



Planning and Highways Committee

Date: Thursday, 20 October 2022

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.. **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

Curley (Chair), Shaukat Ali, Andrews, Baker-Smith, Y Dar, Davies, Flanagan, Hewitson, Kamal, Leech, J Lovecy, Lyons, Riasat, Richards and Stogia

Agenda

1. **Urgent Business**
To consider any items which the Chair has agreed to have submitted as urgent.
- 1a. **Supplementary Information on Applications Being Considered**
The report of the Director 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 22 September 2022. 7 - 14
5. **133700/FO/2022 - Former Jacksons Brickworks Site, Ten Acres Lane, Manchester - Miles Platting and Newton Heath Ward** 15 - 106
The report of the Director of Planning, Building Control and Licensing is enclosed.
6. **130387/FO/2021 - The Former Gamecock Public House, Boundary Lane, Manchester M15 6GE - Hulme Ward** 107 - 176
The report of the Director of Planning, Building Control and Licensing is enclosed.
7. **134732/FO/2022 - Manley Park Play Centre, York Avenue, Manchester, M16 0AS - Whalley Range Ward** 177 - 196
The report of the Director of Planning, Building Control and Licensing is enclosed.
8. **134245/FO/2022 - West Didsbury And Chorlton Football Club, Brookburn Road, Manchester M21 8FF - Chorlton Ward** 197 - 210
The report of the Director of Planning, Building Control and

Licensing is enclosed.

9. 133576/FO/2022 - Oakwood Resource Centre, 177 Longley Lane, Manchester, M22 4HY - Northenden Ward

211 - 238

The report of the Director of Planning, Building Control and Licensing is enclosed.

Meeting Procedure

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://democracy.manchester.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13279>

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.
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

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.

Late representations will be summarised and provided in a Supplementary Information Report. Such material must be received before **noon on the Tuesday** before the meeting. Material received after this time will not be reported to the Committee, this includes new issues not previously raised during the formal consultation period. Only matters deemed to be of a highly significant legal or technical nature after consultation with the City Solicitor will be considered.

Material must not be distributed to Planning Committee Councillors by members of the public (including public speakers) or by other Councillors during the meeting. The distribution of such material should be in advance of the meeting through the Planning Service as noted above.

Joanne Roney OBE
Chief Executive
Level 3, Town Hall Extension,
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Further Information

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

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This agenda was issued on **Wednesday, 12 October 2022** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

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Planning and Highways Committee

Minutes of the meeting held on Thursday, 22 September 2022

Present: Councillor Curley - In the Chair

Councillors: Shaukat Ali, Andrews, Y Dar, Davies, Flanagan, Hewitson, Kamal, J Lovecy, Lyons, Riasat, and Stogia

Apologies: Councillors Baker-Smith, Leech and Richards

Also present: Councillor H Priest

PH/22/50 Supplementary Information on Applications Being Considered

A copy of the late representations received had been circulated in advance of the meeting regarding application 133148/FO/2022 and 133700/FO/2022.

Decision

To receive and note the late representations.

PH/22/51 Minutes

Decision

To approve the minutes of the meeting held on 1 September 2022 as a correct record.

PH/22/52 134307/FO/2022 - Land Bounded By Angel Street, Miller Street and Angel Square, Known As Plots M And N, Manchester - Piccadilly Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that described that the proposal was for the erection of 2 Angel Square, a 14 storey building (excluding roof top plant) to form a mixed use office development (Use Class Egi) with two flexible commercial units at Upper Ground floor Level (Use Classes Ea, b, c, e, f, and / or Use Class Sui Generis (p) and (q)), and with a flexible office (Use Class Egi) and/or restaurant (Use Class Eb) space at Level 12, along with Lower Ground Level car and cycle parking, hard and soft landscaping and other associated works and 3 Angel Square, a 13 storey building (excluding roof top plant) to form a mixed use office development (Use Class Egi) with two flexible commercial units provided over Lower and Upper Ground Floor Levels (Use Classes Ea, b, c, e, f, and / or Use Class Sui Generis (p) and (q)), a further flexible commercial unit at Upper Ground Floor Level only allowing for ancillary seminar space and / or Sui Generis Use Class (t) Cinema space, together with an ancillary gym space at Upper Ground Floor, as well as Lower Ground Level car and cycle parking, hard and soft landscaping and other associated works.

The proposal would create 44,525 sqm of Grade A office space in two building of 13 and 14 storeys, with significant areas of public realm as part of NOMA. There had been one neutral comment and four objections.

The Planning Officer had nothing further to add to the printed published report.

The agent addressed the Committee on the application, stating that this application was submitted by NOMA subsidiary GP who have already been involved in transforming this part of Manchester, including half a million square feet of existing building and public realm spaces. The application is consistent with the strategic regeneration framework and would utilise what is currently an underused car park. A revised scheme has been developed to address the need for Grade A office space in a post-pandemic city scenario. Consideration had been given to the lifecycle of the development, taking account of construction, operation and future adaptability. A further key benefit of the revised scheme would be the enhanced linkages with the adjoining sites to deliver a more active ground floor environment with retail space and local amenities on all sides of the buildings. This would be complemented by high quality public realm that includes tiered gardens with seating. Lift access would address accessibility concerns. Enhanced linkages with Angel Gardens and Angel Square would be created with the latter helping to facilitate the delivery of some separate public realm proposals for Angel Square that are to be submitted by the applicant. The proposals also include 20 less car parking spaces, which is beneficial in supporting a shift to sustainable forms of transport in a highly accessible location. A key consideration for the proposed development has been in relation to its impact on adjoining residential uses. The proposed development has resulted in an increase in height across part the site but has been configured and tested to ensure that impacts on daylight and sunlight are no greater than were identified as part of the planning permission on the site. The increase in height has also been necessary to underpin the viability of the scheme. The proposals would transform an important regeneration site for the city and directly support the continued evolution and prominence of NOMA and the Northern Gateway and deliver numerous economic, social and environmental benefits. The construction alone would deliver 400 full-time equivalent jobs and, once operational, support a further 4,400 full-time equivalent jobs and generate GVA of over £130 million per year. A considerable amount of this money will be spent in the local area. Should planning permission be granted, then the applicant fully intends to progress with an aim to start on site in early 2023.

The Planning Officer had nothing further to add.

Councillor Lyons stated that a flexible approach to office space was in high demand but there had to be a balance with residents living nearby. Councillor Lyons proposed a condition whereby noisy construction (this would not affect construction activity itself) was moved back one hour later to 08:30, to cut back on noise disruption for nearby residents in order to agree the officer's recommendation of Approve for the scheme.

The Planning Officer stated that the Planning team could take this proposal forward to be amended in the management plan, rather than as a separate condition, specifically for noisy construction activities.

Councillor Lyons agreed with the Planning Officer's approach, that no specific condition would be necessary.

Councillor S Ali seconded the proposal.

Decision

The Committee resolved to Approve the application for the reasons and subject to the conditions set out in the printed report.

PH/22/53 133148/FO/2022 - The Imperial Lounge, Victoria Avenue East, Manchester, M9 7HW - Charlestown Ward

The Committee considered the reports of the Director of Planning, Building Control and Licensing that described that the proposal was for the erection of a retail foodstore (Class E) with new access arrangements, following demolition of existing structures, alongside the creation of a new vehicular access to the adjacent sports facility. It was proposed that the store is operated by Aldi.

In response to the application as originally submitted, 14 representations have been received. 1 in support, 1 neutral and 12 of which object to the proposal. Following revised information and a further period of renotification, 4 additional representations have been received objecting to the proposal.

The Planning Officer stated that officers were aware of the late objection circulated to Members of Committee and brought the attention of Members to the section within the report which deals with Retail Impact and further stated that officers are satisfied that this matter has been properly assessed against local policies and national guidance and that sufficient information had been submitted in order for the Committee to be able to determine the application. The Planning Officer drew the Committee's attention to a minor re-wording of Condition 32, should the Committee agree the recommendation, which stated that that the retail use shall not commence until the agreed flood lighting has been provided, and in relation to condition 30, additional wording which states that a timescale for delivery of the approved works is required to be agreed in writing. Also concerns have been raised by neighbouring occupiers in relation to the location of the pedestrian crossing. The location is indicative and the final detail and location will be subject to further consultation through the Section 278 highways process. It had been confirmed that a degree of piling would be required, due to ground conditions. This had been carefully considered due to possible implications for United Utility assets beneath the site. The process would use a low vibration method and vibration monitoring would be in place. This construction issue would be subject to control through the building regulation process.

An objector attended the hearing and addressed the Committee, stating that they were representing Eastgate residents who supported the concept of an Aldi store in the area but stated that they had not had all the details of consultations. There had been a right to buy offer for the entire site which individual leaseholder had been notified of last Christmas with a tight deadline, which was not taken up. The future protection and safety of the Eastgate apartments was at risk and the objector was

seeking an agreement for confirmation that the phase 2 site investigation report is a condition of planning and will be released for inspection prior to development. Clarity on the type of foundation and vibrations that may impact on residents was sought, as well as an open line of communication with the insurers to the developer. The objector wished for confirmation that the sports ground would not add to delays in accessing homes. 24/7 access was required for residents. Timings of noisy construction and noise levels, a lighting report, landscaping and biodiversity issues were also of concern.

Councillor Priest, Ward Councillor for Charlestown, addressed the Committee and stated that she had the support of Ward Councillor Kirkpatrick, adding that they have had additional conversations with local people and that these had broadly followed what was outlined in the report. Not everything discussed had been 100% positive though. The ongoing delivery of goods to the unit, lighting and access had been raised as concerns, rather than objections. It had been mentioned that there was another supermarket nearby and was this unit necessary. It was noted that the positives outweighed the negatives and that consumer choice was a positive point as well as reliable bus routes to the other shopping areas being questioned. There were concerns around fly tipping and anti-social behaviour on the site in its current state. There had been pre-application discussions with access, biodiversity, net gain and noise from deliveries raised. The open channel of communication with the developer had been refreshing and the Ward Councillor was confident that disruption would be minimal. Delivery timings can be set as suitable for the area. It was added that the other supermarket was not a walkable distance from the proposed area and there was no bus route either. Many locals were looking forward to being able to walk to a nearby supermarket. Notwithstanding some minor concerns for ongoing discussions, the two Ward Councillors for Charlestown were in support of the scheme.

The Director for Planning stated that matters raised in relation to freehold, leasehold and insurance could not be taken into consideration when determining a planning application; however, the applicant was present and had heard the comments presented. The report addressed many of the objector's other concerns.

The Planning Officer stated that there was a construction management plan in place to address vehicles, parking, routing and access, loss of light had been assessed and included in the report, a full landscaping scheme is included with 26 new trees and hours of operation and servicing are all covered by a condition.

The applicant addressed the Committee on the application, stating that this application was recommended for approval with 140 representations of support from local residents. The site was currently used for a restaurant and car park and is permitted to be used as a retail unit without need for planning permission. Minimal investment would be required in repurposing the site but the applicant's plans were ambitious for both the local economy and community. The retail unit would be set in a disadvantaged Ward of Manchester and would be of benefit to local people. 40-50 full and part time jobs would be created, with an emphasis on employing local people with a planning condition in place to support this, as well as construction jobs during the development phase. The current site was unsightly and the applicant had worked with Manchester City Council and GMP and believe this will be a credit to the local area. 26 new trees were to be planted. Deliverable economic development was

guaranteed to attract further investment. The overall investment will exceed £5m and the retail unit could be delivered within 18 months of securing permission. Part of the site would use some of the nearby playing fields. To compensate, the applicant was proposing a package for the club comprising a new access road, flood lighting, fencing and giving some land back to the club. This has been agreed with both clubs and Sports England and are guaranteed via planning conditions. No statutory consultees had objected to the scheme. . The applicant had worked with officers to ensure that residential amenity impacts are mitigated, hours of operation and servicing were subject to controls and a delivery management plan would be put in place. The applicant requested that the Committee approve this application for investment in the local area to progress.

Councillor Andrews moved the Officer's recommendation of Approve for the application.

Councillor Riasat seconded the proposal.

Decision

The Committee resolved to Approve the application for the reasons and subject to the conditions set out in the printed reports, as well as the amendments to conditions explained in the Planning Officer's presentation.

PH/22/54 133700/FO/2022 - Former Jacksons Brickworks Site, Ten Acres Lane, Manchester - Miles Platting & Newton Heath Ward

The Committee considered the reports of the Director of Planning, Building Control and Licensing that described that the application relates to a former brickworks site that has been vacant for many years. Due to past use, there is a legacy of contamination across the site which has been challenging in terms of bringing forward its redevelopment. In 2021, the current applicant was able to demonstrate how the site could be remediated and a strategy was subsequently approved following a robust assessment of how this would be delivered.

The application now under consideration was for development following the implementation of the strategy. It would create 716 homes, with 378 (134 apartments and 244 houses) in a first phase together with a community building, a community and pocket parks. 338 dwellings would follow in a second phase, which also includes the provision of a secondary school. Parking, public realm and landscaping would be provided throughout.

Two objections and one general comment had been received.

The Planning Officer stated that there were other conditions recommended for the scheme. A requirement for details on the long-term management and maintenance of the community centre, the implementation of a monitoring plan for the pedestrian access from Hallam Road (plus mitigation if issues are identified while in use) and, prior to the school being operational, details of vehicle and pedestrian access routes to be agreed as safe routes, although a detailed application for the school would follow at which point this issue can also be addressed. The officer also drew the

attention of Committee to the late representation and the recommendation for an addition to the construction management plan that no construction related traffic can use Hallam Road at any time to access the site. It had also been requested that the final detailed wording of the above conditions be delegated to the Director of Planning in consultation with the Chair of Planning.

The agent addressed the Committee on the application, stating that the developer is proposing quality, affordable housing for rent and sale. The provider has access to grant funding, which gives the opportunity to develop a site that has been ready for redevelopment for 25 years and that it would be undeliverable without this funding. This also presents the opportunity to establish a development that would maximise environmental, social and economic benefits for the area. Drainage, ecological enhancements and biodiversity gain were part of the proposal, with seven new green spaces and tree planting included. The development would be climate resilient and energy efficient with new homes incorporating renewable technology. 716 new homes were planned across the two phases with open market housing and grant funded affordable housing, which is a sizeable contribution to addressing Manchester needs. An agreement had been reached with the Department for Education on the proposed Secondary School on site which was time critical due to high demand for spaces in the city. The location of the school was carefully considered to allow the best position for playing fields and also for safe access and egress. The Community hub could also deliver some community infrastructure. Extensive community consultation was conducted and access to the site was to use Hallam Road at all stages, but altered to pedestrian and cycle access only, which connects to other areas as well as creating a sustainable transport plan. The proposed Secondary School would have its own designated pick up and drop off site and the applicant was happy to commit to providing the access road to the school connecting from Ten Acres Lane to Mitchell Street. The housing aspect would form Phase 1 of the development with the school following with potential for access to mitigate any concerns. This proposal would be a benefit for this area and the city as a whole and the Committee were respectfully requested to approve the application.

Councillor Flanagan, speaking as Ward Councillor for Miles Platting and Newton Heath, stated that he and fellow Ward Councillors found themselves in a difficult position in being behind the development and the decontamination of the former brickworks site and the delivery of affordable housing but had concerns about the safety of children and young people in the area with access to the proposed Secondary School, which is not part of this application. Hallam Road has a nursery and primary school and considerable money had been spent on the relocation of traffic lights to make the area safer for children. Ward Councillors have maintained all along that Hallam Road should not be available for traffic, which the developers had agreed to, making it pedestrian and cycle only. The concern was that parents would still use Hallam Road to drop off and collect children, making it busy and potentially dangerous. This Secondary School would be built within the next two years and the access to this is included in the application. It had been noted in the report that the applicant considered access to Ten Acre Lane had the potential to lead to Highway safety issues with associated pick up and drop off arrangements. The main concern was of children having to walk 500 metres on a construction site road to access the school with the pick up and drop off point not in place until Phase 2. Further to this, there was a need for extra infrastructure in this area due to the

amount of proposed housing, with GPs, dentists and further primary school places required. Councillor Flanagan requested that the Committee make a site visit to consider his points raised at the hearing.

The Director of Planning stated this had been a difficult site to regenerate for many years and that there had been a planning application in 2014 which was not progressed. A remediation strategy had already been submitted by the applicant and approved prior to the submission of the current proposal for 700 plus new homes, 67% as affordable stock, plus a much needed Secondary School. No detailed designs for the school had been progressed as more certainty around planning permission was required in order to allow for funding to be drawn down. It was confirmed that Hallam Road had a proposed vehicular access removed prior to the application being submitted and that there had been no late changes to the scheme. The school was part of this application with the design to follow; a pick up and drop off point would be provided. The applicant has stated that the first phase would comprise 300 plus new homes with the section of the access road from Ten Acres Lane, this would be in advance of the school being built. If the school building was to come forward before this phase¹, there would be safe connectivity secured through a safer route to school condition, it is also noted the applicant has now said they would address the connection to Mitchell Street This should address the concerns any members may have regarding the school and access issues; the late representations included photographs of the site in relation to Hallam Road (the site itself is secured).

The Planning Officer added that there had been no changes to the application and no changes to access from Hallam Road, pedestrian only.

Councillor Andrews proposed a site visit on the basis he was not familiar with the area and therefore it was necessary to visit the site as suggested by Councillor Flanagan.

Councillor Hewitson seconded the proposal.

Decision

The Committee resolved to defer the application in order to undertake a site visit for the reasons raised by the Ward Councillor for Miles Platting and Newton Heath.

(Councillor Flanagan spoke on the application as Ward Councillor for Miles Platting and Newton Heath and thereafter left the meeting, taking no part in the consideration or decision making process).

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| Application Number | Date of Appln | Committee Date | Ward |
|---------------------------|----------------------|---------------------------|------------------------------------|
| 133700/FO/2022 | 06.05.2022 | 20 th Oct 2022 | Miles Platting & Newton Heath Ward |

Proposal Application for development comprising 378 dwellings (134 apartments and 244 houses) (Use Class C3) and a new community building with ground floor commercial floorspace (up to 671 sq.m) (Use Classes E, F1 and F2), all with associated car parking, highways, landscaping, community park and pocket park, and other associated works, with all matters to be considered; together with an outline application with all matters reserved except for means of access, for a new secondary school (Use Class F1), with associated car parking, highways arrangements, landscaping and other associated works, and the erection of up to 338 dwellings (Use Class C3), with associated car parking, highways, landscaping and new public realm creation, and other associated works.

Location Former Jacksons Brickworks, Ten Acres Lane, Manchester

Applicant Nuvu Investments Ltd, C/o Agent

Agent Mr John Cooper, Deloitte LLP, PO Box 500, 2 Hardman Street, Manchester, M3 3HF

EXECUTIVE SUMMARY

The application was placed before Committee on 22nd September 2022, but determination was deferred, in order to, allow the Committee to undertake a site visit to enable Members to gain a better understanding of the context of the application site.

This application relates to a former brickworks site that has been vacant for many years. Due to past use, there is a legacy of contamination across the site which has been challenging in terms of bringing forward its redevelopment.

In 2021, the current applicant was able to demonstrate how the site could be remediated and a strategy was subsequently approved following a robust assessment of how this would be delivered.

The application now under consideration is for development following the implementation of the strategy. It would create 716 homes, with 378 (134 apartments and 244 houses) in a first phase together with a community building, a community and pocket parks. 338 dwellings would follow in a second phase, which also includes the provision of a secondary school. Parking, public realm and landscaping would be provided throughout.

Two objections and one general comment have been received.

Key Issues

The principle of the proposal and the schemes contribution to regeneration, as set out in the report, is considered to accord not only with national and local planning policies but would also deliver key outcomes for the city.

This is a significant site which has been in need of remediation for many years; its importance to the city and its role in meeting key objectives has been set out in the local plan and regeneration frameworks. Following remediation, it would deliver a substantial number of new homes, the applicant has confirmed 67.5% would be affordable: the tenure mix being 35% shared ownership, 25% affordable rent, 7.5% social rent, 25% market rent and 7.5% open market sale.

This would equate to 132 units overall within the combined area of Phases 1a, 1b and 1c, and 118 in Phase 2 for Shared ownership; 95 units in Phase 1 and 85 in Phase 2 for affordable rent; 28 units in Phase 1 and 25 in Phase 2 for social rent; 95 units in Phase 1 and 85 in Phase 2 for private rent; and 28 units in Phase 1 and 25 in Phase 2 for open market sale.

Together with the new homes, a secondary school would be provided with other community facilities such as community centre, a small amount of commercial space and green infrastructure across the site.

As the site has awaited remediation, self-seeded vegetation has grown up; this has now in part been cleared as a necessary part of the strategy, however, biodiversity improvements and significant areas of new public realm, providing pocket parks and enhancing connectivity through the site to the Rochdale Canal for pedestrians and cyclists will be provided.

The environmental uplift would also include managing surface water risk through green and blue infrastructure such as swales and rain gardens and a fabric first approach to design.

On construction, a local labour agreement would prioritise Manchester residents for construction jobs. Public realm, linkages and green spaces would be created. Homes would be accessible to meet changing needs of residents.

The potential impacts on local residents are fully set out in the report. These include wider impacts from remediation to construction, to operational impacts such as traffic and visually from the development itself. The assessment of these matters has included where mitigation is required and should be embedded in conditions of the grant of consent.

A full report is attached below for Members' consideration.

Description

The application relates to the former Jackson's Brickworks site, which covers an area of 19.1 hectares (47 acres) and is located within the Miles Platting and Newton

Heath ward. It was formerly occupied by brickworks use and subsequently used as a waste tip.

The area to the south of the site is predominantly in residential use. Residential properties accessed from Briscoe Lane, are located at the site's southern boundary alongside the Briscoe Lane Academy and Brighter Beginnings Day Nursery. Ten Acres Lane Sports Centre is located immediately to the west of the Site. Mitchell Street bounds the site to the east, with residential properties and the Newton Heath Resource Centre. Beyond the residential properties lies part of Newton Heath District Centre along Old Church Street including retail uses, located approximately 300 metres to the east of the site.

The Rochdale Canal is separated from the site by a towpath and runs along the site's northern boundary at a lower level. To the northeast of the site, beyond the canal, is an area of residential properties with a partly derelict textile mill building located to the north-west of the site.

The eastern part of the site contains remnants of one of the brickworks buildings; the remainder is vacant and has now been recently cleared for the most part of self-seeded trees and shrubs. Bunds had been created to discourage unauthorised access particularly from Hallam Road and Mitchell Street, but since the removal of the vegetation from the site, a green weldmesh fence has been installed to the perimeter to provide security.

The topography of the site dips towards the west with a slight dome and high point found to the east side within the site's boundaries. The site rises in height by 10 metres from Ten Acres Lane to Mitchell Street in the east.

Prior to the removal of the vegetation, it is understood that there was little natural surveillance into or from within the site, which resulted in reports of anti-social behaviour and illegal activities taking place. This, together with the levels of ground contamination relating to past use, has meant the site has not had a positive impact on the area.

Planning History

Prior to the application in 2021 (ref: 129197/FO/2021) to remediate the site, there have been attempts to bring forward development. This includes residential development proposals approved in the 1980s and 1990s with planning permission being granted for the erection of 126 no. dwellings on land fronting Ten Acres Lane on 29th April 1999 (ref: 055319/FO/NORTH2/99).

Prior to this, consent was granted in March 1985 for a residential development on Ten Acres Lane and Bower Street.

More recently an outline application for development comprising up to 500 residential dwellings and 3,500 sq m of floorspace for B1(a) use (Business), incorporating new vehicular and pedestrian access from Ten Acres Lane, Hallam Road and Mitchell Street was minded to approve at the meeting of the Committee (ref:

098689/00/2021/N1) on 16th October 2014. This was subject to the signing of a section 106 agreement.

The legal agreement was not completed and no consent was issued.

Description of development

This is a hybrid application with Phases 1a, 1b, and 1c being detailed and Phase 2 being in outline with all matters reserved, except for the main points of access. The originally submitted application was split into Phases 1 and 2, but the application was sought to further subdivide Phase 1 into three phases due to the quantum of development within phase 1 and the need to be able to satisfy any conditioned requirements as the development progresses.

In total, it would deliver 716 new homes in the two phases.

The combined area covered by Phases 1a, 1b and 1c would provide: 378 residential units (244 houses and 134 apartments) with ancillary community space Class E, F1 and F2 (including an ancillary café) creating 617 sq.m. of floorspace. This would cover an overall area of 6.9ha (17.05 acres). The mix of units would be 32, one bedrooomed, and 102, two bedrooomed apartments, and 59, two bedrooomed, 134 three bedrooomed and 51 four bedrooomed houses.



The houses would be a mix of 2, 2.5 and 3 storeys in height, with the three apartment blocks being 3 storeys. The proposed community hub would be 4 storeys in height, with the proposed community hub and café (Class E , F1 and F2)floorspace at ground level and three floors of apartments above as shown in the visual below.



Phase 2 would involve the creation of an access from Mitchell Street, with a connection to the detailed phase of development. This second phase seeks approval for the principle of the creation of 338 new homes, together with the new school and associated sports facilities, including playing field provision. The school would be delivered by LocatED, providing 1,050 school places. LocatED is a government-owned property company, responsible for buying and developing sites for new schools in England.

The overall site area for Phase 2 is 10.58 ha (26.14 acres).

Two main vehicular access points are proposed, one located on Ten Acres Lane, and one from Mitchell Street. A pedestrian/cycle access is proposed from Hallam Road. The masterplan submitted to support the application shows internal link roads throughout the site.

Off-site highway improvement works are proposed to the Ten Acres Lane/ Briscoe Lane junction to enhance capacity.

The residential development has been laid out in block formations linked to internal circulation routes in the detailed element of the scheme. A similar type of layout has been indicated for phase two. The layout has regard to the site's topography and its relationship to existing street patterns and landscape.

The precise siting of the new homes and the school buildings in the later phase would be finalised as part of a reserve matters application. The outline aspect of this current application provides parameter plans which shows the location of the school site relative to the remainder of the site to be developed for housing and heights of each.

This being 2 to 2.5 storeys with buildings up to four storeys in key focal points for the residential elements and up to 2.5 storeys for the school.

To support the application an Environmental Statement has been submitted which covers the following issues:

- Design Evolution;
- Construction Methodology and Programme;
- Ecology;
- Ground Conditions;
- Townscape and Visual Impact;
- Traffic and Transport;
- Noise and Vibration;
- Air Quality;
- Water Resources, Flood Risk and Drainage;
- Socio Economic;
- Cumulative Effects;

A scoping opinion was issued by the Local Planning Authority on 9th April 2021.

Publicity

The proposal, by virtue of the number of residential units, and small area of the site falling with the Central Park Employment location, and being accompanied by an Environmental Statement, the proposed development has been classified as a large scale major development, as a departure, as affecting a right of way, and as being of public interest. As such, the proposal has been advertised in the local press (Manchester Evening News), on 25th May 2022 and site notices were displayed at locations around the application site on 1st June 2022. In addition, notification letters have been sent to local residents and businesses (total of 1092) in the local area on 19th May 2022.

Consultations

Local residents - 1 email has been received querying whether the proposed dwellings would overlook their garden which backs onto the site, and whether additional fencing would be erected to overcome this matter. They also query whether footpaths would be built to run along the rear of their property as this may lead to antisocial problems.

2 objections have been received from local residents on the following grounds:

-due to the siting of a substation in proximity to their property, and that there are no detailed plans relating to the proposed new school which would be close to their house. Another resident suggests that the sub-station be located on the Ten Acres lane side of the site, next to the Ten Acres sports facility or the canal side to reduce potential disturbance. They state this was not on original plans and no information regarding noise pollution, atmosphere pollution and decibel rating received.

- concerns that although the proposed development would not open to traffic from Hallam Road on the current plans (cycle lane only), and they believe this will change in the future. They are happy with the current proposal, advising that Hallam Road is already busy with traffic from the primary school drop offs and pickups.

- concerns regarding building houses on contaminated land, advising that they would in favour of a residential development, but not if the health of existing and future residents would be adversely affected .

They question how the landscaped areas can be planted when the ground is contaminated.

-Concerns that once the existing capping layer on the site is removed, the scheme will be disturbing contaminated land.

-Recommend transposing the location of the school with residential development so that the playing fields would be located on the area which is contaminated, thereby not disturbing the ground with foundations. The school would then be closer to Ten Acres Lane access, reducing traffic flows on Briscoe Lane. and cars parking to drop off on Hallam Road as it is already a big problem with cars during school pickup and drop off for Briscoe Lane Academy.

-there has been no public consultation meeting where they can see the new plans relating to planning application and speak to people, as not everyone has access to the Internet.

Ward Councillors - An email has been received from Councillor Grimshaw advising that if Hallam Road is to be used as a thoroughfare to the site, he wishes to object to this, as he is concerned that the use of Hallam Road for access would impact on the problems local residents already experience with traffic, and this road being used as a drop off point for the primary school .

An email has been received from Councillor Hitchen requesting that the Planning and Highways Committee place a further condition on any approval to restrict pedestrian access onto Hallam Rd. Councillor Hitchen advises that she believes that restricting pedestrian access, will prevent additional traffic on what is a small residential street which is heavily congested at peak times for the nursery and the primary school. Furthermore, that Hallam Road will be used as an unofficial drop off point for the proposed secondary school and will cause further congestion on Briscoe Lane which is already a hot spot for air pollution.

Environmental Health - For the build phase element a separate remediation strategy will be required to detail the treatment of the gardens, public open space, school playing fields etc and the gas/vapour protection measures for the buildings. Conditions relating to ground conditions include the need for the submission of a detailed remediation strategy, a verification phasing plan and verification reporting. A validation phasing plan is recommended as this would give the developer the option to provide plot by plot validation for the housing element to allow a gradual release to the market (which will be easier to keep manage compared to a report for all the residential development being submitted at the end of the scheme. The

validation reports are required on completion for each agreed phase in the validation phasing plan.

It is also recommended that conditions are attached to any approval as set out below.

School: Extraction of fumes and odours; acoustic insulation in relation to both the outbreak of noise, and ingress of noise; acoustically treated external plant and equipment; a noise management plan for outdoor sports activities and pitches; waste management; air quality; contaminated land.

The Air Quality Assessment is acceptable, however mitigation methods to include details of EV charge points and boiler specifications are needed.

Residential development: acoustic insulation in relation to the ingress of noise; acoustically treated external plant and equipment; waste management; air quality and contaminated land.

The Air Quality Assessment is acceptable, however mitigation methods to include details of EV charge points and boiler specifications are needed.

Commercial/ community uses: Extraction of fumes and odours; hours of operation, servicing hours; acoustic insulation in relation to the outbreak of noise, ; acoustically treated external plant and equipment ; waste management ; air quality and contaminated land

The overall development: a construction management plan; construction hours; and a wheelwash.

Planning Casework Unit - Confirm that they have no comment to make on the environmental statement.

Peak and Northern Footpaths Society - No comments received

Highway Services – Has reviewed impact of the proposal in relation to: site access, the highway network, accessibility, on site car parking and cycle parking, pedestrian connectivity and waste collection.

No objections have been raised, however, this is on the basis that there are off site highway works and traffic calming measures introduced within the site.

Some additional information has also been sought in relation to modelling and tracking for certain vehicles.

A Transport Assessment Addendum has been subsequently submitted in response to these comments.

Further comments have been subsequently received advising that the request for a 20mph speed limit to be applied throughout the estate has been agreed. In relation to the provision of traffic calming features at suitable intervals, this will need to be agreed at the Section 278 stage. The redesign of the traffic signal arrangement at the junction of Ten Acres Lane/Briscoe Lane, the introduction of pedestrian facilities (and during phase 1 works) is welcomed by Highways. Confirmation has been

provided in regard to electric vehicle charging and parking bay and driveway dimensions. The requirement for 100% house and apartment cycle parking has now been met. Furthermore, confirmation has been received in regard to the manoeuvring for waste collection.

It is recommended that any approval be conditioned to require the submission of an off site highways works and a Construction Management Plan which shall include, where appropriate the following details:

- o The routing of construction traffic;
- o Detail the vehicular activity associated with the construction including appropriate swept-path assessment;
- o Details of the location and arrangements for contractor parking;
- o The identification of the vehicular access points into the site;
- o Identify measures to control dust and mud including on the surrounding public highway including details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;
- o For large schemes a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.

Transport for Greater Manchester - has raised comments about modelling and mitigation measures. Additional information on the school traffic distribution has also been sought.

As already noted above, a Transport Assessment Addendum has now been submitted to address comments. Any further comments raised will be reported to Committee.

Design for Security - support the application subject to the layout issues within Section 3.3 being addressed and recommend that the physical security measures within Section 4 of the Crime Impact Statement are conditioned.

GMAAS- The application is supported by an archaeological desk-based assessment (DBA) prepared in November 2011). Whilst this was undertaken a long time ago, it is concluded that the DBA and its identification of areas of archaeological sensitivity requiring further investigation are still valid. A historic map regression and discussion shows that much of the site has been disturbed by previous clay extraction pits, but the report is particularly useful, showing buildings and features of archaeological interest and areas of potential archaeological sensitivity.

The archaeological interest relates to the sites of two brickworks, old field boundaries, the former line of Ten Acres Lane which is likely to be of medieval origin, and an old flagstone wall near the canal towpath in the north western part of the site. The next stage is for a Written Scheme of Investigation (WSI) to be produced, providing an appropriate scheme of works to evaluate these areas of archaeological sensitivity.

GMAAS had advised previously advised that a historic flagstone wall should be subject to detailed recording, but it now transpires this lies beyond the boundary of the application site. They also recommended initially that a scheme of trial trenching should be carried out. However, given the extent of landfilling activities that has occurred across much of the site, they now recommend a watching brief during development ground works would be a more appropriate course of action. They request that be secured via a condition attached to planning consent and carried out in accordance with a Written Scheme of Investigation (WSI).

GMEU - Have advised that given the legally binding effect of the proposed conditions requiring enhancements in biodiversity to be provided, both for the detailed elements of the scheme and for the outline proposals, they have a high level of confidence that the proposals will deliver the required gain in biodiversity.

Providing that these conditions are imposed on any permissions which may be granted to the applications, they raise no objections on Ecology grounds.

Flood Risk Management - Recommend that a condition is attached to any approval to required that no development shall take place until surface water drainage works have been implemented which have been approved by the LPA , in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority, together with a condition requiring the submission of the details of the implementation, maintenance and management of the sustainable drainage scheme.

United Utilities - confirm the proposals are acceptable in principle to United Utilities, and request the attachment of a condition to any approval to require the development is implemented in accordance with the submitted Flood Risk Assessment and Drainage Strategy Report, and that a condition is attached in relation to the submission of a sustainable drainage management and maintenance plan for the lifetime of the development

They further advise that they will not allow building over or in close proximity to a water main. and may not allow building over or in close proximity to a public sewer and it is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

Canals and Rivers Trust – Canals and Rivers Trust - The Trust has identified that the main issues relevant to them as statutory consultee are:

- a) Combined masterplan, layout and design
- b) Canal towpath as a sustainable route to the site
- c) Structural integrity of the canal infrastructure
- d) Construction Environment Management Plan

e) Ecological considerations

f) Surface water drainage

They also recommend the attachment of conditions relating to the above matters, and condition and a legal agreement to secure a financial contribution towards the upgrading of the canal towpath as part of the Bee Network project, which they feel are necessary to address these matters.

They feel that a development that would provide a frontage and engagement with the canal corridor and advise the building types facing the canal are acceptable in terms of scale and height and a good amount of public realm is proposed between the housing and the canal, but request that any swales are managed to ensure access to the footpath connections and ask for consideration for more links to the towpath.

They make comments regarding the materials to the towpath access points, preferring the use of block paving, and state the loss of trees should be compensated for as part of the redevelopment with a net gain in native planting/landscaping, with an associated robust maintenance plan.

They advise that the towpath along this section of the Rochdale Canal will no longer be upgraded as part of the Bee Network project and consider that a financial contribution from developers would need to either cover increased maintenance costs, or to upgrade the towpath surface to a standard which is more durable and thus able to accommodate increased usage without adding to their future maintenance costs.

In addition, they advise that the structural integrity of the canal and towpath must not be compromised as a result of any works on the site but note the buildings on the site would be offset from the canal by 11m which should ensure the scheme would not have a direct impact on the structural integrity of the canal infrastructure or result in any loading of the canal washwall. However, a condition is for the submission of Risk Assessment and Method Statement (RAMS) outlining all works

to be carried out adjacent to the canal is requested. Furthermore, due to the ground conditions at the site the submission of a finalised Construction Environment Management Plan is also requested, which includes the details of a bund and its siting to prevent run-off into the canal, to ensure that the potential for contamination of the waterway in terms of dust, solid materials and surface runoff during the construction phase would be addressed.

They request the planting of native species of trees, and that the planting of trees along the canal corridor avoid species which would get too large as these may cause maintenance issues in the future and result in overshadowing of the canal. Reference is also made to the need to treat any invasive species which may be present. A request is also made that final drainage layouts and ongoing management and maintenance of this is conditioned.

The Trust is generally supportive of measures to increase access to and activity along their waterways where it is appropriate to do so but advises that a commercial

agreement which would also need to set out future maintenance arrangements would be needed.

Environment Agency - have no objection in principle to the proposed development but make the following observations.

In relation to land contamination, they have and continue to engage with the developers team regarding the investigation, assessment, and potential remediation of the land to ensure any identified (and, as yet unidentified) risks to controlled waters are fully understood and addressed prior to the commencement of the build phase of the development under this full planning application.

It is their understanding the preparation and enabling phase of the work is being addressed under planning permission 129197/FO/2021. The applicants' submissions to date demonstrates it is possible to manage the risks posed to controlled waters by this development. Further detailed information will be required before built development is commenced, which they understand will be addressed under 129197/FO/2021. They believe it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of this planning permission.

Considering the above, the proposed development is acceptable subject to planning conditions requiring the submission of a remediation strategy.

Arboricultural officers - Have reviewed the proposals for this site and would confirm that they would not object to the proposals from an arboricultural perspective, the existing tree stock consisted of mainly self-set specimens with the exception of the Manchester Poplars which were pollarded to a point where they no longer offer any significant eco system services.

The mitigation planting proposals appear to have considered the importance of incorporating trees into the development and will on maturity, provide an attractive environment to live.

Legislative and Policy Context

Environmental Impact Assessment

As noted in the earlier part of the report an Environmental Statement (Volumes 1 and 2 and Non Technical Assessment) has been submitted. An extensive range of potential environmental effects in consultation with relevant consultees have been considered and issues which could give rise to significant impact identified.

Each of the matters have been fully assessed in respect of methodology, baseline conditions, identification of effects, mitigation and residual effects.

A number of technical topics where significant environmental effects would be unlikely were also identified and these are subject to specific supporting documents and assessment. These include Archaeology, Climate Change, Electronic Interference, Human Health, Daylight, Sunlight, and Overshadowing, Heritage and Wind Microclimate.

These issues are dealt with in detail in the report.

The National Planning Policy Framework

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 and subsequently in July 2021.

It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below.

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).

The purpose of the planning system is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, there are three overarching objectives, which need to be pursued mutually. Firstly, the economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth. Secondly, the social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community. Lastly, the environmental role should protect and enhance the natural, built and historic environment.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making.

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 60).

With regards to affordable housing, paragraph 65 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 home ownership, 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 92) which promote social interaction , be safe and accessible and enable and support healthy lifestyles.

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 105). 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 111).

Within this context, applications for development should:

- a) 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;
- 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 – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- 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 112).

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 113).

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 119).

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 124).

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

Paragraph 125 (c) states that Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF. In this context, when considering applications for housing, authorities

should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

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 134).

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 152).

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, sites of biodiversity, 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:

Noise

This section 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

This section 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

This section 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

This section 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.

Relevant Local Policies

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 was adopted in July 2012 and is the key document in the Local Development Framework. It 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 and 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).

Section 38(6) of the 2004 Act requires planning applications to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. The NPPF also refers to this requirement.

The relevant policies within the Core Strategy are as follows:

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 quality neighbourhood for residents to live in. Consideration has been given to minimising the impact on existing local residents along with promoting a sustainable development.

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, including regular bus and tram services. The detailed element of the application includes the provision of cycle storage and electric charging points, this aspect of the scheme would be conditioned together with a requirement for the infrastructure to enable the provision of further electric charging points in the future. Furthermore, a condition is recommended in regard to the provision of cycle storage and electric charging points and associated infrastructure in regard to the outline element of the proposal. It is considered that the scheme would accord with the broadly aspirations set out in policy T1.

Policy T2 'Accessible areas of opportunity and needs'. It is considered that the proposed development is in a sustainable location and is close to forms of public transport includes a tram stop within walking distance at the Etihad Stadium, and bus services on Briscoe Lane, Old Church Street and Oldham, and would not have a significant impact on the local highway network and encourage the use of other forms of transport.

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.

The development will form a medium density residential scheme (53 dwellings per hectare) within an area of East Manchester that is expected to accommodate housing growth. Consideration has been given to the access and the layout of the housing along with prioritising the re-use of the previously developed site. In addition, the proposal will also provide accommodation which will be attractive to a diverse range of housing needs through varying accommodation size. The proposed accommodation would comprise a mix of 2, 3 and 4 bed houses and 1, and 2 apartments. These have been designed to comply with the guidance within the Manchester Residential Quality Guidance in regard to floorspace.

Policy H4 'East Manchester' will be the focus for 30% of new residential development over the plan period, with priority given to high quality development and provision of family housing. Higher density housing will be permitted in certain areas of East Manchester, that fall within the Regional Centre which are adjacent to the City Centre. These neighbourhoods include Newton Heath, when the development would be part of a mixed-use scheme. The proposed development would accord with policy H4 by facilitating the delivery of a wide range of new affordable accommodation consisting of 2,3 and 4 bedroom family houses, and 1 and 2 bedroomed apartments, and the creation of a community hub, incorporating a community café.

Policy H8 'Affordable Housing' states affordable housing contributions will be considered of 0.3 hectares and 15 units or more. 67.5% of the proposed residential units would be affordable but this is provided through grant funding. The proposed tenure mix would be 35% shared ownership, 25% affordable rent, 7.5% social rent, 25% market rent and 7.5% open market sale.

A viability assessment has been submitted which demonstrates that the development cannot support affordable housing, without the benefit of grant funding. The viability would be reviewed at a later date to determine whether this has changed. Further details will be provided in the main body of the report in this regard.

Policy EC2 'Existing Employment Space' seeks to retain and enhance the existing employment spaces and enhance existing employment space. Whilst a small area in the north west of the site fronting onto Ten Acres Lane was identified as forming part of the Central Park Strategic Employment Location which lies to the north and south of Oldham Road, this has not been developed out.

Policy EC3 'The Regional Centre'-This site lies within the area defined as the Regional Centre. Within the Regional Centre development for employment generating uses including offices and other commercial development will be encouraged. Housing will also be an appropriate use within the Regional Centre. Subject to site and location details, the Regional Centre will generally be a location where higher density residential development is appropriate. The approved remediation works in conjunction with the scheme under consideration would enable the future sustainable development of this site.

Policy EC 5 'East Manchester' East Manchester is expected to provide approximately 80-85ha of employment land. The majority of this provision will be within the Regional Centre, specifically:
Central Park (policy EC6), B1, B2 ; Eastlands (policy EC7), a major leisure visitor destination with ancillary retail and offices; and the City Centre fringe.

Policy EC6 'Central Park Strategic Employment Location' A small area in the north west of the site fronting onto Ten Acres Lane falls within the area covered by policy EC6. The Policy Central Park as a large scale employment location in East Manchester suitable for 60ha of employment uses, with a range of employment types encouraged across the whole of the Central Park area. For the reasons set out in regard to policy EC 2 above it is considered that on balance the proposed development is able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives for the area

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 (character, continuity and enclosure, public realm, ease of movement, legibility, adaptability and diversity) and have regard to the strategic character area in which the development is located. The detailed element of the proposed development has addressed the principles set out in policy EN1 .
The design of the outline element of proposed development will be dealt with at the Reserved Matters stage of the process.

