planning Authority, prior to the first use of the commercial unit. The measures implemented shall be retained and maintained for as long as the development remains in use.

Reason - In order to minimise the surrounding noise sources on the residential properties pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

27) Notwithstanding drawing 4050/101 Rev N stamped as received by the City Council, as Local Planning Authority, on the 1 April 2019, (a) prior to the first use of development within phase one, details of the siting, scale and appearance of the waste storage area together with a waste management strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) The approved waste storage and strategy shall be implemented in accordance with the approved details and be put in place prior to the first use of the development within phase one 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 club building pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

28) (a) Prior to the first occupation of residential development within phase two, details of the siting, scale and appearance of the waste storage area together with a waste management strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) The approved waste storage and strategy shall be implemented in accordance with the approved details and be put in place prior to the occupation of the residential development within phase two 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 residential element pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

29) Prior to the first use of the club building within phase one, details of a scheme to extract fumes, vapours and odours from the premises shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented prior to the first occupation of the club building and thereafter retained and maintained in situ.

Reason - To ensure appropriate fume extraction is provided for the club building pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC10 of the Unitary Development Plan for the City of Manchester (1995).

30) Prior to the first use of the club building within phase one, details of any roller shutters shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt the shutters shall be fitted internally to the premises. The approved details shall be implemented prior to the first occupation of the club building and thereafter retained and maintained in situ.

Reason - To ensure that the roller shutters are appropriate in visual amenity terms pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

31) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first use of the club building within phase one.

The approved scheme shall be implemented in full prior to the first use of the club building and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

32) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority prior to the first occupation of the residential development within phase two.

The approved scheme shall be implemented in full prior to the first occupation of the residential element and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

33) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

34) Deliveries, servicing and collections including waste collections shall not take place outside the following hours for phase one:

Monday to Saturday 07:30 to 20:00

Sundays (and Bank Holidays): No deliveries/waste collections

Reason - In the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

35) The social club hereby approved shall operate in accordance with the following opening hours:

Monday to Saturday 11:00 to 00:00

Sundays 12:00 to 23:30

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

36) The beer garden and external amenity areas associated with the social club, as shown on drawing 4050/101 Rev N stamped as received by the City Council, as Local Planning Authority, on the 1 April 2019, shall operate in accordance with the following opening hours:

Monday to Saturday 08:30 to 21:00  
Sundays 10:00 to 21:00

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

37) The social club in phase one of this development shall be occupied as a social club (with ancillary residential accommodation at the second floor which can only be used in conjunction with the social club) and for no other purposes within D1 (Assembly and Leisure) within the Use Classes Order.

Reason - For the avoidance of doubt and in order to secure a satisfactory form of development due to the particular circumstance of the application site, ensuring the vitality of the units and in the interest of residential amenity, pursuant policy DM1 of the Core Strategy for Manchester.

38) The phase one of the development shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 14 August 2018. The development shall only be carried out in accordance with these approved details.

(a) Phase one of 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 policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

39) The phase two of the development shall be carried out in accordance with the Crime Impact Statement (Version A) prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 14 August 2018. The development shall only be carried out in accordance with these approved details.

(a) Phase two of 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 policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.



40) (a) Prior to the first use of the social club within phase one of this development, details of a travel plan framework shall be submitted for approval in writing by the City Council, as Local Planning Authority.

In this condition a Travel Plan means a document which includes:

- i. the measures proposed to be taken to reduce dependency on the private car by those living at the development;
- ii. a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building and thereafter from time to time
- iii. mechanisms for the implementation of the measures to reduce dependency on the private car
- iv. measures for the delivery of specified travel plan services
- v. measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

(b) Within six months of the first use of the social club within phase one, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for patrons and visitors to the social club, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

41) (a) Prior to the first occupation of the residential development within phase two of this development, details of a travel plan framework shall be submitted for approval in writing by the City Council, as Local Planning Authority.

In this condition a Travel Plan means a document which includes:

- i. the measures proposed to be taken to reduce dependency on the private car by those living at the development;
- ii. a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building and thereafter from time to time
- iii. mechanisms for the implementation of the measures to reduce dependency on the private car
- iv. measures for the delivery of specified travel plan services
- v. measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

(b) Within six months of the first occupation of the residential development within phase two, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

42) Notwithstanding drawing 4050/101 Rev N stamped as received by the City Council, as Local Planning Authority, on the 1 April 2019, prior to the first use of the social club within phase one of the development, details of a secure cycle store (including capacity) shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall be implemented prior to the first use of the social club and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - To ensure there is sufficient cycles stand provision at the development pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

43) Prior to the first occupation of the residential development within phase two of the development, details of a secure cycle store (including capacity) for each property shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall be implemented prior to the first occupation of the residential element and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - To ensure there is sufficient cycles stand provision at the development pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

44) Prior to the first use of the social club within phase one, the car parking layout, as indicated on drawing 4050 Rev N stamped as received by the City Council, as Local Planning Authority, on the 1 April 2019 shall be laid out, demarcated and made available. The car parking layout shall be retain and maintained for as long as the development remains in use.