Policy EN3 'Heritage' throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those in the City Centre.
New development must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character , setting and accessibility of areas and buildings of acknowledged importance, including scheduled monuments, listed buildings registered parks and gardens , conservation area and archaeological remains.

The Environmental Statement and Archaeological report references 3 listed buildings/structures within 500metres of the site, Newton Silk Mill on Holyoak Street (Grade II), Church of St. Wilfrid and St. Ann on Oldham Road (Grade II), the Church of All Saints and the railings and gateways to the Churchyard of All Saints on Culcheth Lane (Grade II) 360m to the east .

It is not considered that the proposed development would adversely impact on the setting of the listed buildings as none of the listed building referred to above is within a direct line of sight of the proposed development.

With regards to the heritage asset comprising the former brickworks, the reservoir and a flag stone wall referred to in the Environmental Statement would be affected and it is therefore recommended that any approval be conditioned to require a programme of archaeology works to be submitted in accordance with a Written Scheme of Investigation to ensure any are remains which are found are recorded.

Policy 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. The detailed element of the proposal incorporates a fabric first approach and the use of renewable technologies to enable carbon reduction within the development thereby according with the aspirations of policy EN4.

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.

The application confirms that the dwellings would be built to a high sustainable standard all in accordance with current building regulations Part L1A and sustainable environmental planning policies. Furthermore, that Dwelling Emission Rate has a betterment over the Target Emission Rate, Building Regulations Part L 2016 by 9% relation to Domestic CO2 emissions reduction targets for the properties within the first phase of the development. It is anticipated this will be reflected in phase two and a condition be imposed to this affect.

Policy EN 8 'Adaptation to Climate Change' states that all new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces.

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.

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 is a brownfield cleared site that is subject to much contamination due to past use. The self-seeded trees and areas of unkempt vegetation on the site have been cleared as a necessity of its remediation.

The loss of trees and vegetation is regrettable but there was no alternative if the site is to be remediated and reduce health impacts.

The development itself would involve creating areas of green infrastructure to include pocket parks, green space in association with the proposed community hub and pedestrian connection to the canal towpath and well private usable amenity spaces to the proposed dwellinghouses.

Policy EN10 'Safeguarding Open Space, Sport and Recreation Facilities' advises that Council will seek to retain and improve existing open spaces, sport and recreation facilities to the standards identified in the Core Strategy, and provide a network of diverse, multi-functional open spaces.

This is a private site, it does not contain sport facilities and has been identified for development. Although there may have been some informal use, the site is heavily contaminated and has no status in terms of a green open space.

Notwithstanding this, it is adjacent to the Ten Acres Lane Astro Turf and Sports Complex, and there are significant levels of semi-natural green space within 15 minutes drive time. Brookdale Park is close by and there are other smaller local parks within the vicinity.

Policy EN11 'Quantity of Open Space, Sport and Recreation' states that as opportunities arise, new open space, sport and recreation facilities will be created across Manchester. The Council will seek the provision of new open space, sport and recreation facilities, in particular where:

- a quantitative shortage of a particular use per head of population, including any expected increase of population created by the new development, based on the findings of the Open Space, Sport and Recreation study and Playing Pitch Strategy, is identified in the local area;
- where significant levels of development are proposed including within the Strategic Housing Location.
-

The proposal would deliver public realm in the form of pocket parks and a community park in the detailed element of the scheme, with in indicative LAP and further public realm in the outline phase of the development. Furthermore, the provision of a school would enable further sports provision to be made available to the local community through a community agreement. It is proposed that this matter, forms a condition of any approval.

Policy EN14 'Flood Risk' advises that proposals on sites greater than 0.5ha within critical drainage areas. In line with the risk-based sequential approach contained within PPS25, policy EN14 seeks that development should be directed away from sites at the greatest risk of flooding, and towards sites with little or no risk of flooding; this should take account of all sources of flooding identified in the Manchester-Salford-Trafford Strategic Flood Risk Assessment (SFRA).

All new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of Green Infrastructure. Developers should have regard to the surface water run-off rates in the SFRA User Guide.

Manchester contains many sections of rivers which are culverted or 'hidden'; where these are indicated in the SFRA beneath the proposed development site, further investigation will be required and the development proposal should take this into account; where feasible and appropriate development should seek to open up culverted/hidden rivers to reduce the associated flood risk and danger of collapse,

taking advantage of opportunities to enhance biodiversity and Green Infrastructure. This site is in Flood Zone 1 and the issue is dealt with in greater detail elsewhere in this report.

Policy EN15 'Biodiversity and Geological Conservation' states the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City, with particular consideration to sites of biodiversity value including Sites of Biological Importance (SBIs) and Local Nature Reserves (LNRs). The adjacent Rochdale Canal is an SBI. Policy EN15 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 protected species originally present in the site have been relocated in conjunction with assistance from Greater Manchester Ecology Unit in connection with the previously approved application to remediate the site. With the exception of a tree on the Ten Acres Lane frontage all trees and vegetation have been removed. Measures to respond to ecological enhancement and biodiversity are considered in detail elsewhere in this report.

Policy EN16 'Air Quality' states the Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport. Developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself.

When assessing the appropriateness of locations for new development the Council will consider the impacts on air quality, alongside other plan objectives. This includes cumulative impacts, particularly in Air Quality Management Areas. The proposed works have the potential to lead to temporary impacts to air quality due to dust creation as part of the remediation and construction processes to be undertaken.

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. Measures to manage air quality impacts during construction process would be fully addressed as part of the construction management plan for the site.

Policy EN17 'Water Quality' sets out that following elements a development must consider in relation to water quality, and that in particular development should avoid any adverse impact on water quality, including during the construction phase; minimise surface water run-off, maximise the use of appropriate sustainable drainage systems, and minimise groundwater contamination; and if close to a watercourse, the development should ensure waste and litter cannot enter the watercourse. It is proposed that the implementation of measures to safeguard the adjacent canal are conditioned to safeguard water quality.

Policy EN18 'Contaminated Land' states that the Council will prioritise remediation of contaminated land. The applicant has provided details relating to ground conditions and further investigative work would be needed to confirm the findings of the provisional details and determine the levels of mitigation required. As advised earlier in the report, planning permission was approved in October 2021 for the site to be

remediated, subject to conditions. As these conditions have yet to be discharged , it is therefore recommended they form part of any approval to redevelop the site .This matter is considered in detail elsewhere in this report.

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.

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 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 have all been considered and assessed as part of the detailed analysis of the application. In addition to the proposal has been assessed against the Council's space standards.

As set out within the issues section of this report below, the application is considered to accord with these policies.

Saved UDP Policies

Saved Policy EM5 relates to the area of Central Park and seeks its regeneration , including a high quality business park comprising B1, B2 and B8 uses , with high quality landscaping and improved access to the Rochdale Canal. Any new residential development as part of a mix of uses is expected to be of high quality and design to enhance the area. Policy EM5 also recognises that the area is characterised by large area of previously used land and buildings and sites that are currently under used, but the area is well placed to take advantage of its proximity to the City Centre, M60 and road and rail networks.

Saved UDP Policy DC26 advises that the Council intends to use the development management process to reduce the impact on people working and living in the city and will consider the effect of new development proposals that are likely to be generators of noise.

Other material policy considerations

Guide to Development in Manchester Supplementary Planning Document (2007) and Technical Guidance (2015)

The Guide to Development in Manchester - Supplementary Planning Document and Planning Guidance (SPD) was originally adopted on 11 April 2007. The document reflects and provides guidance on the importance of creating attractive, well-designed, well-maintained neighbourhoods. It includes a set of reasoned principles which will guide developers, designers and residents to the sort of development which is anticipated in Manchester.

In addition, technical guidance for developers was published in December 2015. It is composed of two documents, GD03 Environmental Protection and GD05 Planning and Noise.

These documents reflect and provide guidance on the importance of creating attractive, well-designed, well-maintained neighbourhoods. It includes a set of reasoned principles which will guide developers, designers and residents to the sort of development which is anticipated in Manchester.

Manchester Residential Quality Guidance (2016)

This is 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.

Providing for Housing Choice – Supplementary Planning Document and Planning Guidance (2008)

This document sets out in detail the Council's Affordable Housing Strategy and sets out the rationale for the target proportion of affordable housing and tenure mix.

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. There are four objectives in order to achieve this vision which relate to quality and function of green and blue infrastructure; its use as a component of new development; improving access and connectivity and promoting wider understanding and awareness of its benefits.

Residential Growth Strategy (2016)

The Strategy aims to ensure that there is the right quality, mix and type of housing in the right locations to meet demand and changing demographics, develop neighbourhoods of choice and improve equality amongst the City's residents in terms of housing choice, quality and affordability in order to develop strong communities.

In addition, the Strategy sets out the aim to "increase supply and density and the conurbation core on brownfield sites within the Northern and Eastern Gateways.

The proposed development would accord with these aims, in relation to the provision of a mix tenure scheme which would deliver affordable housing.

Manchester Climate Change Framework: 2020-2025 and Manchester Zero Carbon Framework (2020);

In November 2018, Manchester City Council made a series of commitments, informed by the Manchester Climate Change Agency's (MCCA) work with the world-renowned Tyndall Centre for Climate Research based at University of Manchester. The key commitments are well documented and work towards the city becoming zero carbon by 2038, significantly accelerated from the original target of 2050.

A draft Manchester Zero Carbon Framework has been developed which sets out the City's overarching approach to meeting its science-based climate change targets over the period 2020-38 and draft action plans for the period 2020-22 are being developed by the Council and other strategic organisations and sectors.

On 10 July 2019, a motion asking Manchester City Council to formally declare a climate emergency was unanimously agreed. In March 2020 the Executive adopted the Manchester Climate Change Framework 2020-2025. The five-year framework sets out measures that MCC will take in order to reduce carbon emissions from its buildings, energy use and transport.

The proposed development incorporating a fabric first approach and the use of renewable energy in the form of air sourced heat pumps and solar photovoltaics would enable the development to achieve an appropriate level of carbon reduction.

East Manchester Strategic Regeneration Framework

East Manchester Strategic Regeneration Framework's broad aim is to regenerate this area of the city. It identified the need to create sustainable communities; secure the highest standards of physical redevelopment; ensure that development was commercially viable and geared to generating and extending housing choice to a wider cross section of the community; recognising the history of East Manchester;

recognising the importance of natural features and enhancing physical and visual connections .

The SRF was refreshed to create a framework for 2008-2018 and specific objectives relating to Newton Heath (within which the eastern part of the application site is located) included the promotion of vacant sites for high quality housing structured on a regular street grid pattern, in particular developing new high quality housing on the former Jackson's Brickworks site. Objectives relating to Central Park (within which the western part of the application site is located) includes promoting Central Park South for wide range of uses, not confined to those reserved for Central Park North. The application currently under consideration has the potential to aid the delivery of these specific objectives.

Eastlands Regeneration Framework (March 2019)

The framework builds on the East Manchester SRF and remains in draft.

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 of Development

The site is located between a predominantly residential area of Miles Platting & Newton Heath ward, and an area of commercial /industrial uses to the west. The principle of development is established through the policy framework and the past applications (albeit the last resolution to be minded to-approve was several years ago). Core Strategy policies C3 and H4 both support residential development on the site. Furthermore, Policy SP1 states that the emphasis should be placed 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.

This part of the City is also a focus for the provision of new residential accommodation on areas of previously developed land. The site has been identified for regeneration and redevelopment for over 25 years, having been identified within the UDP (1995) and the East Manchester SRF (2008-2018). Despite being allocated for residential and commercial uses, none of the previous planning approvals for the development of the site have been implemented. This is likely to be largely due to the highly contaminated nature of the site. With the remediation strategy granted in

2021 there is now an opportunity to bring forward development which would deliver key objectives.

The provision of an additional 716 new homes including a high percentage of affordable housing, would boost the supply of much needed new homes. This provision together with the school, a community hub and café would contribute to the creation of a sustainable neighbourhood, positively contributing to the regeneration of the local area.

The development would fully accord with the principles of Policies SP1, H1 and H4.

Regeneration

Regeneration is an important planning consideration as it is the primary economic driver of the city and crucial to its longer-term economic success. This report sets out clearly how the site and this development would deliver significant benefits for the area and the city.

Proposed Residential Accommodation

There is an identified need for housing in Manchester to meet the growing population and workforce. In line with the requirements in the NPPF, the mix of housing has been designed to take into consideration existing and future housing needs in this area of City.

The proposal includes a mix of house sizes and includes the provision of affordable housing (67.5%), which would support the Councils residential growth strategy in addition to meeting the NPPF requirements.

The homes have been designed to meet the Council's clear design aspirations and requirements as set out in the Residential Quality Guide. This includes the provision of front and rear garden spaces to support place making.

Affordable Housing

The application has been submitted by Nuvu Development Ltd who are part of the Your Housing Group Registered Housing Provider. It is proposed that the residential units be delivered would be a mix of open market, private rented and social/affordable rent together with shared ownership.

Policy H8 sets out how developments should respond to the 20% contribution of affordable housing across the City. Using 20% as a starting point, developers should look to provide new houses that will be for social or affordable rent with a focus on affordable home ownership options. Any requirement or not for affordable housing will be based upon an assessment of a particular local need, a requirement to diversify the existing housing mix and the delivery of regeneration objectives.

An applicant may be able to seek an exemption from providing affordable housing, or a lower proportion of affordable housing, a variation in the mix of affordable housing, or a lower commuted sum, should a viability assessment demonstrate that a scheme could only deliver a proportion of the 20% target; or where material considerations indicate that intermediate or social rented housing would be inappropriate. Examples of these circumstances are set out in part 4 of Policy H8.

The submitted viability appraisal assesses that it would not be viable to provide affordable housing, based on current market conditions; however, the applicant has committed to maximise the quantum of affordable housing to be delivered on the site. Your Housing Group has confirmed it has funding in order to secure delivery the on-site affordable housing through a grant.

The affordable housing would be distributed throughout the site and a tenure-blind approach adopted.

Nuvu Developments (a wholly owned subsidiary of Your Housing Group) would carry out the development works for Your Housing Group. During construction of the scheme the affordable rent and shared ownership properties are transferred to Your Housing Limited (the charitable registered provider arm of Your Housing Group). Your Housing Limited manage the sales programme of homes delivered for shared ownership and are responsible for customer applications and reservations for each development, act as landlord for shared ownership properties and deliver aftercare.

Your Housing Group have confirmed that before any applicant can be offered a property, they must have their eligibility confirmed by the Homebuy Agent for the North West as required by condition of grant by Homes England. The eligibility process is to ensure that applicants meet the criteria for shared ownership – primarily first time buyers – but including people that may have previously owned a property but can no longer afford to buy one outright . Your Housing Group have indicated a willingness to work with City Council housing officers to consider any applicant they wish to refer.

In addition to the above, the applicant has also agreed to enter into a S106 agreement in relation to a reconciliation clause which would allow viability to be reassessed at a future date.

Climate Change

How climate change is addressed is a key factor in the consideration of planning applications. The proposal and key issues, including air quality, flooding and environment standards are considered in detail in the following sections. This report will therefore consider the relevant specific policies and material considerations and determine whether any undue harm would arise as a consequence of the development.

Ground Conditions

Historically, the site operated as a brickworks, with two large clay extraction pits, which culminated into two extensive excavations that occupied approximately 85% of the site. From the late 1940's onwards the clay extraction pits appear to have been used for landfilling.

Site investigation works have been undertaken and confirmed the scale and nature of the contamination due to this past use. These assessment fed into the approved remediation works (planning permission ref: 129197); the strategy involves general site clearance and removal and disposal of vegetation and trees, fly-tipped materials and surface debris; removal of any asbestos containing materials; break out of hardstanding areas and grubbing out of any subsurface features; processing of

crushed concrete, bricks and other appropriate materials; turnover of the top 2-3m of Made Ground and over-dig for some areas of deeper Made Ground (~ 5m depth); and ground gas / vapour mitigation.

As the suite of conditions attached to that approval have yet to be discharged, it is proposed these be attached to any approval for the site's redevelopment.

These conditions had been discussed at length and agreed with both the Environment Agency and Environmental Health and already agreed with the applicant.

These conditions include the requirement for:

- an additional site investigation;
- a detailed assessment of risks to human and environmental receptors (including those off-site).;
- the development and submission of a Ground Stabilisation Works Plan ;
- a verification report
- If, during the undertaking of site works, contamination not previously identified is found to be present, then further site works shall be suspended until the extent of contamination has been determined and defined in agreement with local planning authority.
- Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Ground Gas

As part of the approved remediation strategy, work would involve excavations that are open to the air. It was suggested that perimeter ground gas monitoring would not be required, as gas would be expected to vent to the atmosphere rather than be forced laterally as a result of ground disturbance. However, this would need to be confirmed following the completion of ground gas risk assessments and development of a finalised detailed remediation strategy, which formed part of the previously approved conditioned approach for the remediation works.

Controlled Waters

The site lies in an elevated position alongside the Rochdale Canal which is considered to be a potentially sensitive receptor; this together with the adjacent residential properties could potentially pose a risk of surface egress of contaminated groundwater.

As part of approved remediation scheme, a monitoring programme including fortnightly chemical testing of the Rochdale Canal for contamination was proposed, and that following the interpretation of the results, if there was an adverse impact from the works, suitable mitigation measures would be implemented.

Furthermore, that monitoring would also include the daily environmental inspections of the site boundary for groundwater seepages or contamination run-off to adjacent land, and should these be identified, then migration prevention / water collection should be installed at the site boundary.

A condition relating to the submission of a finalised detailed remediation strategy was therefore agreed, together with further conditions relating to the submission of plans of the existing and proposed site levels in the form of cross sections; that no infiltration of surface water drainage into the ground, where adverse concentrations of contamination is known or suspected to be present, is permitted other than with the express written consent of the Local Planning Authority.

A condition was also attached relating to the submission of measures to protect the canal including requirements relating to measures necessary to reduce dust and windblown debris from the site with suitable dust suppression techniques., and details of the proposed mitigation works intended to safeguard land stability and structural integrity of the canal.

As these conditions have yet to be discharged it is proposed that they be attached to any approval relating to the proposed development under consideration.

Siting / Layout

The detailed element has been designed so that each of the properties would have a street frontage, with residential properties also facing onto Ten Acres Lane and onto the Rochdale Canal. This would maintain active frontages and surveillance along the proposed routes within the development.

The proposed development comprises a mix of terraced and mews properties with semi-detached houses, and low- rise apartment blocks, which are appropriate and in character with the wider area.



Terraced houses fronting on to Ten Acres Lane (visual image above) to create a presence, semi-detached houses would be set-back behind front gardens allowing for tree planting with parking behind the building line and to the sides. The proposed three storey terraces of houses and apartment blocks to the north of the site would be set back from the Rochdale Canal with a deep landscaped buffer and would provide natural surveillance of the towpath.

The apartments blocks have been located so that they 'hold' key corners, and create strong landmark overlooking key spaces, with the community hub building designed to create a focal point at the centre of the development.



In line with the Residential Quality Guidance and the Guide to Development in Manchester, the new buildings along with the proposed tree planting and landscaping to front garden areas, would contribute positively to the street scene. Off street parking in the form of driveways to dwellinghouses in part of the site, with parking to the rear of dwellings which front onto Ten Acres Lane or the Rochdale Canal would also be incorporated.

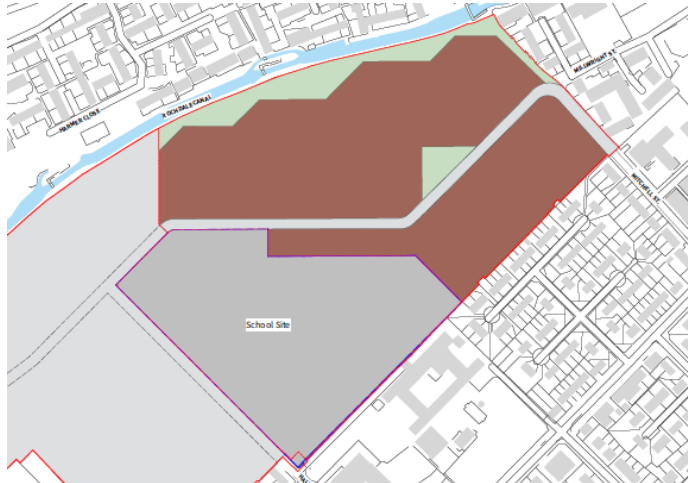
The potential impacts on the residential amenity of existing residents are discussed in more detail below; however, in relation to the siting and layout of these properties, the positioning and orientation of the new properties are considered to be acceptable.

A question was initially raised about whether the proposed school could be located on the frontage to Ten Acres Lane. Options for an alternative site were fully explored with the applicant; however, a location for example onto Ten Acres Lane had the potential to lead to highway safety issues (partly due to the rise in the level of the road to traverse the canal within close proximity to the site), and associated impacts from pick up and drop off arrangements. The proposed location provides the school in the heart of the neighbourhood; in addition, it would be on an area of made ground. If this area was to be used to accommodate new homes, it would require deeper piling and the issues surrounding settlement would be more severe for external space than a playing field.

As such the proposed location of the school presents the best option from a geotechnical perspective, as well as from a transport, highways and accessibility perspective.



As already noted elsewhere, the outline phase seeks approval for access and the principle of development of the school and up to 338 new homes. The parameters plan shows how these can be accommodated together with new public open space.



The access for this phase would be from a north western extension of Mitchell Street and form a connection created in the first phase.

Scale / Massing

The development would comprise 2, 2.5 and 3 storey dwellinghouses with 3 storey blocks of apartments; the community hub would be 4 storey (with community use (including a community café) at ground level with apartments above.

Three storey town houses have been positioned to address the primary route ('The Avenue' -which runs east to west across the site) and to overlook the Rochdale Canal to the north of the site. The 3 and 4 storey apartments blocks are positioned at the key gateways into and within the site to create landmark buildings, which would aid legibility.

Three storey buildings (townhouses and apartments) have been sited facing onto the Rochdale Canal, to the north of the site , to create a strong frontage, with the 4-storey hub building providing a central landmark building centrally within the wider site.

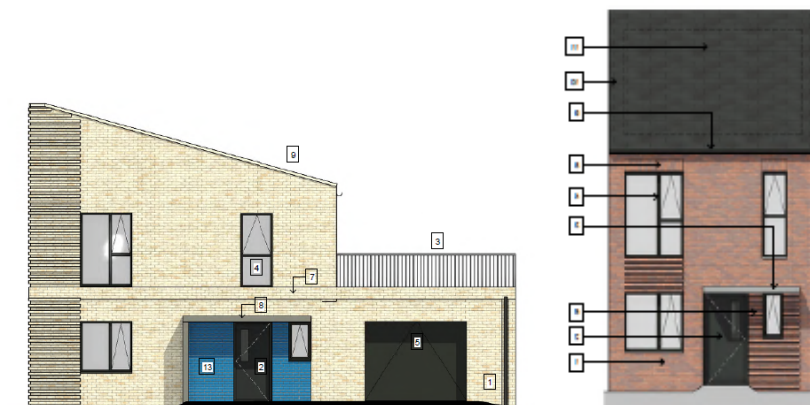
The remainder of the proposal mostly comprises of 2 storey housing, with the use of 2.5 storey houses (incorporating dormer features) to hold key views and reinforce legibility.

The parameters plan for phase 2 indicates a similar height for the residential element of 2 to 4 storeys and the school being up to 2.5 storeys in height. This would ensure a complimentary form of development both in terms of the first phase and as a response to the existing residential neighbourhood.

Overall, the scale of the development responds appropriately to the scale of the existing developments in the area and is considered to be acceptable in this location.

Appearance

The new homes would be contemporary in design, although would involve the use of traditional materials (brickwork and tiles). The images below are typical of the designs which would form the proposed development, ranging from the smaller mews properties to the larger 3 and 4 bedroom dwellings





A contemporary design with similar themes is proposed for the three storey apartment blocks. The proposal would create a modern design based on the housing style in the locality (characterised by traditional interwar semi-detached houses and Victorian terraced properties) and is considered to be acceptable in this location.

It is envisaged a similar theme would run through the later phase.

Residential Amenity

The site is bounded to the south and east by residential properties, together with a primary school, and further dwellinghouses to the north of the canal. As the site has been vacant for a prolonged period of time, it is inevitable that the development would have some impacts. This includes noise form site remediation, construction and once operational.

However, it is not considered this would be to such an extent to cause unacceptable harm, and that conditions set out in the report would enable those aspects likely to give rise to residential disamenity, to be effectively managed for the temporary period of for example, the construction works.

The distance from the rear elevation of the proposed dwellings and the rear elevations of existing housing to the south is 22.5m, which is an acceptable distance and should not give rise to overlooking.

Within the development a row of part single, part two storey mews houses are proposed; there would be a podium garden on the roof of the single storey element. The design includes a solid wooden privacy screen to the rear of the garden and railings to the front facing the street. Due to the nature of the proposed garden space, there would only be 11m from the rear elevation of these dwellings to the new houses proposed to the rear. To protect privacy, it is proposed that the secondary bedroom window in the latter be obscurely glazed to a height of 1.7m above internal floor level.

The use of conditions in relation to boundary treatments across both phases, together with consideration of the appearance and internal layout of the houses in phase 2 (at the reserved matters stage of the process) would enable privacy issues to be appropriately managed.

It is acknowledged that there would be some increase in traffic, but again this would not be such that it would cause undue harm. It is acknowledged there would be some impact from decontamination of the site and through construction in terms of noise dust.

The remediation of this site and its impacts had been fully considered as part of the planning permission already granted. These phases would be managed and short term.

Townscape and Visual Impact

The site is enclosed for the most part, on all sides by built form, with the surrounding mixed character residential and industrial uses defining the local area of Newton Heath and Miles Platting. The surrounding residential character and that of the Rochdale Canal corridor have strongly influenced and informed the development now under consideration.

The Rochdale Canal is a public right of way and key green route into the city centre, and forms part of National Cycle Network Route 66; it is anticipated that the Bee Network Infrastructure may lead to the canal towpath being widened in the coming years.

There is currently no formal access into the site which has now been cleared due to the reasons set out elsewhere in this report. The loss of the self-seeded trees and vegetation has had some impact in visual terms, but this has been necessary to facilitate remediation to reduce risk to human health. The proposal would deliver new green space and trees, open up the canal which is currently uninviting and together with the built form this would deliver significant uplifts environmentally and physically.

The illustrative visual images below show the relationship to the canal towpath and within the proposed site.





The design and orientation of the proposed buildings, integrated landscaping and public open space would improve the site visually and deliver a high-quality development on a site with complex ground conditions.

Traffic Generation

It is acknowledged that construction can bring it disruption; this would temporary and the worse impacts can be mitigated with the implementation of a Construction Management Plan. It is not unusual for the impacts to fluctuate as construction progresses.

From the information provided it is suggested that even with fluctuating contractor movements the expected total number of vehicle movements associated with the construction phase of this development would not significantly affect the existing traffic flows. The arrival of vehicles related to construction is also considered to be below that would be expected once the site is fully built out and occupied.

The assessment concludes that the environmental implications of construction traffic are negligible.

The Assessment has also considered the operational phase; inevitably there is predicted to be an increase in traffic on Mitchell Street. However, the overall daily traffic is expected to be significantly below other nearby roads, and in the context of the local area, the level of traffic on Mitchell Street would continue to be relatively low even with the addition of traffic from the proposed development.

The assessment also expects the traffic from the proposed development to have an immaterial impact on driver delay across the majority of the network within the area of study, and that the scheme would deliver enhancement to pedestrian and cyclist amenity.

Ten Acres Lane has been assessed in terms of its capacity, the analysis indicates no issues; however, the proposal includes an improvement scheme at the Briscoe Lane /Ten Acres Lane signalised junction to provide additional capacity. This comprises a widening of the Ten Acres Lane (southbound) approach to allow a separate lane for right turning traffic. It is recommended that a refuge island is installed within the

ghost island hatching to the north side to allow pedestrians to cross the road at this point, including the provision of pedestrian facilities on all arms of the junction. An off-street highways condition is therefore proposed.

Overall, the site is considered to be in a sustainable location within walking distance to public transport, the proposal would deliver improved access through the site and to the canal towpath and high levels of cycle storage provision. Trip forecasts in the submitted information show a small percentage of background traffic flows.

Access

Vehicular access would be from Ten Acres Lane, with a through route being provided west to east joining to Mitchell Street when the outline element of the scheme is designed. The parameters plan effectively provides for a vehicular connection through the site. The proposal is for a comprehensive scheme with approval sought for all details for the first phase of the residential development. This overall first phase would provide a first section of the main spine road with vehicular, cycle and pedestrian access from Ten Acres Lane. The second phase of residential development and proposed secondary school are applied for in outline only, with all matters reserved except for the main access points, meaning that a continuation of the spine road through to Mitchell Street and the pedestrian/cycle link to Hallam Road are also provided as part of the application proposals. Furthermore, the applicant's agent has confirmed that the main spine road in its entirety (i.e. Ten Acres Lane through to Mitchell Street) will be completed and operational prior the first use of the secondary school. A condition is recommended to ensure that the full extent of this spine road is provided prior to the school first being brought into use.

A dedicated drop off and pick up area would also be provided as part of the details for the new school and this issue is also subject to a recommended condition.

Concerns have been raised in relation to the use of Hallam Road as a pedestrian and cycle access to the application site, and in particular that the road will be used as an unofficial drop off point for the proposed secondary school. A condition has been requested to ensure that no access is allowed from Hallam Road. The applicant's agent has confirmed that since the beginning of the pre-application process nearly two years ago, an access route into the site has been indicated from Hallam Road. Prior to the submission of the application the access was to be used by pedestrians, cyclists and vehicles with only part of the residential development to be accessed by vehicles from this location. This vehicular access was consistent with proposals which were Minded to Approve by Committee in 2014. In response to comments received as part of the pre-application process the vehicular access was removed and the plans to limit this route for pedestrian and cycle access only were introduced.

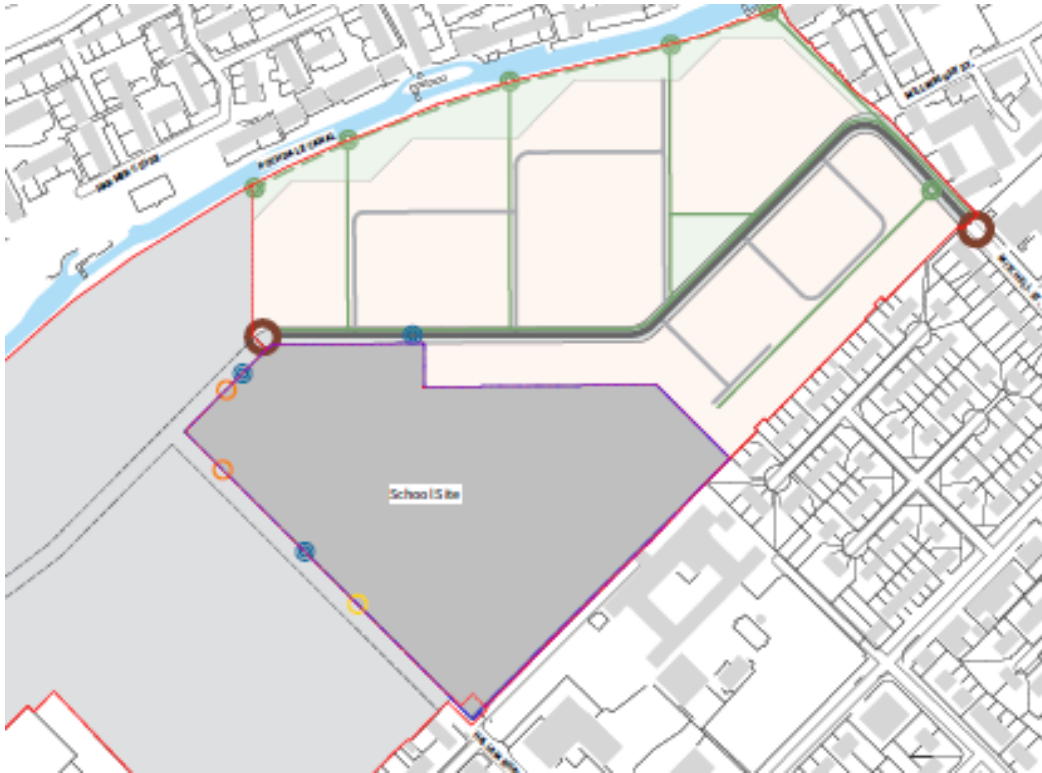
The pedestrian and cycling connection from Hallam Road and the community to the south of the application site, and to the towpath to the north are considered to be an integral part of the sustainable transport strategy for the site providing connectivity. The link from Hallam Road would also give local residents access to the community facilities being brought forward as part of the overall scheme. Access would also be available from the new residential development to facilities and the community to the south. However, the applicant's agent has confirmed that it would be acceptable to

provide monitoring and a subsequent review of the access from Hallam Road once the school is operational. A condition is included to this effect and also requires any identified necessary mitigation measures.

Routes within the detailed element of the development have been designed to enable access for pedestrian and cycle users throughout the development, promoting sustainable travel modes, including via direct access to the canal towpath.

The scheme includes some short sections of highway which the applicant (registered provider) is not seeking to be adopted. These areas would be maintained by the applicant or a management company on their behalf.





Further Highway Related Matters and Car Parking

The development includes the provision of 134 off street car parking spaces (100% provision) for the proposed apartments, with 10% provision of spaces for disabled users. There would be off street parking in the form of driveways, or parking provision to the rear of dwellinghouses fronting onto Ten Acres Lane or the canal, with a mix of either 1 or 2 parking spaces depending on the size of the property. This is considered to be acceptable.

The proposal indicates that each house would have an electric charging point for vehicles, with 20% provision for the proposed apartments (cabling provided to all parking spaces to enable future provision). At this stage no details of the kilowattage of the proposed chargers has been provided. It is therefore proposed to attach a condition relating to the delivery of electric charging points, together with confirmation of their capacity to be provided prior to occupation of the first dwelling.

Six electric charging points for vehicles are proposed to the community hub parking facility.

100% cycle storage space would be provided for the new dwellings, on the basis of one secure space per property, in the rear garden. Each apartment block includes a secured communal cycle storage room with a rack to accommodate 9 cycles at ground level within 2 of the apartment buildings where 11 apartments are proposed, and 17 spaces in the other block where 19 apartments are proposed. There would be two cycle storage rooms at ground level within the community hub. Further, commitment has been subsequently provided that 100% provision would be provided for the apartments and it is therefore proposed to condition this aspect of the scheme.

A number of measures to encourage travel to and from the site by sustainable modes are contained within the Travel Plan for the site. It is anticipated that this would also help to encourage a reduced car parking demand.

Traffic calming is proposed; a condition is recommended to require the submission of scheme to deliver a 20mph zone (via traffic regulation order and boundary signs) accompanied by the traffic calming measures.

There would be a transition from carriageway to pedestrian/cycle routes at Hallam Road and Hallam Road modal filter, at the junction of Primary Road 1/Secondary Road 9, and at Ten Acres Pocket Park (where it meets the Primary Road). Pedestrian crossing points are required at all intersections, and it is anticipated that these would comprise dropped crossings and buff tactile paving. These works would be dealt with as part of the discharge of the proposed highway works condition.

Overall, it is considered that the development would have adequate car and cycle provision to serve the needs of the development. Travel planning is proposed to take advantage of the sites sustainable location; servicing and construction requirements can also adequately met at the site.

Following concerns raised in respect of Hallam Road being used an access point, it is proposed to revised the wording of the condition relating to the submission of a detailed construction management plan for each element of the scheme (both detailed phases and outline), so that where reference is made to the routing of construction traffic to be submitted for consideration , there is a requirement that there shall be no construction related traffic accessing the site from Hallam Road at any time.

Loss of current informal space

The site has been vacant for several years; self- seeded trees and vegetation had developed and there was informal access; the overgrown nature of the site and poor natural surveillance had led to reports of anti-social behaviour The site has now been largely cleared to facilitate remediation and fenced. If there is any delay to remediation, it was agreed a wildflower meadow would be implemented on site.

The site is private land and is not classed as public open space. There are green spaces in the wider area, this includes Clayton Vale, Moston Brook Valley, Brookdale Park and Broadhurst Park. It has also been identified as a brownfield site for development for many years to meet key council objectives. The proposal itself would provide new green space, tree planting and open space.

Landscaping / Green Infrastructure / Public Realm

A significant level of tree planting (373 trees) would be provided in the first phase with 211 new trees in the second. These would be in front garden areas, the pocket parks and community park, in addition to a deep landscaped buffer along the canal towpath to the northern boundary. The landscaping scheme also includes the provision of native clipped hedge planting, with native herbaceous planting to the water retention swales and rain gardens to the south of the community hub building.

Green infrastructure/ public realm area would be in the form of approximately 1.36ha, within Jackson's Community Park (adjacent to community hub building and fronting the canal) and more in the Ten Acres Pocket Park. This would include play space comprising 0.13ha; Hallam Green, and play space covering 0.08ha; the Hallam Road Pedestrian and Cycle Connection comprising 0.06ha; the Rochdale Canal Linear Park covering 0.41ha and Ten Acres Lane Green Space covering an area of 0.064ha.

The proposed community park would also include the incorporation of play equipment, with young children play equipment proposed in the linear pocket park alongside the proposed route through to the canal.

This represents a significant provision of quality useable public realm for both the existing and future residents in the locality; the needs of elderly residents will also be accommodated.

The final details of species to be planted have not yet been provided for consideration. It is therefore recommended that all soft and hard landscaping treatment proposed for the development are subject to conditions, requiring finalised planting specifications to be submitted for consideration, together with an on-going maintenance strategy with an identified management company.

Landscaping for phase two is a reserved matter, but an indicative plan has been submitted to indicate the split between private gardens and public green spaces, with a further parameters plan showing an illustrative extent of proposed canal side planting; this includes drainage attenuation features and a local area of play (LAP). This approach follows the themes proposed in detailed element of the proposal and demonstrates that a cohesive comprehensive landscaping scheme is deliverable across the site as a whole.

Trees

In line with the approved remediation strategy, the site has been cleared of trees and vegetation. As noted above 373 trees are proposed to be planted within Phase 1 of the site and 211 in the second phase. The applicant has been asked to reconsider the ratio of non-native trees proposed in order to further improve biodiversity; this has been agreed in principle and the details would be dealt with by condition.

A tree protection plan has been submitted to safeguard existing trees which lie outside of, but in close proximity to the southern and southwestern boundary of the proposed development. It is recommended that this aspect of the scheme is also conditioned.

Habitat Regulations and Ecology

The Rochdale Canal, which adjoins the site to the north, is a Site of Biological Importance Grade A due to the presence of populations of a floating water plantain *Luronium natans* and Grasswrack. It is recommended that conditions are attached to any approval to ensure construction materials do not enter the canal to safeguard the SBI. The proposed development to the north of the site would (with the exception of the proposed hub) be a maximum of three storeys in height and would be set a

minimum of 13.2m from the canal at the closest point. There would also be a landscaped buffer set between the properties and the towpath reducing the potential for any overshadowing of the canal. The lighting strategy for Phase 1 incorporates 1m bollard lighting where houses face onto the canal to reduce impacts to bats which use the canal for foraging and commuting.

Protected species that were present on the site have already been relocated with the assistance of Greater Manchester Ecology Unit to enable the remediation works already approved to be undertaken. For clarity, all impacts on ecology and biodiversity were considered and addressed as part of that application.

Reference has been made above of the wildflower meadow required in the event of delays to work on site. Due to the interconnected nature of the remediation scheme and this application it is recommended that the same condition form part of any approval of this development.

The Rochdale canal bordered with a green corridor would assist in supporting bats which use the canal. Furthermore, the tree planting with native species would provide habitats for both birds and bats.

The development therefore presents an opportunity to create habitats available to wildlife on site and provide a betterment to its current low ecological value through a net gain. Conditions are recommended in relation to the provision of bat bricks, bat boxes and bird boxes.

Invasive Species

The site was formerly covered by semi mature vegetation, including Japanese Knotweed and Rhododendron; other invasive non-native invasive species are present in the adjacent canal.

The approved remediation scheme includes the safe removal and disposal of invasive species in accordance with the relevant regulations.

Noise

It is acknowledged there are existing residents adjacent the application site and with new development and occupation there would be some impacts. However, it is not considered that this would be unusual or significant.

The three main sources of noise that have been assessed in relation to impact on the development itself include traffic noise from the nearby main roads, the noise generated industrial use to the west of the site across Ten Acres Lane, and to the north of the Rochdale canal.

The noise assessment confirms that noise is not a constraint to residential development, and that good standard of acoustic design can be achieved using reasonable and practicable design measures. The report states that some facades of the proposed dwellings located close to the local road network may exceed internal noise guidelines; however, with appropriate mitigation in the form of standard thermal glazing and ventilation, all dwellings will achieve guideline noise levels while maintaining background ventilation levels.

It is therefore proposed that this aspect of the scheme be conditioned. and that a verification report is submitted upon completion of the development and before first occupation of the residential units, to validate that the work undertaken conforms to the recommendations and requirements in the approved report.

Flood Risk / Surface Water Drainage

The proposed development is located in Flood Zone 1, i.e. land defined as having less than a 1 in 1000-year annual probability of flooding in any one year. The site is also at low risk of flooding from all sources. The development has been assessed against the NPPF 'Sequential Test'. Taking into consideration that the application is for a residential development in Flood Zone 1, NPPF confirms that the development is 'Appropriate'.

Following discussions with Flood Risk Management officers it has been agreed that a conditioned approach should be taken in this instance. Conditions relating to the details of surface water drainage and that the system that is put in place is managed and maintained thereafter are proposed.

Surface run off from the proposed and existing development will be channelled away by a combination of swales and attenuation basins, with swales in the landscaped buffer alongside the canal, and raingardens to the south of the community hub building . This would also have the additional benefits of creating a sense of place in terms of distinct character areas and encourage biodiversity.

Sustainability and Energy Efficiency

The application is accompanied by an Energy Report advises that to meet the challenging demands associated with sustainable development a "fabric first" approach is considered the most cost effective and efficient way of delivering an energy saving development that can meet housing needs and reduce CO2 emissions during the life cycle of each dwelling.

Built in accordance with the fabric first approach detailed in the report with high levels of fabric performance and efficiency, the new homes would constitute a high sustainable standard. This would be in accordance with current building regulations Part L1A and sustainable environmental planning policies. Furthermore, the report states that renewable technologies in the form of air source heat pumps (main heating system) and solar photovoltaic panels (electricity) would be incorporated within the development.

It is therefore proposed to attach a condition to require that the development is implemented in accordance with the Energy Report, and that a post construction review certificate is submitted within a timescale that has been agreed.

Designing out Crime

The application is accompanied by a Crime Impact Statement (CIS) by GMP Design for Security officers . The report suggests that the proposed scheme is acceptable in terms of layout; in order to further improve the scheme from a crime prevention perspective there is a request that consideration is given to secure cycle parking, access control to apartment entrance lobbies, post and delivery arrangements for

the proposed apartment blocks and that the overall development achieves secure by design accreditation. These measures are referred to in the CIS

Waste

The waste strategy includes the provision of bins stored in the curtilage of each dwellinghouse for general waste, pulpable recycling, mixed recycling and for green waste. The waste arrangement for the low rise apartment blocks comprises a waste storage room within the building at ground level to serve 11 apartments in Blocks A and C (8x660litre provision). In Block B accommodating 19 apartments 2 bin stores of 8 x 660litre provision are proposed, with 12 x660litre provision proposed to Block D. A condition is proposed to be attached to any approval in regard to refuse storage arrangements within the scheme.

Air Quality

This site is not located in a City Council designated Air Quality Management area (AQMA), although is surrounded by the Greater Manchester AQMA encompassing Oldham Road, Briscoe Lane and Old Church Street (to the north, south and east sides of the site respectively).

The application is accompanied by an Air Quality Assessment which considers the potential impacts to air quality. This demonstrates that the construction phase of the development would result in 'not significant' effects on the basis that site-specific mitigation measures are put in place, in accordance with relevant guidance. Such measures would form part of an agreed construction management plan that would be subject to a condition of the planning approval. It is considered that the impacts on air quality during construction would be temporary and predictable and could be appropriately mitigated through the measures identified above.

The assessment states that the operational phase of the proposed development would also result in 'not significant' effects, and as such no mitigation measures are required. However, specific measures are proposed as part of the hybrid application to futureproof the proposed development which would help to mitigate any potential air quality impacts. These mitigation measures include the planned access and highway improvements (which will reduce congestion generated by the proposal, together with the provision of electric vehicle charging infrastructure and cycle parking at the proposed dwellings. On this basis the scheme is considered to accord with the aspiration of policy EN16. It is recommended that this aspect of the development is conditioned to ensure there are no detrimental impacts to existing air quality conditions as a result of the development.

Ventilation Strategy

A Ventilation Strategy report has been submitted to accompany the application in relation to the community hub, the dwellings and apartments due to the proposed measures for heat recovery, in association with the proposed approach to heating the properties. The strategy has been produced to ensure Part F of the Building Regulations are complied with.

Broadband

Both BT Openreach and Virgin Media have existing fibre infrastructure in place around the application site. It is therefore anticipated that the application properties would have access to good download speeds.

Archaeology

This site has been the subject of an archaeological desk-based assessment in relation to previous schemes. This study found that the site contains no heritage assets and has a very low potential for archaeological remains.

There are no listed buildings within the site or in close proximity to the site. There are heritage assets comprising the former brickworks, the reservoir and a flag stone wall referred to in the Environmental Statement. It has subsequently transpired that historic flag wall lies outside of the boundary of the application site. In view of this and given the extent of landfilling activities that has occurred across much of the site, together with the updated observations by GMAAS, it is recommended that the wording of the condition be rephrased to omit the previous requirement for trial trenching and that there be a requirement watching brief during development ground works.

In view of these, it is recommended that any approval be conditioned to require a programme of archaeology works to be submitted in accordance with a Written Scheme of Investigation to ensure any are remains which are found are recorded.

Community Use

In order to provide certainty regarding the on-going long term management and maintenance arrangements for the proposed community centre, it is recommended that a condition be attached to any planning approval to require that finalised details of the long term management and maintenance strategy for all the facilities forming the community centre be submitted to and approved, and that the development shall not be used at any time other than in strict compliance with the approved long term management and maintenance 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. In order to protect the nature of the accommodation being proposed it is considered there is a case for ensuring the dwellings are not converted into multiple occupation without proper consideration. It is recommended that a condition should therefore 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) without the requirement for formal planning permission.

Furthermore, it is considered that there is a case for ensuring that dwellinghouses hereby approved shall be used only as private dwellings and not as serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights).An appropriate condition is therefore proposed.

Inclusive Access

The submitted documentation confirms that the proposed houses are positioned to afford level access, and that the dwelling internal ground floor plans are designed to be level and with pedestrian and vehicle approaches having no significant incline. The front and rear doors will have accessible thresholds and all properties meeting the Council's floorspace standards.

Towpath

The proposal access to the canal towpath in proximity to the community hub would achieve a gradient of 1:21 facilitating inclusive access. Given the extensive remediation works required and the after extensive landscaped buffer to be located alongside the route, it is proposed to attach a condition to any approval to require the submission of methodology and measures in relation to the upgrading / resurfacing of the canal towpath, if required, due to damage during construction work. This would enable any treatment of the towpath including materials to be fully explored.

The observations by the Canal and River Trust regarding the potential to create further access points to the canal towpath has been noted. Access in this instance needs to be considered and balanced with the need to provide security for the future occupiers of the site. There would be an additional access to the canal in the vicinity of the community hub and community park and with those that already exist from Ten Acres Lane and Mitchell Street, connectivity is considered to be acceptable.

Comments regarding management of swales are noted. A condition regarding landscaping is proposed which would require the submission of a maintenance scheme for the proposed landscaping. This condition would also enable further consideration to be given to the proposed planting parking courtyards to serve the proposed apartments in proximity to the canal corridor.

Structural integrity of the canal infrastructure

Construction work in close proximity to the canal has the potential to adversely affect its structural integrity. Concerns expressed by the Canal and River Trust are noted. However, due to the proposed houses and apartments being off set from the canal by over 13m, it is anticipated that this should ensure that the building works on the site would not have a direct impact on the structural integrity of the canal infrastructure or result in any loading of the canal washwall.

A condition; however, is proposed to safeguard the canal from debris. Furthermore, the proposed tree planting in the canal side buffer has been set back from the edge of the towpath. As part of the future discharge of the landscaping suitable measures to management root penetration and the canal will need to be considered.

Boundary treatment

The detailed phase of development would incorporate low walls with railings above to form the boundary treatment to the back of pavement to dwellinghouses, with a 900mm low railing treatment to the curtilage of the proposed apartments, and to form the front curtilage of houses facing onto the canal towpath. Boundaries to rear gardens would comprise walls with timber infill panels above set between 1.8m brick piers adjacent to highways, with 1.8m close boarded fencing forming the overall approach to rear garden boundaries.

Community Engagement

A comment has been received about a lack of consultation. Information provided by the applicant has set out pre application engagement. This included advertising the public engagement process with ways to provide feedback; this was distributed to 3,756 properties closest to the site.

A press release was also issued to the Manchester Evening News and Place North West to advertise the consultation and provided details on how to get in touch with the project team and a Community Information Line was established to enable residents to speak with a member of the development team or to provide their feedback via phone. An email address was also available for residents to request more information, ask questions or provide feedback.

A dedicated website, www.jacksonsbrickworks.co.uk, was created and launched on 4th December 2020 to coincide with the distribution of the letter to the local community and promotions through social media . The website provided an overview of the proposals, the vision for the site, information related to highways and the environment and ways to get in touch with a member of the project team.

To engage with a wider audience, promotion of the proposals and public engagement process was also undertaken through social media platforms. The applicant has advised that during the consultation period, there were 3,946 visitors to the project website.

22 written responses were received during the public engagement process, the majority of which were via the feedback form available on the project website.

- 57% of respondents think there is a need for new, high quality homes in Newton Heath
- 65% of respondents think developers should maximise opportunities on brownfield land first
- Homes for first time buyers, affordable housing, and homes for older people were the property types respondents felt were most needed. No respondents felt large executive homes were appropriate for the area.
- An almost equal split thought the proposals would (48%) and would not (43%) contribute positively to the surrounding streets and spaces.

Further consultation with the community was undertaken in December 2021 in the form of a public exhibition of the plans was held at the Holiday Inn local to the site with members of the development team to answer any questions from local residents.

Consultation materials were also left on display at Newton Heath Library following the public exhibition event until Tuesday 4th January along with feedback forms and contact details.

A community information telephone line, email address and postal address were available throughout the consultation period for those wanting to correspond with a member of the development team.

Concerns were raised by the local community regarding the loss of green space/removal of trees, impact on local traffic, and access from Hallam Road.

Following the public consultation, changes were made to the masterplan. A further consultation was launched until the 6th of March to hear thoughts regarding these changes.

The amendments to the masterplan are in response to the comments received following the second round of consultation, with the principle changes relating to the vehicular access arrangements, primarily with regard to Mitchell Street and Hallam Road.

To take into consideration comments received, the amended scheme as of February 2022 proposed:

- A vehicular through route from Ten Acres Lane to Mitchell Street
- Restricted vehicular access from Hallam Road
- School drop off location

Local Labour and new jobs

The applicant has agreed to a local labour agreement, which will aim to maximise benefits to local residents. This will include monitoring measures. Although construction job numbers are not yet known, the school would provide around 90 new jobs.

A condition is recommended to cover this matter.

Other Matters

As part of the consultation regarding remediation, concerns were expressed about the retention of the rear access to existing properties and re-assurance was sought in respect of consideration to public rights of way.

Given the nature of the proposed remediation works, it was not deemed to be appropriate for health and safety requirement to enable access across the land to the rear of the properties on Morse Road.

The current application, however, accommodates access and shows a gated route to the rear of properties on Morse Road.

Concerns have also been expressed about the siting of a substation in proximity to a resident's property, and that there are no detailed plans relating to the proposed new school which would be close to their house. The substation referred to and the proposed school both lie within Phase 2 of the development. Plans for these aspects of the scheme would form part of a reserved matters application, however, the parameters plan indicate an acceptable relationship.

It has also been suggested that the substation be located on the Ten Acres Lane side of the site, next to the Ten Acres sports facility or the canal side to reduce potential disturbance. However, in order to meet energy demands at this site the scheme already includes the provision of a further substation in the northwest section of the proposed development .

Finally, the Canals and Rivers Trust has asked about a financial contribution to works to the canal towpath. There are significant complexities with developing this site, clearly set out in the report and viability is challenging. Where the applicant is able to enhance the setting of the canal and open up access, these opportunities are being accommodated and it is not feasible to seek or secure a financial contribution.

Conclusion

The proposed scheme offers an opportunity to bring forward a sustainable development of family housing, affordable homes a new school on a site long identified as meeting the needs of the city.

The scheme would incorporate public realm in the form of pocket parks, a community park, and landscaping along the canal towpath, together with improved access to the towpath for pedestrian and cyclists.

All issues have been set out in the report and addressed and this includes where necessary mitigation to ensure the schemes delivery.

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 Director 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 a legal agreement in respect of a reconciliation clause.

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. The original submission raised initial concerns about the provision of electric charging points , highways matters, biodiversity , measures in relation to the canal towpath, and affordable housing, these matters has been satisfactorily resolved and the appropriate conditions have been attached.

Conditions to be attached to the decision

Full permission (Phase 1 of the development)

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) Phases 1a,1b and 1c of the development hereby approved shall be carried out in accordance with the following drawings and documents:

Red line boundary plan ref:2490-PLA-00-00-DR-LA-0057 rev.P06

Phase 1 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0041 rev.P06 ;

Jacksons Community Park GA Plan ref: 2490-PLA-00-00-DR-LA-0043 rev.P07 ;

Ten Acres Pocket Park Plan ref: 2490-PLA-00-00-DR-LA-0044 rev.P06 ;

Hallam Green GA plan ref: 2490-PLA-00-00-DR-LA-0065 rev.P02 ;

Phase 1 Boundary Treatments Plan ref: 2490-PLA-00-00-DR-LA-0050 rev.P08;

Phase 1 Hardworks Plan ref: 2490-PLA-00-00-DR-LA-0051 rev.P06;

Phase 1 Planting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0052 rev.P07 (not withstanding the indicated ratio of native to non native planting;

Combined Masterplan ref: 2490-PLA-00-00-DR-LA-0056 rev.P08;

Typical External layout of single dwellings Plan ref: 2490-PLA-00-00-DR-LA-0058 rev.P04;

Lighting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0059 rev.P04;

Street Furniture Plan ref: 2490-PLA-00-00-DR-LA-0060 rev.P03;

Temporary Arrangement with Phase 1 implemented Plan ref: 2490-PLA-00-00-DR-LA-0061 rev.P03;

Tree Protection Plan Phase 1 plan ref: 2490-PLA-00-00-DR-LA-0062 rev.P01;

Illustrative Masterplan ref: 2490-PLA-00-00-DR-U-0046 rev.P02 ;

Phasing plan ref: plan ref: 2490-PLA-00-00-DR-U-0064 rev.P01;

Street Elevations Sheet 1 of 2 plan ref: 32576 A-P10-100 rev.P1;

Street Elevations Sheet 2 of 2 plan ref: 32576 A-P10-101 rev.P1;

GA Plans Apartment Block A plan ref: 32576 A-P11-001 rev.P2

GA Plans Apartment Block B Ground and first floor plan ref: 32576 A-P11-002 rev.P2;

GA Plans Apartment Block B 2nd floor and roof plan ref: 32576 A-P11-003 rev.P2;

GA Plans Apartment Block C plan ref: 32576 A-P11-004 rev.P2;

GA Plans Apartment Block D Ground and 1st floor plan ref: 32576 A-P11-0010 rev.P2;

GA Plans Apartment Block D 2nd and 3rd floor plan ref: 32576 A-P11-0011 rev.P2;

GA Plans Apartment Block D roof plan ref: 32576 A-P11-0012 rev.P1;

GA elevations Apartment Block A plan ref: 32576 A-P13-001 rev.P2;

GA elevations Apartment Block B plan ref: 32576 A-P13-002 rev.P2;

GA elevations Apartment Block C plan ref: 32576 A-P13-003 rev.P2;

GA Elevations Hub Building Block D plan ref: 32576 A-P13-004 rev.P3;

House Type A Muse End (2B3P) plan ref: 32576 A-P19-001 rev.P5;

House Type B End (2B3P) plan ref: 32576 A-P19-002 rev.P4;

House Type C Mid (2B3P) plan ref: 32576 A-P19-003 rev.P4;

House Type D End (2B4P) plan ref: 32576 A-P19-004 rev.P4;
 House Type E Mid (2B4P) plan ref: 32576 A-P19-005 rev.P4;
 House Type F End (3B4P) plan ref: 32576 A-P19-006 rev.P4;
 House Type G Mid (3B4P) plan ref: 32576 A-P19-006 rev.P4;
 House Type H End (3B4P) plan ref: 32576 A-P19-008 rev.P4;
 House Type I Corner Turner (3B5P) plan ref: 32576 A-P19-009 rev.P4;
 House Type J End (3B5P) plan ref: 32576 A-P19-010 rev.P4;
 House Type K Mid (3B5P) plan ref: 32576 A-P19-011 rev.P4;
 House Type L Mid (3B6P) plan ref: 32576 A-P19-012 rev.P4;
 House Type M Detached (4B6P) plan ref: 32576 A-P19-013 rev.P4;
 House Type N End (4B6P) plan ref: 32576 A-P19-014 rev.P4;
 House Type O End (4B8P) plan ref: 32576 A-P19-015 rev.P4;
 House Type P Mid (4B8P) plan ref: 32576 A-P19-016 rev.P4;

CGI Street Scene – View 01- The Avenue plan ref: 32576 A-P21-001 rev.P1;
 CGI Street Scene – View 02- Canalside plan ref: 32576 A-P21-002 rev.P1;
 CGI Street Scene – View 03- Corner Apartment plan ref: 32576 A-P21-003 rev.P1;
 CGI Street Scene – View 04- Mews plan ref: 32576 A-P21-004 rev.P1;
 CGI Street Scene – View 05- Hallam Green plan ref: 32576 A-P21-005 rev.P1;
 CGI Street Scene – View 06- Hallam Modal filter plan ref: 32576 A-P21-006;
 CGI Street Scene – View 07- Hub Building plan ref: 32576 A-P21-007 rev.P1 ;

Environmental Statement Volume 1 dated May 2022
 Environmental Statement Volume 2 Technical Appendices;
 Environmental Statement Volume 3: Non-Technical Summary
 Archaeological Desk Based Assessment ref: 211585 Issue 15 November 2011;
 Crime Impact Statement Version B: 07/03/2022 ref: 2021/0495/CIS/01;
 Energy report revision F Document No. 23/080/R/01 F dated May 2022;
 Local Labour Statement ;
 Planning Statement;
 Statement of Community Involvement dated April 2022;
 Sustainability Strategy and Environmental Standards Statement;
 Ventilation Report Document No. 23/080/VR/01 D dated April 2022;
 Financial Viability Appraisal April 2022;
 Travel Plan and Accessibility Audit ref: VN201804 dated May 2022;
 Design and Access Statement dated 28th April 2022;
 Nesting Bird Survey April 2022
 Received 6th May 2022

Financial Viability report dated April 2022

Transport Assessment Addendum - Response to Highways Comments
 Ref: VN201804 Post App TN01 and Jacksons Distribution spreadsheet received 8th
 September 2022;

Phase 1 Site Layout ref: 32576 BW01 rev.F;
 Adoption layout ref: 32576 02 rev.C;
 Parking Allocation Plan ref: 32576 BW 03 rev.C;
 EV Charging Allocation layout plan ref: 32576 BW 04 rev.C;
 Refuse Strategy Layout ref: 32576 BW05 rev.D,

GA Floor plan (Ground and First floor Community Hub) ref: A- P11-010 rev.P1

Received 9th September 2022

Transport Assessment Addendum Response to Highways Comments: Junction Modelling Update VN201804 Post App TN02 received 13th September 2022;

GA Plans Apartment Block A plan ref: 32576 A-P11-001 rev.P3

GA Plans Apartment Block B Ground and first floor plan ref: 32576 A-P11-002 rev.P3;

GA Plans Apartment Block C plan ref: 32576 A-P11-004 rev.P3;

GA Plans Apartment Block D Ground and 1st floor plan ref: 32576 A-P11-0010 rev.P3; received 14th September 2022;

Email from Planning agent dated 10th October 2022.

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) Development shall be carried out in accordance with the Phasing shown on plan reference: Phasing Plan 2490-PLA-00-00-DR-U-0064 rev.P4 received 12th September 2022.

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).

4) Prior to the commencement of Phase 1a, Phase1b or Phase 1c of the development, a detailed construction management plan outlining working practices during development relating to that Phase shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- o The routing of construction traffic (No construction traffic (vehicular or pedestrian) shall use Hallam Road at any time) ;
- o Detail the vehicular activity associated with the construction including appropriate swept path assessment;
- o Details of the location and arrangements for contractor parking;
- o The identification of the vehicular access points into the site;
- o Identify measures to control dust and mud, including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;
- o For large schemes a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.
- o Identify measures to reduce noise emissions;

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

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

5) Prior to above ground works commencing in Phase 1a, Phase 1b or Phase 1c of the development, full detailed designs (including specifications) of all on site and off site highways works (including any Traffic Regulation Orders, and traffic calming) relating to that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use.

Reason - In the interests of highway safety, pursuant to policy T1 of the Manchester Core Strategy (2012).

6) Prior to the commencement of Phase 1a, Phase 1b or Phase 1c of the development a detailed construction environmental management plan outlining working practices during development relating to that Phase shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include:-

- Construction Logistics Plan (incl. dust and odour monitoring)
- Dust Management Plan
- Lighting drawings and specifications
- Site compound facilities plan
- Details of perimeter fencing (including location)
- Surface Water Management Plan
- Noise and Vibration Management Plan
- Non-native species Management Plan
- Air Quality Statement
- Construction Dust Assessment
- Traffic Management Plan
- Site Waste Management Plan
- Materials Management Plan
- Environmental Response Plan

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

7) Prior to the commencement of on-site remediation works, in Phase 1a, Phase 1b or Phase 1c of the development , the applicant shall submit, for written approval to the Local Planning Authority an additional site investigation, where necessary, based on and further to current submitted reporting, providing detailed investigation of the risk to all potential on-site and off-site receptors that maybe be affected by contamination derived from the site relating to that Phase. The development relating to that Phase shall be implemented in full accordance with the details so approved.

Reason- The current combined Phase I & II Ground investigation reporting submitted, does not adequately characterise site conditions in accordance with

paragraph 183 of the NPPF. In particular, with regards to controlled waters, the current Phase I & II reporting submitted does provide definitive clarity regarding what groundwater and leachate (liquid in contact with waste) has been sampled. Further to this, an upwelling of liquid with a foul odour and coloration has been identified which warrants further investigation; there is a potential this upwelling is derived from the known deposited waste mass present within the site, pursuant policies EN17 and EN18 of the Manchester Core Strategy (2012).

8) Prior to the commencement of on-site remediation works in Phase 1a, Phase 1b or Phase 1c of the development, the applicant shall submit, for written approval, to the Local Planning Authority a detailed assessment of risks to human and environmental receptors (including those off-site) relating to that Phase. The development relating to that Phase shall be implemented in full accordance with the details so approved.

Reason - To provide sufficient information to develop a detailed remediation strategy which will build on the outline remediation strategy submitted (JC/MP/MW/LD10162/LET-006-REV D) and support an options appraisal for suitable remediation measures, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

9) Prior to the commencement of on-site works in Phase 1a, Phase 1b or Phase 1c of the development, a Ground Stabilisation Works Plan relating to that Phase shall be developed, submitted to, and approved in writing by the Local Planning Authority. The Ground Stabilisation works plan should include details (per phase where relevant), as to how identified ground hazards (such as underground structures and boreholes) are to be addressed and decommissioned relating to that Phase. Any changes to plan for that Phase will require the written consent of the local planning authority. The plan for that Phase shall be implemented as approved.

Reason - To ensure the protection of the development from underground hazards, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

10) Prior to the commencement of Phase 1a, Phase 1b or Phase 1c of the development, a detailed remediation strategy giving full details of the remediation measures required and how they are to be undertaken per phase (as detailed on the site phasing plan, drawing reference 2490-PLA-00-00-DR-U-0064) should be submitted and approved in writing by the City Council as local planning authority. The development relating to that Phase, shall be implemented in full accordance with the details so approved.

Reason - To ensure that the chosen detailed remediation strategy can be implemented according to the development phasing plan, that the detailed remediation strategy has the necessary permits and permissions in place and that sufficient control measures are in place to avoid pollution incidents to the environment and nuisance issue to surrounding community, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

11) Prior to the commencement of Phase 1a, Phase 1b or Phase 1c of the development a verification phasing plan providing details of the data that will be

collected in order to demonstrate that the works set out in the detailed remediation strategy (per phase as identified in the site phasing plan, drawing reference 2490-PLA-00-00-DR-U-0064) are complete, shall be submitted to and approved in writing by the City Council as local planning authority. The development relating to that Phase shall be implemented in full accordance with the details so approved.

Reason - To ensure that unacceptable risks to the environment and human health can be addressed and that a safe development can be achieved using the identified remediation techniques without adverse impact to human and environmental receptors on and off-site, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

12) On completion of Phase 1a, Phase 1b or Phase 1c of the development (as set out in the agreed verification phasing plan), a verification report demonstrating the completion of works set out in the approved remediation strategy shall be submitted to, and approved in writing, by the local planning authority relating to that Phase. The report shall include results of sampling and inspections carried out in accordance with the approved verification phasing plan to demonstrate that the site remediation criteria have been met.

Reason - For the ongoing protection of the environment and human health from risks arising from land contamination, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012), and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework, and policy EN17 of the Manchester Core Strategy 2012

13) No infiltration of surface water drainage into the ground where adverse concentrations of land contamination is known or suspected is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters in Phase 1a, Phase 1b or Phase 1c of the development. The development relating to that Phase shall be carried out in accordance with the approved details.

Reason - To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework, and policy EN17 of the Manchester Core Strategy 2012.

14) If, during the undertaking of site works in respect of Phase 1a, Phase 1b or Phase 1c of the development, contamination not previously identified is found to be present, then further site works shall be suspended until the extent of contamination has been determined and defined in agreement with local planning authority. Written agreement shall then be obtained from the local planning authority to enable onsite works to recommence within the area(s) not affected by the contamination identified. Works shall not recommence with the defined area of contamination until the developer has submitted and obtained written approval, from the local planning authority, of a remediation strategy detailing how the identified contamination shall

be dealt with relating to that Phase . The remediation strategy shall be implemented as approved relating to that Phase .

Reason - For the ongoing protection of the Water Environment from risks arising from land contamination, pursuant to policy EN17 of the Manchester Core Strategy (2012).

15) Piling or any other foundation designs using penetrative methods shall not be permitted in Phase 1a, Phase 1b or Phase 1c of the development other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development relating to that Phase shall be carried out in accordance with the approved details.

Reason - For the future protection of the Water Environment from risks arising from land contamination and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

16) No development shall take place in Phase 1a, Phase 1b or Phase 1c of the development, until a document highlighting a temporary surface water drainage strategy, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, has been submitted to and approved in writing by the Local Planning Authority relating to that Phase . The development relating to that Phase shall be implemented in accordance with the approved temporary surface water drainage strategy.

Reason - To secure surface water drainage arrangements and to manage the risk of flooding and pollution, pursuant national policies within the NPPF and NPPG and policies EN08 and EN14 of the Core Strategy for Manchester (2012).

17) A wildflower meadow is to be implemented on site if construction works for the redevelopment of Phases 1a , 1b and 1c of the site have not commenced within 12 months of the completion and validation of the remediation works. Details of the soft landscaping scheme to form the wildflower meadow shall be submitted to and approved in writing by the Local Planning Authority. The approved wildflower meadow shall then be implemented, within 3 months of the approval of the scheme.

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

18) No development in Phase 1a, Phase 1b or Phase 1c shall take place until a Risk Assessment and Method Statement (RAMS) outlining all works to be carried out adjacent to the canal relating to that Phase has been submitted to and approved in writing by the Local Planning Authority. The details shall:

- o demonstration that additional loads from the permanent or any temporary works, plant and machinery or storage of materials would not harm the structural integrity of the canal infrastructure;

- o include the design, depth and means of construction of the foundations of the buildings, together with any other proposed earthmoving and excavation works required in connection with the construction of the buildings and the associated swales and landscaping works;
 - o provide details of the tree planting/removal for the trees (including species) adjacent to the canal corridor and the steps taken to prevent root damage to the canal infrastructure and include details of the tree pits/root barrier systems to be provided;
 - o details specifying how the canal and its users will be protected during the works and include any details of proposed protective fencing to be erected to safeguard the waterway infrastructure during construction;
 - o include details of the proposed temporary bund (or other structure) to be provided to prevent the discharge of silt-laden run-off, materials or dust or any accidental spillages entering the canal.
- The development of that Phase shall only be carried out in strict accordance with the agreed Risk Assessment and Method Statement.

Reason- To protect the structural stability of the canal infrastructure which could be adversely affected by the development and to accord with the advice and guidance relating to land stability contained in Paragraphs 174 and 184 of the National Planning Policy Framework 2021, and policies EN15 and EN17 of the Manchester Core Strategy (2012).

19) No development in Phase 1a, Phase 1b or Phase 1c shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority relating to that Phase .

Reason- To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and pursuant to polices EN8 and EN14, of the Manchester Core Strategy (2012)

20) No development in Phase 1a, Phase 1b or Phase 1c 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 for that Phase. The scheme for that Phase shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- Verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- 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 manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development, pursuant to policies EN8 and EN14 of the Manchester Core Strategy (2012)

21) Prior to any above ground works in Phase 1a, Phase 1b or Phase 1c of the development, samples and specifications of all materials to be used on all external elevations of the development within that Phase shall be submitted to and approved in writing by the City Council as local planning authority. The development within that Phase shall be carried out in accordance with the agreed 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, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

22)The development in Phase 1a, Phase 1b and Phase 1c hereby approved shall be implemented in accordance with Crime Impact Statement Version B: 07/03/2022 ref: 2021/0495/CIS/01, in particular sections 3.3 and 4. The development within each Phase hereby approved 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 secured by design accreditation for the development.

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.

23) The car parking indicated on the approved plan ref: Parking Allocation Plan ref: 32576 BW 03 rev.C be surfaced, demarcated in accordance with the hard landscaping details on plan ref: Phase 1 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0041 rev.P06 and made available for use prior to the new dwellings hereby approved within each Phase being occupied, and maintained in situ thereafter .The car parking shall then be available at all times in perpetuity.

Reason - To ensure that there is adequate car parking for the development proposed when the dwellings are occupied, pursuant to policies T2, SP1 and DM1 of the Manchester Core Strategy (2012).

24) Prior to above ground works commencing in Phase 1a, Phase 1b or Phase 1c of the development, finalised detailed designs for the provision of space for cycle storage within that Phase shall be submitted to and approved in writing by the City Council as local planning authority. The development relating to that Phase shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed dwellings within that Phase being occupied.

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, EN8 and DM1 of the Manchester Core Strategy (2012) and the guidance provided within the National

Planning Policy Framework and the Guide to Development in Manchester
Supplementary Planning Document and Planning Guidance.

25) Prior to the occupation of Phase 1a, Phase 1b or Phase 1c of the development, finalised details of the number, location and specifications of the provision of electric vehicle charging points at the houses hereby approved within that Phase, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being occupied, and thereafter managed and maintained in accordance with the approved details.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Manchester Core Strategy (2012), and Greater Manchester Air Quality action plan 2016.

26) Prior to first occupation of Phase 1a, Phase 1b or Phase 1c of the development, a repaving strategy for the public footpaths and redundant vehicular crossings on Ten Acres Lane and Hallam Road within that Phase, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with an implementation programme relating to that Phase to be approved by the City Council as Local Planning Authority.

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant policy DM1 of the Core Strategy for Manchester.

27) Before the development forming Phase 1a, Phase 1b or Phase 1c hereby approved is first occupied a full Travel Plan for that Phase of development shall be submitted to and agreed 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 residents and those [attending or] employed in the development
- ii) a commitment to surveying the travel patterns of residents during the first three months of use of the development 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

Within six months of the first use of that Phase of development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above 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 within that Phase hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

28) The development in Phase 1a, Phase 1b or Phase 1c shall be implemented in accordance with the Lighting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0059 rev.P04. Detailed designs of all lighting columns, lanterns and bollard lighting shall be submitted to and approved in writing by the City Council as local planning authority, prior to the first occupation of the dwellings hereby approved within that Phase. The development shall be implemented in accordance with the approved details and shall be retained and maintained thereafter within that Phase.

Reason - To ensure adequate lighting within the development, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

29) If, when the lighting units in Phase 1a, Phase 1b or Phase 1c are illuminated, they cause glare or light spillage which is in the opinion of the City Council as Local Planning Authority to the detriment of adjoining and nearby residential properties within that Phase, such measures as the Council as Local Planning Authority confirm in writing that they consider necessary including baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority within that Phase.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of existing and proposed nearby residential accommodation, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

30a) Before the Phase 1a, Phase 1b or Phase 1c residential development commences a scheme for acoustically insulating the proposed residential accommodation against noise within that Phase from Ten Acres Lane, commercial/industrial premises, proposed community hub and the proposed school, 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 that should be taken into account. The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme relating to that Phase shall be completed before any of the dwelling units within that Phase are occupied.

Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary.

b) Prior to first occupation of the residential units in Phase 1a, Phase 1b or Phase 1c, a verification report relating to that Phase shall be required to validate that the work undertaken throughout the development conforms to the recommendations and

requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria within that Phase.

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

31a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the residential use hereby approved in Phase 1, the scheme 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 site. The scheme shall be implemented in full before the use commences.

b) Prior to the occupation of the residential dwellings in Phase 1a, Phase 1b or Phase 1c, a verification report relating to that Phase shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development in that Phase conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria within that Phase have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria in that Phase.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

32a) Before the residential development in Phase 1a, Phase 1b or Phase 1c commences a scheme for the storage and disposal of refuse (including elevational design of bin stores) within that Phase and shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part of the development within that Phase and shall remain in situ whilst the use or development within that Phase is in operation.

Reason - In the interests of amenity and public health, pursuant to policies EN19 and DM1 of the Manchester Core Strategy (2012).

33a) Prior to commencement of the residential development in Phase 1a, Phase 1b or Phase 1c, an air quality exposure assessment for that Phase together with mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development within that Phase any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development relating to that Phase is in operation.

Reason -To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012).

34a) Fumes, vapours and odours shall be extracted and discharged from the Community Hub (Class E , F1 and F2 uses) accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the uses commence.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to commencement of the community use and commercial premises hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - In the interests of the amenities of the occupiers nearby properties pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) .

35) The hours of use of the Community Hub (Class E , F1 and F2 uses) are to be submitted to and agreed in writing by the City Council as Local Planning Authority, prior to the first occupation of the building for those uses. The development shall only be carried out in accordance with the approved hours of opening.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation when the development is complete, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

36) Deliveries, servicing and collections to the Community Hub (Class E , F1 and F2 uses) 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 - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

37a) The Community Hub (Class E , F1 and F2 uses) 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.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location.

b) Prior to occupation of the Community Hub (Class E , F1 and F2 uses) premises, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

38a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved Community Hub (Class E , F1 and F2 uses) premises the scheme 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 site. The scheme shall be implemented in full before the use commences.

b) Prior to the operation of the community /commercial premises commencing a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non - conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

39a) Before the Community Hub (Class E , F1 and F2) uses commence, a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

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

40a) Prior to commencement of the Community Hub premises, an air quality exposure assessment together with mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012).

41) No remediation ground works in Phase 1a, Phase 1b or Phase 1c shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works for that Phase. 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:

1. A phased programme and methodology of investigation and recording to include:
 - an archaeological watching brief;
 - dependent on the above, more detailed archaeological excavation (subject to a separate WSI).
2. A programme for post-investigation assessment to include:
 - production of a final report(s) on the investigation results.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. A scheme to disseminate the results of the investigations commensurate with their significance.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason- In accordance with NPPF Section 16, Paragraph 205 - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

42) Prior to the first occupation of the residential units hereby approved in Phases 1a, 1b and 1c, finalised details of species for the landscaping scheme on plan ref: Phase 1 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0041 rev.P06 and notwithstanding the details on plan ref: Phase 1 Planting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0052 rev.P07 (and on going management regime for the landscaping scheme Phase 1 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0041 rev.P06) for that Phase, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme for that Phase shall be implemented not later than 12 months from the date the buildings within that phase 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 in that phase of development, another tree or shrub of the same species and size as that originally planted shall be planted at the same place within that phase of development.

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).

43) Prior to any above ground works in Phase 1a, Phase 1b and Phase 1c of the development hereby approved, a scheme for delivering biodiversity enhancement at the site within that phase, shall be submitted to and approved in writing by the City Council as the local planning authority (including the provision of bird boxes and bat bricks) The biodiversity enhancement measures for that phase shall be implemented in accordance with the approved scheme, prior to the occupation of the buildings within that phase.

Reason - To ensure that landscape and ecology management is adequately in place and to ensure the longevity of new planting in different areas of the site and to providing habitats for birds and bats to improve the ecological value of the application, to comply with policy EN15 of the Manchester Core Strategy (2012).

44) In this condition "retained tree" means an existing tree, shrub or hedge which is shown as retained on the Phase 1 Planting Strategy Plan ref: 2490-PLA-00-00-DR-LA-0052 rev.P07 (notwithstanding the indicated ratio of native to non native planting; specified in condition no.2 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 Manchester Core Strategy

(2012).

45) The development hereby approved in Phase 1a, Phase 1b and Phase 1c shall be carried out in accordance with the Energy and Sustainability Statement dated 1st December 2020 received by the City Council, as Local Planning Authority, on the 11th December 2020. A post construction review certificate/statement relating to each Phase shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Manchester Core Strategy(2012) and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

46) Prior to any above ground works in Phase 1a, Phase 1b or Phase 1c , the finalised details of the positions, heights, and elevational design of the boundary treatment (including gates) within that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme for that phase shall be implemented in full before any property is first occupied and retained as such thereafter.

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, and to prevent unauthorised access to the adjacent railway, in order to comply with Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

47)The boundary treatment in Phase 1a, Phase 1b or Phase 1c 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 (or removed), other than that shown on the approved plans.

Reason - In the interest of visual amenity and security of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

48) a) Prior to commencement of development in Phase 1a, Phase 1b or Phase 1c , a condition survey (via photographs) of towpath immediately adjacent to the site boundary for that Phase shall be undertaken and submitted to the City Council as Local Planning Authority.

b)Within 6 months of Phase 1a, Phase 1b or Phase 1c construction/fit-out works having completed, the same towpath within that Phase shall be re-surveyed and the results submitted to the Local Planning Authority. Should any damage have been caused due to the onsite works (within that Phase) any damage will be repaired to an equivalent standard (subject to agreement with Canal and River Trust for unencumbered access).These works shall be carried out in accordance with an

implementation programme to be approved by the City Council as Local Planning Authority.

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant policy DM1 of the Manchester Core Strategy (2012).

49) Before first occupation of the development thereby approved, the proposed bedroom window at first floor level on the rear elevation to the House Type A Muse End properties on plot nos. 40-46 , as shown on plan ref: 32576 A-P19-001 rev.P5 shall be obscurely glazed to a height of 1.7m above the finished internal floor level 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 - In the interest of privacy and to protect the amenity and living conditions of adjacent properties and in accordance with policies EN1, SP1 and DM1 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 garages, extensions, porches, roof alterations or outbuildings shall be erected onto the new build properties within Phase 1a, Phase 1b or Phase 1c development hereby approved, other than those expressly authorised by this permission.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

51) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the buildings within Phase 1a, Phase 1b or Phase 1c of the development hereby approved, shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012).

52) 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 windows shall be inserted into the elevations of the dwellinghouses within Phase 1a, Phase 1b or Phase 1c of the development hereby approved, other than those shown on the approved drawings outlined in condition 2.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

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

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 and DM1 of the Manchester Core Strategy (2012).

54) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; 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.

55) All highways within Phase 1a, Phase 1b, or Phase 1c of the development hereby approved shall be subject to 20 mph speed restrictions. A scheme to achieve this restriction for any Phase shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The development of each Phase shall be implemented in full accordance with the approved details

Reason - In the interests of highway safety, pursuant to policy T1 of the Manchester Core Strategy (2012)

56) Prior to any above ground works, a Stage 2 Road Safety Audit and servicing plan for the Phase 1a, Phase 1b or Phase 1c of the development hereby approved shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall detail the appropriate mitigation dependant on the outcome of the Road Safety Audit for that Phase. Any approved mitigation shall be implemented prior to

the first occupation of the residential units within that Phase and thereafter retained and maintained .

Reason - In the interests of highway and pedestrian safety pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

57) The ground floor community hub and community cafe at ground floor level in Block D, as indicated on drawing GA Plans Apartment Block D Ground and 1st floor plan ref: 32576 A-P11-0010 rev.P2; as received by the City Council, as Local Planning Authority, on the 6th May 2022, shall be occupied as community hub and community cafe in the identified areas on the plan and for no other purpose in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

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, in the interest of residential amenity, pursuant policies SP1 and DM1 of the Manchester Core Strategy (2012).

59a) The Phase 1a, Phase 1b or Phase 1c development shall not commence until details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development for that Phase , 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 relating to that Phase .

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).

58) Before occupation of the residential units hereby approved, finalised design details of the street furniture to be sited in the locations shown on plan ref: Street Furniture Plan ref: 2490-PLA-00-00-DR-LA-0060 rev.P03; shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The development shall be implemented in full accordance with the approved details

Reason - In the interests of visual amenity pursuant to policies , SP1 and DM1 of the Manchester Core Strategy (2012)

59) Prior to above ground works in Phase 1c of the development hereby approved, finalised details of the long term management and maintenance strategy for the community centre shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved long term management and maintenance strategy shall apply to the ground floor of Block D, and all facilities forming the community centre. The development shall not be used at any time other than in strict compliance with the approved long term management and maintenance strategy.

Reason - To secure well managed safe community access to community centre , to ensure benefit to the local community, pursuant to policy DM1 of the Manchester Core Strategy (2012).

60) Prior to any above ground works within Phase 1a, Phase 1b or Phase 1c, a detailed scheme, including timescales, of measures for monitoring of the use of the pedestrian access from Hallam Road, shall be submitted to and approved in writing with the Local Planning Authority, the monitoring shall then be carried out in accordance with the agreed details and timescales. Results of the monitoring shall then be submitted to the Local Planning Authority in accordance with the agreed timescales and any identified necessary mitigation measures found to be required as a result of the monitoring including an agreed timescale for the implementation of the mitigation measures shall also be agreed in writing. The mitigation measures agreed shall be retained at all times thereafter in accordance with the agreed written details.

Reason – In the interests of pedestrian and highway safety , pursuant to policies T1 and DM1 of the Manchester Core Strategy (2012).

Outline planning permission

61) Applications for approval of reserved matters for Phase 2 of the development 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.

62) Approval of the details of the access, (other than to Mitchell Street and the connection to Phase 1 of the development) scale, design and external appearance of the buildings, 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.

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

Red line boundary plan ref:2490-PLA-00-00-DR-LA-0057 rev.P06

Phase 2 Landscape General Arrangement Plan ref: 2490-PLA-00-00-DR-LA-0042 rev.P07 ;

Combined Masterplan ref: 2490-PLA-00-00-DR-LA-0056 rev.P08;

Illustrative Masterplan ref: 2490-PLA-00-00-DR-U-0046 rev.P02 ;

Phase 2 Parameters – Land Use plan ref: 2490-PLA-00-XX-DR-U-0034 rev.P03;

Phase 2 Parameters – Heights plan ref: 2490-PLA-00-XX-DR-U-0035 rev.P03;

Phase 2 Parameters – Blue and Green Infrastructure plan ref: 2490-PLA-00-00-DR-U-0038 rev.P03;

Phase 2 Parameters – Access and Movement plan ref: 2490-PLA-00-00-DR-U-0039 rev.P03;

Phasing plan ref: plan ref: 2490-PLA-00-00-DR-U-0064 rev.P01;

Environmental Statement Volume 1 dated May 2022

Environmental Statement Volume 2 Technical Appendices;

Environmental Statement Volume 3: Non-Technical Summary

Archaeological Desk Based Assessment ref: 211585 Issue 15 November 2011;

Crime Impact Statement Version B: 07/03/2022 ref: 2021/0495/CIS/01;

Energy report revision F Document No. 23/080/R/01 F dated May 2022;

Local Labour Statement ;

Planning Statement;

Statement of Community Involvement dated April 2022;

Sustainability Strategy and Environmental Standards Statement;

Ventilation Report Document No. 23/080/VR/01 D dated April 2022;

Financial Viability Appraisal April 2022;

Travel Plan and Accessibility Audit ref: VN201804 dated May 2022;

Design and Access Statement dated 28th April 2022;

Nesting Bird Survey April 2022

Received 6th May 2022

Financial Viability report dated April 2022

Transport Assessment Addendum - Response to Highways Comments

Ref: VN201804 Post App TN01 and Jacksons Distribution spreadsheet received 8th September 2022;

Transport Assessment Addendum Response to Highways Comments: Junction Modelling Update VN201804 Post App TN02 received 13th September 2022;

Agent email dated 20th September 2022 confirming a dedicated school drop off location to be incorporated into the Phase 2 school proposals.

Agent email dated 10th October 2022

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).

64) Development shall be carried out in accordance with the Phasing shown on plan ref: 2490-PLA-00-00-DR-U-0064 received on 6th May 2022.

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).

65) Prior to the commencement of Phase 2 of the development, a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- o The routing of construction traffic (No construction traffic (vehicular or pedestrian) shall use Hallam Road at any time);
- o Detail the vehicular activity associated with the construction including appropriate swept path assessment;
- o Details of the location and arrangements for contractor parking;
- o The identification of the vehicular access points into the site;
- o Identify measures to control dust and mud, including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;
- o For large schemes a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.
- o Identify measures to reduce noise emissions;

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

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

66) Prior to above ground works commencing in Phase 2 of the development, full detailed designs (including specifications) of all on site and off site highway works (including any Traffic Regulation Orders, and traffic calming) relating to that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being brought into use.

Reason - In the interests of highway safety, pursuant to policy T1 of the Manchester Core Strategy (2012).

67) Prior to the commencement of Phase 2 of the development a detailed construction environmental 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:-

- Construction Logistics Plan (incl. dust and odour monitoring)
- Dust Management Plan
- Lighting drawings and specifications

- Site compound facilities plan
- Details of perimeter fencing (including location)
- Surface Water Management Plan
- Noise and Vibration Management Plan
- Non-native species Management Plan
- Air Quality Statement
- Construction Dust Assessment
- Traffic Management Plan
- Site Waste Management Plan
- Materials Management Plan
- Environmental Response Plan

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

68) Prior to the commencement of on-site remediation works, in Phase 2 of the development , the applicant shall submit, for written approval to the Local Planning Authority an additional site investigation, where necessary, based on and further to current submitted reporting, providing detailed investigation of the risk to all potential on-site and off-site receptors that maybe be affected by contamination derived from the site. The development shall be implemented in full accordance with the details so approved.

Reason- The current combined Phase I & II Ground investigation reporting submitted, does not adequately characterise site conditions in accordance with paragraph 183 of the NPPF. In particular, with regards to controlled waters, the current Phase I & II reporting submitted does provide definitive clarity regarding what groundwater and leachate (liquid in contact with waste) has been sampled. Further to this, an upwelling of liquid with a foul odour and coloration has been identified which warrants further investigation; there is a potential this upwelling is derived from the known deposited waste mass present within the site, pursuant policies EN17 and EN18 of the Manchester Core Strategy (2012).