Reason - To ensure car parking is available for the residential element of the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

45) Prior to the first occupation of the residential development within phase two, the car parking layout shall be laid out, demarcated and made available. The car parking layout shall be retain and maintained for as long as the development remains in use.

Reason - To ensure car parking is available for the hotel element of the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

46) Notwithstanding drawings Drawing 4050 Rev N stamped as received by the City Council, as Local Planning Authority, on the 1 April 2019, prior to the first use of the social club within phase one, details of the visibility splays associated with the access onto Middleton Road shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved scheme shall be implemented and be in place prior to the first use of the social club within phase one and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site and to improve the local environment and public realm in the interest of visual amenity, pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

47) Prior to the first use of the social club within phase one, a signage strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented as part of the development.

Reason - In the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

48) Prior to the first use of the social club development within phase one, details of electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall then be implemented as part of phase one and be in place prior to the first use of the social club within phase one of this development.

Reason - In the interest of air quality pursuant to policy EN16 of the Manchester Core Strategy (2012).

49) Prior to the first occupation of the residential development within phase two, details of electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall then be implemented as part of phase one and be in place prior to the first occupation of the residential development within phase two.

Reason - In the interest of air quality pursuant to policy EN16 of the Manchester Core Strategy (2012).

50) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1

and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

51) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages or extensions (including roof alterations); shall be erected other than those expressly authorised by this permission in relation to the residential element of this development within phase two.

Reason - In the interests of residential amenity pursuant to policy DM1 and SP1 of the Manchester Core Strategy (2012).

52) 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.

53) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no additional glazing, windows or doors, other than those shown on the approved plans, shall be inserted at the property unless Planning Permission is specifically granted in relation to phase two of this development.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to policy DM1 of Manchester's Core Strategy and saved policy DC1 of the Unitary Development Plan for the City of Manchester.

54) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any

area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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

55) Prior to the demolition of the existing social club building, a demolition method statement shall be submitted for approval in writing by the City Council, as Local Planning Authority. The method statement shall detail how elements of the building will be removed by hand. The approved method statement shall be implemented as part of the development.

Reason – Demolition by hand is precautionary and in the interest of the potential for roosting bats pursuant to policy EN15 of the Manchester Core Strategy (2012).

56) Prior to the first use of the social club hereby approved, a scheme of highway works in relation to the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- Amendments to highway along Middleton Road to form new access
- Junction protection measures to new junction with Middleton Road in association with the new access in the interest of visibility
- 20 mph speed limit for the new access road

The approved scheme shall be implemented and be in place prior to the first use of the social club and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

57) Prior to the first occupation of the residential element of this development hereby approved, a scheme of highway works in relation to the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- Junction protection measures within the new development and associated highway works
- 20 mph speed limit for the new access road including associated amendments to the highway in order to facilitate this.

The approved scheme shall be implemented and be in place prior to the first occupation of the residential development and thereafter retained and maintained in situ.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

58) Prior to the first use of the social club within phase one of the development hereby approved, details of the number, siting and appearance of bat and bird boxes at the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented and be in place prior to the first use of the social club hereby approved and shall thereafter be retained and maintained in situ.

Reason – In the interest of providing habitats for bats and birds to improve the ecological value of the application site pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

59) Prior to the first occupation of the residential element within phase two of the development hereby approved, details of the number, siting and appearance of bat and bird boxes at the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented and be in place prior to the first occupation of the residential element of the development hereby approved and shall thereafter be retained and maintained in situ.

Reason – In the interest of providing habitats for bats and birds to improve the ecological value of the application site pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

### **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: 115468/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  
 Environmental Health  
 Neighbourhood Team Leader (Arboriculture)  
 MCC Flood Risk Management  
 Greater Manchester Police  
 Environment Agency  
 Transport For Greater Manchester  
 Greater Manchester Archaeological Advisory Service  
 Greater Manchester Ecology Unit  
 Sport England  
 Bury 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:**

**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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