69) Prior to the commencement of on-site remediation works in Phase 2 of the development, the applicant shall submit, for written approval, to the Local Planning Authority a detailed assessment of risks to human and environmental receptors (including those off-site). The development shall be implemented in full accordance with the details so approved.

Reason - To provide sufficient information to develop a detailed remediation strategy which will build on the outline remediation strategy submitted (JC/MP/MW/LD10162/LET-006-REV D) and support an options appraisal for suitable remediation measures, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

70) Prior to the commencement of on-site works in Phase 2 of the development, a Ground Stabilisation Works Plan shall be developed, submitted to, and approved in writing by the Local Planning Authority. The Ground Stabilisation works plan should

include details (per phase where relevant), as to how identified ground hazards (such as underground structures and boreholes) are to be addressed and decommissioned. Any changes to plan will require the written consent of the local planning authority. The plan shall be implemented as approved.

Reason - To ensure the protection of the development from underground hazards, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

71) Prior to the commencement of Phase 2 of the development, a detailed remediation strategy giving full details of the remediation measures required and how they are to be undertaken per phase (as detailed on the site phasing plan, drawing reference 2490-PLA-00-00-DR-U-0064) should be submitted and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

Reason - To ensure that the chosen detailed remediation strategy can be implemented according to the development phasing plan, that the detailed remediation strategy has the necessary permits and permissions in place and that sufficient control measures are in place to avoid pollution incidents to the environment and nuisance issue to surrounding community, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

72) Prior to the commencement of Phase 2 of the development a verification phasing plan providing details of the data that will be collected in order to demonstrate that the works set out in the detailed remediation strategy (per phase as identified in the site phasing plan, drawing reference 2490-PLA-00-00-DR-U-0064) are complete, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in full accordance with the details so approved.

Reason - To ensure that unacceptable risks to the environment and human health can be addressed and that a safe development can be achieved using the identified remediation techniques without adverse impact to human and environmental receptors on and off-site, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

73) On completion of phase 2 of the development (as set out in the agreed verification phasing plan), a verification report demonstrating the completion of works set out in the approved remediation strategy shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and inspections carried out in accordance with the approved verification phasing plan to demonstrate that the site remediation criteria have been met.

Reason - For the ongoing protection of the environment and human health from risks arising from land contamination, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012), and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework, and policy EN17 of the Manchester Core Strategy 2012

74) No infiltration of surface water drainage into the ground where adverse concentrations of land contamination is known or suspected is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters in Phase 2 of the development. The development shall be carried out in accordance with the approved details.

Reason - To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework, and policy EN17 of the Manchester Core Strategy 2012 .

75) If, during the undertaking of site works in respect of Phase 2 of the development, contamination not previously identified is found to be present, then further site works shall be suspended until the extent of contamination has been determined and defined in agreement with local planning authority. Written agreement shall then be obtained from the local planning authority to enable onsite works to recommence within the area(s) not affected by the contamination identified.

Works shall not recommence with the defined area of contamination until the developer has submitted and obtained written approval, from the local planning authority, of a remediation strategy detailing how the identified contamination shall be dealt with. The remediation strategy shall be implemented as approved

Reason - For the ongoing protection of the Water Environment from risks arising from land contamination, pursuant to policy EN17 of the Manchester Core Strategy (2012).

76) Piling or any other foundation designs using penetrative methods shall not be permitted in Phase 2 of the development other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason - For the future protection of the Water Environment from risks arising from land contamination and to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants, pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

77) No development shall take place in Phase 2 of the development, until a document highlighting a temporary surface water drainage strategy, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved temporary surface water drainage strategy.

Reason - To secure surface water drainage arrangements and to manage the risk of flooding and pollution, pursuant national policies within the NPPF and NPPG and policies EN08 and EN14 of the Core Strategy for Manchester (2012).

78) A wildflower meadow is to be implemented on the site comprising phase 2 if construction works for the redevelopment of the site have not commenced within 12 months of the completion and validation of the remediation works. Details of the soft landscaping scheme to form the wildflower meadow shall be submitted to and approved in writing by the Local Planning Authority. The approved wildflower meadow shall then be implemented, within 3 months of the approval of the scheme.

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

79) No development in Phase 2 shall take place until a Risk Assessment and Method Statement (RAMS) outlining all works to be carried out adjacent to the canal has been submitted to and approved in writing by the Local Planning Authority. The details shall:

- o demonstration that additional loads from the permanent or any temporary works, plant and machinery or storage of materials would not harm the structural integrity of the canal infrastructure;
- o include the design, depth and means of construction of the foundations of the buildings, together with any other proposed earthmoving and excavation works required in connection with the construction of the buildings and the associated swales and landscaping works;
- o provide details of the tree planting/removal for the trees (including species) adjacent to the canal corridor and the steps taken to prevent root damage to the canal infrastructure and include details of the tree pits/root barrier systems to be provided;
- o details specifying how the canal and its users will be protected during the works and include any details of proposed protective fencing to be erected to safeguard the waterway infrastructure during construction;
- o include details of the proposed temporary bund (or other structure) to be provided to prevent the discharge of silt-laden run-off, materials or dust or any accidental spillages entering the canal.

The development shall only be carried out in strict accordance with the agreed Risk Assessment and Method Statement.

Reason- To protect the structural stability of the canal infrastructure which could be adversely affected by the development and to accord with the advice and guidance relating to land stability contained in Paragraphs 174 and 184 of the National Planning Policy Framework 2021, and policies EN15 and EN17 of the Manchester Core Strategy (2012).

80) No development in Phase 2 shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that 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. This condition is imposed in light of national policies within the NPPF and NPPG and pursuant to policies EN8 and EN14, of the Manchester Core Strategy (2012)

81) No development in Phase 2 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:

- Verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- 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 manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development, pursuant to policies EN8 and EN14 of the Manchester Core Strategy (2012)

82) Prior to any above ground works in Phase 2 of the development, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed 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, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

83) Phase 2 of the development hereby approved shall be implemented in accordance with Crime Impact Statement Version B: 07/03/2022 ref: 2021/0495/CIS/01, in particular sections 3.3 and 4. The development hereby approved 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 secured by design accreditation for the development.

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.

84) Prior to the first occupation of the residential development within phase 2, 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).

85) Prior to the first occupation of the school development within phase 2, the car parking layout and servicing arrangements 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).

86) Prior to above ground works commencing in Phase 2 of the development, finalised detailed designs for the provision of space for cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed dwellings being occupied.

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, EN8 and DM1 of the Manchester Core Strategy (2012) and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

87) Prior to the occupation of Phase 2 of the development, finalised details of the number, location and specifications of the provision of electric vehicle charging points at the houses hereby approved, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being occupied, and thereafter managed and maintained in accordance with the approved details.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Manchester Core Strategy (2012), and Greater Manchester Air Quality action plan 2016.

88) Prior to the occupation of Phase 2 of the development, finalised details of the number, location and specifications of the provision of electric vehicle charging points at the school hereby approved, shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed accommodation within that phase being occupied, and thereafter managed and maintained in accordance with the approved details.

Reason - In the interest of the residential amenity of the occupants of the development due to the air quality surrounding the development and to secure a

reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Manchester Core Strategy (2012), and Greater Manchester Air Quality action plan 2016.

89) Prior to first occupation of Phase 2 of the development, a repaving strategy for the public footpaths and redundant vehicular crossings on Mitchell Street, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with an implementation programme to be approved by the City Council as Local Planning Authority.

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant policy DM1 of the Core Strategy for Manchester.

90) Before the development forming Phase 2 hereby approved is first occupied a full Travel Plan shall be submitted to and agreed 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 residents and those [attending or] employed in the development
- ii) a commitment to surveying the travel patterns of residents during the first three months of use of the development 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

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above 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, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

91) Prior to above ground works, a lighting strategy for the development in Phase 2 including detailed designs of all lighting columns, lanterns and bollard lighting shall be submitted to and approved in writing by the City Council as local planning authority, prior to the first occupation of the dwellings hereby approved. The development shall be implemented in accordance with the approved details and shall be retained and maintained thereafter.

Reason - To ensure adequate lighting within the development, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

92) If , when the lighting units in Phase 2 are illuminated, they cause glare or light spillage which is in the opinion of the City Council as Local Planning Authority to the detriment of adjoining and nearby residential properties, such measures as the Council as Local Planning Authority confirm in writing that they consider necessary including baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of existing and proposed nearby residential accommodation, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

93a) Before the Phase 2 residential development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Ten Acres Lane, commercial /industrial premises , proposed community hub and the proposed school, 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 that should be taken into account

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary.

b) Prior to first occupation of the residential units in Phase 2, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

94a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the residential use hereby approved in Phase 2, the scheme 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 site. The scheme shall be implemented in full before the use commences.

b) Prior to the occupation of the residential dwellings in Phase 2, a verification report shall be submitted to and approved in writing by the City Council as local planning

authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non - conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

95a) Before the residential development in Phase 2 commences a scheme for the storage and disposal of refuse (including elevational design of bin stores) and shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

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

96a) Prior to commencement of the residential development in Phase 2, an air quality exposure assessment together with mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason -To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012).

97a) Fumes, vapours and odours shall be extracted and discharged from the school premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eaves level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to commencement of the school use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) .

98a) The school 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.

Where entertainment noise is proposed the LAeq (entertainment noise) shall be controlled to 5dB below the LA90 (without entertainment noise) in each octave band at the facade of the nearest noise sensitive location.

b) Prior to occupation of the school a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

99a) Before the development of the school hereby approved commences a scheme for acoustically insulating the proposed classrooms against noise shall be submitted to and approved in writing by the City Council as local planning authority. There may also be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises.

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the classrooms are occupied.

Noise survey data shall include measurements taken during a rush-hour/ noisy period to determine the appropriate sound insulation measures necessary.

b) Prior to first occupation of the school, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - To secure a reduction in noise from traffic or other sources in order to protect pupils and teachers from noise disturbance and to reduce the potential for overheating, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

100a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the school use hereby approved

the scheme 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 site. The scheme shall be implemented in full before the use commences.

b) Prior to the operation of the school commencing a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non - conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

101) Prior to commencement of any sporting activities at the school hereby approved a Noise Management Plan (NMP) shall be submitted to and approved in writing by the City Council as local planning authority.

The NMP shall include an assessment of noise from all activities associated with the use and shall not give rise to any significant adverse impacts on the occupants of nearby residential properties.

Reason - To safeguard the amenities of the occupiers of nearby residential Accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

102) Prior to the occupation of the school hereby approved, hours of use of the school shall be submitted to and approved in writing by the City Council as Local Planning Authority. The school shall then be used in accordance with the approved hours.

Reason - To safeguard the amenities of the occupiers of nearby accommodation when the development is complete, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

103) No activity on any school pitch/field/court facilities shall be permitted outside the hours of:

Mondays to Saturdays, 09:00 to 21:00hrs, Sundays and Bank Holidays , 10:00 to 20:00hrs.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved UDP policy DC26.

104)a) Before the school development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

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

105) a) Prior to commencement of the school development, an air quality exposure assessment together with mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy (2012).

106) Prior to the installation of flood lighting of any sports pitches, hours of use of the flood lighting shall be submitted to and approved in writing by the City Council as Local Planning Authority. The flood lighting to the sports pitches/multi use games courts shall then be used in accordance with the approved hours.

Reason - To safeguard the amenities of the occupiers of nearby accommodation when the development is complete, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

107) Prior to the occupation of the school hereby approved, a community use agreement shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the referenced sports facilities within the school development and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason - To secure well managed safe community access to sports facilities, to ensure benefit to the development of sport pursuant to policy EN10 of the Core Strategy.

108) Deliveries, servicing and collections to the school 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 - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved UDP policy DC26.

109) No remediation ground works in Phase 2 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:

1. A phased programme and methodology of investigation and recording to include:
 - an archaeological watching brief;
 - dependent on the above, more detailed archaeological excavation (subject to a separate WSI).
2. A programme for post-investigation assessment to include:
 - production of a final report(s) on the investigation results.
3. Deposition of the final report with the Greater Manchester Historic Environment Record.
4. A scheme to disseminate the results of the investigations commensurate with their significance.
5. Provision for archive deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason- In accordance with NPPF Section 16, Paragraph 205 - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

110) Prior to any above ground works in Phase 2, a hard and soft landscaping treatment scheme 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.

111) Prior to any above ground works in phase 2 of the development hereby approved, a scheme for delivering biodiversity enhancement at the site within that phase, shall be submitted to and approved in writing by the City Council as the local planning authority (including the provision of bird boxes and bat bricks). The biodiversity enhancement measures for that phase shall be implemented in accordance with the approved scheme, prior to the occupation of the buildings within that phase.

Reason - To ensure that landscape and ecology management is adequately in place and to ensure the longevity of new planting in different areas of the site and to providing habitats for birds and bats to improve the ecological value of the application, to comply with policy EN15 of the Manchester Core Strategy (2012).

112) The development hereby approved in Phase 2 shall be carried out in accordance with the Energy and Sustainability Statement dated 1st December 2020 received by the City Council, as Local Planning Authority, on the 11th December 2020. 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.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Manchester Core Strategy(2012) and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

113) Prior to any above ground works in Phase 2, the details of the positions, heights, and elevational design of the boundary treatment (including gates) within that phase, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme for that phase shall be implemented in full before any property is first occupied and retained as such thereafter.

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, and to prevent unauthorised access to the adjacent railway, in order to comply with Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

114)The boundary treatment in Phase 2 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 (or removed), other than that shown on the approved plans.

Reason - In the interest of visual amenity and security of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

115) a) Prior to commencement of development in Phase 2, a condition survey (via photographs) of towpath immediately adjacent to the site boundary shall be undertaken and submitted to the City Council as Local Planning Authority.

b)Within 6 months of Phase 2 construction/fit-out works having completed, the same towpath shall be re-surveyed and the results submitted to the Local Planning Authority. Should any damage have been caused due to the onsite works any damage will be repaired to an equivalent standard (subject to agreement with Canal and River Trust for unencumbered access).These works shall be carried out in accordance with an implementation programme to be approved by the City Council as Local Planning Authority.

Reason - In the interests of amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant policy DM1 of the Manchester Core Strategy.

116) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the buildings within Phase 2 of the development, shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012).

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

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 and DM1 of the Manchester Core Strategy (2012).

118) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; 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.

119) All highways within Phase 2 of the development hereby approved shall be subject to 20 mph speed restrictions. A scheme to achieve this restriction shall be submitted to, and approved in writing by, the City Council as Local Planning Authority. The development shall be implemented in full accordance with the approved details

Reason - In the interests of highway safety, pursuant to policy T1 of the Manchester Core Strategy (2012)

120) Prior to any above ground works, a Stage 2 Road Safety Audit and servicing plan for the Phase 2 of the development hereby approved shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall detail the appropriate mitigation dependant on the outcome of the Road Safety Audit. Any approved mitigation shall be implemented prior to the first occupation of the residential units and thereafter retained and maintained .

Reason - In the interests of highway and pedestrian safety pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

121) The Phase 2 development shall not commence until 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).

122) The drop off and pick up arrangement for pupils shall take place with the area identified for the school development as shown on Phase2 parameters – Land Use plan ref: 2490-PLA-00-XX-DR-U-0034 rev.P03 .

Reason - In the interests of highway and pedestrian safety pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

123) Prior to the school hereby approved being brought into use, details of safe vehicular and pedestrian routes from the surrounding highway network shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved safe vehicular and pedestrian access shall be fully implemented before the school is brought into use , and retained at all times thereafter.

Reason – In the interests of pedestrian and highway safety , pursuant to policies T1 and DM1 of the Manchester Core Strategy (2012).

Informatives

1) The applicant/developer is advised to contact the Canal & River Trust Infrastructure Services Team on 01782 779909 or email Enquiries.TPWNorth@canalrivertrust.org.uk in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust 'Code of Practice for Works affecting the Canal & River Trust' to ensure the waterways are protected and safeguarded.

2) The applicant is advised to contact the Canal & River Trusts Estate Management Team on 0303 040 4040 or email Matthew.Hart@canalrivertrust.org.uk directly to discuss the necessary consents/agreements required to form the towpath access points.

3) Model Procedures and good practice

Due to the former land use(s), soil and /or groundwater contamination may exist at the site and the associated risks to controlled waters should be addressed by:

It is recommended that developers should:

- Follow the risk management framework provided in Guidance on Land contamination risk management (LCRM) Land contamination risk management (LCRM) - GOV.UK (www.gov.uk), when dealing with land affected by contamination
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information
- Refer to 'The Environment Agency's approach to groundwater protection'

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites.

4) Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

It is recommended that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK

5) Waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised

both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or

greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

6) Introduction of SUDS

Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

7) Given the proximity of the works to the canal, the works should also be carried out in accordance with the Trusts Code of Practice

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: 129197/FO/2021 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.

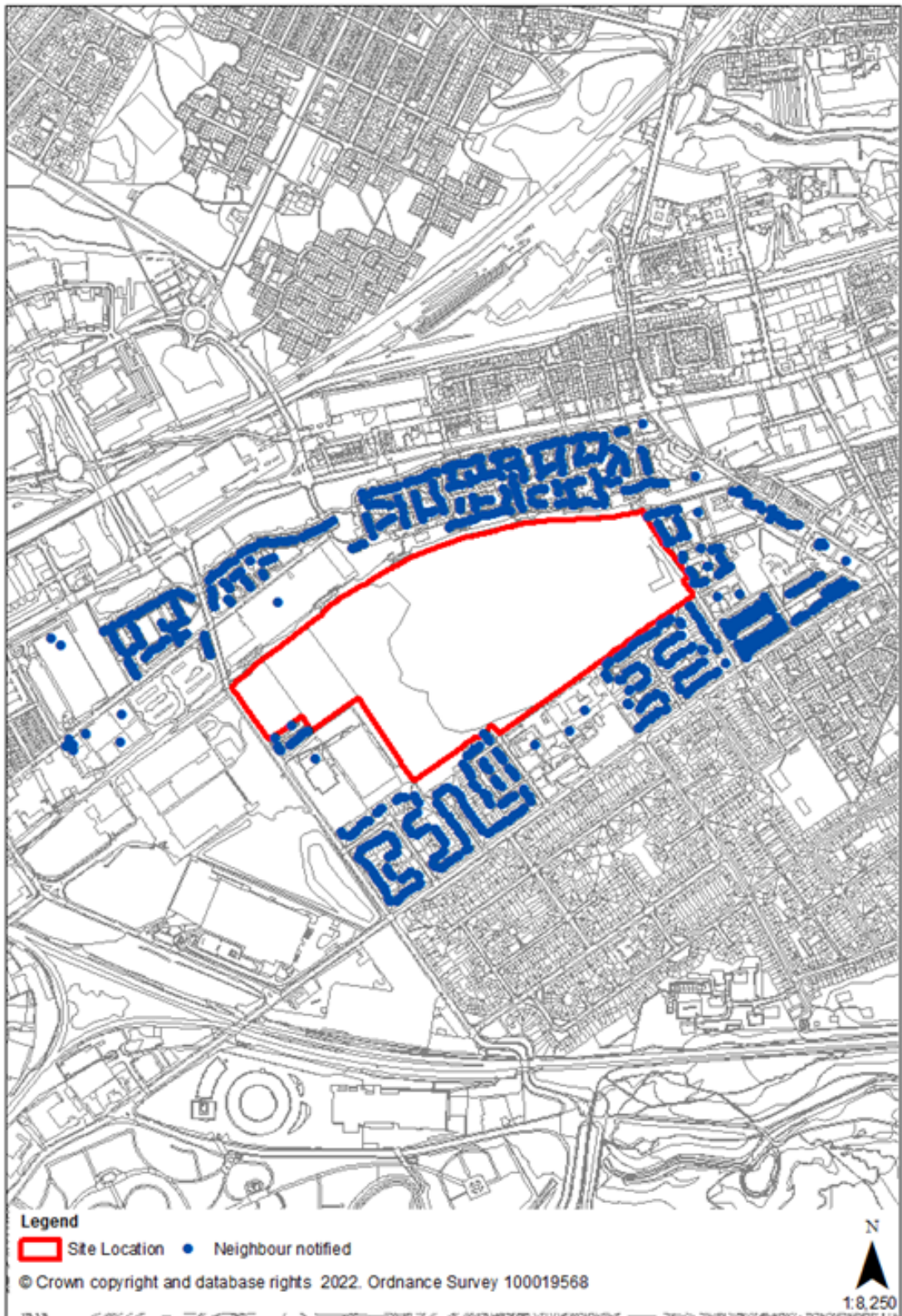
The following residents, businesses and other third parties in the area were consulted/notified on the application:

Highway Services
 Environmental Health
 Neighbourhood Team Leader (Arboriculture)
 MCC Flood Risk Management
 Greater Manchester Police
 United Utilities Water PLC
 Environment Agency
 Canal & River Trust
 Greater Manchester Archaeological Advisory Service
 Greater Manchester Ecology Unit
 Greater Manchester Pedestrians Society
 Wildlife Trust
 The Coal Authority
 Peak & Northern Footpaths Society
 The Ramblers Association
 Greater Manchester Ecology Unit
 Peak & Northern Footpaths Society
 Wildlife Trust
 Greater Manchester Pedestrians Society
 The Ramblers Association
 The Coal Authority
 Environment Agency
 Greater Manchester Archaeological Advisory Service
 Greater Manchester Police
 United Utilities Water PLC
 Canal & River Trust
 Planning Casework 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 : Sue Wills
Telephone number : 0161 234 4524
Email : sue.wills@manchester.gov.uk



| Application Number | Date of Appln | Committee Date | Ward |
|---------------------------|----------------------|-------------------------------|-------------|
| 130387/FO/2021 | 13th May 2021 | 20 th October 2022 | Hulme Ward |

Proposal Erection of a part 7, part 11 storey purpose built student accommodation building comprising 197 bed spaces (56no. studios, 14 no. threedios, 10 no. cluster units (Sui Generis use class) with ancillary amenity space, a ground floor community hub (proposed for Use Classes F2(b), E(b), E(3), E(f)) and associated landscape works and infrastructure

Location The Former Gamecock Public House, Boundary Lane, Manchester, M15 6GE

Applicant Curlew Alternatives Eighth Property LP, C/o Agent

Agent Mr Daniel Ramsay, Turley, 1 New York Street, Manchester, M1 4HD

EXECUTIVE SUMMARY

The proposal is for a part 7 part 11 storey purpose built student accommodation (PBSA) building providing 197 student bed spaces. A scheme previously reported to Planning and Highways Committee on the 31st May 2022 was for a part 9 part 13 storey (PBSA) building providing 261 bed spaces.

Committee were previously Minded to Refuse on two grounds, the scale of the proposal and the dominant visual impact this would have on the area and the lack of parking in close proximity to the entrance for those with disabilities.

In relation to the scheme that was reported to committee on the 31st May 2022 there were 72 objections from neighbours, an objection from 'Block the Block' a resident-led campaign supported by Hopton Hopefuls, Aquarius Tenants and Residents Association, Hulme Community Forum and On Top of the World Hulme, an objection from Hopton Hopefuls, a letter of objection from 2 employees of Manchester University, an objection from the GP practice on Booth Street West, objections from the Guinness Partnership and One Manchester and 3 representations from members of the public supporting the proposal. Councillors Annette Wright and Lucy Powell MP objected.

In relation to the revised scheme there have been 25 objections from neighbours and an objection from 'Block the Block.'

Key Issues

Principle of use and contribution to regeneration

The development is in accordance with national and local planning policies, and the scheme would bring significant economic, social and environmental benefits. This is a previously developed brownfield site located in a highly sustainable location close to Oxford Road, the University Campuses and public transport modes and amenities. The development would meet the tests of Core Strategy Policy H12. The applicant

has demonstrated that there is unmet need for the proposed student accommodation, the proposal has University Support, it has demonstrated that the proposal for PBSA is deliverable, the proposal is sustainable and provides an appropriate standard of accommodation (including supporting the wellbeing of students), meeting carbon objectives and delivering regeneration benefits in its own right.

Economic

The proposal would result in investment and deliver 197 student rooms. The ability to attract students, particularly as a high proportion of graduates stay in the City once they have finished their course, is vital to a successful and thriving economy. Direct and indirect construction jobs are expected to be created. 5 jobs would be created once the development becomes operational.

Social

A local labour agreement would ensure that Manchester residents are prioritised for construction jobs. The provision of high quality student accommodation is vital to attract the right skills to the city given the high graduate retention rates. Amenity areas in the student accommodation would allow for interaction and sharing of ideas as well as supporting student welfare. 23% of the units would be priced at £130 per week, 19% below its closest market comparable, which MMU have confirmed is affordable. A community hub is proposed at ground floor to provide a space that would be available to the wider community.

Environmental

This would be a low carbon car – free building in a highly sustainable location. 96 secure cycle spaces would be provided. There would be public realm improvements around the site through the provision of trees and hard landscaping. Biodiversity would be improved with new habitats created and a wildflower green roof included at the 7th floor. Flood risk can be managed.

The ground conditions are not complex or unusual. The height, scale and appearance would be innovative and contribute positively.

Secured by Design principles would ensure the development is safe and secure.

Waste management would prioritise recycling to minimise the amount of waste going to landfill.

The applicant is willing to fund the provision of new disabled car parking spaces utilising existing on street non-disabled spaces, which could be secured by condition.

Impact on local residents

The impact on daylight/sunlight, overlooking and wind conditions are considered to be acceptable in this context. Construction impacts would not be significant and can be managed. Noise outbreak from plant would meet relevant standards and the operational impacts of the accommodation can be managed.

A full report is attached below for Members' consideration.

Description

As stated above the application was placed before Committee on 31st May 2022 where Members resolved to be Minded to Refuse the application and requested that a report be brought back with reasons for refusal relating to the dominant visual impact the proposal would have on the area and the lack of parking in close proximity to the entrance for those with disabilities. However, the proposed scheme has now been revised in order to overcome the concerns raised by Members.

This 0.13 hectares site is at the junction of Boundary Lane and Booth Street West, currently occupied by a two storey, pub which has been vacant for sometime and is dilapidated. The pub would be demolished and the site redeveloped with a part 7/part 11 purpose built student accommodation block.

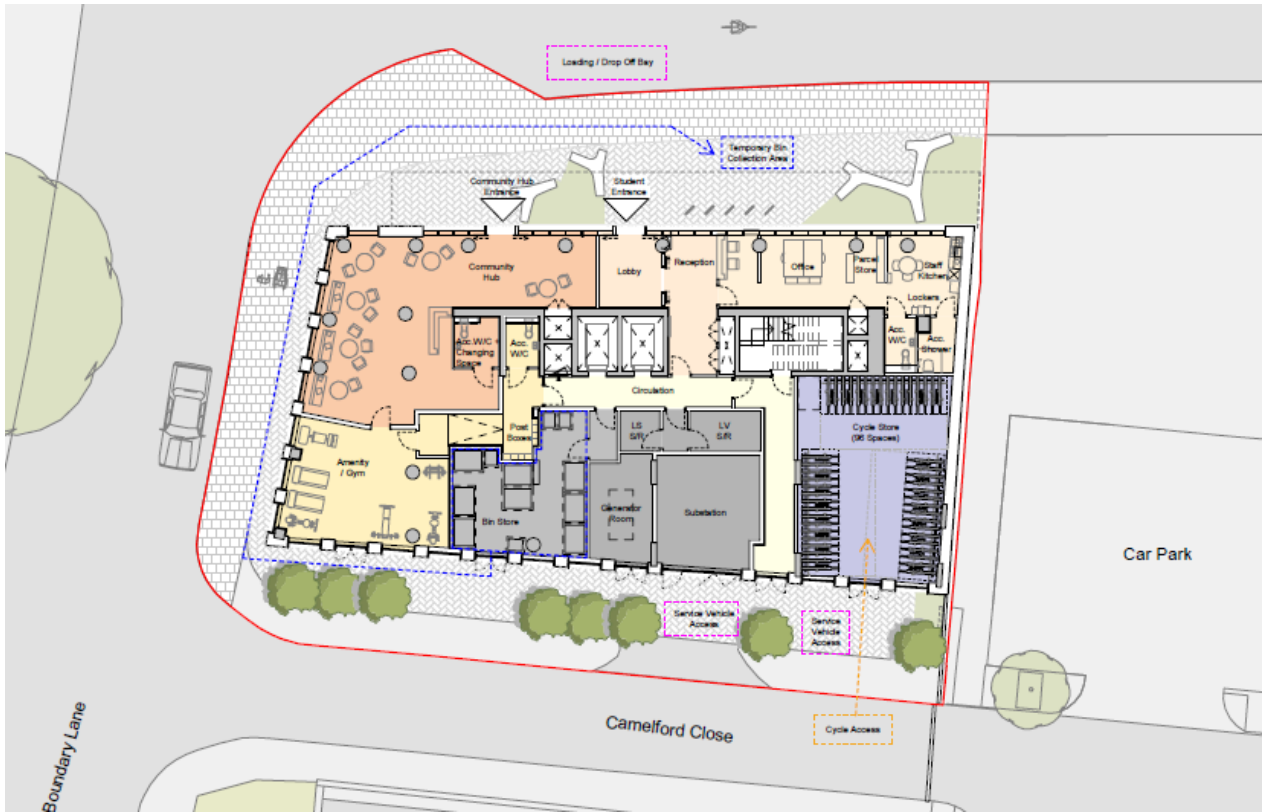
The neighbourhood to the west of Boundary Lane consists of two, three and four storeys homes and the area between boundary Lane and Higher Cambridge Street contains taller blocks.

Proposal

The proposal is for a part 7, part 11 storey purpose built student accommodation (PBSA) building, providing 197 student bed spaces in studios and clusters with:

with ancillary amenity space, a ground floor community hub (proposed for Use Classes F2(b), E(b), E(3), E(f)) and associated landscape works and infrastructure

- 56 no. studio apartments
- 14 no. threedios
- 10 no. cluster units (Sui Generis use class)
- A ground floor community hub measuring 102.1 sq.m
- 236.1 sqm amenity space, including lounge areas, gym, games room, study rooms, tv rooms and laundry accessible to all residents
- Reception area, plant, substation, staff amenity space and office on the ground floor and first floor
- 96 secure cycle parking spaces at ground floor;
- Bin store on the ground floor, to accommodate 8No 1100L bins & 3No 240L bins, collected twice a week
- Rooftop photovoltaic panels, air source heat pumps, electric heating, mechanical ventilation with heat recovery and a green roof at level 7.
- The scheme would comply with Part M requirements.
- Servicing and refuse collections would take place from the lay-by on Booth Street West.



Planning History

085071/FO/2007/S1 - Erection of a part 11 storey/part 7 storey building comprising 42 self-contained flats with 41 parking spaces in basement, ground floor and mezzanine floor following demolition of existing public house.
Refused 25 July 2008.

1. The proposed building would by reason of its scale and architectural massing would be an over-dominant and intrusive feature in the street scene to the detriment of the visual amenity of the area. The proposed development is therefore contrary to the provisions of policies H2.2 and H2.7 of the Unitary Development Plan of the City of Manchester and the Guide to Development In Manchester which is a supplementary Planning Document.
2. The proposed development fails to make adequate provision for private amenity space for the residents of the proposed development. The proposed development is therefore contrary to the provisions of policies H2.2 and H2.7 of the Unitary Development Plan of the City of Manchester and the Guide to Development In Manchester which is a supplementary Planning Document.
3. The proposed development by reason of its excessive height and architectural massing would have an overbearing impact on the occupiers of Cooper House to the detriment of their residential amenity. The proposed development is therefore contrary to the provisions of policy H2.2 of the Unitary Development Plan for the city of Manchester.

The applicant appealed the decision which was allowed, granting planning permission.

099285/FO/2012/S1 - Erection of part 8 part 11 storey building comprising 48 units (38 x 4 bed and 10 x 3 bed) to provide student accommodation (Sui generis).
Refused 28 August 2012.

Reasons for refusal:

1. The applicant has failed to demonstrate that there is unmet need for the proposed student accommodation or that they have entered an agreement with an education provider for the provision of student accommodation. As such the proposal is not in accordance with the provisions of Policy H12 of the Core Strategy of the Local Development Framework.
2. The proposed building would be reason of its scale and architectural massing be an over-dominant and intrusive feature in the street scene to the detriment of the visual amenity of the area. The proposed development is therefore contrary to the provisions of policies SP1, EN1, EN2 and DM1 of the Core Strategy of the Local Development Framework. The guidance contained in para 14 of the National Planning Policy Framework supports refusal.
3. The proposed development fails to make adequate provision for private amenity space for the residents of the proposed development. The proposed

development is therefore contrary to the provisions of policies EN1 and DM1 of the Core Strategy of the Local Development Framework and Para 14 of the National Planning Policy Framework.

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.

25 letters of objection have been received in relation to the revised plans on the grounds that:

- The building will block light to surrounding windows of residential property impacting negatively on mental health to the detriment of the local community, this will also remove light and heat which is felt more acutely due to the energy crisis.
- The building is not suitable for the local area due to scale and impact, this is the fourth application of this nature and still has a canyon effect on Cooper House. The scheme is 2 storeys higher than the 2008 application.
- Reducing the building by a sixth will not make a substantial difference to light or privacy or with regards to the disruption that construction will cause.
- Residents have suffered an increase in traffic due to making Oxford Road corridor traffic free
- Previous applications have been refused here
- Not enough time was given to consider revised drawings (neighbours were notified of the revised drawings on the 6th September and comments will be taken up until the date of the printed late representations)
- Localised impacts not outweighed by any wider benefit conveyed.
- The scheme will allow significant potential for noise disturbance and general anti social behaviour in close proximity to bedrooms, particularly second bedrooms that accommodate children in Cooper House.
- Inadequate access – Cooper House is only accessible by vehicle from Camelford Close, the proposed development has no parking, despite claims that students will not have cars, this will not happen and this access will become blocked. The construction phase will also impact to the detriment of the operation of the highways surrounding with concerns expressed about road safety for children.
- Students are imbalancing the community to the detriment of social cohesion. - There is no infrastructure to support additional people or traffic. The area is blighted by litter, alcoholism and traffic
- Hulme needs affordable housing, community facilities and green space not development for profit.
- The impact on Meredith Court has not been assessed, which is immediately adjacent. (Meredith Court is located over c.68m from the application site boundary)

A planning consultant has been engaged to object on behalf of a group known as 'Block the Block' a resident-led campaign support by Hopton Hopefuls, Aquarius Tenants and Residents Association, Hulme Community Forum and On Top of the World Hulme.

The objection set out the reasons given for refusal for the previous proposed PBSA scheme on this site (ref: 099285/FO/2012/S1). They compare the two proposals to demonstrate that the reasons for refusal remain unsatisfied and raise additional concerns.

They state that the policy context remains the same as it did in 2012 and so these same policy tests are relevant to the current planning application and are a material consideration.

1. Applicant failed to demonstrate that there was an unmet need for the proposed student accommodation or that they had entered into an agreement with an education provider for the provision of student accommodation.

As set out in our original letter of objection, we do not consider there to have been a robust case put forward to evidence the need for the proposed PBSA. They also question the affordability of the units and consider that the proposal is not in accordance with policy H12.

2. Because of its scale and architectural massing the proposed building would have been over-dominant and intrusive in the street scene to the detriment of the visual amenity of the area.

The proposed development has been reduced in height to part 7, part 11. Whilst they accept that that this goes some way to addressing the requirements of Core Strategy policy DM1, they still consider the proposed massing and bulk to be inappropriate and incongruous in this setting. They consider that the site coverage would be over-dominant and have a resultant lack of public realm or landscaping.

3. Proposals failed to make adequate provision for private amenity space for the residents of the proposed development.

They consider that there is no outdoor amenity space and that no improvements have been made to the public realm or landscaping. They consider that this is contrary to the provisions of policies SP1 and DM1.

4. By reason of its excessive height and architectural massing, the proposal would have had an overbearing impact on the occupiers of Cooper House to the detriment of their residential amenity.

They acknowledge that the revisions have gone some way to address this concern with regards to height. However, they still consider that the building's scale and massing will result in an unacceptable impact. They refer to the updated Daylight and Sunlight Assessment and state that whilst the figures within the document show a minimal improvement over the previous plans, there are still a significant number of windows that would be unduly impacted beyond the BRE guidelines, having an "adverse impact." They state that in the case of Hopton Court, it should be noted that the apartments are single aspect and that the reductions predicted will have a hugely detrimental impact on residents who have only one source of daylight that will be effected by the proposed development. They state that with the increasing cost of energy, the increased requirement for artificial lighting will incur a greater cost for the existing residents than previously and that the committee and officers should consider the economic implications caused by the proposed development which would be significantly disadvantageous. They consider that the proposal fails to satisfy the criteria for policy H12 and DM1 of the Core Strategy as well as Chapter 12 of the NPPF.

5. The proposed development failed to achieve the high standard of design required for such large buildings.

They do not consider that the amended plans satisfy the requirements of policy EN2 for Tall Buildings. They state that the blank eastern elevation is of concern, despite the addition of the brick detailing and, given its visual prominence, would detract from the area's overall quality. They comment on the quality of the public realm and lack of amenity space. They comment that within policy H12, criterion 3 directs how, "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 onstreet parking in the surrounding area." They state that the applicant has justified the density of this development in the context of the wrong character area, seeking to argue that it forms part of the Oxford Road corridor and University districts, which they consider to be incorrect.

They state that with regards to the response to the lack of car parking for disabled persons by proposing to use existing on street spaces that this will ultimately result in a loss of non-disabled spaces rather than providing additional spaces as required. They consider this will exacerbate an existing issue of flyparking. Comment is then made about other traffic concerns associated with the operation of student accommodation. They state that the expectation that the students and staff will not utilise cars is unrealistic. They state that the comings and goings associated with the operation of the student accommodation will have a detrimental effect on the amenity of existing residents and state that this formed a reason for refusal in 2012 and that the applicant has failed to justify these impacts and they therefore state that the scheme is contrary to policies SP1 and DM1.

The objection sets out that they are concerned by the impact on trees, construction management and the tokenistic nature of the community hub and query the wording of the recommended condition stating that having to agree the use of the community hub with the developer is not inclusive of the community. It also goes further to question the quality of the accommodation proposed.

One letter of support has been received with regards to the state of the current site and its impact on the community with the flytipping and associated vermin that are present on site.

72 letters of objections were received in relation to the originally submitted plans associated with the application on the grounds that:

- Yet another large, tall MMU building that is planning to be built accommodating a further 261 students into an area (Hulme) that already has far too many students compared with other people living in the neighbourhood. This does not create community cohesion.
- Another massive block that is out of keeping and will further contribute to the unbearable living conditions that exist in Hulme. Antisocial behaviour, drug dealing and littering is a result of the presence of students. Residents want to live in peace and get a decent night sleep throughout the whole year and not only when students return home. We have drug dealers selling drugs to students under our windows and students mistaking us residents for drug dealers. Children are living in the community and are being shaped by this.
- Hulme has become too noisy, too crowded and very contaminated.

-
- The development will completely remove sun and any view from Cooper House and Hopton Court, this will impact on mental health and there are mental and physical health implications of living next to a development site for 2 years. Construction will also cause traffic difficulties.
 - This development will render the use of the communal garden for the tenants of Hopton Court as undesirable.
 - In 2008 the Planning Committee refused a 9 storey building citing, amongst other things, 'canyon effect' and its impact on Cooper House. This application is a full 4 storey higher, this building will be completely overbearing.
 - All properties within Cooper House have a north facing aspect to their kitchens, bathrooms and second bedrooms, there are already significant problems in terms of light and heat. This will incur higher heating and lighting bills to a social housing development effectively penalising the poorest in society for the profits of the wealthiest.
 - Significant potential for noise disturbance and general anti-social behaviour within close proximity to the second bedrooms within Copper House generally used by children.
 - Cooper House is only accessible from Camelford Close. This is a narrow, poorly maintained, cul-de-sac, barely adequate for two-way passage, with already badly obscured visibility, due to parking, at its egress onto Boundary Lane. The proposed development has no parking, nor is there any provision for deliveries. Regardless of any claims that students will not be permitted cars, this is unlikely to be adhered to, which will lead to blocking of access and abuse of the parking provided within the boundaries of Cooper House.
 - The offer of a community space is a facility that is unlikely to be accessed by the community and is more likely to be used as a party room for students and likely to add to noise and anti-social behaviour.
 - The site needs low rise affordable housing not high density high rise student accommodation.
 - Loss of trees and no bio-diversity
 - Pressure on existing infrastructure.
 - Comment that this is Hulme, not the City Centre.
 - Question in relation to the needs for provision of accommodation for musicians
 - The decision is a commercial one.
 - The impact on the community due to more transient people living there, causing noise, disturbance, litter and anti-social behaviour, impacting on mental health.
 - It is too close to Cooper House - 25 meters from windows. It will block out their sunlight and be overbearing.
 - The scale and massing of the building is too high in respect of existing buildings and will take away our sky, be overdominant and cause overlooking. This is not the city centre. Loss of light impacts on mental health and residents will need to spend more on energy bills.
 - The development would impact on the elderly, Hopton Court has been designated an over 55's retirement community. Data provided by Cornbrook Medical Practice show that residents are suffering from long term conditions and a high percentage are suffering from anxiety or depression. The shared garden is the only communal garden in the area and hosts community events, the development will block sunlight to these gardens.
 - Disruption due to deliveries.
 - Pressure on GP's and Dentists.

- Impact of the development on air quality, particularly having regard to those suffering from COPD.
- No on site parking even for disabled provision.
- The site is on a riverbed and will cause flooding in a flood risk area.
- Should be a community facility or affordable housing.
- Impacts of construction on the elderly and the road network, impacting on highway safety.
- Will there still be access for fire crews into the area?
- The scheme does not improve on the scheme refused in 2012.

A planning consultant was previously engaged to object to the originally submitted plans associated with the application on behalf of a group known as 'Block the Block' a resident-led campaign supported by Hopton Hopefuls, Aquarius Tenants and Residents Association, Hulme Community Forum and On Top of the World Hulme.

1. Applicant failed to demonstrate that there was an unmet need for the proposed student accommodation or that they had entered into an agreement with an education provider for the provision of student accommodation. Within policy H12, criterion 9 sets out that "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...for the supply of all or some of the bedspaces." In line with this, the refused 2012 scheme dedicated a section of the Design and Access Statement to justify the need for student accommodation. This was considered inadequate in demonstrating the need for the additional accommodation and, with the applicant having not entered into an agreement with any of the education providers, this was considered to not satisfy policy H12 of the Core Strategy.

Within the application to which this objection directly relates, a 'Summary Evidence of Student Need' (Cushman and Wakefield, April 2021) was submitted as part of the application package to attempt to satisfy this policy requirement. A report – almost identical to this one and by the same consultant – was submitted as part of another application that was refused at committee just weeks ago in June 2021 in line with the officer's recommendation (ref: 129406/FO/2021). That PBSA scheme was for a 28 storey purpose built student accommodation and was supported by a report titled: 'Evidence of Student Need: Deansgate South' (Cushman and Wakefield, December 2020). In determining whether this report successfully met the requirements of policy H12 in that instance, the decision notice states, "the applicant has failed to demonstrate robustly that there is unmet need for the proposed student accommodation."

Both reports were published by Cushman and Wakefield within four months of each other.

They use the same dataset to explore demand and supply for student accommodation in the city despite some of their numbers not corresponding with one another. Whilst the discrepancies between each report are not clearly explained, it can only be assumed some change has occurred to the data between writing. In light of the recent decision where it was cited that the evidence was insufficiently robust, we see no reason why this same report (with only a few amended figures) would this time constitute as sufficient evidence of need.

Moreover, no formal agreement has been entered into with a higher education provider.

Notwithstanding the general 'need for PBSA' – as expressed in the Resolution of Manchester City Council Executive on PBSA (December 2020) - we strongly disagree with the overall argument in terms of how this strategy would translate in reality through schemes such as this one. As a result we consider that it should be given limited weight for the following reasons.

The notion that PBSA in the centre of the city (in this case costing between £130 - £230) would ever be able to replace private-rented HMOs costing an average of £110 per week (based on submitted C&W report) in housing students beyond first-year, is one that seems very unlikely. Beyond simply just the costs of living, for students to move to the likes of Fallowfield and Withington is also engrained in the culture of the university experience. In support of this, a survey was conducted by 'Block the Block' that asked these questions to the market in question, students (the survey has been submitted within a separate objection). The findings from this demonstrated that students want the independence gained from living in a privately rented property and that city centre PBSA is too expensive to be considered a viable alternative to this. It was also raised as an issue that PBSA often comes without parking – like the proposed scheme to which this objection relates – and so is inaccessible for some students that require a car. This is an additional factor that will maintain the demand for private rented properties.

As such, developments like this proposed at the former Gamecock site are at threat of being under-utilised and would likely be faced with higher vacancy rates. We consider that there is a lack of evidence to support the idea that this "demand" is for purpose built student accommodation rather than simply for beds. We consider that there needs to be some evidence to support that this demand extends beyond first-years and international students before the Resolution of Manchester City Council Executive on PBSA (2020) can be given any significant weight. The notion that students would choose (or even be able) to afford the proposed rents rather than live in a privately rented property is unfounded and naïve. There are also a number of approved PBSA schemes – some at an advanced stage of delivery – that would be able to satisfy any short term need already. It should also be noted that a PBSA scheme which will provide a further 853 student beds was approved at Planning Committee on 1st July 2021, after the submission of this application. As such, these beds will not be accounted for within the figures for supply used to support the scheme at Gamecock. As such, they are likely already out of date thus throwing further uncertainty over the conclusions reached regarding existing 'need'. We therefore consider that the proposal remains to be not in accordance with this criteria and so, policy H12.

2. Because of its scale and architectural massing the proposed building would have been over-dominant and intrusive in the streetscene to the detriment of the visual amenity of the area

The 2012 scheme to which this reason for refusal relates was part 11 and part 8 storeys in height. This was discussed by the officer at the time as being larger in terms of its footprint, height and overall massing at an additional storey taller than the 2008 scheme that was allowed at appeal (part 7 part 11 storeys). As such, it was considered to create a feature that was to the detriment of the visual amenity of the area and was over-dominant and intrusive.

This most recent scheme – to which this objection relates - is for a part 13 and part 9 storey building; this is taller than both the 2008 scheme that was allowed at appeal and the 2012 scheme that was refused. Within the 'Planning Statement' for this

scheme it states: “the Inspector’s decision does go some way to establishing the principle of developing the site to this scale and height.” In this Inspector’s decision as referred to, the Inspector wrote that, “the tallest part of the proposed development would stand out but the differences in height between buildings would not be such as to result in extremes in the area.” It was here acknowledged therefore that the height of the proposal in 2008 was above that of the surrounding buildings – as such it would have stood out. In that case, where the proposal was for a part 7 part 11 storeys building, it was however considered to not be an extreme.

Although the Inspector’s decision in 2008 to permit a building of that height is a material consideration, we consider that the two additional storeys (on top of each element of the building) would create an over-dominant and intrusive feature as was reflected in the officer’s discussion in 2012. The new design, with its proposed additional storey on top of that, would not resolve this issue and instead would only magnify it. We consider that it would now clearly manifest an “extreme” in the area as described by the Inspector in 2008. It therefore fails to satisfy policy DM 1 of the Core Strategy and contravenes chapter 12 of the NPPF.

Also relevant to this notion of over-dominance is the site coverage by development. The table below demonstrates these figures in comparison to the refused scheme. The plot size is based on the figure given in the application form for the planning application.

Scheme Proposed Site Coverage (m²)

2012 scheme 625.4 Current scheme (ground floor) 588, Current scheme (1st floor upwards including oversailing structure) 670.88.

As detailed within the 2012 scheme’s officer’s report, the proposed building in 2012 sought to cover in excess of 75% of the site. Whilst on the ground floor within the current proposals this has been reduced slightly, the overhang at the first floor would ensure this feeling of overdominance remains. From the first floor upwards the massing is significantly greater than the 2012 scheme as shown in the table above. The reduced footprint only being to the extent of the ground floor is considered to have a negligible effect with regards to reducing the mass and bulk of the proposed building. Whilst viewing the building from the north, it would appear as one bulk taking up the full extent of the site. Secondly whilst experiencing the space from ground-level, the low height of the overhang would create a sense of enclosure and overbearingness. Furthermore, the reduced footprint on the ground floor does not make way for an area of effective open amenity space nor does it create any private or public amenity space of value. It is simply a marginally wider footpath.

Chapter 12 of the NPPF directs that planning decisions should ensure that development contributes to the objective of achieving well-design places. As part of this, proposals are to be approved where they are sympathetic to local character and will function well and add to the overall quality of the area. As such, the scale and architectural massing of the proposed building must be considered against its context and local character.

Within the Design and Access Statement, the following map (figure 1) was submitted as part of the justification for the building’s height, showing ‘Contextual Heights’. We consider that this map illustrates the clear character areas in the local area.

As can be seen above, to the east of Higher Cambridge Street, building heights are much taller more generally and the urban grain is much coarser. This area of darker blues and larger blocks denotes the Corridor (Higher Education Precinct (HEP)) Character Area with Higher Cambridge Street marking its boundary. To the west of Boundary Lane the urban grain can be seen to become much finer and building

heights are on the whole much shorter with 1-4 storeys being typical within that section. As such, we consider that the land bound between Boundary Lane and Higher Cambridge Street – where the application site is situated – marks a transition area with regards to urban grain and building heights.

Whilst Section 4.2 of the Design and Access Statement argues that, “the site sits in the context of the University. An area that can be characterised by peak points of height such as the Hotel & Executive Education Centre (Crowne Plaza),” we do not consider this to be the case. This ‘University context’ does not translate into the existing character of the area or the surrounding and appropriate building heights. While the building heights are taller than those to the west of Boundary Lane, the tallest of these is Cooper House at 10 storeys. This therefore does not marry with the scale of the buildings on the other side of Higher Cambridge Street.

Page 35 of the Planning Statement says that the site is, “immediately adjacent on three sides by residential buildings of a similar scale and massing.” We consider that figure 1 illustrates this to not be true. Cooper House and Hopton Court are grouped within the bracket for 9-12 storeys however both are at the lower end of this. At 9 and 10 storeys, these buildings are clearly significantly taller than the prevailing character of that area already. The third immediately adjacent side as referred to is 5 storeys tall and, for the full context, the fourth side is made up of 2, 3 and 4 storeys.

Notwithstanding this, the private amenity space that has been retained surrounding these buildings demonstrate a much lesser site coverage and as such the ‘density of development’ far lower. Therefore, we consider it clear that the built form

Figure 1 - Taken from Design and Access Statement (Simpson Haugh, 2021) in the immediate context of the application site is not of a similar scale and massing to the proposals, as claimed by the applicant. Instead, it is inappropriate and over-dominant – a clear illustration of overdevelopment.

3. Proposals failed to make adequate provision for private amenity space for the residents of the proposed development.

The refused 2012 scheme was deemed by the officer as not providing sufficient amenity space for the residents of the proposed development. Within that application, this was made up of a series of elevated roof gardens running up the south elevation of building. This was to accommodate 188 students and was considered, “inadequate for the number of residents and that the proposed development is therefore contrary to the provisions of policies SP1 and DM1.”

Within the current scheme, the Planning Statement (page 20), states that the proposed amenity space amounts to 488 sqm which includes a 102 sqm Community Hub. None of this “amenity space” is outdoors and includes within its calculations, a laundry room which is a complete debasement of the definition of amenity space.

The only outdoor provision is a minimal area of public realm defined by some benches and insignificant landscaping. This is proposed to be able to accommodate an increase of 261 students. Such amenity space is crucial with regards to making a positive contribution to the health, safety and wellbeing of residents as per policies DM1 and SP1. Its absence within this proposal has potential for poor wellbeing for residents and further eludes to the fact that the site is overdeveloped in terms of built form.

For example, consider the investment that has been made within the nearby University of Manchester complex, or the MMU Birley Fields campus, where improve parkland, new public realm and additional outdoor areas have been provided to accommodate the increases in height and density on the campuses. The nearby Cooper House and Hopton Court both include significant public open space, garden

areas and parking within a much wider 'plot'. In this wider design context, this development cannot be considered to reflect this approach.

In line with the previous decision on this policy test, we consider that this fails to meet the test and remains contrary to the provisions of policies SP1 and DM1.

4. By reason of its excessive height and architectural massing, the proposal would have had an overbearing impact on the occupiers of Cooper House to the detriment of their residential amenity

The 2012 scheme was refused for the effect that its excessive height would have had on local residential amenity. The current scheme, and its additional 2 storeys on top of that, is therefore considered to see this issue exacerbated.

Within policy DM1 of the Core Strategy, it is set out that development proposals should have consideration for a number of factors; one of these is any effects it may have on amenity. This is also a requirement for the policy tests within policy H12 for PBSA. Such notions of protecting residential amenity are reflective of Chapter 12 of the NPPF.

With the previous 2012 scheme, the impact of the development on Cooper House and its residents' amenity was considered a reason for refusal. As discussed in the officer's report, "whilst it is unlikely, as shown in the sunlighting survey, to result in any significant overshadowing it would have a significant overbearing impact." It is unclear, with a taller building which also has an increased mass, how this can have been addressed.

Within the Sunlight and Daylight Assessment submitted within the application package, there are some figures given showing the Annual Probable Sun Hours (APSH). For some of these neighbouring properties the APSH for some windows, including bedrooms and other habitable rooms, would be significantly diminished. In some cases this is below the standards and is acknowledged within the report as such which in itself should be a consideration counting against the proposed development. However, fundamentally, there would be a significant diminishing effect overall even when the standards are still met. In some cases, residential properties in Cooper House and Hopton Court will have less than 50% of the sunlight that they currently enjoy. This is a significant amenity impact that is underplayed by the applicant with the excuse being that it is within an urban context. As this is not a constrained site, and the distance between buildings are sufficient enough that this could be avoided, it is only the proposed height and bulk of the building that is causing this diminishing effect. As such it cannot be considered an unavoidable or acceptable result of the site's overall redevelopment. As a result of the above, we consider that the proposal fails to satisfy the criteria for policy H12 and DM1 of the Core Strategy as well as Chapter 12 of the NPPF.

5. The proposed development failed to achieve the high standard of design required for such large buildings Policy EN2 for Tall Buildings sets out what proposals should be able to demonstrate in order to be supported. This includes that any building should be of excellent design quality. The officer wrote about the refused scheme that, "the design of the proposed building is unexceptional both in terms of the manner in which its various elements come together and the palette of material to be used." We believe that the same can be said for this proposal also

- the design of this proposal is not contextually responsive and is bland. Its design evidences no real innovation and the blank eastern elevation, given its visual prominence, would detract from the area's overall quality.

With this, we consider the proposal to have not addressed the 2012 officer's concerns and to therefore contravene SP1, EN1, EN2 and DM1.

6. The proposed high density development was not considered compatible with existing developments and (notwithstanding a proposed s106 agreement) would have been likely to result in increased on-street parking in the surrounding area. Within policy H12, criterion 3 directs how, "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 onstreet parking in the surrounding area."

Page 35 of the Planning Statement provides the applicants' justification against this criterion making reference to the site within the context of the Oxford Road Corridor – here, "the majority of the buildings being high density and tall." This site is however not within this character area and, instead, is in the area that has a medium low residential density with lower building heights. As such, we consider that the high density of the proposal is in fact wholly inappropriate in the site's context and remains incompatible with existing developments in an area where no initiatives exist. In the refusal from 2012, the officer also took this position and wrote, "the proposed development is high density in that it covers a substantial part of the site and is taller than adjacent buildings and lacks the open setting."

We consider this to still be the case with the application to which this objection relates – in fact it is even taller with no open setting created - and thus it fails to satisfy policy H12.

Turning to the matter of parking, the refused scheme from 2012 offered a range of measures, including two parking spaces for use by car club vehicles. It also included: provisions for a financial contribution to the ongoing residents parking schemes for Hulme; to market the development as car-free; and that residents would sign an agreement to not park within 1.5 miles of the development; blue badge holders would be exempt; and that residents of the development will not be able to join the Hulme residents parking scheme. During the lifetime of a similar PBSA scheme (ref: 129406/FO/2021), the Highways Authority commented that they would wish to see cycle parking for 100% of the residents (they considered the 17% as proposed within that scheme as inadequate). Additionally they recommended accessible parking provision, a car club bay, a Travel Plan, and some other measures.

Both of these cases demonstrate the threat posed by PBSA with regards to the creation of onstreet parking. Such arrangements as those suggested within the refused 2012 scheme are not

part of the offer for this proposal and thus we consider that the problem will only be exacerbated. Much of the justification for this relates to the site's location in walking distance

from University campuses, however there is no provision for other situations synonymous with student accommodation. Firstly there are likely to be issues for parking on moving in and moving out days. The arrival of hundreds of students within days of each other – typically by car – would have a huge impact on the area and surrounding congestion. Issues will also arise with the arrival of taxis, parcel and takeaway delivery drivers and maintenance staff – serving 261 students, this will be significant. The assumption that students can walk and cycle everywhere is also unrealistic, especially when only 25% of students will be able to have a cycle parking space. Some students, for example those who are medics or teachers, may require a car to get to placements and so the lack of parking would make such

accommodation inaccessible for them also.

As such, we consider that this reason for refusal has been worsened in this case and that it remains unable to satisfy policy H12.

7. The numbers of residents for the proposed development would have had a detrimental effect on the amenity of other residents in the area due to a substantial increase in coming and goings

Within the officer's report for the refused 2012 scheme – which proposed 182 bedrooms – the Council considered that, “the numbers of residents for the proposed development would have a detrimental effect on the amenity of other residents in the area due to a substantial increase in comings and goings and the proposed development is therefore contrary to the provision of policies SP1 and DM1.”

This current scheme proposes 261 bedspaces and so a 43% increase on a number that had previously been deemed too high for this particular site. The impacts on the amenity of other residents in the area from an even more substantial increase in comings and goings would be worsened as a result of this development therefore. Exploring this impact on amenity further, the officer in 2012 noted that this increase in activity is likely to be more detrimental when late at night or early in the morning. As a high density accommodation for students this is likely to be the case. Furthermore the officer expressed how, “whilst the lack of car ownership may limit the amount of traffic noise there will still be taxis and private car hires which contribute to the noise.” Such alternate transport, as a result of the zero parking provision, will not reduce impacts of noise but may well increase these impacts.

As such we consider that this proposal remains non-compliant with policies SP1 and DM1.

Additional matters

There are a number of points that we wish to bring to your attention that extend beyond the previous reasons for refusal.

- Trees

Within and immediately adjacent to the application site, there are 28 trees. Four of these are protected by a Tree Preservation Order (TPO), which are identified within the applicants own studies. Of these, based on the Tree Constraints Plan, it is proposed that one will be felled (T3) and two will be pruned (T6 and T8). In addition to those covered by a TPO, a further four trees will be felled and a third tree is proposed to be pruned. Looking at the proposed site plan however, it is clear that the root protection areas of T6, T7 and T8 will be built over and their crowns seriously diminished. As a result the long term future of these mature trees, which are off site and the subject of a TPO, is at serious risk. In addition to the loss of sunlight, this will greatly threaten their long-term health.

Notwithstanding this, the Planning Statement implies that there will be a stock of replacement trees put in place and that in the long-term, there will be a net increase in the number of trees. We are concerned that any trees that would be planted will be within the street scene in the context of a new tower block. As such they would get very little sunlight and so will be unlikely to flourish. Dominated by built form, they appear not as a prominent feature within the proposed drawings and so we suspect that the contribution that they will bring to the area with regards to air quality and biodiversity will be low. The implications of this relates to mental and physical well-being for both existing and future residents. This, when coupled with the lack of amenity space identified, demonstrates again the overdevelopment of this site.

- Community space

The development proposal makes provision, on the ground floor plans, for a 'community hub'.

Whilst hypothetically this sounds like a way to encourage community cohesion, the reality of how this would transpire is an issue that we wish to highlight. Many of the local residents who this space is supposedly for have expressed that they would not use the space and that other facilities are available elsewhere. There is no recognised demand for this space and its limited size and lack of facilities (such as a kitchenette) would limit its usability. As such, we consider that this is a token gesture and that this space would likely be blended back into use for the students in the future.

- Construction

Local residents have also raised their concerns regarding the construction phase should this proposal be approved. Within the construction management plan, it directs that no parking will be provided and that all construction workers will be encouraged to park in public car parks nearby or get public transport. For what would be such a lengthy period, this seems unrealistic and unsustainable. This would have knock-on effects on the area. Equally, the notion that all deliveries will be made using the 'just in time' method is unrealistic also. There is otherwise not sufficient room on the site for the storage of materials and equipment. The impact that construction work will have on traffic is also a concern that is not sufficiently addressed within this document. Overall, the scale of the development, and the lack of a realistic construction management plan has serious implications for local amenity.

Conclusions

As per the discussion above, we therefore consider that this planning application fails to overcome the reasons for refusal previously given in 2012 for development on this site.

Despite the policy context remaining the same, it would appear that the applicant has made no effort to resolve these reasons and, in most cases, has exacerbated the issues raised through a desire to further maximise the development on the site. On behalf of our client, 'Block the Block', we therefore consider that the officer and committee should be minded to refuse this planning application based on the development plan in place.

Hopton Hopefuls referenced above also wrote in objection to the originally submitted plans associated with the application (with two supporting documents Ageing well in Place in Hulme and Ageing well in Place at Hopton Court) on the following grounds: We are a group of older people living in Hopton Court tower block directly opposite the Gamecock site. 75% of tenants at Hopton are Over-50. Of the 59/68 tenants registered with Cornbrook Medical Practice across the road: one third have a long term condition or disability, and 46% are suffering from anxiety or depression. At Hopton Court, we are lucky enough to have some shared garden space. We also welcome tenants from Meredith Court to use our gardens because they have no garden space at all: 50% of tenants at Meredith Court are Over-50 which is situated just around the corner from the Gamecock.

Since the pandemic, the shared gardens have become essential for us as older and elderly people living in small one-bedroom flats. We have been very isolated. Our survey at Hopton revealed that 50% of tenants had no family living in Manchester. When the COVID-19 lockdowns began, most of the public agency workers we used to see disappeared. We had to look after each other, but we were not allowed to mix indoors.

We have managed to enjoy BBQs and weekly socials in the gardens throughout 2020 and 2021 which have been so important to taking care of the mental health needs amongst our tenants.

This is especially in the context of 46% of the tenants at Hopton suffering from anxiety and depression.

The gardens are also very important to our physical wellbeing in the context of 20% of our tenants who are registered with Cornbrook Medical Practice across the road suffering from Vitamin D insufficiency.

The proposed development will block the sunlight from our shared gardens and have a negative impact on the mental and physical wellbeing of older and elderly tenants at both Hopton Court and Meredith Court tower blocks.

The rate of Older People in Deprivation within the Aquarius area (MSOA - Manchester 019) is well above the national average at 45.2% (compared to 14.2% across England) and this is reflected in the health inequalities we are experiencing. Emergency hospital admissions linked to serious diseases are significantly worse than the averages for both Manchester and England as a whole.

We understand that Hulme is home to two universities, but our community has already given over a huge amount of land to the campuses and student accommodation in our area.

The need for more student flats at this time is highly questionable - and the proposed development is situated in a deeply inappropriate site surrounded by older people.

We need the Gamecock site to be used for the purposes of supporting older people living in deprivation in our neighbourhood to age well in place.

This development will simply exacerbate the situation for older people through:

- Blocking sunlight
- Increasing anti-social behaviour
- Increasing air pollution
- Putting greater pressure on local services with a proposed additional population of 260+ service users.

Traffic and air-pollution- The development will significantly increase traffic in the area, both during the construction including heavy duty construction vehicles and after the construction in terms of traffic flow from the student population.

Emergency admission rates for Chronic Obstructive Pulmonary Disease (COPD) in our neighbourhood are already more than double the national average. Research shows that central Manchester has some of the highest levels of air pollution in the country and highlights how 'dangerous levels of toxic pollutants [are] having a devastating impact on the health of those living in the region' (Manchester Metropolitan University, 2020). Older people living in communities on the edge of the city centre are the worst affected.

Anti-social behaviour - We already have a student accommodation block situated behind us on the corner of Boundary Lane and Rosamund Street West. We already suffer from anti-social noise in the middle of the night and this new development will exacerbate this problem. Despite these challenges 83% of tenants in our survey said they want to remain living at Hopton Court as they get older because "Hopton is Home". Many have lived in Hulme all their lives, their friends and neighbours in the block and the surrounding community have become their family as family members have died or moved away, plus many are from migrant backgrounds. They are older people living in deprivation who don't have the option to just sell up and move out even if they wanted to. They love where they live. 28% of survey respondents said the thing they love most about living at Hopton is their neighbours and local

community. They should not be forced into a situation where they have to suffer even further from anti-social behaviour as long-term older tenants who will be ageing in place.

We are aware that the developer is proposing that the ground floor of the new development is made available as a community space for local residents. We want to make it absolutely clear that we do not want this space, and as tenants of Hopton Court we have never participated in a consultation with them where we told them that we would like them to include this space in the development.

We are in the middle of co-producing an initiative in partnership with One Manchester Housing association, our council neighbourhoods team and ward councillors, and other local partners and charities called Ageing Well in Place in Hulme. As part of this initiative which includes co-financing for independent living advisers and an Ageing Well development worker, we are looking at building a new community building in our shared gardens at Hopton Court.

This will be a 'safe space' that isolated and excluded older people who live at Hopton will consider accessible and where activities and services that they have expressed a need for or an interest in will be made available. We do not want to use a space on the ground floor of a PBSA block and most of the elderly people in our block would never go across and use that sort of space. Through the Ageing Well in Place partnership, we are confident that viable alternative proposals for the Gamecock site can be proposed that work for the local community.

We appeal to you to recognise the detrimental impacts this high-rise block is going to have on our community together with the convincing technical planning reasons why it should not be allowed. We ask that you recommend against these proposals going ahead.

Two employees of Manchester University objected to the originally submitted plans associated with the application on the following grounds:

1. Neighbourhood character and green space.

They believe the building to be disproportionately tall with regards to this particular neighbourhood. No compensation is provided in the form of green space.

2. The scale of the new student accommodation. A query is raised about the impact the pandemic will have on student admissions.

3. Partnership approach. The University have recently been involved in supporting the residents of Hopton Court this development undermines that relationship. The committee need to demonstrate its commitment to inclusive collaborative planning.

The GP practice on Booth Street West objected to the originally submitted plans associated with the application on the grounds that:

1. It is difficult to judge the need for additional PBSA at the present time due to Covid.

They are aware that the student population in their practice reduced during Covid.

2. Loss of natural green space and tree coverage near Booth Street West.

3. Reduction in natural light for residents of Hopton Court where they have treated patients for Vitamin D deficiency. The development will widen health inequality.

4. Residents at Hopton Court have been redeveloping the outside space in order to provide community access to green space and potential social interaction. The construction of a high storey development across the road will block sunlight.

5. The Oxford Road corridor has one of the highest levels of nitrous oxide pollution in the country. Building residential space for more students in this area will add to this

with the increased use of private cars, taxis and delivery vehicles. Many of their patients who live in close proximity suffer from asthma and chronic lung conditions. In summary, the practice object to the proposed development on the grounds that it will damage the health of their patients in a number of ways including Vitamin D deficiency, respiratory conditions and mental and emotional wellbeing. Manchester Health and Care Commissioning are committed to reducing health inequalities and they are of the opinion that the proposed development will only widen such inequalities.

The Guinness Partnership are the owners of the neighbouring development at Cooper House, they objected to the originally submitted plans associated with the application on the following grounds:

They support the collective comments made by their customers. They recognise that the former Gamecock Pub needs to be redeveloped, however, they believe that the site is too small to accommodate the current proposals which extends up to 13 storeys in part with 261 bed spaces. They also have concerns on a number of items which suggest over-development being: overlooking distances to Cooper House; overall massing, scale and height; the lack of car parking, alongside a single shared access point at Camelford Close and the inclusion of a 24 hour hub. A well-designed building of similar scale to Cooper House, Hopton Court and Meredith Court would be more appropriate.

One Manchester objected to the originally submitted plans associated with the application on the basis of the scale, massing and height of the proposal which they consider would be detrimental to daylight and sunlight, local parking and transport and have a visual impact. They are aware that the site has been an eyesore for many years and support its development in principle, but would suggest a sensitive development to the local context.

Councillor Annette Wright objected to the originally submitted plans associated with the application on the basis that it is too large and tall for the site, will take light off existing residents and is widely opposed by the community in Hulme.

Lucy Powell MP met with 'Block the Block', a resident-led campaign group opposed to the plans, which would see Purpose Built Student Accommodation built on the site of the Gamecock Pub on the corner of Boundary Lane and Booth Street West during the notification process for the originally submitted plans associated with the application.

She understood that 'Block the Block' had submitted their objections directly, and that a number of individual residents of the surrounding buildings intended to submit their own; however she wanted to put on record her objections to the application and ask that these points were taken into consideration.

- You will be aware of two previous applications for planning on the site: a 2008 application which has now lapse, and a 2012 application which was refused by the Council. Many of the reasons cited in the 2012 refusal also appear to apply to the current application. Taking into consideration the reasons for refusal of the 2012 application and the apparent lack of changes to address this in the current application, she strongly believes the scheme should be refused planning consent.

- Additionally, she was aware that a 'Summary Evidence of Student Need' report has been submitted in support of the application, and that this is almost identical to a report submitted with another PBSA application in Deansgate South; this was refused last month partly on the grounds that the applicant had "failed to demonstrate robustly that there is unmet need for the proposed student accommodation." Given that the report for the Gamecock application is so similar and published by the same company within the four months of this, she struggles to see how this can be taken as sufficient evidence of need, having failed so recently elsewhere.

When she spoke recently with residents of nearby buildings, they all shared significant concerns about the impact this development will have on them and the wider community, if approved. They raised concerns about some of the practical impacts of the scheme, such as overshadowing and lack of privacy for adjacent residents due to the height of the development – which is higher than the previously refused application. The impact of construction works over a period of several years was also raised, as was the absence of parking provision for the new residents and the increased pressure they would put on local amenities.

However, what residents are most concerned about, and what they spoke most passionately to the MP about, was the wider impact on the community – particularly its elderly residents in nearby tower blocks – who are falling through the gaps in health and social care. The proportion of older people in Hulme who are living alone (54%) is one of the highest in England and Wales, as is the number of residents claiming pension credits (60%). The rate of older people in deprivation within the Aquarius area of Hulme is well above the national average, standing at 45.2% compared to 14.2% across England.

This is a community which, on the edge of the city centre and so close to the Universities, feels increasingly overlooked. Older residents are especially anxious about this application. A recent tenant-led survey reported on the responses of over half the residents of Hopton Court, where three quarters of the residents are over the age of 50. These residents want to retire and grow older in Hopton. 78% of them stated that what they loved most about living there is their neighbours and the community spirit which is directly linked to all the social and wellbeing activities that have been happening in the shared gardens in recent years. They do not want to relocate out of the area and are understandably deeply anxious about the application being approved.

She strongly urged that, not only the physical and practical characteristics of the development are taken into account, but also the wider context of the application is considered: the impact on this part of Hulme and its residents would be substantial. As it is, there are too few facilities for older residents in the area, and the single communal garden opposite the Gamecock site is currently the only piece of land they have to enjoy some sunshine and socialise with neighbours. This would be effectively taken from them if consent is given to build a development of this nature and height directly opposite.

This is not a city centre location. It is a transitional area between the city centre and residential Hulme, with an overwhelmingly older population who wish to see out their retirement in the community they've made home over several decades. She wanted it to be put on record that she objected to the application and asked that this is taken into consideration when the application came to Planning Committee.

3 letters of support were received for the originally submitted plans associated with the application on the grounds that:

- The scheme has a nice density providing life and character. The development must deliver high standard public areas and soft landscaping.
- The site has been empty for over a decade and has already had 2 proposals refused. If the plan gets rejected and re-submitted, locals will only find some other problem with it. The development will provide accommodation for 261 people, every year, for decades to come. I don't think it's fair that, say, 250 NIMBYs can pull up the drawbridge for thousands of future residents. If you can't build student housing within walking distance of 3 universities, where can you build it?
- Can't have land sitting around like that when people need houses.

Highway Services

No objection in principle and recommend that the applicant funds a car club bay close to the site to allow residents to have easy access to a vehicle on an ad hoc basis to be part of a highways works condition. A layby for drop-off and deliveries will be provided on the south side of Booth Street West to be part of a highways works condition. All external doors should open inwards unless they are designated as fire doors. Waste collection will be from the proposed lay-by on Booth Street West. A strategy for Move In/Move Out should be a condition. The development, submission, implementation and monitoring of a full Travel Plan should be a condition. A Construction Management Plan should be provided.

The development commits to the provision of new on-street disabled parking places, and in the absence of any specific locations, MCC Highways suggest that two new disabled bays could be provided on the south side of Booth Street West replacing two existing limited waiting bays and near to the proposed community hub and student entrances. This would be carried out through S278 agreement. The proposed basement level is removed and back of house facilities are now relocated to the ground and first floors. 96 secure and sheltered cycle parking places are now provided on the ground floor accessed from Camelford Close and this increased amount now aligns with the level of cycle parking provision requested for the earlier plans submitted.

Environmental Health Recommend conditions relating to Fume/Odour discharge, construction management, hours of opening of the gym / community space/ café, external lighting, acoustic insulation of the gym / community space/ café, acoustic insulation of the residential accommodation, external equipment insulation, refuse in accordance with the details submitted and environmental standards.

Neighbourhood Team Leader (Arboriculture) Four trees Norwegian Maples fronting Boundary Lane would be removed, 3 of which are Category A, 2 of which have Tree Preservation Orders and offer high visual amenity. Other trees are less significant due to limited visibility and vigour and there are no objections to the 3m lateral branch reduction on the property side but question whether or not the trees that are shown as being retained could be retained.

Corporate Property No comments have been received.

MCC Flood Risk Management Recommend the imposition of conditions relating to Sustainable Urban Drainage and the maintenance thereof.

Work & Skills Team Request that a condition is attached to any application requiring a local benefit proposal.

Greater Manchester Police Support the application subject to the layout issues being addressed and recommend that the physical security measures within the Crime Impact Statement are conditioned.

United Utilities Water PLC Request conditions relating to sustainable drainage and maintenance as requested by Flood Risk Management. A water main and public sewer on site must be taken into account in development of the land.

Greater Manchester Archaeological Advisory Service GMAAS agrees with the conclusions drawn in the DBA and accepts that any below-ground archaeological remains will not be of national importance requiring preservation in-situ, although a scheme of archaeological investigation and recording will be required prior to the removal of the archaeological remains during the proposed construction works. This programme of archaeological works should be secured through a planning condition. GMAAS will monitor the implementation of the archaeological works.

Greater Manchester Ecology Unit The activity surveys recorded no bats emerging from the building, and sufficient survey effort has been demonstrated and no bat roosts identified. However as bats are a mobile species, it is recommended that if building demolition has not commenced within 12 months of the survey date, then updated bat surveys are undertaken in line with R1 of the bat surveys report.

Some bat activity was recorded on the site, therefore it is recommended that any new lighting for the site is designed to ensure no negative impacts on nocturnal mammals such as bats, as per R2 of the bat survey report and published guidance this topic (<https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting>).

Tree felling, building demolition and site clearance should avoid the main bird nesting season unless it is demonstrated to the LPA that active bird nests are not present.

Enhancement for biodiversity are recommended and preliminary ecology report, such as the provision of bat and bird boxes and planting of wildlife friendly species in the landscape scheme, should be secured through a condition.

Cadent Gas The applicant was made aware of correspondence received from Cadent Gas for their 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 SO1, S02, S05, S06, SP1, EN1, EN2, EN4, EN6, EN9, EN14, EN15, EN16, EN17, EN18, EN19, T1, T2, DM1 and H12.

Strategic Spatial Objectives - The adopted Core Strategy contains Strategic Spatial Objectives that form the basis of its policies, as follows:

SO1. Spatial Principles. The development would be in a highly accessible location and reduce the need to travel by private car and therefore support the sustainable development of the City and help to halt climate change.

SO2. Economy. The scheme would provide jobs during construction along with permanent employment in a highly accessible location. These jobs would support the City's economic performance, reduce economic, environmental and social disparities, and help to create inclusive sustainable communities.

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. The development would reuse previously developed land to improve the built environment and local character. The proposal would meet a need for student accommodation.

Policy EN1 - Design Principles and Strategic Character Areas. The building on site is dilapidated and has a negative impact and there is an opportunity to enhance the area. The proposal would enhance the character of the area and the overall image of Manchester.

Policy EN 2 - Tall Buildings. The design is acceptable, appropriately located, would contribute to sustainability and place making and deliver regeneration benefits.

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.

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. The development includes a green roof and other biodiversity gains would be secured by condition.

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 and a Waste Management Strategy has been provided.

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 proposal would be easily accessible by a variety of sustainable transport modes.

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.

For the reasons set out in more detail below, the proposal is considered to accord with relevant policy.

Saved UDP Policies

Saved policy DC20 Archaeology states the Council will give particular careful consideration to development proposals which affect scheduled Ancient Monuments and sites of archaeological interests, to ensure their preservation in place. This is discussed in detail below.

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 National Planning Policy Framework (July 2021) sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role. The NPPF outlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. The following specific policies are considered to be particularly relevant to the proposed development:

Section 6 (Building a strong and competitive economy) - The proposal would create jobs during the construction period and throughout its operation. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business need and wider opportunities for development. This development would support the ongoing regeneration of the nearby Oxford Corridor.

Section 8 (Promoting Healthy and Safe Communities) states that planning policies and decisions should aim to achieve healthy, inclusive and safe places. The proposal has been carefully designed to be safe and secure. Wellbeing and support facilities are an integral part of the development to support the students welfare. Cycle provision is well catered for at the site and no on site parking would be provided for the students.

Section 9 (Promoting Sustainable Transport) – The proposal is in a sustainable location, well connected to a range of public transport modes which would encourage

sustainable travel to the site and would provide convenient and safe cycle storage facilities.

Section 11 (Making Effective Use of Land) – The proposal would make effective use of land utilising a previously developed site in an urban location close to sustainable transport infrastructure.

Section 12 (Achieving Well-Designed Places) – It is considered that the proposals would achieve a well-designed place. The design for the building would be high quality and would be designed to a high level of sustainability resulting in a low carbon building and biodiversity and water management have been considered as part of the scheme.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) – The proposed development has been designed in accordance with the ‘energy hierarchy.’ The buildings fabric would be efficient and would predominately use electricity. The scheme includes a drainage strategy designed to meet climate change and reduce flood risk.

Section 15 (Conserving and enhancing the natural environment) – The documents submitted with this application have considered issues such as ground conditions, noise and the impact on ecology and demonstrate that the proposal would not have a significant adverse impact on ecology and demonstrate that the proposal would not have a significant adverse impact in respect of the natural environment.

Planning Policy Guidance (PPG)

The PPG provides additional guidance to the NPPF and the following points are specifically highlighted.

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

Examples of mitigation include:

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

plans and low emission strategies, designed to offset the impact on air quality arising from new development.

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

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

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

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design states that where appropriate the following should be considered:

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

Health and wellbeing 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 Considerations

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

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

Chapter 2 'Design' – outlines the City Council's expectations that all new developments should have a high standard of design making a positive contribution to the City's environment;

Paragraph 2.7 states that encouragement for "the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified form which blends in with, and links to, adjacent areas;

Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contribute to the creation of a positive identity;

Paragraph 2.14 advises that new development should have an appropriate height having regard to the location, character of the area and specific site circumstances. Although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations;

Paragraph 2.17 states that vistas enable people to locate key buildings and to move confidently between different parts of the neighbourhood or from one area to another. The primary face of buildings should lead the eye along important vistas. Views to important buildings, spaces and landmarks, should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises;

Chapter 8 'Community Safety and Crime Prevention' – The aim of this chapter is to ensure that developments design out crime and adopt the standards of Secured by Design;

Chapter 11 'The City's Character Areas' – the aim of this chapter is to ensure that new developments fit comfortably into, and enhance the character of an area of the City, particularly adding to and enhancing the sense of place.

Manchester Residential Quality Guidance (2016)

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

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

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

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

Report to the City Council's Executive on PBSA

The Council's Executive endorsed a report regarding PBSA on 9 December 2020 following the outcome of a public consultation exercise with key stakeholders, on PBSA in Manchester. The report was endorsed by the Executive to help guide the decision-making process in advance of a review of the Local Plan. It was requested by the Council's Executive that the report on PBSA in Manchester be considered as a material planning consideration until the Local Plan has been reviewed. The report is clear that Core Strategy Policy H12 retains relevance in how PBSA is developed in Manchester. It sets out that the location of new PBSA should be close to University facilities. The report also highlights how location is a key factor in ensuring the quality, security, sustainability and wellbeing benefits in the provision of accommodation. The report confirms that accommodation should be located in the areas immediately adjacent to the core university areas, principally the Oxford Road Corridor area. The PBSA report sets out numerous reasons why location is a significant consideration in determining the acceptability of new PBSA developments, such as how:

- New stock in appropriate locations represents an opportunity to deliver an improved student experience;
- The location of accommodation close to University facilities is a critical issue in ensuring the safety and wellbeing of students; and
- Given the current climate emergency and Manchester's commitment to be carbon neutral by 2038, it is increasingly important that the location of student accommodation in Manchester should continue to be driven by proximity to university campuses.

Corridor Manchester

Corridor Manchester is a strategically important economic contributor and a key growth area within the city. The Corridor Manchester Strategic Spatial Framework is a long term spatial plan for the Corridor which recognises that there is an inadequate pipeline of space for businesses and institutions within the Corridor to properly grow and realise its potential. This is evidently a constraint to the realisation of the Corridor Manchester vision. The Framework seeks to strengthen the Corridor as a place to live, visit and work for students and knowledge workers from across the world. The strategy recognises that for the area to continue to be successful there needs to be a focus on the development of a cohesive, inclusive area. The development programme plans to deliver over 4 million sq ft of high quality commercial, leisure, retail, and residential space. Corridor Manchester already contains one of the largest higher-education campuses in the UK with nearly 70,000 students studying at the University of Manchester, Manchester Metropolitan University and the Northern College of Music. These educational institutions are world renowned and Manchester is recognised as a destination of choice for students across the globe. Both the UoM and MMU have put in place growth plans. This includes the UoM's £1 billion capital investment programme to deliver the 'world class estate' needed to support its 2020 vision to be one of the leading universities in the world by 2020. MMU has a ten year Estates Strategy with strategic investment proposals of c£300m. This concentration of students is a key part of the success of the Corridor. It underpins and supports the research activities of the educational institutions, whilst the large population living, working and spending time in the Corridor give the area its vibrancy and contribute significantly to its large economic output. However, Manchester is operating in a highly competitive higher education market. The City must continue to look to enhance the student experience if it is to maintain its position on the world stage and realise its growth aspirations for the Corridor. As at present, the future success of Manchester as a student destination will, in part, underpin the realisation of the Council's aspirations for Corridor Manchester. This requires continued investment in the infrastructure which supports the student population and ensures the student experience remains world renowned. This requires investment in educational facilities but also extends to transport infrastructure, retail and leisure facilities and, critically, high quality and accessible residential accommodation. Consideration must be given to the whole student experience.

Oxford Road Strategic Spatial Framework

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

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.

The Zero Carbon Framework

This outlines the approach that will be taken to help Manchester reduce its carbon emissions over the period 2020-2038. The target was proposed by the Manchester Climate Change Board and Agency, in line with research carried out by the Tyndall Centre for Climate Change, based at the University of Manchester. Manchester's science-based target includes a commitment to releasing a maximum of 15 million tonnes of CO₂ from 2018-2100. With carbon currently being released at a rate of 2 million tonnes per year, Manchester's 'carbon budget' will run out in 2025, unless urgent action is taken. Areas for action in the draft Framework include improving the energy efficiency of local homes; generating more renewable energy

The Manchester Climate Change Framework 2020-25

An update on Manchester Climate Change was discussed at the MCC Executive on 12 February 2020. The report provides an update on the Tyndall Centre for Climate Change Research review of targets and an update on the development of a City-wide Manchester Climate Change Framework 2020-25. The City Council Executive formally adopted the framework on 11 March 2020.

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 of the 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 of the 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

Regeneration

The contribution that a scheme would make to regeneration is an important consideration. The City Centre, which the site is adjacent to is the primary economic driver in the Region and is crucial to its longer-term economic success. The City Centre must continue to meet occupier requirements and the growth and maintenance of the higher education function, and the infrastructure required to support it, is critical to economic growth. There is an important link between economic growth, regeneration and the provision of a range of residential accommodation.

The scheme would bring a high-quality building adjacent to 'The Corridor' which would positively respond to the local environment. A key objective for 'The Corridor' is to deliver the accommodation and infrastructure needed to attract students to Manchester and which matches its reputation as a world class place to study. This would ensure that Manchester remains competitive on a global higher education stage.

Once the development becomes operational, it is expected that 5 full time equivalent jobs would be created from the development. The 197 students would generate their own expenditure.

The development would be consistent with the regeneration frameworks for development in the area and would complement and build upon the City Council's current and planned regeneration initiatives.

Principle of student accommodation

The application site is previously developed land in a sustainable location, characterised by a range of types and sizes of residential accommodation and is in close to the Oxford Road Corridor and between the Manchester Metropolitan University Campus and Birley Fields.



Site Context



Existing Building

Proposals for purpose built student accommodation (PBSA) are subject to Core Strategy Policy H12 which sets out criteria that they should meet. The policy aims to ensure they are located appropriately to support the Council's regeneration priorities and also to ensure that they encourage students to choose managed accommodation over HMOs.

The proposal is well connected to and in close proximity to the University Campus.

This development would be energy efficient, including air source heat pumps, electric heating and solar panels, and achieve BREEAM excellent.

The site is highly sustainable and close to amenities and services and public transport. Cycle parking and a Travel Plan would be provided.

The site is in part occupied by a pub that has been vacant for some time. It creates a poor quality environment and has raised issues of crime and safety. The proposal would improve the site, provide accessible open space and improve the pedestrian experience, generally improving vitality and safety of the surrounding streets.

Amenity benefits for residents include the use of the indoor community hub and gym. A management plan has been provided and a condition would require further details of how the facilities would be managed to ensure access by the community.

A condition should require compliance with the Crime Impact Statement and Secured by Design accreditation.

The applicant is an established provider of purpose built student accommodation. A detailed management plan sets out how they would control the management and operation of the scheme. The development would be subject to appropriate acoustic insulation levels.

There are no buildings with a heritage value on the site.

Waste would be stored at ground floor level in an accessible store with sufficient capacity to accommodate recycling and general waste. The management company would manoeuvre the bins from the store to the layby on Booth Street West on collection day and return to the store once emptied. The building operator will provide a twice weekly collection using a private contractor. The collection point for bins from both the Student Residential Accommodation and the Community Hub will be from the temporary bin collection area located adjacent to the proposed lay-by off Booth Street West. The collection vehicle will be able to pull in to the lay-by directly from Booth Street West and pull back in without turning when leaving to merge with traffic.

The applicant has demonstrated a need for additional student accommodation. It would be in the immediate vicinity of the Manchester Metropolitan University campus and Royal National College of Music who have written in support of the development. The building would be a managed facility with 24/7 staffing and security.

The applicant has provided supporting information about the deliverability of the scheme.

The report to the City Council's Executive (December 2020) on Purpose Built Student Accommodation in Manchester is a material consideration to decision making process in advance of the review of the Local Plan. This sets out that location is a key factor in ensuring the quality, security, sustainability and wellbeing benefits of accommodation. PBSA should be located in the areas immediately adjacent to the core university areas, principally the Oxford Road Corridor area. This may include parts of surrounding neighbourhoods such as Hulme and Ardwick which are immediately adjacent to the university campuses. Whilst the development site is not in the Oxford Road Corridor, it is in close proximity to the Corridor in Hulme.

The need for student accommodation

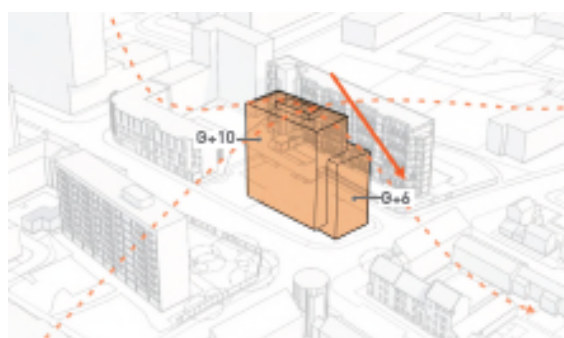
It is accepted that there is a need for appropriately located PBSA in Manchester. This application proposes 197 bed spaces close to the Universities in a location that meets the requirements of policy H12. Therefore, subject to consideration of the detailed matters set out below the principle is considered to be acceptable.

Tall Buildings Assessment

A key factor 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.

Assessment of Context

The following graphic submitted in the Design and Access Statement submitted to accompany the planning application explains the massing concept for the proposed development having particular regard to Cooper House and Hopton Court, building which in themselves are 25.7 and 26m in height.

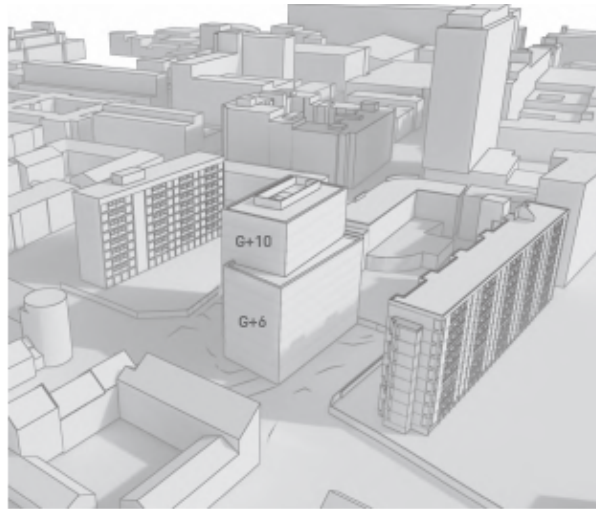


Visualisations have also been submitted to show the change in the proposal in relation to the scheme originally submitted. Which constitute:

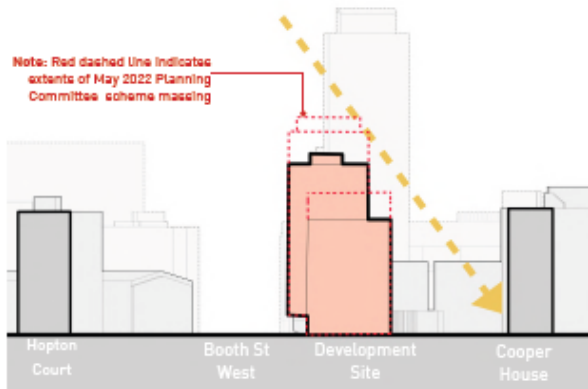
- The loss of two storeys from the upper block mass
- The loss of two storeys from the lower block mass, sitting one storey below the height of Cooper House
- Roof top accommodation omitted and replaced with rooftop plant which is set back significantly from the roof edge
- Upper block parapet edge reduced so height is 34.275m, as opposed to 34.8m for the maximum height of scheme allowed on appeal in 2008
- Removal of basement accommodation and alteration to ground floor and first floor arrangement



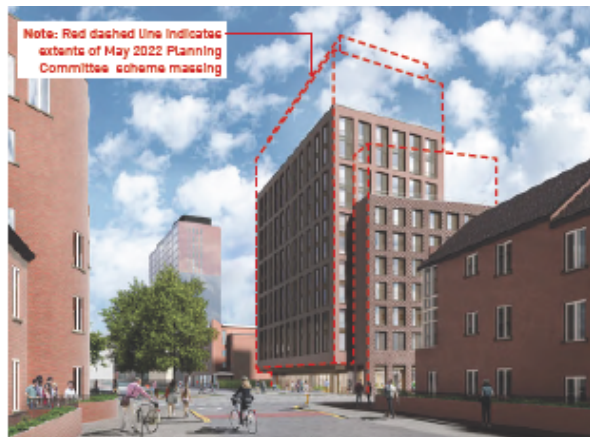
May 2022 Planning Committee Scheme - Aerial Massing View



Current August 2022 Scheme - Aerial Massing View



Current August 2022 Scheme - North-South Site Section Diagram

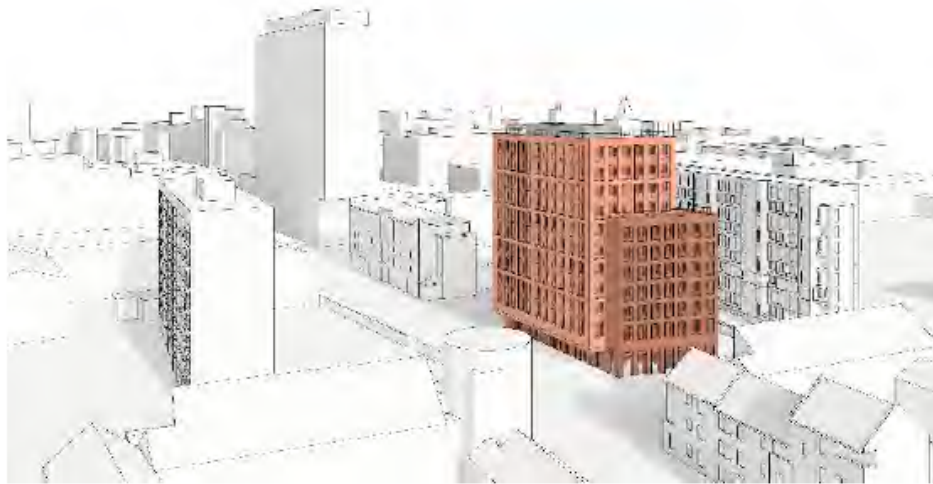


Current August 2022 Scheme - View from Freeman Square

A graphic showing the relationship of a scheme that was allowed on appeal in 2008 has also been provided.



Architectural Quality



Volume Key - Aerial View Looking South East



Booth Street West Elevation



Boundary Lane Elevation

The key factors to evaluate are the building's scale, form, massing, proportion and silhouette, facing materials and relationship to other structures. The Core Strategy policy on tall buildings (EN2) seeks to ensure that tall buildings complement the City's existing buildings and make a positive contribution to the creation of a unique, attractive and distinctive City. Proposals for tall buildings will be supported where it can be demonstrated, amongst other things, that they are of excellent design quality; are appropriately located; and contribute positively to place making.

The elevations would be constructed utilising brick with deep reveals lined with dark bronze metal, expressed headers with textured brick and expressed stretchers with framed opening and perforated panels. The lower element of the proposal being differentiated from the upper element as depicted below.



Elevation Detail

Lower Element



Elevation Detail

Upper Element

Given the above, it is considered that the proposal would have a scale, form, massing and visual appearance that is acceptable and would achieve the architectural quality appropriate to a building of its size in accordance with the requirements of Policy EN2.

Climate change, sustainability and energy efficiency

An Environmental Standards Statement sets out the sustainability measures proposed. The building will:

- Be a BREEAM Excellent building,
- Will take a 'fabric first' approach in accordance with the energy hierarchy, together with air source heat pumps to deliver low carbon heating, and solar PV to meet a portion of the building's energy demand and reduce carbon emissions
- Achieve an overall CO2 improvement beyond Part L 2013 of circa 59%, which goes beyond Manchester City Council's minimum policy target (circa 9% CO2 improvement on Part L 2013)
- Propose an 'all electric' energy strategy which future-proofs the proposals by avoiding being locked in to higher carbon mains gas

- Make use of SuDS to ensure that risk of flooding is not increased.

The development is resilient to the impacts of climate change and will reduce overheating through measures such as a green roof and blue roof. These features will also contribute to the SuDS strategy by reducing surface water run-off during storm events.

- Water efficiency will be managed through limiting sanitary fittings and ensuring that no mechanical irrigation will be provided within the development.

- Biodiversity enhancement measures are proposed, including replacement planting of wildlife attracting trees, provision of nesting / roosting habitats for bats and birds, and provision of a green roof.

The scheme will provide 96 cycle parking spaces on site at ground floor. This is acceptable in principle.

Given the above, it is considered that the design and construction would be sustainable and in accordance with Core Strategy Policies EN4 and EN6.

Contribution to Public Spaces and Facilities

The proposal would upgrade the pavement environment and bring activity and natural surveillance to the surrounding streets. This would be secured through the imposition of an appropriate condition relating to works to the Highway.

The proposal also includes a Community Hub which can be used to promote community wellbeing within Hulme through creating a varied programme of events throughout the year. The developer proposes a management and operation plan for the Community Hub which achieves this.

The document outlines the headline terms of the Community Hub's use and access. The owner of the site and operator of the proposed development will operate and manage the Community Hub in accordance with these terms:

1) The Community Hub will be available for hire by any Hulme based community group or charity on a free of charge basis, subject to the developer/owner's approval.

2) The developer/operator/owner will appoint an individual who will act as the liaison between the development and the local community and whose role it will be to ensure effective and productive use of the Community Hub for the benefit of the Hulme community. This will include, but not be limited to, promoting and raising awareness of the Community Hub and its availability; advising residents how they may be able to make best use of the Community Hub; engaging Hulme based organisations to promote the use of the Community Hub and its availability particularly amongst residents for whom English may not be a first language

3) The appointed individual will be responsible for curating events and activities within the Community Hub which are accessible to the community in consultation with local community groups and charities. Such events will be held at least once per month, with a programme to be agreed in consultation with community groups and charities.

4) Within six months of the completion of the development, the developer/owner shall seek to establish a 'Community Hub Management Group', comprising a representative of the developer/owner, two local residents, two representatives of local community groups and a local Councillor or representative of the City Council. The role of the Group will be to advise on the use, accessibility and management of the Community Hub to optimise its productive use

5) The Community Hub will only be available on a pre-booked basis and access will be at the discretion of the hirer.

6) The Community Hub will only be used for other purposes (private hire on a fee paying basis) if no more than 2 weeks prior to the hire date, the Community Hub has not been booked for use by a Hulme based community group or charity

7) The maintenance and upkeep of the Community Hub will be the responsibility of the developer/owner.

Gym

In addition to the Community Hub, the developer/owner will make the residents gym within the development available for use by the local community during set hours to be agreed.

Accessibility

The development would be accessible with all access points and pavement surfaces being level. All units are located along wheelchair accessible routes from vertical circulation cores accessible by lift, with more than the part M required 5% provision of accessible/adaptable bedrooms and studios. To provide for the users of the Community Hub the applicant will provide internal charging points for mobility scooters. A communal accessible WC has been provided. The applicant would carry out works to the highway to provide disabled accessible spaces on Booth Street West, which could be secured by condition.

Ecology and Trees

An ecological appraisal considers the impact of the development with regards to biodiversity enhancement, lighting, roosting bats, terrestrial mammals including hedgehogs and nesting birds.

Greater Manchester Ecological Unit are satisfied subject to the imposition of appropriate conditions and informatives relating to the protection of bats and birds and the provision of bird / bat boxes.

The scheme does involve the loss of four trees on site and places pressure on trees to the shared boundary, a condition is appended recommending the agreement of detailed landscaping scheme to ensure appropriate replacement planting, the landscaping condition also requests that the applicant provides street trees. The submitted arboricultural report gives assurances about the retention of trees to the shared boundary.

Effect on the Local Environment

This examines, amongst other things, the impact of the scheme on nearby and adjoining residents. It includes issues such as impact on daylight, sunlight and overshadowing, wind, noise and vibration, night-time appearance, vehicle movements and the environment and amenity of those in the vicinity of the building.

(a) Daylight, Sunlight and Overlooking

An assessment of the impact of daylight, sunlight and overshadowing has been undertaken. Consideration has also been given to any instances of overlooking which would result in loss of privacy.

The following residential properties were assessed:

1. Hopton Court
2. 28 Higher Cambridge Street
3. 57 – 63 Booth Street
4. Trinity Court Apartments
5. Cooper House
6. 94 Boundary Lane
7. 104-110 Boundary Lane
8. 2 Freeman Square



Overshadowing assessments were also undertaken to the amenity space surrounding Hopton Court.

Daylight

Vertical Sky Component (VSC) – This measures 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 a 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. 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.

BRE guidelines note that windows below balconies typically receive less daylight. As the balcony cuts out light and even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight [NSL]. One way to demonstrate this would be to carry out an additional calculation of the VSC and area receiving direct skylight, for both the existing and proposed situations, without the balcony in place. [...] this would show that the presence of the balcony rather than the size of the new obstruction, was the main factor.

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.

Overshadowing

Section 3.3 of the BRE report gives guidelines for protecting the sunlight to open spaces where it will be required. This includes:

- Gardens, usually the main back garden of a house and allotments
- It is recommended that at least half of a garden or amenity area should receive at least 2 hours of sunlight on 21 March. Development impact will be noticeable where the area which can receive 2 hours of sun on 21 March is less than 0.8 times its former value.

1. Hopton Court – has 265 windows to 136 site facing rooms. 175 windows experience a small loss of light, in accordance with the BRE guidelines. The

remaining 90 experience a reduction beyond the BRE guidelines 20% reduction criteria.

89 of the 90 windows are either the small secondary windows in the door opening which lead onto the winter garden/balcony area from the living room or are the windows which serve a bedroom behind the winter garden/balcony. The remaining window is a main window to a living/dining room on the 1st floor. The actual light loss to this window is 0.12%.

89 windows are beneath recessed winter gardens/balconies and receive low levels of VSC even for an urban area with VSCs of less than 10% and even a modest obstruction opposite may result in a large relative impact on the VSC.

Sunlight

136 rooms have at least 1 site facing window within 90 degrees due south. 104 rooms experience reductions within the BRE guidelines. The remaining 32 rooms are bedrooms, behind the winter gardens/balconies which restricts sunlight. The BRE guidelines suggest sunlight to bedrooms is less important.

Overshadowing

A small amount of additional overshadowing will occur to the garden area to the south of Hopton Court. However, it will continue to enjoy 2 hours of sun on ground to over 50% of the area, in accordance with the BRE guidelines.

2. 28 Higher Cambridge Street – Known as Victoria Hall is to the north east and is student accommodation.

Daylight

The results of the daylight assessments (VSC and NSL) indicate that any reductions to this building should be within the BRE guidelines and therefore any reduction is unlikely to be noticeable to the occupants

Sunlight

Of 16 rooms assessed all have at least 1 window within 90 degrees due south. 15 rooms experience reductions that are within the BRE guidelines. The remaining room is on the ground floor and experiences a reduction beyond the BRE guidelines in the winter months only, yet retains a winter Annual Probable Sunlight Hours of 4%. This exceeds the alternative target of 3%. In addition, it exceeds the BRE guidelines for the annual APSH criteria of 25% with a sunlight level of 48%.

3. 57-63 Booth Street – Is a hostel and has been considered from a daylight / sunlight perspective.

Daylight

The 2 windows which experience a loss of light beyond the BRE guidelines are bedrooms and do so to a minor extent.

The daylight distribution results (NSL test) show that all rooms will experience small reductions which are well within the BRE guidelines criteria.

Sunlight

Of the 17 rooms assessed all have at least 1 window orientated within 90 degrees due south. 14 rooms experience reductions that are within the BRE guidelines. The remaining 3 rooms are the bedrooms which have a lesser requirement for sunlight, but continue to enjoy adequate levels of sunlight for an urban area.

4. Trinity Court Apartment - This is a recently built residential block and the flats have been assessed as dual aspect with access decks on the north and western elevations facing the development site.

Daylight

82 of 100 windows would experience a small loss of light, in accordance with the BRE guidelines. The remaining 18 experience a reduction of over 20%. However, each of these is positioned behind the access walkways and currently experience low levels of VSC even for an urban area, with VSCs of less than 6%. In these circumstances, the BRE guidelines recommend carrying out an additional calculation of the VSC without the access walkway in place for both the existing and proposed scenarios. This shows that all the windows would experience small reductions which are within the BRE guidelines.

Sunlight

All 24 rooms that have a site facing window orientated within 90 degrees due south would experience a reduction which is within the BRE guidelines.

5. Cooper House – This residential property is located directly to the south of the proposed site. The flats are dual aspect with the north facing windows to kitchens, bathrooms or secondary bedrooms. The main living rooms and primary bedrooms are on the southern elevation.

There are 138 windows to 130 site facing rooms with 90 bedroom and 48 kitchen.

Notable reductions of VSC would occur to 55 with the remaining 83 windows having reductions within the BRE guidelines. The change in windows affected in this location is the most marked change from the originally submitted scheme.

However, it must still be remarked that the vast majority of affected windows already receive a very low level of daylight because they are beneath a walkway. The results of the alternative assessments show that 97 of the 138 windows (70%) meet the BRE guidelines. Therefore for 14 windows it can be concluded that it is the presence of the balcony, rather than the scale and bulk of the massing which is causing the relative reduction in VSC.

The remaining 41 windows (predominately kitchen windows) will experience reductions beyond the BRE guidelines and should therefore be considered to experience an adverse effect. Whilst the percentage reductions are adverse, it is important to consider the retained levels of daylight and the impact to each flat as a whole before overall conclusions are drawn. It is also considered reasonable to consider the mirror test as set out in the BRE guidelines given the proximity of Cooper House to its boundary with the site.

Retained Daylight Levels

When considering the 41 windows that do not meet the BRE guidelines 35 retain a VSC above 20%, 4 windows retain a VSC above 15% and 2 windows retain a VSC below 15%.

The light to the 2 windows that retain a VSC below 15% is also obstructed by the lift core structure that projects out from the back of the building.

The 4 windows that retain a VSC above 15% are on the ground only. The remaining 35 windows all retain a VSC of at least 20% VSC.

For Daylight Distribution of the 130 site facing rooms assessed 100 rooms experience a reduction that is within the BRE guidelines. Of the 30 rooms that do not meet the BRE guidelines, 21 retain daylight distribution to over 50% of the room's area which is considered a good level for an urban area.

Overall, the above alternative tests lead to the conclusion that whilst there is likely to be some notable reductions in daylight distribution to some rooms, the various VSC tests show that adequate levels of daylight.

Mirror Massing Assessment

The mirror massing test is another way to establish alternative target figures. An image illustrating this for Cooper House (within the confines of the application red line boundary) is given below

| | Mirror Massing Retained Average VSC | Proposed Massing Retained Average VSC |
|---------------|--|--|
| Ground Floor | 2.82 | 2.65 |
| First Floor | 22.43 | 19.88 |
| Second Floor | 1.35 | 1.28 |
| Third Floor | 4.59 | 4.34 |
| Fourth Floor | 26.61 | 22.94 |
| Fifth Floor | 6.25 | 4.92 |
| Sixth Floor | 29.53 | 25.06 |
| Seventh Floor | 8.29 | 5.49 |
| Eighth Floor | 33.21 | 28.29 |

The results of assessing VSC against a mirror image against the proposal on a window-by-window basis, show that some are lower and some are higher but the values are not significantly apart. When averaging the VSCs across each floor level the following results are achieved:

On the ground to fifth floor (inclusive) the retained VSC values are very similar. On the sixth, seventh and eighth floors the Mirror Massing Retained values are slightly higher but the figures for the sixth and eighth floors (which are not affected by walkways above) retain good levels of daylight for an urban area. Overall, the proposed massing is considered to cause the same effect as the mirror massing.

All of the affected flats within Cooper House are dual aspect and the principal habitable rooms (the main living room, dining areas and main bedrooms) are on the opposite side of the building and are not affected.

Summary of daylight effects to Cooper House

There would be noticeable reductions in daylight to some of the rear windows of Cooper House. These flats are dual aspect with the main habitable rooms facing away from the proposal and have good levels of daylight and sunlight and will continue to do so.

Sunlight

4 rooms have windows orientated within 90 degrees due south. One experiences sunlight reductions that are beyond the BRE guidelines but the sunlight levels to this room is already obstructed by the lift core structure that projects out from the back of the building.

Previous Consent for the Site

The analysis submitted also makes reference to a previously consented scheme for redevelopment of the site allowed on appeal in 2008

The massing of that scheme was slightly larger than the mirror massing of Cooper House. The consented scheme would have resulted in reductions beyond the BRE guidelines and is likely to have had a similar effect as the proposed scheme.

6. 94 Boundary Lane – The residential building is to the south west.

Daylight

The VSC assessments show that all windows, would experience reductions which are within the BRE guidelines.

Sunlight

No windows or rooms are affected.

7. 104-110 Boundary Lane – The residential property is to the west.

Daylight

There are 45 windows to 26 rooms. 22 of the 45 windows would experience a small loss of light, which accord with the BRE guidelines.

The remaining 23 9 windows experience a reduction that would be noticeable at over 20%. However, each would continue to have a VSC in excess of 20% which is considered a good level of daylight in an urban area.

For Daylight Distribution 21 of 26 rooms experience a small reduction. The remaining 5 would have a DD of over 50% of the room's area which is considered a good level for an urban area. The results show that the minimum is 72% (only 8% short of the BRE guidelines).

Sunlight

Of the 5 rooms that have a site facing window which is orientated within 90 degrees of due south, the results show that each room will experience a reduction which is within the BRE guidelines.

8. 2 Freeman Square – The building is located to the north west.

Daylight

28 windows serving 10 site facing rooms were assessed. 28 windows experience a small loss of light, in accordance with the BRE guidelines.

Sunlight

7 rooms that have a site facing window which is orientated within 90 degrees due south. Results show that each room will experience a reduction which is within the BRE guidelines.

Overshadowing

The property does not have amenity spaces which require assessment.

Overall the results show that any daylight or sunlight reductions to the surrounding residential properties are generally within the BRE guidelines and therefore unnoticeable to residents. Where the BRE guidelines are not met good levels of daylight and sunlight for an urban area are generally retained.

The windows/rooms within Cooper House which experience the most notable reductions beyond the BRE guidelines, are considered secondary use rooms (i.e. 2nd bedrooms or kitchen) which are predominantly located beneath a balcony/access walkway.

The assessments show that there is likely to be a notable reduction in daylight to some of the rear windows of Cooper House. However, it has been shown that the retained values, when based on what is reasonable for an urban area, and when

compared to mirror massing tests, can be considered acceptable. In addition, it is identified that each home is dual aspect with the main habitable rooms facing away from the proposal. These rooms would retain very good levels of daylight and sunlight.

There would be a slight more overshadowing to surrounding gardens on the Spring Equinox (21 March) but the space would continue to receive 2 hours of sun on ground to over 50% of the area, in accordance with the BRE guidelines.

In determining the impact of the development on available daylight and sunlight, consideration should be given to paragraph 125 (c) of Section 11 of the NPPF which states that when considering applications for housing, a flexible approach should be taken in terms of applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

The proposal would result in minor to moderate localised impacts on daylight, sunlight and overshadowing. Such impacts are not unusual in the local context, being more urban with higher density development of a tighter knit grain. The BRE guidance advocates flexibility in such situations, it is considered the relationship of the proposal to surrounding developments responds to its location and particular characteristics.

Reference has been made to the economic implications associated with loss of light and associated heat and the subsequent need for additional lighting for residents of surrounding property.

Taking into account the impacts set out above the development is not considered to be unduly harmful to the extent that they would be considered unacceptable and therefore warrant refusal of this planning permission.

Overlooking

Neighbouring property is considered to be sufficiently far away from the application site to not result in any loss of amenity from overlooking.

(b) Wind Environment

A wind assessment of potential effects in and around the site has considered the wind flows that would be experienced by pedestrians and the influence on their activities.

The safety results show that there are no significant effects within or immediately surrounding the site. The comfort results also show that there are no significant effects within or immediately surrounding the site for the intended pedestrian uses. The results show lower wind speeds than in the previous assessment for a taller building on the site.

All speeds encountered at the site are at lower comfort speed levels and no mitigation measures are required for either seating or entrance areas. The landscaping scheme will also introduce elements to reduce windspeeds further.

(c) Air Quality

The site is within an Air Quality Management Area (AQMA) where air quality conditions are known to be poor as a result of emissions from roads. An assessment has considered the impact on air quality during construction and operational phases of development.

The level of construction vehicle traffic is considered to have a negligible impact upon air quality. Dust would be inevitable during demolition, earthworks and construction. Works would be undertaken in accordance with IAQM guidance to mitigate the impacts of dust.

The impacts on air quality once the development is complete would be negligible. The scheme is a car free scheme with students encouraged to cycle with 49% secure on site cycle parking provision. The applicant has also submitted a travel plan and a condition is in place to secure further travel planning measures. Given the proximity of the Universities a large number of students would walk or utilise public transport available on 'The Corridor.'

In light of the above, it is considered that the proposal would comply with policy EN16 of the Core Strategy and the NPPF and the development will not have a detrimental impact on air quality.

(d) Noise

A Noise Impact Assessment has been considered as part of the application. The main source of noise from the development are from the construction activities and plant. Consideration has also been given to external noise sources on the habitable accommodation.

Noise levels from construction would not be unduly harmful provided the strict operating and delivery hours are adhered to along with the erection of a hoarding with acoustic properties, silencers on equipment and regular communication with nearby residents. It is recommended that such details are secured by condition.

The proposal is likely to require plant and details area required prior to first occupation and it is recommended that this is included as a condition of the planning approval.

The report also considers external noise sources on the proposed accommodation. The main source of noise would be from the traffic, and other noise along Oxford Road. The accommodation would have to be acoustically insulated to mitigate against any undue harm from noise sources. Further information is required about ventilation measures together with a verification / post completion report prior to the first occupation of the development.

Provided that construction activities are carefully controlled and the plant equipment and student accommodation is appropriately insulated the proposal is considered to be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF.

(e) Fume Extraction

Fume extraction for the commercial operations and kitchen areas could be integrated into the scheme and condition is recommended.

(f) Waste Management and Servicing Management

A development of this nature is likely to generate a significant amount of waste which has to be managed on a daily basis. There are challenges in ensuring efficient waste removal including ensuring that waste is recycled.

As part of Host's management of the development, occupants will be required to separate recyclable waste from non-recyclable waste and separate bins will be provided for this purpose within the communal bin area. There is available space within the clusters and studios for the segregation of waste.

Waste would be stored at ground floor level in an accessible store with sufficient capacity to accommodate recycling and general waste bins. The management company would manoeuvre the bins from the store to the layby on Booth Street West on collection day and return to the store once emptied. The building operator will provide a twice weekly collection using a private contractor. The collection point for bins from both the Student Residential Accommodation and the Community Hub will be from the temporary bin collection area located adjacent to the proposed lay-by off Booth Street West. The collection vehicle will be able to pull in to the lay-by directly from Booth Street West and pull back in without turning when leaving to merge with traffic. A condition is recommended to secure appropriate waste management.

A detailed servicing and deliveries strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority to include details of the management arrangements for moving in and out times, taxi pick up and drop off and food and online deliveries and any other associated management and operational requirements.

(g) TV reception

A TV reception study has concluded that the proposal may cause some highly localised disruption to the reception of digital satellite television services to the immediate northwest of the site, particularly around Freeman Square, Millbeck Street and Boundary Lane). Should interference occur, moving satellite dishes to new locations out of any signal shadows should restore good reception conditions. No other interference is expected.

A condition would require a post completion survey to be undertaken to verify the maintenance of at least the pre-existing level and quality of signal reception as identified in the submitted survey.

(h) Water quality, drainage and flood risk

The development has an area of less than 1 hectare and is not located in Flood Zone 2 or 3. A drainage strategy had been submitted with the application for assessment. Appropriate conditions have been recommended by the Flood Risk Management Team.

(i) Designing out crime

A Crime Impact Statement (CIS) prepared by Design for Security at Greater Manchester Police recognises that the proposals will result in the redevelopment of a building and site that unless re-used or redeveloped quickly will be very likely to be targeted by vandals and criminals leading to an erosion of the quality of the local environment, attracting further criminal activity to the area more widely, all of which is likely to impinge on the quality of life of nearby residents. It is recommended that a condition requires the CIS to be implemented in full to achieve Secured by Design Accreditation.

(j) Ground conditions

There are no unusual or complex contamination conditions. A detailed risk assessment remediation strategy is required. The implementation of the remediation strategy should be confirmed through a verification report to verify that all the agreed remediation has been carried out. The approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

(k) Construction Management

Measures would be put in place to help minimise the impact of the development on local residents. Provided appropriate measures are put in place 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 should require the final construction management plan to be agreed to ensure the process has the minimal impact on surrounding residents and the highway network.

Response to comments received from objectors

Objections have been received on the grounds that the principle of development is unacceptable due to lack of demand for student accommodation, impact on the residential character of the area and that proposal constitutes overdevelopment that is excessive in height and scale that would cause loss of daylight and sunlight (which would have economic implications for occupants of surrounding property), overlooking, and increase impacts of noise and disturbance.

This report provides an analysis of those comments and concerns. The principle of development, contribution to regeneration and need for the student accommodation has been tested, meets the required planning policy criteria and guidance and has the support of education providers. The application site location close to Oxford Road and the University Campuses makes it suitable.

The impact on the amenities of those residents within the existing residential neighbourhood have been considered. It is acknowledged that there may be some localised impacts as a result of the development particularly from change in outlook, impact on daylight, sunlight and wind conditions. In addition, there would be short term but temporary disruption from the construction process. These matters are not considered to be unduly harmful in the context and matters such as construction impacts can be carefully mitigation through a construction management plan.

The operational impacts of the development can also be managed. The student accommodation would be well managed by an experienced operator. Impacts from Waste, online deliveries, servicing and taxis can be managed.

The changes in outlook from surrounding residential buildings and changes to daylight and sunlight are not so substantial over and above those impacts that would result in a mirrored development of the site, therefore those impacts would not warrant refusal.

The proposal would bring significant economic, social and environmental benefits to the city and the local area. This must be given significant weight in the decision making process as directed by the NPPF.

Conclusion

It is considered that Members concerns raised in relation to the originally submitted plans presented to the previous Planning and Highways Committee have been fully addressed by the applicant. The scale and massing of the building have reduced and there are measurable improvements for the occupants of surrounding property, the scheme now also provides for disabled car parking access within close proximity of the entrance to the development. The proposal conforms to the development plan and there are no material considerations which would indicate otherwise.

The proposal represents investment near to 'The Corridor' and is wholly consistent with planning policies for the site (Policy H12) and would help realise regeneration benefits and meet demand for student accommodation in a sustainable location. Significant weight should be given to this. This investment also comes as a critical time as the City recovers from the economic effects of the Covid 19 pandemic.

The design would set high standards of sustainability. The location would take advantage of the sustainable transport network. The site would be car free which would minimise emissions.

Careful consideration has been given the impact of the development on the local area. There would inevitably be impacts in terms of the use and the scale of the building on light, noise, air quality, water management and wind conditions. However, none of these impacts would be unusual with regards to the context of the area and mitigation measures are in place to address them. Waste can be managed with recycling prioritised.

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants

(and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director 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 of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the application, and the application has been determined in accordance with the policies within the Development Plan.

Conditions to be attached to this 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

10224-Z0-A-B5D8-G000-XP-00-001 Context Plan - Existing - Application Location and Ownership Extent Rev 00

10224-Z0-A-B5D8-G000-XE-EN-001 Context Elevation - Existing - North - Booth St West Rev 00

10224-Z0-A-B5D8-G000-XE-EW-001 Context Elevation - Existing - West - Boundary Lane Rev 00

10224-Z0-A-B5D8-JC20-XP-XX-001 Demolition Plan Rev 02

10224-Z0-A-B5D8-G000-PL-XX-001 Context Plan - Proposed - Site Plan Rev 02

10224-Z0-A-B5D8-G200-PL-00-001 GA Plan - Proposed - Ground Floor (Level 00) Rev 02

10224-Z0-A-B5D8-G200-PL-01-001 GA Plan - Proposed - Level 01 Rev 02

10224-Z0-A-B5D8-G200-PL-02-001 GA Plan - Proposed - Level 02 - Typical Plan Type 01 - Levels 02 to 06 Rev 02
10224-Z0-A-B5D8-G200-PL-07-001 GA Plan - Proposed - Level 07 - Typical Plan Type 02 - Levels 07 to 10 Rev 00
10224-Z0-A-B5D8-G200-PL-RF-001 GA Plan - Proposed - Roof Level (Level RF) Rev 02
10224-Z0-A-B5D8-G000-EL-EN-001 Context Elevation - Proposed - North - Booth St West Rev 02
10224-Z0-A-B5D8-G000-EL-EW-001 Context Elevation - Proposed - West - Boundary Lane Rev 02
10224-Z0-A-B5D8-G200-EL-EN-001 GA Elevation - Proposed - North - Booth St West Rev 02
10224-Z0-A-B5D8-G200-EL-EE-001 GA Elevation - Proposed - East Rev 01
10224-Z0-A-B5D8-G200-EL-ES-001 GA Elevation - Proposed - South - Camelford Close Rev 02
10224-Z0-A-B5D8-G200-EL-EW-001 GA Elevation - Proposed - West - Boundary Lane Rev 02
10224-Z0-A-B5D8-G200-SE-AA-001 GA Section - Proposed - AA - East Facing Rev 02
10224-Z0-A-B5D8-G251-DE-00-001 Facade Details - Typical Curtain Walling - Level 00 Rev 01
10224-Z0-A-B5D8-G251-DE-XX-001 Facade Details - Typical Lower Volume Rev 02
10224-Z0-A-B5D8-G251-DE-XX-002 Facade Details - Typical Upper Volume Rev 02
10224-SHP-RP-DAS Design and Access Statement 02

Planning and Tall Building Statement Gamecock Planning Statement Turley
10224-SHP-RP-B5D8-DAS01 Parts 1-10 SimpsonHaugh & Partners
Air Quality Assessment Gamecock Air Quality Assessment V3AQ051800
Karius Ltd
Arboricultural Impact Assessment Gamecock Arboricultural Impact Assessment v5 Amenity Tree Care
Archaeological Impact Assessment Gamecock Archaeological Assessment v1.1 Salford Archaeology
Demolition Method and Environmental Management Plan Gamecock
Ecology Assessment and Bat Roost Assessment Gamecock Preliminary Ecological Appraisal RT-MME-153624-01 Rev B; Gamecock Preliminary Bat Roost Assessment RT-MME-153624-02 Rev B Middlemarch Environmental Ltd
Energy Statement / Environmental Standards Statement and BREEAM Report Gamecock Environmental Standards Statement Turley Flood Risk Assessment / Drainage Strategy Gamecock
Flood Risk Assessment and Drainage Strategy 20049.00.00.D100 Rev 2 Shear Design
Green and Blue Infrastructure Statement Gamecock Green and Blue Infrastructure Statement 3661 502 TPM LANDSCAPE LTD
Noise Impact Assessment Gamecock Noise Impact Assessment RP 210303 Rev03 MACH Acoustics Ltd Phase 1 Geo-Environmental Assessment

Gamecock Preliminary Geoenvironmental Assessment 1909009.001B Parts 1
 -3 Tweedie Evans Consulting
 Signal Survey, TV+ Radio Reception Impact Assessment / Broadband
 Connectivity Gamecock Television and Radio Reception Impact Assessment
 v0.1 GTech Surveys Ltd Statement of Community Involvement Gamecock
 Statement of Community Involvement V3 Cratus Communications Ltd
 Student Management Plan Gamecock Student Management Plan v2 Host.
 Summary Evidence of Student Need Gamecock Evidence of Need Report
 06.04.21 Cushman and Wakefield Townscape and Visual Impact Assessment
 Gamecock Townscape and Visual Impact Assessment 210423 Turley
 Transport Statement / Travel Plan Gamecock Transport Statement and Travel
 Plan 3302.03 Eddisons Croft
 Ventilation Strategy Gamecock Ventilation Strategy B2798 003 Amber
 Management and Engineering Services Limited
 Assessment V2.1 Wardel Armstrong LLP
 Demolition Construction Management Plan P-1628 Rhomco
 Technical Note 01 prepared by Eddisons
 Note on Flood Risk Comment
 Bat Survey prepared by Middlemarch Environmental Ltd reference RT-MME-
 153624-03

Wind Microclimate Assessment (Version 1), produced by Wardell Armstrong
 Daylight Sunlight and Overshadowing Report (Version 4), produced by Point 2
 Crime Impact Statement (document ref. 2007/1181/CIS/02), produced by
 Greater Manchester Police
 Updated Economic Benefits Infographic, produced by Turley Economics
 Waste Management Strategy (document ref. 10224-SHP-RP-WM201),
 produced by Simpson Haugh

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. 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)

6. No development groundworks 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:
1. Informed by the updated North West Archaeological Research Framework, a phased programme and methodology of investigation and recording to include:
 - an archaeological evaluation through trial trenching;
 - dependent on the above, targeted open-area excavation and recording (subject to a separate WSI).
 2. A programme for post-investigation assessment to include:
 - production of a final report on the significance of the below-ground archaeological interest.
 3. Deposition of the final report with the Greater Manchester Historic Environment Record.
 4. Dissemination of the results of the archaeological investigations commensurate with their significance, which may include the installation of an information panel.
 5. Provision for archive deposition of the report and records of the site investigation.
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: In accordance with NPPF Section 16, Paragraph 199 - To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible.

7. 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.

8. 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.

9. 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 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 within each phase 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 in each phase 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.

10. No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:
- o A construction programme including phasing of works;
 - o 24 hour emergency contact number;
 - o Expected number and type of vehicles accessing the site:
 - o Deliveries, waste, cranes, equipment, plant, works, visitors;
 - o Size of construction vehicles;
 - o The use of a consolidation operation or scheme for the delivery of materials and goods;
 - o Phasing of works;
 - o Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction): Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;
 - o Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
 - o Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;

- o Locations for storage of plant/waste/construction materials;
- o Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- o Any necessary temporary traffic management measures;
- o Measures to protect vulnerable road users (cyclists and pedestrians);
- o Arrangements for temporary facilities for any bus stops or routes;
- o Method of preventing mud being carried onto the highway;
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

11. a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences.
- b) Prior to commencement of the use hereby permitted confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.
- Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

Reason - To protect residential amenity 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).

12. The hours of opening of the gym / community space / café are to be confirmed, in writing, prior to the first use of the development hereby approved.

Reason - To protect residential amenity 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).

13. a) Before the use hereby approved commences external lighting shall be designed and installed in accordance with a scheme approved in writing by

the City Council as local planning authority so as to control glare and overspill onto nearby residential properties.

b) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the criteria.

Reason - To safeguard the amenities of the occupiers of nearby properties pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012)

14. 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.

15. a) 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 LAeq (entertainment noise) shall be controlled to 10dB below the LA90 (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.

b) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenities of the occupiers of nearby properties pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012)

16. a) Before above ground works take place a scheme for acoustically insulating the proposed residential accommodation against noise from nearby busy roads and any other nearby significant noise sources 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 LAeq (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 LAeq

Gardens and terraces (daytime) 55 dB LAeq

- b) Prior to first occupation of the residential units, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

17. a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme 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 site.

- b) Prior to occupation of the development a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the

recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site 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).

18. The development is to be undertaken in accordance with the submitted waste management strategy. The strategy shall be implemented in full prior to the first occupation of the authorised development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester

19. Deliveries, servicing and collections including waste collections shall not take place outside the following hours:

Monday to Saturday 07:30 to 20:00
Sundays (and Bank Holidays): 10:00 to 18:00

Reason - In the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

20. The student accommodation element of the development hereby approved shall be used as purpose built student accommodation (Sui Generis) and for no other purpose of The Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) (including serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights).

Reason - To ensure that the accommodation is used solely for the intended purpose - student accommodation and to safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; 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.

21. Prior to the first occupation of the student accommodation hereby approved, the cycle store shall be implemented and made available for the occupants of

the development. The cycle store shall remain available and in use for as long as the development is occupied.

Reason - To ensure there is sufficient cycle storage provision at the in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

22. Prior to the first occupation of the development hereby approved a scheme of highway works and details of footpaths reinstatement/public realm for 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:

- Footway resurfacing
- Dropped kerbs/tactile paving
- Creation of a car club bay in close proximity to the development.
- Loading bay on Booth Street West
- Creation of new on street disabled parking places
- Traffic Regulation Orders

Improvements to the public realm including details of materials (including high quality materials to be used for the footpaths and for the areas between the pavement and building line) and tree planting and soft landscaping where appropriate.

The approved scheme shall be implemented and be in place prior to the first occupation of 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).

23. Prior to the first occupation of development, a detailed servicing and deliveries strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt this shall include details of the management arrangements for moving in and out times, taxi pick up and drop off and food and online deliveries and any other associated management and operational requirements. The approved strategy, including any associated mitigation works, shall be implemented and be in place prior to the first occupation of the development and thereafter retained and maintained in operation.

Reason - To ensure appropriate servicing management 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).

24. The development hereby approved shall be carried out in accordance with the Framework Travel Plan attached to the submitted Transport Statement.

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

Within six months of the first use 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 at the development, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

25. Notwithstanding the TV And Radio Impact Assessment received, within one month of the practical completion of the development, 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 a study to identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures identified must be carried out either before each phase is first occupied or within one month of the study being submitted for approval in writing to the City Council as Local Planning Authority, whichever is the earlier.

Reason - To provide an indication of the area of television and radio signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception - In the interest of residential amenity, as specified in policy DM1 of Manchester Core Strategy (2012).

26. The development hereby approved shall include for full disabled access to be provided to all areas of public realm and via the main entrances and to the floors above.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Manchester Core Strategy (2012) policy DM1.

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27. Prior to the first operation of the development hereby approved a signage strategy for the entire building shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved strategy shall then be implemented and used to inform any future advertisement applications for the building.

Reason - In the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

28. The development hereby approved shall only be carried out in accordance with measures detailed in the Environmental Standards Statement, received by the City Council, as Local Planning Authority on the 13th May 2021.

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).

29. 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).

30. (a) prior to the first occupation of the development hereby approved details of a hard and soft landscaping scheme (including appropriate materials specifications and street trees) for the public realm area shall be submitted for approval in writing by the City Council as Local Planning Authority.

(b) The approved scheme shall be implemented prior to the first occupation of the development

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.

31. Prior to the first occupation of the development hereby approved, full details of the specification and locations of bat and bird boxes, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The bat and bird boxes shall be installed prior to the completion of the development and therefore be retained and remain in situ.

Reason - To ensure the creation of new habitats in order to comply with policy EN15 of the Manchester Core Strategy (2012).

32. Prior to occupation of the development hereby approved, a detailed Community Access Agreement shall be submitted to and agreed in writing by the City Council as local planning authority. The agreement shall incorporate details including hours of operation, type of community use and associated costs of use.

Reason - To maximise the use of the facilities by the community with regards to policy DM1 of the Core Strategy.

Informative - Under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed. Site clearance should follow the recommendation R4 in the Middlemarch Preliminary Ecological Appraisal (RT-MME-153624-01 Rev B) with regards to terrestrial mammals.

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: 130387/FO/2021 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)
 Corporate Property
 MCC Flood Risk Management
 Work & Skills Team
 Greater Manchester Police
 United Utilities Water PLC
 Greater Manchester Archaeological Advisory Service
 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 : jennifer.connor@manchester.gov.uk



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|---------------------------|----------------------|-------------------------------|--------------------|
| Application Number | Date of Appln | Committee Date | Ward |
| 134732/FO/2022 | 5th Sep 2022 | 20 th October 2022 | Whalley Range Ward |

Proposal Erection of extension with a height of 9.3 metres to form Activity Hall and Health and Fitness Centre together with a single-storey extension and re-roofing of existing building (revision to previous planning approval reference 128921/FO/2020)

Location Manley Park Play Centre, York Avenue, Manchester, M16 0AS

Applicant Majid Dar, Community on Solid Ground, Manley Park Play Centre , York Avenue, Manchester, M16 0AS,

Agent Mr Saghir Hussain, Create It Studio Architects, Universal Square, Devonshire Street North, Manchester, M12 6JH

Executive Summary

Planning permission was granted in March 2021 for extensions to an existing single storey community centre building located within Manley Park, this followed a previous approval in 2020 for extensions to the existing play centre. The extensions approved were to provide indoor covered activity spaces at the Community Centre to the north and south of the existing building. The approved extension to the south was to form a 9.2-metre-high activity hall, whilst the extension to the north was of a lower height (approximately 5 metres in height). Works have commenced on site to deliver these approved extensions.

The current proposals seek to provide a further enlargement to the rear of the existing building, a new front entrance, together with roof amendments to provide a more unifying design across the proposed development. The revised proposals indicate an increase in height of the activity hall to 9.3 metres.

110 addresses were notified of the proposals, 4 responses were received, 3 raising concerns with the proposals and particularly implications in terms of pedestrian and highway safety in the vicinity of the park.

Whilst a majority of the proposed works have previously been considered acceptable consideration of the additional extensions and amendments to the existing building is required in particular implications in terms of impacts on the visual amenity and character of the area together with consideration on residential amenity.

The matters raised above are set out and considered in full within the main body of this report. As the applicant is identified as an elected ward Councillor and objections have been received this application is being reported to Committee.

Description of the site

The application site relates to Manley Park located on York Avenue within the Whalley Range Ward and in particular the existing building located in the south

western corner of the park. There are trees bounding the park, which contains grassed areas and areas of hard standing in the form of basketball court and children's play area. The streets to the east and west are predominantly residential in nature with more mixed commercial/residential three storey terraced properties to the south along Clarendon Road. Manley Park Primary School borders the park to the immediate north.



Site location in respect of the wider park

The existing single storey red brick building on the site within the park are used as for community use purposes with fenced external play areas to the north and south of the building.



Existing centre with works taking place to the left to implement previous planning consent

Application proposals

The application proposals relate to a revised scheme following the granting of planning permission for the erection of extensions to the existing building with an Activity Hall and Health and Fitness Centre to a maximum height of 9.3 metres to the south of the existing building with a lower height extension to the north. The current application proposals include the original approved extensions to the north and south together with a further extension to the rear of the existing building on site and reroofing of the existing building, there is a slight increase in the height of the building proposed to the south from that originally approved of 0.1metres, this additional extension would provide a further 104sqm of floorspace. The extensions and alterations to the existing building would provide a uniformed elevational treatment to the building and extensions.



Proposed York Avenue Elevation

Consultations

Local residents were notified of the proposals 4 comments were received as a result, three of these raised concerns with the proposals and one indicated support. A summary of the comments made is set out below:

- Vehicles travel up and down York Avenue at high speeds causing noise pollution and a risk of death or serious injury. Whilst welcoming the building of the activity hall and health and fitness centre for the community there are concerns about risks of injury from speeding traffic with the increased pedestrian footfall.
- The development would result in additional traffic on York Avenue posing a risk to children attending the nearby school as well as the park.
- There are plans to create traffic controls at the top of York Avenue where it joins Milton Grove which is welcomed but the plans should go further and introduce speed bumps on York Avenue.
- The new proposals appear to be built higher than the existing building on the original planning permission design from 2020.
- The health and fitness centre has already blocked a considerable view of the park so a further height increase is opposed.
- The existing building has an existing security light that is bright and directly shines on residential buildings opposite. The proposed increase in hours of use would mean that the use of this light will also increase.
- Concerns about impacts on parking around the site. On street parking in the vicinity is already limited, how is this being addressed through this proposed extension.

The comments in support states that the applicant does great work with the local community who use the facilities and is a much needed improvement.

Sport England – The proposal does not fall within either their statutory or non-statutory remit and therefore they have not provided a detailed response in this case.

MCC Highways – Raise no pedestrian or highway safety concerns with the proposals. Currently the area is covered by a 20mph zone, there is traffic calming measures on Clarendon Road although none exists on York Avenue (existing on-street helps to slow traffic). The accident record for the area does not indicate particular issues within this area.

Given the scheme is primarily to be used by local people it is considered that sustainable travel modes should be encouraged to the site. Provision of cycle parking at the site together with the provision of an on site travel notice board will assist in achieving these aims, it is also indicated that given the further increase in floorspace at the site any approval should be subject of a travel plan condition to further encourage a shift towards accessing facilities by sustainable travel modes.

MCC Environmental Health – Raise no objections to the proposals but recommend conditions to be attached to any approval to deal with: opening hours (0900 – 2200 hrs 7 days a week); delivery and serving hours of the premises (0730 -2000hrs Monday to Saturday with non on Sundays or bank holidays); acoustic measures in accordance with the submitted noise report; and final details of waste management for the site.

MCC Flood Risk Management Team – Recommend a condition be attached to any approval for the submission and agreement of a surface water management scheme based upon sustainable drainage principles.

United Utilities – Requested additional surface water and foul drainage strategy from the site and in the absence of this would request a condition be attached for the submission of a surface water drainage and foul water drainage scheme.

Policy

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The adopted development plan consists of the Core Strategy (adopted 2012) and the saved policies of the Unitary Development Plan. Due consideration in the determination of the application will also need to be afforded to national policies in the National Planning Policy Framework (NPPF) which represents a significant material consideration.

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 - sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including:

- o creating well designed places,
- o making a positive contribution to health, safety and well-being,
- o considering the needs of all members of the community, and
- o protecting and enhancing the built and natural environment.

This is an overarching policy which sets the context for this application.

Policy EN12 - Area priorities for Open Space, Sport and Recreation - The priorities for open space, sport and recreation in the City set out in Manchester's Strategic Open Space, Sport and Recreation Study and within the regeneration areas include the following:-

South area: enhance the quality of existing provision and using opportunities to address deficiencies.

Policy EN14 relates to Flood Risk and states all new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of Green Infrastructure. Developers should have regard to the surface water run-off rates in the SFRA User Guide. The site falls within Flood Zone 1 and is at low risk of flooding.

Policy EN 15 relates to Biodiversity and Geological Conservation. The policy indicates that the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City.

Policy T1 seeks to support proposals that 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.

Policy T2 relates to Accessible areas of opportunity and need and 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, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international connections; is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities.

Policy DM1 of the Core Strategy states:

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

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-
- (b) For new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment Environmental Assessment Method) standards.

As set out within the issues section of this report below, the application proposals are considered to accord with policy DM1 of the Core Strategy.

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

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

The proposed development is considered to have been designed to reflect the sites context and relationships with the surrounding area to a provide strong built form and therefore accords with the general principles of the Guide to Development SPD.

Relevant National Policy

The National Planning Policy Framework (July 2021) sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role. The NPPF outlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The following specific elements of the NPPF are considered to be particularly relevant to the proposed development:

Section 8 (Promoting healthy and safe communities) – The proposals would provide improved and enlarged facilities for the local community and are considered to contribute towards this section of the NPPF.

Section 9 (Promoting Sustainable Transport) – The proposal is in an accessible location, measures to provide increase cycle parking together with a travel plan condition are proposed to promote more sustainable access to the site by users of the facilities.

Section 12 (Achieving Well-Designed Places) – The proposals are considered to provide community facilities within a park used by the local community that would enhance its use.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) – The site is within Zone 1 of the Environment Agency flood maps and has a low probability of flooding, conditions are proposed for the development to incorporate a sustainable surface water drainage scheme.

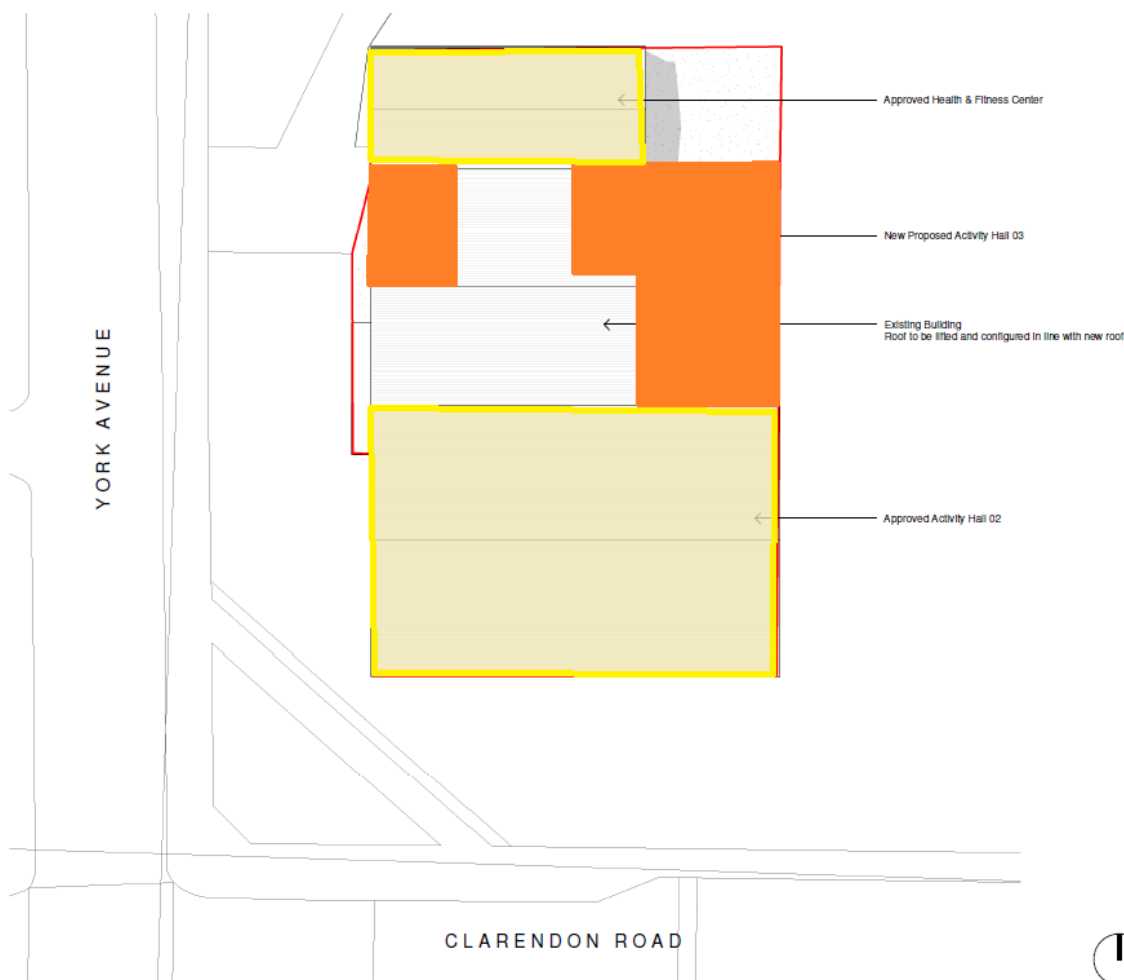
Issues

Principle of use - The proposed extensions to the existing community centre to provide a sports facility and health and fitness centre are suitable for the application site. Most of the proposed works have previously been considered acceptable under planning approval references 128921/FO/2020 and 127622/FO/2020, the current proposals seek to extend towards the rear of the existing building and previous extensions and indicate a slight increase in height of the activity hall to the south together with the installation of new front entrance and roof to the existing building.

The applicant had confirmed through the original planning approvals that they are an active and effective local charity based in Whalley Range. They uses sports, education, training, youth work, mentoring, and social activities, to empower the community and young people to increase their confidence, motivation, skills, employability and quality of life. They are working and providing services for over 400 people on a weekly basis. They indicate that the current Manley Park Play Centre is past its designed life expectancy and is not conducive to a modern active learning and development environment. The main hall is not fit for purpose, woefully

inadequate and is in need for updated facilities to cater for all of our expanding communities. The intention is to develop and extend the building into a Community Activity hall, dedicated for community use, easy to access, and boosting our community activities.

The land that would be the subject of the application is currently used as outdoor space associated with the community centre, separated from the wider park by fencing. The proposals have been identified as meeting unmet demand for such facilities in this location. On this basis the principle of the use in this location are considered to be acceptable subject to the further consideration of the matters set out below.



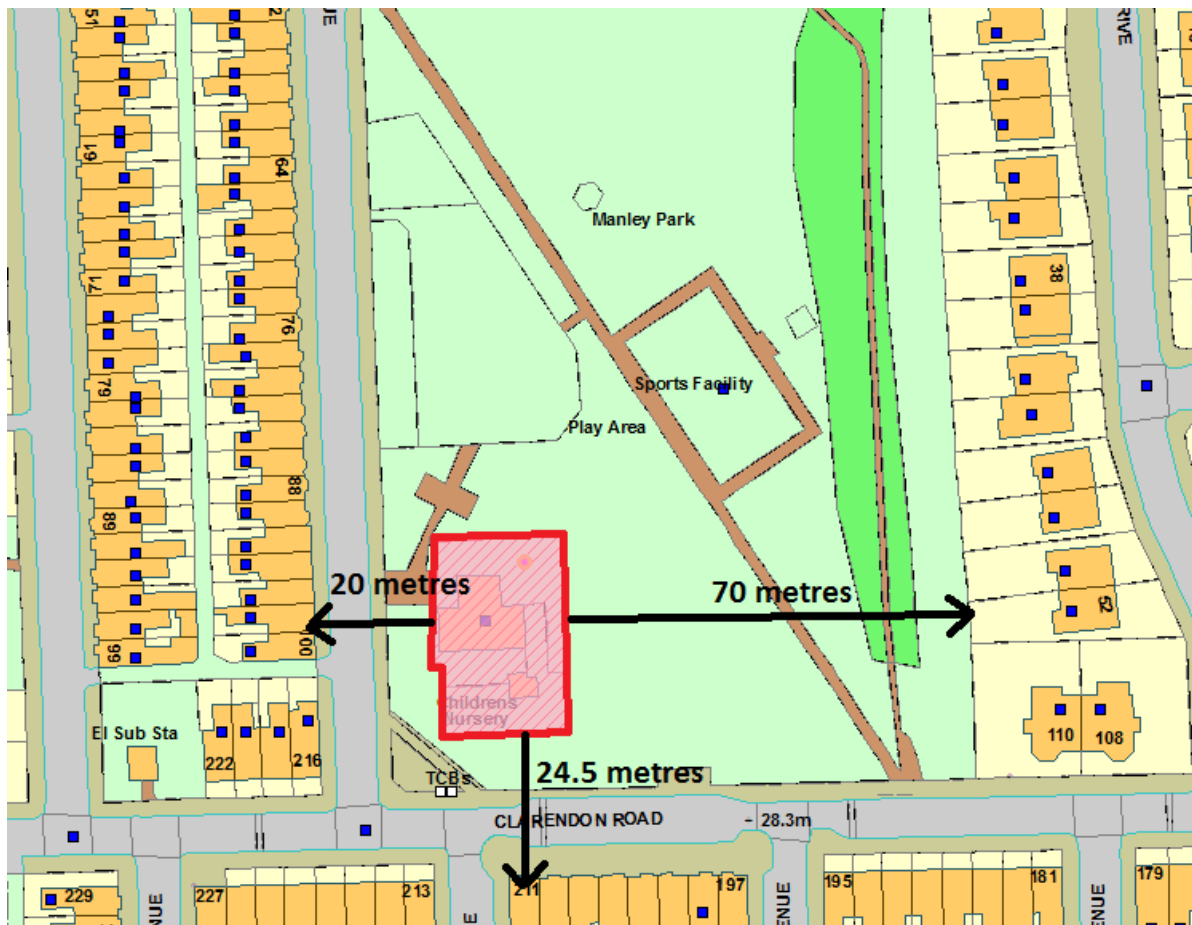
The areas outlined in orange are the additional extensions above those previously approved (in yellow) to the north and south of the existing buildings on site.

Traffic, Car parking and Sustainable Transport – Concerns have been raised by residents regarding existing highway safety issues together with concerns that the proposals would give rise to increases and additional traffic arising from the proposed development.

The original proposals together with the scheme now proposed have been fully assessed by the Council's Highway Services. They raise no objections to the proposals on highway or pedestrian safety grounds. The site is considered to be

suitably accessible by sustainable modes of transport. The applicant during consideration of the previous planning approvals had agreed to provide cycle parking on site and to provide travel planning information in the form of a Travel Noticeboard and potentially travel links on its website. In addition, given the further increase in floorspace at the site it is also considered necessary in this instance to attach a further condition to any approval for the production and agreement of a travel plan for the site.

Residential Amenity - The proposed activity hall extension is two storeys in height with a maximum height rising to 9.3 metres (eaves of c.7.3m). The extension would be setback approximately 2.1m from the edge of pavement to the south west of the site boundary, with the southern elevation of the larger activity hall approximately 9 metres from the pavement edge of Clarendon Road and 8.4m from the back of pavement to York Avenue. The site is separated from commercial property and residential property to the south by the width of Clarendon Road and to the west by width of York Avenue. The enlarged extension proposed through this extension would be separated from the rear boundaries of the nearest residential properties to the east by the park which has a width at this point of approximately 70 metres.



Relationship of site within park and to properties on York Avenue, Clarendon Road and Park Drive to the east

Whilst the proposals would result in a slight increase in the tallest element by approximately 0.1 metres from that previously proposed, given the relationships to the parks boundaries and the nearest residential properties set out above it is not

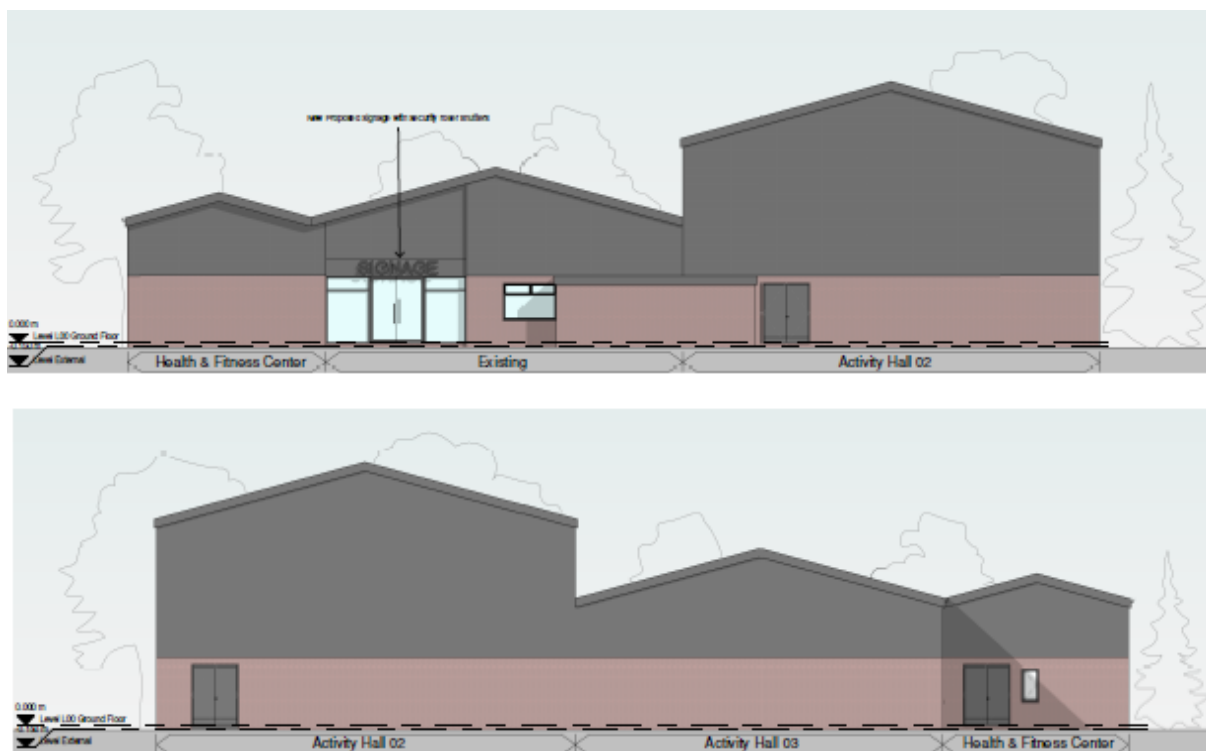
considered that the proposals would give rise to any unacceptable impacts on residential amenity in terms of loss of light, overshadowing or overlooking.

The sports facility and Health and Fitness Centre would be open between the hours of 9am to 10pm Monday to Sunday. Environmental Health are satisfied that the impacts of the scheme would be acceptable, subject to conditions restricting the hours of use and following the implementation of measures as set out in the submitted acoustic noise survey.

Any approval would be subject to the imposition of appropriate conditions controlling hours of opening and servicing and deliveries. An application to discharge the construction management plan condition attached to the previous approval has been discharged by the applicant and this is to be reflected in any approval granted to these proposals.

The proposal by its nature would give rise to an increase in comings and goings from the site, however, the site is considered to be sustainable in terms of its location. It is anticipated that journeys to the site would be predominately by local people and measures are proposed to encourage access to the site by sustainable modes of transport. It is not considered that the increase in comings would be so significant to warrant refusal of the application.

Visual Amenity – The proposed development in this location on this site would result in a visual change in the locality given the open nature of the site adjacent to the current low level community centre. The overall level of change has been previously considered to be acceptable through previous planning approvals and the principle of the changes to visual amenity and character of the area have been accepted. However, the proposed extensions have been designed to respond to the general character of the area and would be of a modern design utilising facings to match the existing building, together with a metal cladding to the upper half of the building. The applicant had submitted details of materials to be used on the external envelope of the building to discharge the relevant condition on the previous approvals. These materials were considered to be acceptable and this is to be reflected in any approval granted to these proposals.



Front York Avenue elevation (top) and rear elevation (bottom)

The site is well screened from nearby property on York Avenue and Clarendon Road by trees to be retained and to be planted. The boundary railings to the park would be retained.

Sustainability – A condition of the previous approvals was for the submission of measures to be incorporated into the extension to contribute to efficiencies with regards to sustainability. Details were subsequently submitted and approved which sort amongst other things: to ensure the building envelope was highly insulated to reduce heat loss; energy efficient boiler system; energy efficient system to control and monitor ventilation to the sports hall and of the activity hall and other elements of the building. The fabric of the building, mechanical and electrical services are to be compliant with Approved Document L2A of the building regulations (2013).

Trees - The development plans would involve the loss of three trees, one of which needed to be felled due to its condition), one category C and one category B Maple, all the trees are located to the south of the existing building. All other trees surrounding are to be retained. The loss of trees was previously agreed subject to the agreement of a tree mitigation scheme for trees to be planted within the Park, the applicant had previously agreed to these measures being placed as a condition of approval. As a result, the Council's arboricultural team had previously recommended the planting of three to five heavy standard trees in Manley Park. Whilst the loss of any trees is regretted it is considered that securing mitigation in the manner recommended through an appropriately worded condition would accord with policy EN9 which refers to replacement tree planting. A condition requiring the replacement tree planting to be undertaken is recommended.

Crime – It is considered that the proposed development has been designed to reduce the risk of crime and therefore accords with policy DM1 of the Core Strategy. The building is predominantly of solid construction and the proposed revised front access incorporates security shutters for when the buildings is not in use.

Inclusive Access - Level access is to be provided into and throughout the building.

Ecology – Due to the loss of trees, a condition is recommended to ensure removal of these takes place outside of the bird nesting season.

Waste – Details for waste management were previously considered to be acceptable through previous planning approvals, this was in the form of one eurobin to be provided on site, and to be collected by the city council. Whilst these details were previously considered acceptable given this is a stand alone application full details for waste management for the site are required, it is therefore considered necessary to attach an appropriately worded condition to any approval in this instance.

Other matters – Concerns have been raised regarding security lighting glare from an existing light at the building. It is envisaged given the scope of the works that the existing light would be replaced. In order to introduce some control it is proposed to attach an appropriately worded condition to control this.

Conclusion - The application proposals relate to the provision a new sports facility and health and fitness centre in Whalley Range which are essential facilities to serve the local community. It is considered, as set out within this report, that the proposals would not result in any unacceptable harmful effects, and it accords with development plan and national policies.

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director 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 of the application is proportionate to the wider benefits of 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

The application has been determined in a positive and proactive manner. In this instance appropriately worded conditions have been recommended.

Conditions

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:

A1452(03)AP001 P3 Proposed site plan; A1452(03)AP002 P3 Proposed floor plan and elevations;

All as received by the City Council as local planning authority on the 18th August 2022

Acoustic Survey prepared by AB acoustics dated July 2020

Arboricultural Implications Assessment prepared by Mulberry dated 14 July 2020

Arboricultural Method Statement prepared by Mulberry dated 14 July 2020

Transport Statement prepared by SK

All as received by the City Council as local planning authority on the 31st August 2022

Documents submitted and approved as part of Condition Discharge application reference CDN/21/0945 in relation to: materials for the external appearance of the building; construction management; and, sustainability of the building

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1, EN3 and DM1 of the Core Strategy.

3) The development hereby approved shall be carried out in accordance with the materials to be used on the external elevations approved under condition discharge application reference CDN/21/0945 those being Istock brick Aldridge Multi Rustic; Kingspan Quad Core AWP Wall Panel colour Anthracite (silver/ grey); and, Kingspan Quad Core KS1000RW Roof Panel colour Anthracite (silver/ grey).

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 premises as extended shall not be open outside the following hours:

09.00 to 22.00 hours Monday to Sunday (including public holidays)

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policies SP1 and DM1 of the Core Strategy and saved Policy DC26 of the City of Manchester Unitary Development Plan.

5) 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 - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policies SP1 and DM1 of the Core Strategy and saved Policy DC26 of the City of Manchester Unitary Development Plan.

6) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with the submitted noise study (AB acoustics Environmental Noise Study dated July 2020). The scheme shall be implemented in full before the use commences.

Upon completion of development a verification report will be required to validate that work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures to ensure compliance with the agreed noise criteria.

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

7) Prior to the first occupation of the development hereby approved, a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the development is in operation.

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

8) Prior to the first occupation of the development hereby approved a scheme for the provision of cycle parking shall be submitted to and approved in writing by the City Council as local planning authority, the agreed details shall be subsequently installed prior to first use of the development and be retained at all times thereafter.

Reason - To assist promoting the use of sustainable forms of travel to the development pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD.

9) The development shall be carried out in accordance with the agreed Construction Management Plan submitted and approved by the City Council as local planning authority under condition discharge reference CDN/21/0945.

Reason - In the interest of pedestrian and highway safety, and to ensure that the proposed development is not prejudicial or a nuisance to adjacent dwellings pursuant to policy DM1 of the Core Strategy. Details are required prior to works commencing

on site as the impacts of construction works to deliver the development require mitigation.

10) No surface water drainage or foul water drainage shall be installed until the full details of a surface and foul water drainage scheme has been submitted to and approved in writing by the City Council as local planning authority. The agreed drainage schemes shall be installed in accordance with the approved details prior to the first use of the development.

The submitted scheme shall include:

- i) Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes is required.
- ii) Surface water drainage layout including discharge points, proposed attenuation and proposed overland flow routes for extreme events (up to a 1 in 100 year including 40% climate change allowance).
- iii) Hydraulic calculations to support the drainage proposal.
- iv) Details of how the scheme shall be maintained and managed after completion.
- v) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- vi) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- vii) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- viii) Foul and surface water shall drain on separate systems.

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.

11) 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 City Council as local planning authority.

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

12) 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.

13) Before first occupation of the development hereby approved a strategy for the planting of trees within Manley Park 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.

14) 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.

15) Prior to the first use of the development hereby approved confirmation in the form of a verification report of the sustainability measures installed within the development in accordance with the sustainability measures as agreed under condition discharge reference CDN/21/0945 shall be submitted to and approved in writing by the City Council as local planning authority. Any instances of non-conformity with the agreed measures shall be detailed along with any measures to ensure compliance with the agreed sustainability measures.

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.

16) Before the development hereby approved is first occupied a Travel Plan shall be submitted to and agreed 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 attending and employed in the development
- ii) a commitment to surveying the travel patterns of staff during the first three months of use of the development 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

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above 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 school, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

17) If , when any installed lighting units are illuminated, they cause glare or light spillage which is in the opinion of the City Council as Local Planning Authority to the detriment of adjoining and nearby residential properties, such measures as the Council as Local Planning Authority confirm in writing that they consider necessary including baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of existing and proposed nearby residential accommodation, pursuant to policies SP1 and policy DM1 of the Manchester Core Strategy (2012).

Local Government (Access to Information) Act 1985

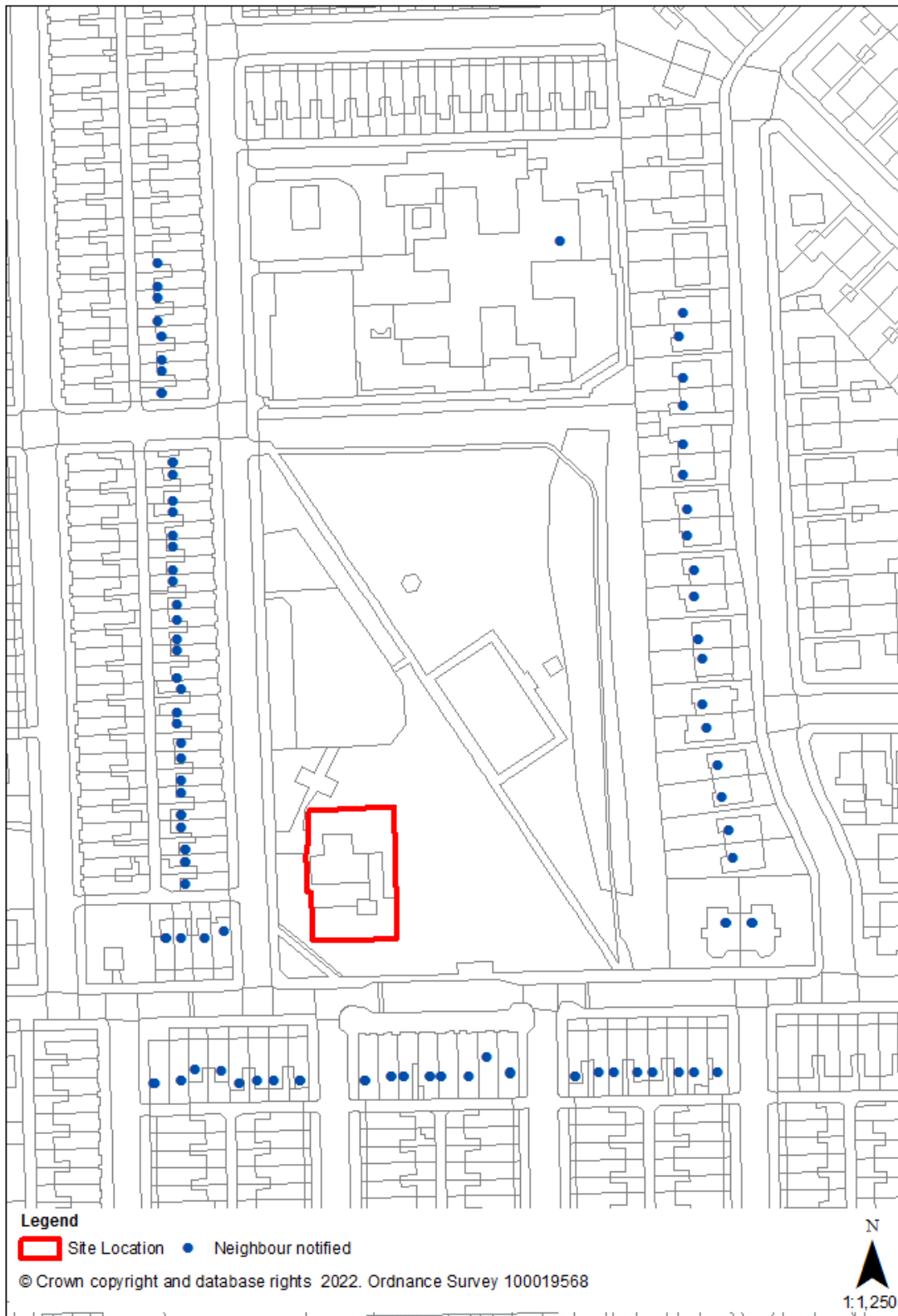
The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 134732/FO/2022 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions 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
Parks & Events
United Utilities Water PLC
Sport England**

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

Relevant Contact Officer : Robert Griffin
Telephone number : 0161 234 4527
Email : robert.griffin@manchester.gov.uk



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|---------------------------|----------------------|-----------------------|---------------|
| Application Number | Date of Appln | Committee Date | Ward |
| 134245/FO/2022 | 4th Jul 2022 | | Chorlton Ward |

Proposal Temporary planning permission for 50 seater stand for 5 years

Location West Didsbury And Chorlton Football Club, Brookburn Road, Manchester, M21 8FF

Applicant West Didsbury and Chorlton AFC, C/o Agent

Agent Mrs Beverley Moss, Hourigan Planning, 10th Floor Chancery Place, 50 Brown Street, Manchester, M2 2JG

Executive Summary

The application proposals relate to the retention of a temporary 50 seater stand for supporters at West Didsbury And Chorlton Football Club. The stand was originally approved for a temporary 3 ½ year period in 2013 by the Council's Planning Committee with a subsequent further temporary consent granted in 2016 which expired in April 2020. The football club submitted a further extension of time application in July 2019 with a new location of the stand, this application was not determined, with the applicant withdrawing it from consideration earlier this year after the submission of the current application.

The stand is required to enable the football club to meet the standards set out by the Football Association, the temporary stand was intended to be replaced by a more permanent structure and this is still the intention of the football club when funding and the requisite permissions are in place. In the intervening period the football club still require the temporary stand and have submitted a further application for its retention at the site.

As part of the notification of this application 68 addresses were written to and site notices were posted and advertisement placed in the Manchester Evening News given the sites location within the Chorltonville Conservation Area. 18 responses were received, 17 of these set out objections to the proposals including, amongst other matters; impacts of noise from supporters; a further temporary permission would be contrary to planning legislation; parking issues associated with the football club on residential streets; and, residents are not being listened to and the football club continues to expand.

The matters raised above and set out within the consultations section of this report are set out and considered in full within the main body of this report.

Description

The application site is related to a well-established local football club located within the Greater Manchester Green Belt, Chorltonville Conservation area and also within flood zone 3.

Residential properties within Chorltonville are located in an elevated position to the north and east of the application site on Meadow Bank and South Drive whilst to the south and west are areas of open space associated with the Mersey Valley. A single storey clubhouse building is located to the east of the football pitch on the site with the temporary stand subject of this application being located to the immediate south of the clubhouse.

The application proposals

The proposals seek the siting of a temporary stand for a 5 year period, the stand provides covered seating for up to 50 seated spectators. The stand is a metal framed structure with a corrugated metal roof and is 6.6m in width, 2.9m in depth and an overall height of approximately 2.9 m. The stand has been subject to two previous temporary planning approvals as set out in the planning history section below.

The applicant has set out within their submission the need for a further temporary consent whilst it attempts to both meet the standards set out by the Football Association (FA) but to also raise funds to construct the permanent seating structure which has in the past previously been granted full planning permission. The retention of the temporary stand would enable the Club to continue to provide the necessary seating arrangements which it needs to do in order to fulfil the Football Association's requirements, and the Club will use the interim time to work towards getting funding and permissions in place to enable a permanent structure to be erected in due course.



Location and position of stand is edged red

Planning History

047395/FO/SOUTH2/95 - Single storey building to form new changing rooms and meeting room after demolition of existing changing rooms. Approved 08.06.1995

057051/FO/SOUTH1/99 - Extension of existing clubhouse building to form ground maintenance and equipment stores. Approved 21.10.1999

093164/FO/2010/S1 - Installation of 6 x 15 metre high floodlighting columns, the lighting only to be used between 3pm and 5pm on Saturdays and between 7pm and 10pm on no more than 12 additional weekday evenings between August and May in each football season. Approved 02.08.2010

103339/FO/2013/S1 - Temporary planning permission for 50 seater spectator stand for 3 1/2 years pending construction of clubhouse extension. Approved 24.10.2013

103100/FO/2013/S1 - Erection of single-storey clubhouse extension incorporating an additional 50 seats for spectators, installation of photovoltaic panels on rear elevation of roof, erection of covered standing accommodation for spectators. Approved 24.10.2013

114274/FO/2016 - Retention of temporary 50-seater stand for a further 3 1/2 years pending construction of clubhouse extension. Approved 13.12.2016

114275/FO/2016 - Erection of single-storey clubhouse. Approved 13.12.2016

124335/JO/2019 - Vary part b of Condition 3 attached to Decision Notice Reference 093164/FO/2010/S1 to have the floodlights operational for 24 occasions, in each period between 1 August and 31 May (relating to a football season) between the hours of 7pm and 10pm on weekdays. Approved 03.09.2021

Consultations

The application was subject of notification of nearby residential properties with 68 addresses being sent letter, in addition site notices were posted and an advertisement was placed in the Manchester Evening News given the sites location within the Chorltonville Conservation Area and Green Belt. 18 responses were received as a result of this notification with 17 of these raised concerns with the proposals. A summary of the points made is set out below:

- Fans bang on the sides and roof of the stands causing nuisance noise
- A further extension appears to conflict with section 72 of the Town and Country Planning Act 1990 regarding temporary planning permission.
- A further extension conflicts with policy H2.2 of the UDP where the amenity of local residents should be protected from nuisance noise and general disturbance.
- The proposal conflicts with policies in place to protect the conservation area and open green spaces.
- There have been numerous complaints to the council regarding nuisance noise emanating from the club and its fans.
- Over the last ten years there have multiple breaches of planning conditions by the club which are well documented and reported.
- A large expanding football club is inappropriate and unsustainable in a residential Conservation area and will only lead to further conflict if it is allowed to continue with its future plans for growth.
- An increase in vehicular traffic gives rise to an increased risk of injury to local residents, especially children.

- The increase in vehicular traffic caused by spectators attending WDC AFC football matches causes an increase in air pollution.
- We already experience inconvenience on match days at the weekend and in mid-week. Not only parking issues (blocking drives etc) but also anti-social behaviour and littering
- Local residents commissioned their own independent noise survey
Conclusions drawn include:
“of note is the increase in maximum noise levels during periods of play, with these regularly reaching a level that exceeds LAF max 80 dB (A). An average ambient noise level of 63 dB(A) indicates that the noise level during a football match is above a level at which it could be considered to cause serious annoyance to the majority of people, according to WHO guidelines.”
...“Comparing onsite measured noise levels to the guidance from the relevant documents indicate that external noise levels exceed those of the relevant criteria and are an indication that serious annoyance is considered likely for the majority of people experiencing the noise.”

Environment Agency - Having reviewed the Flood Risk Assessment (FRA) the EA have no objection in principle to the grant of planning permission.

Head of Compliance, Enforcement and Community Safety (Environmental Health) – Following assessment of the proposals and a review of the information provided by objectors have no adverse comments or objections to the proposals.

MCC Highway Services – Raise no concerns with the application proposals.

MCC Flood Risk Management Team – Raise no objections to the proposals. It is recommended that an informative be appended to any approval that the applicant signs up to the Environment Agency’s flood warnings service.

Policy

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The adopted development plan consists of the Core Strategy (adopted 2012) and the saved policies of the Unitary Development Plan. Due consideration in the determination of the application will also need to be afforded to national policies in the National Planning Policy Framework (NPPF) which represents a significant material consideration.

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 Principle) - This policy sets down the spatial principles that guide development in the City include the creation of neighbourhoods of choice. It also says "The City's network of open spaces will provide all residents with good access to recreation opportunities. The River Valleys (the Irk, Medlock and Mersey) and City Parks are particularly important, and access to these resources will be improved."

Policy DM1 (Development Management)

This policy seeks to ensure new developments contribute to the overall aims of the Core Strategy. Issues which should be considered are those which will ensure that the detailed aspects of new development complement the Council's broad regeneration policies. These include the impact on amenity, including privacy, noise, landscape, as well as Green Infrastructure including open space, both public and private.

Policy EN1 (Character Areas)

The policy says of the Mersey Valley Character Area, this is a wide, flat valley with heavily managed open space and tree cover largely found on the valley perimeter where there are localised significant changes in level. The Mersey Valley acts as an important visual break between the South Area and Wythenshawe Environs.

Extensive long range views exist from the valley sides and the major road network which bisects and runs along the valley.

Developers will need to ensure that any development within or to the periphery of the valley maintains the sense of openness and accessibility.

Policy EN3 (Heritage)

This policy says throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods.

Policy EN9 (Green Infrastructure)

This policy says new development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function.

EN10 (Safeguarding Open Space, Sport and Recreation Facilities)

This policy says the Council will seek to retain and improve existing open spaces, sport and recreation facilities to the standards set out above and provide a network of diverse, multi-functional open spaces.

Policy EN12 (Area priorities for Open Space, Sport and Recreation) - This policy says within the South area: enhance the quality of existing provision and using opportunities to address deficiencies.

Policy EN13 (Green Belt) - This policy seeks to protect Manchester's Green Belt and aims to ensure that the visual amenities of the Green Belt are not injured by development.

Policy EN14 (Flood Risk) – The application site is located within flood zone 3 the highest flood risk area. Policy directs development away from sites at the greatest risk of flooding.

The application is considered in detail in relation to the above issues within the Issues section of this report.

Relevant Saved Unitary Development Plan Policies

Saved UDP Policies CB1, CB15, CB16, CB20, CB23, CB24, CB25, CB40 and CB44 seek to preserve and improve the character and appearance of the Mersey Valley area.

Saved UDP Policy DC18 seeks to protect the City's Conservation Areas from inappropriate development and seeks to manage change appropriately.

Saved UDP policy DC26 seeks to protect the amenity of an area from the adverse impact of noise generating developments.

National Planning Policy Framework

The National Planning Policy Framework (July 2021) sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role. The NPPF outlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The following specific policies are considered to be particularly relevant to the proposed development:

Section 8 (Promoting healthy and safe communities) – The proposals are to provide facilities for an existing sports venue and have been sited to minimise impacts on the surrounding community.

Section 13 (Protecting Green Belt Land) – As set out within the issues section of this report the proposals are considered to be compatible with the five purposes of the green belt and through the provision of temporary facilities in connection with an existing use of land for outdoor sport are considered to be appropriate development.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) - Outdoor sports and essential facilities are considered to be a water compatible development as set out within Annex 3 of the NPPF.

Section 15 (Conserving and enhancing the historic environment) – Sets out that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal.

Section 72 of the Town and Country Planning Act 1990 sets out that a local planning authority may grant planning permission for a specified temporary period only.

The guidance within the Planning Practice Guidance prepared by the government does indicate a temporary planning permission may also be appropriate to enable the temporary use of vacant land or buildings prior to any longer-term proposals coming forward. The PPG does states that it would be rarely justifiable to grant a second temporary permission (except in cases where changing circumstances provide a clear rationale).

Issues

Principle – The use of the site for football matches is a long established and a lawful use of the land. Associated with this use of the pitch is the corresponding use of land around the pitch to be used by spectators, there are no planning controls for the use of the land or how many spectators can attend a match. The current proposals seek a further temporary period for the siting of a seated and covered stand which provides a 50 seat capacity. The principle of the siting of the stand has been previously established to enable the football club to bring forward a permanent solution which has previously been granted planning approval on two occasions in the form of an extension to the existing club house. It is considered that the principal for a stand in this position for use by spectators attending matches at the site is acceptable save for consideration of wider matters set out below, which includes impacts on residential amenity and visual amenity.

Residential Amenity – The stand is sited on land that is adjacent the football pitch. This land, in the absence of the seated stand, could lawfully be used by spectators attending matches at the pitch, there would no planning controls and no restrictions on numbers of spectators that could frequent this area.

The stand is sited to the south-west of the existing clubhouse building which would create a physical and visual buffer from residential rear gardens to properties to the north on Meadow Bank, the distance from stand to the rear boundaries of these properties is approximately 50 metres. The stand is sited closer to the boundary with the rear garden of number 1 Meadow Bank, which would experience the most disturbance from spectator noise generated from the use of the stand. As indicated above this land and that surrounding the stand could lawfully be used by spectators attending a game, as such whilst there would be noise disturbance before, during and after a game, the fallback in the absence of the stand is that this land could be used by an unspecified number of spectators.



Aerial view showing relationship between the stand (edged orange) and garden boundaries (in red) with properties on Meadow Bank

Objections have been raised specifically about noise generated from users of the stand banging on the roof and side of the stand and the disturbance this causes. In addition, a noise impact assessment undertaken on behalf of residents has been submitted to the Council, this assessment was prepared in response to previous proposals from the football club to increase the use of its floodlights, which was subject of consideration and approval by Committee at its meeting in September 2021. This information submitted by residents has been assessed by the Council and the response of the Head of Compliance, Enforcement and Community Safety to the proposals is that there is no adverse comment or objection to the proposals.

In response to the concerns raised the applicant has indicated that users of the stand, given it is specifically for seated spectators, are generally less 'animated' when spectating.

As such whilst it is noted that objections have been raised regarding noise generated by spectators, and that the size of a crowd can influence noise, the use of the stand is generally limited to when games are held and it is not considered that such noise and disturbance from the siting and use of the stand would warrant refusal of the proposal.

Visual Amenity and Impact on the Chorltonville Conservation Area – The stand is of a simple structure and finish, with a metal corrugated side and roof and plastic tip up seats. Views of the structure are generally restricted to within the application site but there are some longer range views from outside of the site through perimeter fencing to the south and residential properties to the north although such views are limited given the siting of the stand to the south of the existing clubhouse.



View northwards from external path to the south of site, stand is edged in red



View east towards clubhouse and stand (edged red) from external path to the south of the site



View south-east from access track via Brookburn Road (position of stand is edged red)

Given the size and siting of the structure in the vicinity of other on-site structures and surrounding fences and landscaping it is considered that the stand can be successfully sited without giving rise to unacceptable impacts on the visual amenity of the area, the Chorltonville Conservation area or the open character of the Mersey Valley or Green Belt. The site is included within the conservation area due to its historic link to the development of residential properties and associated amenity space. Views of the stand are generally restricted to public paths around the site to the south and when viewed in the context of the clubhouse. Given this and that the stand is of a smaller scale than existing buildings on the site the stand is not considered to be visually intrusive in this location.

Green belt – The application site is located within the Greater Manchester Green Belt, the NPPF sets out the framework for the protection of Green Belt Land.

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The construction of new buildings within the green belt is considered to be inappropriate except for a limited number of exceptions, which includes amongst other things - the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

The application proposals are specifically related to an existing use of the land for outdoor sport and recreation. The stand is considered to be an appropriate facility for the use of the land and, the siting of the stand, its scale and temporary nature do not conflict with the purposes of the Green Belt nor does it impact on the openness of the green belt. As such the proposals are not considered to conflict with national or local policies in respect of the Green Belt.

Flood Risk – The applicant provided a proportionate flood risk assessment to accompany this application following a request from the Environment Agency. There are no objections to the proposals on flood risk grounds from either the Environment Agency or the Council's Flood Risk Management Team, it is noted that outdoor sports uses are considered to be water compatible uses within Annex 3 to the NPPF. In this instance an informative is proposed to be attached to any approval to advise the applicant to sign up to the Environment Agency's Flood Warnings scheme.

Temporary Permission – Concerns have been raised by residents that a further temporary planning consent is being requested by the applicant and this does not accord with planning legislation set out in the 1990 Town and Country Planning Act.

The application site is located within a conservation area and within the Green Belt. Given these specific site constraints together with the temporary nature and design of the stand that is in site, it is considered necessary that control is maintained through the provision of a temporary consent. It is noted that national guidance advises that it is rarely justifiable to grant further temporary consents. However, it is the Council's view that in these site-specific circumstances and given the continued aspiration of the applicant to bring forward more permanent proposals in due course when funding is available, the granting of a further temporary consent in this instance is justified.

Other Matters – Concerns have been raised by residents relating to parking concerns with the football club and vehicles in the area. The use of the land is lawful and there are no planning controls associated with this particular issue nor given the scale and size of this particular proposal, would it be reasonable for the Council to impose controls on the numbers of spectators that can attend a game at the site.

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 Director 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 of the application is proportionate to the wider benefits

of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation TEMPORARY APPROVAL EXPIRING 20th OCTOBER 2027

Article 35 Declaration

The application has been determined in a positive and proactive manner. Issues arising through consideration of this application have been discussed with the applicants agent and in this instance further information was submitted in relation to flood risk.

Conditions

- 1) The permission hereby granted is for a limited period of five years only, expiring on 20th October 2027. Thereafter the structure comprising the development for which permission is hereby granted is required to be respectively removed and discontinued.

Reason - The proposal is of a temporary nature and is sited within the Greater Manchester Green Belt and Chorltonville Conservation Area pursuant to policies DM1, EN13 and EN3 of the Core Strategy, Saved UDP Policy DC18 and the National Planning Policy Framework.

- 2) The development hereby approved relates to the following drawings and documents:
LT EX 03 LT Grandstand; Site plan as existing drawing reference 20 as received by the City Council as local planning authority on the 4th July 2022.

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.

Local Government (Access to Information) Act 1985

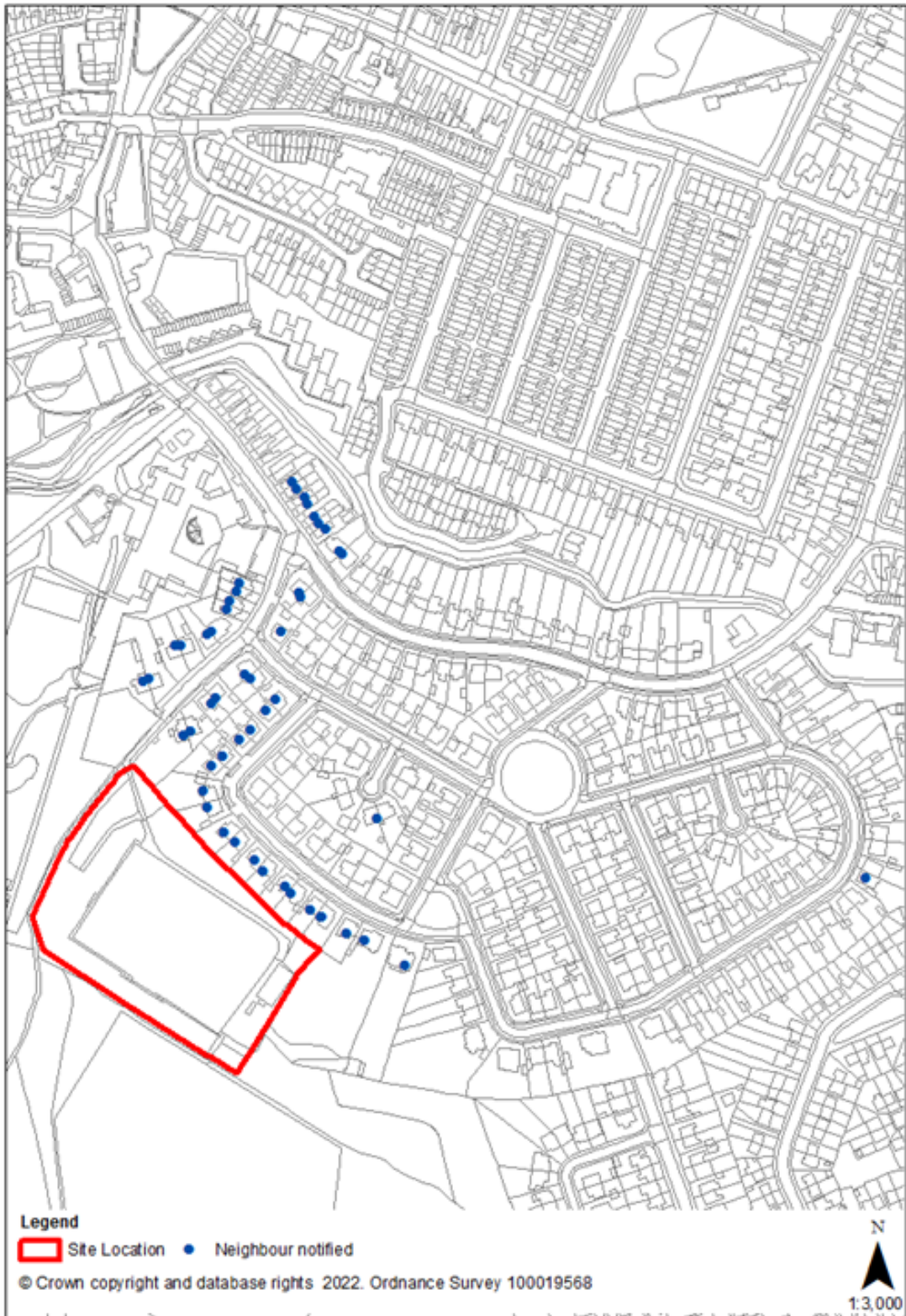
The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 134245/FO/2022 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions 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
Environment Agency
Chorlton Voice**

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

Relevant Contact Officer : Robert Griffin
Telephone number : 0161 234 4527
Email : robert.griffin@manchester.gov.uk



| | | | |
|---------------------------|---------------------------|-------------------------------|-------------|
| Application Number | Date of Appln | Committee Date | Ward |
| 133576/FO/2022 | 25 th May 2022 | 20 th October 2022 | Northenden |

Proposal Erection of 20 no. two storey residential dwellinghouses with associated car parking, landscaping, boundary treatments following the demolition of the existing building

Location Oakwood Resource Centre , 177 Longley Lane, Manchester, M22 4HY

Applicant Graham Morley, Wythenshawe Community Housing Group, 8 Poundswick Lane, Wythenshawe, Manchester, M22 9TA,

Agent Mrs Suzanne Belfield, Arcus Consulting LLP, Dalton House, Arcus, Dane Road, Sale, M33 7AR

Executive Summary

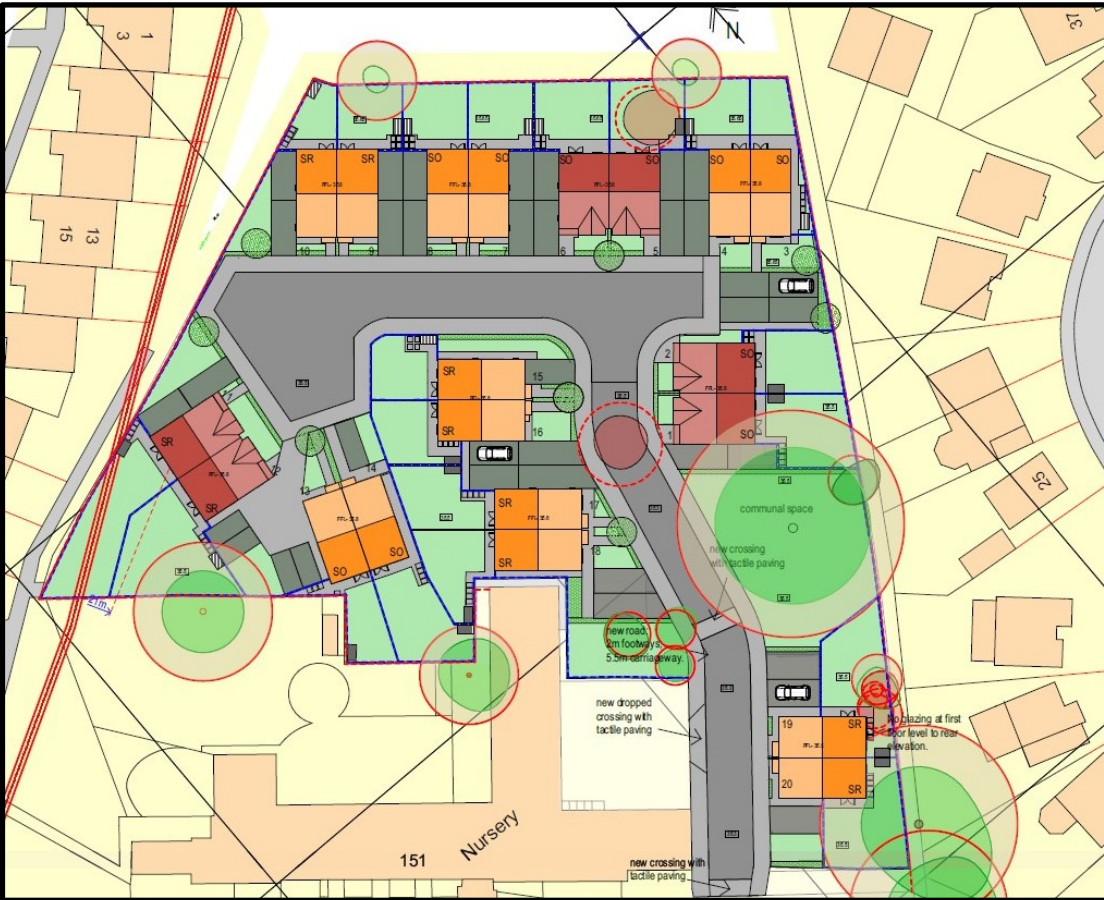
The applicant is proposing to erect 20 no. two storey residential dwellings on the site of the now vacant oakwood Resource Centre. The proposed accommodation would be affordable, split equally between shared ownership and social rent.

Correspondence has been received from eleven local residents, as well as the adjoining children's nursery. The main concerns raised include impact on residential amenity, pedestrian/highway safety, existing ecology and insufficient parking.

Description

The Oakwood Resource Centre (177 Longley Lane) is a large single storey building set within 0.61 hectares. The building is set back from Longley Lane and is located to the rear of a children's nursery (Kid Start Ltd) and the Longmire Centre, which houses an NHS service. The Oakwood Resource Centre has been vacant for a number of years. To the rear of the site there is an area of open space, while to the east and west there are a number of dwellings. To the south of the sites lies the children's nursery and Longmire Centre. Access to the site is via an existing driveway that leads off Longley Lane.

Wythenshawe Community Housing Group is proposing to demolish the existing building and erect twenty semi-detached dwellings on the site. All of the dwellings would be two storeys in height, with six offering three bed (five person) accommodation and the remaining fourteen offering two bed (four person) accommodation. All twenty dwellings would be affordable, with ten being for social rent and the remainder being shared ownership. The site and its context, along with the proposed layout, can be seen overleaf:



Consultations

Local Residents – Eleven letters have been received from local residents, the comments are summarised below:

- One resident has no objection to the redevelopment but does have serious concerns about how the building work would impact on the nursery.
- The redevelopment of the Oakwood Lodge site is in principle a good idea, the site is a mess and the low-cost/social housing is definitely needed. However, the access to the nursery is narrow and the additional traffic from residents is likely to cause conflict with parents and children during drop-off and pick-ups.
- The height of the dwellings on plots 3/4 and 19/20 will affect the natural light to the rear of the properties on Bronington Close.
- The development would have a negative impact on property values.
- The proposal would lead to an increase in traffic, pollution and noise arising from building/construction work, this would also impact air quality.
- Once constructed, the development would lead to an increase in traffic coming and going from the site, again impacting air quality.
- Additional traffic would impact on pedestrian safety, especially given the proximity of the day nursery.
- The proposal will impact on wildlife, particularly the bats.
- The proposal would lead to the overlooking of dwellings at the rear of the site, on both Bronington Close and Lovett Walk.
- Can local infrastructure cope with an increase in residents in the area?
- Have Manchester Council looked at other ways to utilise Oakwood Lodge building as the area is short of community centres/play areas, this building would have been ideal?
- The Noise Impact Assessment recommends a 2 metre high close boarded timber fence to be erected around the gardens but WCHG are proposing a 1.8 metre high fence instead.
- The former car park of the resource centre is used as a car park for the adjoining nursery, this would be lost and have an impact on child safety as parents would have to park elsewhere and walking to the site is not always an option.
- One resident has no objection to the redevelopment but does have serious concerns about how the building work would impact on the nursery.
- The redevelopment of the Oakwood Lodge site is in principle a good idea, the site is a mess and the low-cost/social housing is definitely needed. However, the access to the nursery is narrow and the additional traffic from residents is likely to cause conflict with parents and children during drop-off and pick-ups.
- This development would cause excessive traffic and lack of parking to an already congested area of the road. The queues coming off Princess Parkway to enter Northenden are already excessive every day and are blocking the exit road. This development would only add to this problem.
- Will there be any form of vetting of the residents that will be offered the housing to prevent noisy neighbours and anti-social behaviour?

Kids Start Ltd – Kids Start Ltd is a nursery setting which delivers Early Years care and Education for children and families in Manchester from 6 months to five years. It is registered as an 80-place full time equivalent nursery setting and registered to facilitate holiday / summer play schemes, with currently 120 service user's it operates from the established Royle Green Children's Centre site 151 Longley Lane M22 4HY.

The concerns of the nursery are outlined below:

- The safety of the children, their families and the nursery staff is paramount and any new housing development needs to ensure they are not put at risk from the public or their privacy is compromised.
- The current and existing road leading to the nursery and Oakwood Lodge is not wide enough currently for two-way traffic and no changes are planned to the existing road layout. Cars cannot park on the main road as it is not wide enough, it has double yellow lines and furthermore there needs to be right of entry in /out of the proposed site for safety and in case of an emergency.
- The nursery is open from 7.30am- 6.00pm Monday to Friday and with regular drop offs and collections at the beginning, middle and end of the day. There is concern about the volume of traffic at specific points in the day, the lack of parking and impact on road safety.
- The nursery has its own dedicated car park with approximately ten car park spaces, one of which is a disability space. These car park spaces are used for staff, visiting professionals and service users. Historically the nursery has shared car park space with the resource centre, this would be lost to the dwellings on plot 19/20 and place a strain on the business and the surrounding highway network.
- The nursery needs a right of access to the rear of its building.
- The security of the nursery premises site also needs to be considered.

Highway Services – Highway Services have commented as follows:

- The proposed trip rates are acceptable to Highways. The cumulative impact of the NHS building, the nursery and proposed development are not anticipated to be dissimilar than previous site trips.
- The Crashmap accident database has been reviewed for the most recent five-year period. The database indicates that there has been no collision within the immediate vicinity of the site and one slight personal injury accident at Longley Lane/Sharston Road junction. Based on this assessment Highways have no concerns about highway safety issues within the vicinity of the site.
- The new internal roads will be 5.5m with 2m footways on both sides of the carriageway. This is acceptable to Highways and meets MCCs adoptable Standards.

- The existing access road is 4.8 metres wide, a width not normally accepted. It is a short section of road and the Transport Statement demonstrates that good forward visibility exists and that a 11.4 metres refuse vehicle can enter and egress the site from this junction safely. Therefore, Highways will accept this access junction arrangement as it is unlikely to cause a significant impact on highway safety.
- The level of parking provision is considered acceptable.
- New dropped kerbs and tactile paving will be installed at the crossing adjacent to the nursery car park. Additionally, a second crossing with dropped kerbs and tactile paving will be installed within proximity of the nurse access. This is welcomed and acceptable to Highways.
- It is required, in line with MCC Residential Guidelines, that the provision of an electrical vehicle charging point (minimum 7kW) is made available for each dwelling.
- Secure and sheltered cycle parking will be installed for each dwelling. This is acceptable to Highways.
- Designated refuse storage has been accommodated for each individual dwelling with kerbside collection noted from the new internal road. Highways consider this to be acceptable in order to prevent any obstruction to passing pedestrians on the adjacent footway.
- Swept path analysis of a 11.4m refuse vehicle has been produced for the site and demonstrates that the refuse vehicle can safely enter, manoeuvre and egress the site in forward gear. This is acceptable to Highways.
- Although the development does not trigger the requirement for a Travel Plan one will be in place at the development. This is welcomed by Highways.
- A Construction Management Plan should be provided by the applicant prior to any construction works beginning.

Environmental Health – Suggests the imposition of a contaminated land condition to protect future residents from landfill gas ingress and contamination.

Neighbourhood Team Leader (Arboriculture) – The City Arborist has made the following comments:

- The development would impact on the root systems of three category A trees, however, the percentages fall well within the accepted parameters if the work is carried out in accordance with the Arboricultural Impact Assessment.
- The layout of the site appears to have been designed to incorporate the trees on this site and as such we would have no objection to the proposed development subject to the arboricultural impact assessment being strictly adhered to.
- In order to prevent unnecessary damage and potential loss of the trees, the protection measures should be enforced if possible.

Flood Risk Management Team – Suggests the imposition of two conditions designed to protect against flooding and pollution.

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

- The building has been assessed as low risk and following one dusk and one dawn survey during the peak of the bat survey season, one soprano pipistrelle was found to be roosting in the building proposed for demolition. Given only one bat was found of one of the commoner bat species, GMEU are satisfied that the conservation status of this species can be maintained through appropriate mitigation and enhancement (subject to a planning condition) and can see no reason why Natural England would not issue a license if planning permission was granted.
- Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. GMEU acknowledge that the site is primarily hardstanding, building and low ecological value habitat, with the majority of trees retained. The proposed layout is similar a mix of hardstanding, building and low ecological value habitat with mitigation provided for trees proposed for removal. GMEU are satisfied that the proposed layout will adequately mitigate and probably enhance the site.
- Mitigation and enhancement should however also be provided for loss of nesting birds habitat, bats and hedgehog. Whilst mitigation is proposed for the loss of a soprano pipistrelle day roost, GMEU would also recommend enhancement through additional roost opportunities. No bird boxes appear to be proposed. Given house sparrow were recorded, it is recommended that provision of house sparrow nest boxes would be appropriate.
- As a number of trees and shrubs are to be removed, a condition limiting when removal works are undertaken is suggested. It should state that no removal or works to trees and shrubs are to take place between 1st March and 31st August in any year unless a detailed bird nest survey has been undertaken.
- A condition to protect hedgehogs during clearance and constructions works is suggested.
- Suggests the imposition of an informative about invasive plants.

United Utilities Water PLC – Suggests the imposition of conditions designed to protect against flooding and manage the risk of sewer surcharge.

Policies

The National Planning Policy Framework July 2021 (NPPF) – The National Planning Policy Framework 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 National Planning Policy Framework 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 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.

In addition to the above, Sections 5 (*Delivering a sufficient supply of homes*) and 15 (*Conserving and enhancing the natural environment*) is of relevance:

Paragraph 60 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 69 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 174 states that planning policies and decisions should contribute to and enhance the natural and local environment.

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 H1, Overall Housing Provision – This policy states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors and 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 sites 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.

Policy H7, *Wythenshawe* – The Council expects that Wythenshawe will accommodate only around 3% of new residential development over the lifetime of the Core Strategy. New high quality high density development will be encouraged within the district centres of Northenden, Baguley and Wythenshawe and upon small infill sites where it contributes to the stock of affordable housing and where it complements Wythenshawe's garden city character. There is also the potential for additional family housing for sale.

Policy H8, *Affordable Housing* – The requirements for affordable housing or an equivalent financial contribution, as set out in Providing For Housing Choice, or any future published SPD and Planning Guidance, currently apply to all residential developments on sites of 0.3 hectares and above or where 15 or more units are proposed.

Policy EN1, *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 and have regard to the strategic character area in which the development is located. This site is in the area defined as Wider Wythenshawe, policy EN1 defines the character of this area as:

“Wythenshawe was developed along the principles of the 'garden city' movement. The wider area represents a phased series of predominantly social housing dating from the 1920s to the 1960s, with some later infill developments and industrial zones. There is a predominance of low rise, low density semi-detached houses, short terraces and low rise blocks of flats and maisonettes, all set within private gardens, incidental open space, public amenity spaces and pockets of semi-natural and woodland areas. The key focal points for activity are the transport corridors, hospital and District Centres. The principal features to be retained in any new development is the sense of the existing low rise suburban character set within soft landscape.”

Policy EN19, *Waste* – States that developers will be required to submit a waste management plan to demonstrate how the waste management needs of the end user will be met.

Policy T2, *Accessible areas of opportunity and need* – Seeks to ensure that new development is easily accessible by walking/cycling/public transport; provided with an appropriate level of car parking; and, should have regard to the need for disabled and cycle parking.

Policy DM1, *Development Management* – This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques.

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 –

Recognises the importance of an area 's character in setting the context for new development; New development should add to and enhance the area's distinct sense of place; Each new development should be designed having full regard to its context and the character of the area; Seeks to ensure high quality development through good and inclusive design; Buildings should front onto streets; Site boundaries and treatment should contribute to the street scene; There should be a clear definition between public and private space; The impact of car parking areas should be minimised; New developments will be expected to meet designing out crime principles; The impact of development on the global environment should be reduced.

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.

Issues

Principle of the Proposal – The Oakwood Resource Centre is currently vacant and is surplus to the City Council’s requirements. Even though the building was previously in use as an office facility it is located within a predominantly residential area and for that reason there is no objection in principle to it being redeveloped for residential purposes, particularly when that accommodation will be affordable.

Notwithstanding this, the impact of the development upon existing levels of residential and visual amenity must be assessed. Furthermore, given the proximity of the children’s nursery, the impact upon pedestrian and highway safety must also be evaluated.

Affordable Housing – The application is submitted by Wythenshawe Community Housing Group and it is their intention for the scheme to be 100% affordable, split equally between shared ownership and social rent, with the mix as follows:

- 6 x 2b4p dwellings - Shared Ownership
- 4 x 3b5p dwellings - Shared Ownership
- 8 x 2b4p dwellings - Social Rent
- 2 x 3b5p dwellings - Social Rent

The type of tenure is shown on the proposed site plan on page two of this report, with the reference SO for Shared Ownership and SR for Social Rent.

Wythenshawe Community Housing Group have confirmed that before any applicant can be offered a property, they must have their eligibility confirmed by the Homebuy Agent for the North West as required by condition of grant by Homes England. The eligibility process is to ensure that applicants meet the criteria for shared ownership – primarily first time buyers – but including people that may have previously owned a property but can no longer afford to buy one outright. Wythenshawe Community Housing Group have indicated a willingness to work with City Council housing officers to consider any applicant they wish to refer.

This level of provision is welcomed and would be secured through the development agreement given the City Council’s ownership of the site.

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 for residential developments.

The amount of floor space proposed for each dwellinghouse and that required under the guidance is detailed below:

- 14 x 2b4p dwellings – 83m² (Space Standard – 83m²)
- 6 x 3b5p dwellings – 96m² (Space Standard – 96m²)

Given the above, the proposal complies with Manchester's space standards.

Disabled Access – Level access would be provided into the dwellings and adequate circulation space, along with a WC, would exist on the ground floor. Adequate circulation space would also exist on the first floor. Overall, the provision is considered acceptable.

Design – Three house types are proposed, as can be seen below. The top two house types (the 2b4p dwellings) are fundamentally the same, with the main difference being the omission of the first floor rear windows in order to prevent overlooking. The third unit is the 3b5p dwelling.

All three house types are traditional in nature, having been informed by the existing dwellings on Bronington Close and to some extent those on Lovett Walk. They would be constructed from red facing brick with buff reconstituted stone cills and contrasting soldier courses above the windows, the latter of which would be of grey uPVC. They would be topped by a pitched roof of grey concrete tiles. The main entrances would have pitched canopies. The three bed dwellings would also have feature gables to add interest.



Overall, the design of the proposed dwellings is considered acceptable.

Scale and Massing – Apart from the presence of several apartment blocks, which are between 120 to 200 metres to the north of this site, this residential neighbourhood is characterised by two storey residential accommodation similar in scale and massing to that proposed. As a result, the scale and massing of the proposal is considered acceptable.

Residential Amenity – A number of factors have been assessed in order to judge the impact of the proposal upon residential amenity:

Impact upon Privacy – The majority of the proposed accommodation has been orientated so that it does not directly face any of the neighbouring dwellings on Lovett Walk and Bronington Close. Where it does face the adjoining properties, as in the case of plots 1, 2, 19 and 20, the proposed dwellings have been sited 21 metres away from no. 29 Bronington Close (plots 1 and 2) or do not contain any first floor windows in the rear elevation (plots 19 and 20 - annotated by the yellow circle). Those dwellings that are diagonally opposite the existing properties on Lovett Walk and Bronington Close would be between 14 to 17 metres away which would be appropriate and would avoid any undue loss of privacy.



In light of the above, it is not considered that the development would lead to any undue loss of privacy resulting from overlooking.

Noise – Given the number of units proposed and the domestic nature of the activity that would be associated with them, it is not considered that the proposal would be an inherently noise generating development. It is acknowledged that concerns have been raised about the height of the boundary fencing, i.e. that it is 1.8 metres high rather than 2 metres and that this would not be a sufficient height to protect against noise. Given the activity normally associated with domestic proposals of this nature, it is considered that 1.8 metre high close boarded fencing would be an adequate barrier.

Daylight/Overshadowing – As the proposed dwellings are only two storeys in height and sited a sufficient distance from any of the adjoining properties, it is not considered that any of the existing dwellings on Lovett Walk or Bronington Close would see a reduction in daylight or be subject to overshadowing.

There is the potential for one of two of the rear gardens on Bronington Close to experience some overshadowing from the dwellings on plots 3, 19 and 20 but this would only be in the winter months or when the sun was low in the sky and this is not unusual in urban settings such as this.

Overall, it is not considered that the proposal would have an unduly detrimental impact upon the levels of residential amenity currently enjoyed within the vicinity of the site.

Visual Amenity – Given the design and scale of the proposed dwellings and the retention of the majority of the existing trees, which would be supplemented with replacement native species, it is not considered that the proposal would have a detrimental impact upon the levels of visual amenity enjoyed by the residents of Lovett Walk and Bronington Close.

Trees – Twenty trees have been surveyed, five of which are outside the site but close to the boundary, they are categorised as follows:

- 4 x category A (trees of high quality)
- 6 x category B (trees of moderate quality)
- 9 x category C (trees of low quality)
- 1 x category U (trees which should be removed for sound management reasons)

To facilitate the development the applicant is proposing to fell three category B trees and two category C trees, all of which are within the site boundaries. This would leave fifteen of the surveyed trees remaining, ten of which would be located on the site itself.

The retained trees would be protected during construction and this would be a requirement of a planning condition.

To compensate for the loss of the five trees the applicant would be required to plant an appropriate number of replacement trees, the details of which are awaited and will be reported at the Committee.

Landscaping – The proposed landscaping scheme includes the following:

- the inclusion of five new trees (birch and mountain ash).
- the planting of 130 linear metres of native beech hedging within the front gardens areas.
- the planting of 275 shrubs within the front garden areas.
- the turfing of the front and rear gardens.

Overall, the proposed landscaping scheme is considered acceptable. However, the applicant has been requested to include further trees within the proposed landscaping scheme and the amended details are awaited.

Boundary Treatment – The applicant is proposing to erect 1.5 metre high close boarded fencing on top of 300mm concrete gravel boards, along the rear and side boundaries. This is sufficiently high to ensure privacy and to limit noise breakout. While hedging is proposed along the front boundaries and is a character of the wider Wythenshawe area, the applicant has been requested to confirm further details of the boundary treatment such as gate posts, railings and plinths to the front of the hedging.

Car Parking – Seventeen of the proposed dwellings would have two parking spaces while the remaining three would have one space. This level of car parking is considered acceptable and it is not considered that the proposal would lead to a noticeable increase in the instances of on-street parking on the surrounding residential roads.

Vehicle Charging Points – The applicant has confirmed that each dwelling would be fitted with electric vehicle charging infrastructure, the provision of which would be ensured via a planning condition.

Pedestrian and Highway Safety – The main concerns raised by local residents, the nursery and its clients are the impact on pedestrian safety and the loss of existing parking facilities.

The access road off Longley Lane not only serves the application site but a children's nursery and a small NHS office. It is recognised that it is narrower than that normally expected of a new residential road. However, given the number of units proposed and the fact that the access road is short in length and benefits from good visibility, it is not considered that its use for residential purposes would have an unduly detrimental impact upon the existing users of the access road and those travelling along Longley Lane. This has been acknowledged by Highway Services. Notwithstanding the above, the applicant is introducing a new dropped crossing with tactile paving at the entrance to the nursery car park and installing a new crossing point with tactile paving in the proximity of the nursery and NHS office building.

It is also recognised that if the resource centre was brought back into use it could generate significant traffic movements throughout the day, over which there would be no control and the highway improvements referred to above would not be implemented.

The children's nursery has its own dedicated parking area which would remain unaffected, this is marked by the red circle on the image below. Since the Oakwood Resource Centre was vacated, the staff and clients have also had use, through an informal arrangement, of the parking spaces within the boundaries of the centre and which are annotated by the red star. As these are located within the application site they would no longer remain available for use by the children's nursery. This would displace a number of vehicles onto the surrounding highway network and could result in some vehicles being parked on-street within the new development once completed. Given the small numbers of vehicles involved it is not considered that this additional on-street parking would have an unduly detrimental impact on existing levels of pedestrian and highway safety. It is also acknowledged that the informal parking arrangements could cease at any time and that the vehicles could be displaced regardless of the development going ahead.



Overall, it is not considered that the proposal would have a detrimental impact upon the existing levels of pedestrian and highway safety enjoyed within the vicinity of the site.

Air Quality – During the construction phase of the development there is the potential for air quality impacts as a result of dust emissions from the site. Assuming dust control measures are implemented as part of the proposed works, the significance of potential air quality impacts from dust generated by earthworks, construction and trackout activities is predicted to be negligible. It is considered that the imposition of a Construction Management Condition would ensure that appropriate dust management measures are implemented during the construction phase.

It is recognised that during the operational phase of the development there is the potential for air quality impacts as a result of vehicle exhaust emissions associated with traffic generated by the proposal, i.e. the comings and goings of residents and visitors to the site. However, given the number of units proposed, the overall significance of potential impacts is considered to be low.

As a result of the above and given the provision of vehicle charging points on each dwelling, it is considered that the proposal would not have a detrimental impact upon the air quality levels experienced throughout the site and within the vicinity of it.

Demolition of Existing Building – The Oakwood Resource Centre is not listed and it is not considered to be of such architectural merit to be classified as a non-designated heritage asset. Accordingly, there is no objection to its demolition.

Waste Management – The four bins required by the City Council would be stored at the rear of each dwelling. Given this and the provision of a kitchen food caddy for each household, the overall provision is considered acceptable.

Highway Services have also confirmed that the site can be accessed by a refuse vehicle.

Drainage – The conditions suggested by the Flood Risk Management Team and United Utilities, both of which are designed to protect against flooding and prevent pollution, would be attached to any approval granted.

Ecology – The applicant has undertaken an ecology survey of the site. This has determined the following:

- Habitats on the site are of low ecological value, consisting predominantly of hardstanding surfaces and small areas of amenity grassland. The removal of these due to development can be easily mitigated by further planting.
- A single pipistrelle bat was seen emerging and re-entering a gap within the soffit box.
- A hedgehog was observed on site.
- No reptile or amphibian species were identified on the site.
- The trees and shrubs provide suitable habitat for nesting birds.
- The site provides suboptimal habitat for invertebrate species.

To mitigate against the proposal, the survey recommends the inclusion of a replacement bat roost; the installation of hedgehog friendly boundary treatment and restrictions on when trees and other vegetation can be removed. The survey also states that ecological enhancements through the implementation of further planting should be undertaken.

GMEU concur with the findings of the survey and the proposed mitigation measures and enhancements. Their delivery would be subject to a number of planning conditions.

Environmental Standards – The applicant has confirmed that the following technologies would be incorporated into the development:

- Enhanced thermal envelope
- Photovoltaics to building roofs (assumed 15m² per dwelling)
- Heat recovery ventilation (MVHR) to 3-bed properties
- Exhaust air heat pumps to the 2-bed properties generating heating and hot water (negating the need for MVHR)
- Air source heat pump to the 3-bed properties generating heating and hot water

While it is acknowledged that the final design phase may result in elements of the above being omitted or replaced with some other form of sustainable technology, overall, the provision is welcomed and its delivery would be subject to a planning condition.

Crime Prevention – The proposal does not raise any crime prevention issues. A condition requiring the development to achieve *Secured by Design* accreditation is suggested in this instance.

Conclusion

The site is located within a predominantly residential area and it has been demonstrated that the proposal would not have a detrimental impact on the existing levels of residential amenity and pedestrian and highway safety. Given the above and the affordable nature of the proposed accommodation, the proposal is supported subject to the imposition of a number of conditions designed to protect existing amenity levels and wildlife.

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 Director 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 of the application is proportionate to the wider benefits of 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

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:

- a) P-00A, stamped as received on 25 May 2022
- b) P-01B, stamped as received on 30 August 2022
- c) P-02A to P-04A, stamped as received on 25 May 2022
- d) P-05A, stamped as received on 21 April 2022
- e) P-06A, stamped as received on 30 August 2022
- f) P-07 and P-08, stamped as received on 25 May 2022

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.

3) Above-ground construction works shall not commence until samples and specifications of all materials, 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.

4) The residential use hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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 private residential purposes and to ensure the achievement of the public benefit identified pursuant to policies SP1, DM1, EN3, H1, H6 and H11 of the Manchester Core Strategy and the guidance contained within National Planning Policy Framework including section 16.

5) 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, outbuildings or extensions shall be erected other than those expressly authorised by this permission.

Reason - To ensure the satisfactory development of the site and in the interest of residential and visual amenity, pursuant to policy DM1 of the Manchester Core Strategy.

6) The hard and soft landscaping scheme (including boundary treatment), as shown on drawing nos. ****, stamped as received by the City Council as local planning authority on *****, shall be implemented not later than 12 months from the date of the completion of all building works. 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.

7) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained in the Arboricultural Impact Assessment and Method Statement (ref: BE-1088-04A), stamped as received by the City Council as local planning authority on 21 April 2022; 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) The demolition of the Oakwood Resource Centre shall not commence until either of the following has been submitted to and been approved by the City Council as local planning authority:

- a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
- b) A statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/ development will require a licence.

Reason - To ensure the protection of species or their habitat 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.

9) Above grounds works shall not commence until details of biodiversity enhancements (bird boxes and 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.

10) 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 in order to comply with policy EN15 of the Manchester Core Strategy.

11) Prior to any earthworks, demolition or vegetation clearance, a Reasonable Avoidance Measures method statement for hedgehogs, for both site clearance and the construction phase and 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 and 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.

12) Before the development hereby approved is first occupied a detailed Travel Plan, based on the submitted Transport Statement, stamped as received on 21 April 2022,

shall be submitted to and agreed 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 residing at the development,
- ii) a commitment to surveying the travel patterns of staff during the first three months of use of the development 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.

Within six months of the first use of the development, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above 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 school, pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy and the Guide to Development in Manchester SPD (2007).

13) No above ground works shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that 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, in light of national policies within the NPPF and NPPG and Policies EN08 and EN14 in the Manchester Core Strategy.

14) 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:

- Verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- 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 manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance

mechanism for the lifetime of the development, in light of national policies within the NPPF and NPPG and Policies EN08 and EN14 in the Manchester Core Strategy.

15) Part 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.

Part 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 Manchester Core Strategy.

16) The highway improvements, as shown on drawing no. P-01B (stamped as received on 30 August 2022), shall be implemented and be in place prior to first use of the development hereby approved and thereafter retained and maintained in situ.

Reason - In the interest of pedestrian and highway safety pursuant to Policies SP1, EN1 and DM1 of the Manchester Core Strategy.

17) The development hereby approved shall be implemented in full accordance with the measures as set out within the Energy Statement Report, stamped as received by the City Council as local planning authority on 25 May 2022, including: measures to secure predicted carbon emissions and the attainment of specified environmental efficiency and performance. Within 3 months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures at each phase of the construction of the development, including dated photographic documentary evidence of the implementation and completion of required works.

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 for the City of Manchester and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

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

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

19) No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Expected number and type of vehicles accessing the site: Deliveries, waste, cranes, equipment, plant, works, visitors; Size of construction vehicles; The use of a consolidation operation or scheme for the delivery of materials and goods; Phasing of works;
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction): Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;

- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, pursuant to policies SP1, EN19 and DM1 of the Manchester 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: 133576/FO/2022 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)
Corporate Property
MCC Flood Risk Management
Strategic Development Team
South Neighbourhood Team
United Utilities Water PLC
Greater Manchester Police
Greater Manchester Ecology Unit
Greater Manchester Pedestrians Society

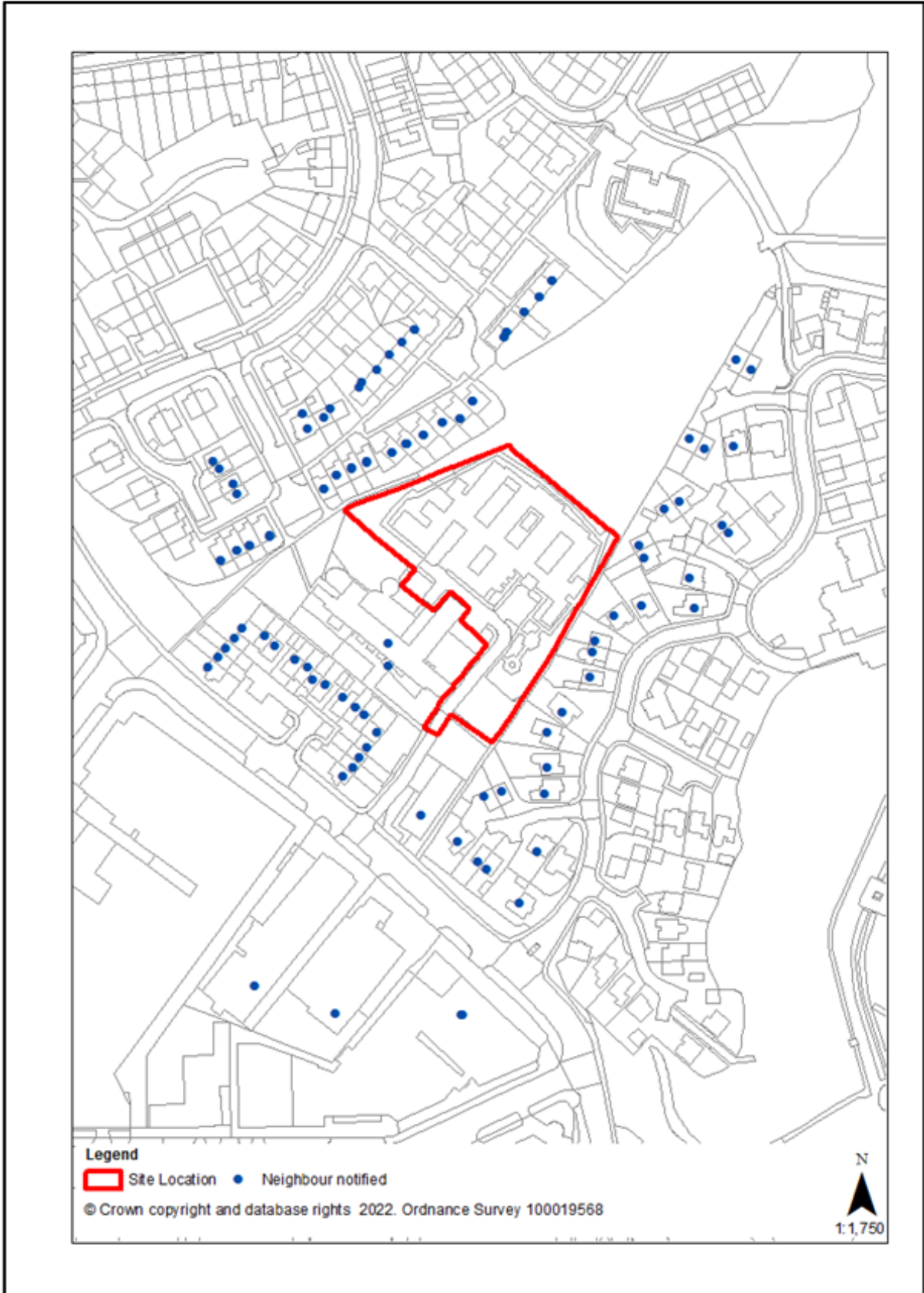
A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
United Utilities Water PLC
Greater Manchester Ecology Unit

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