



Planning and Highways Committee

Date: Thursday, 16 March 2023

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 and Sadler

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 16 February 2023. 5 - 22
- 5. 135048/FO/2022 - Northern Lawn Tennis and Squash Club, Palatine Road, Manchester, M20 3YA - Didsbury West Ward**
The report of the Director of Planning, Building Control and licensing is enclosed. 23 - 52
- 6. 134946/FO/2022 - Jessiefield Spath Road, Manchester, M20 2TZ - Didsbury West Ward**
The report of the Director of Planning, Building Control and Licensing is enclosed. 53 - 106
- 7. 135278/FO/2022 - St Gabriels Hall, 1 Oxford Place, Manchester, M14 5RP - Ardwick Ward**
The report of the Director of Planning, Building Control and Licensing is enclosed. 107 - 152
- 8. 135647/FO/2022 - 550 Mauldeth Road West, Manchester, M21 7AA - Chorlton Park Ward**
The report of the Director of Planning, Building Control and Licensing is enclosed. 153 - 208

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,
Albert Square,
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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, 8 March 2023** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

Planning and Highways Committee

Minutes of the meeting held on 16 February 2023

Present:

Councillor Curley – in the Chair
Councillors S Ali, Andrews, Davies, Flanagan, Hewitson, Kamal, Leech, Lovecy, Riasat and Sadler

Apologies: Baker-Smith, Y Dar and Lyons

Also in attendance: Councillors Hilal, Midgley and Rawson

PH/23/06 Supplementary Information on Applications Being Considered

A copy of the late representations received had been circulated in advance of the meeting regarding applications 135565/FO/2022, 135566/LO/2022, 135583/LO/2022, 133148/FO/2022, 134705/FO/2022, 134946/FO/2022, 135309/FO/2022, 134891/FO/2022, 135048/FO/2022, 135321/FH/2022, 135647/FO/2022, 135604/FO/2022 and 135713/FH/2022.

Decision

To receive and note the late representations.

PH/23/07 Minutes

Decision

To approve the minutes of the meeting held on 19 January 2023 as a correct record.

PH/23/08 135565/FO/2022, 135566/LO/2022 & 135583/LO/2022 - Land Bounded by Deansgate, Great Bridgewater Street, Watson Street & Peter Street Manchester M3 4EN - Deansgate Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that presented an application relating to planning and listed building consent to refurbish and convert the Great Northern Warehouse into Grade A office accommodation. The Leisure Box complex would be partially demolished and three residential buildings (16, 27 and 34 storeys) constructed to form 726 homes. Deansgate Terrace North and Deansgate Terrace South would be refurbished and altered to form commercial space. New public realm and highway works are proposed.

Two objections had been received.

The planning officer referred to the Supplementary Information, stating that there were 3 planning applications to consider for the development and the Committee could consider each individually. 10 further objections had been received since publication of the main agenda, focussing on the impact to nearby residents, Porchfield Square and St John's Gardens, concerns over associated traffic flows. Manchester Central had enquired about information on acoustics and removal of the bridge link and Historic England were to comment on the 3 towers at the development. The dwellings were built for rent. With reference to acoustic readings, some dwellings would require enhanced glazing. A proposal for traffic on Great Bridgewater Street had been modified at condition 41 to remain as a two-way street. The Committee's consideration of this application should not rely on traffic flows and other modifications.

No objector attended the meeting or addressed the Committee on the application.

The applicant attended and addressed the Committee on the application, stating that the scheme was SRF compliant, would create new job and public realm and had been devised by a passionate team. The team had been delivering great developments for the past 7 years.

Councillor Davies, spoke as a Ward Councillor. Reference was made to objections regarding Condition 41, prohibiting traffic on Great Bridgewater Street. Councillor Davies noted that Historic England had commented on the 3 residential towers as "not ideal" and would like further consideration given to the impact of them in terms of noise and light impacts. Councillor Davies and residents referred to the message not coming through in pre-planning regarding closure of roads. Consultation was also undertaken during Christmas and some residents had not understood the full focus and had thought it was just for the warehouse and square. They were surprised to learn of the other aspects of the scheme. Councillor Davies welcomed the development, stating that Great Northern Square was vastly underused and the addition of a village hall and play area were very good.

Councillor Flanagan proposed to move the officer's recommendation to approve the scheme with 2 additional conditions: Confirmation that the offer of electric charging points would equal 100% and that the developer would pay for these. Condition 41 to be addressed to remove traffic restrictions/narrowing of Great Bridgewater Street and Watson Street. Councillor Flanagan raised concern about a lack of disabled parking on Watson Street but stated that he could approve if the reference to traffic restrictions/narrowing of Great Bridgewater Street and Watson Street were removed.

Councillor Leech added that there was zero affordable housing. He noted £6m and the same amount to be spent on public realm and enquired whether £5m could be spent on public realm with a further £1m going towards affordable housing.

Councillor Lovecy raised concerns about impacts on nearby residents in terms of light and shadowing at Longworth Street and asked if this had been addressed in the report. In response the planning officer stated that this had been taken into consideration, adding that all nearby residential building were considerable distance away from the proposed towers.

Councillor Flanagan accepted that 10% profit would not allow for any associated affordable housing funds but asked if there was any condition to receive some funding if the profit margin was higher i.e., over 15% profit. The Director of Planning stated that this was already within the report.

Councillor Flanagan moved the officer's recommendation of approve for the scheme, subject to conditions within the reports and with the additional condition regarding removal of restrictions/narrowing of Great Bridgewater Street and Watson Street.

Councillor S Ali seconded the proposal.

Councillor Andrews sought confirmation that the Committee were moving approval for all three applications within the report.

The Chair confirmed that the three applications had been moved for approval with Councillor Andrews and the Committee before proceeding with the vote.

Decision

The Committee resolved to move the officer's recommendation of Minded-to-Approve subject to the signing of a section 106 agreement in relation a future review of the affordable housing position, subject to other conditions and amendments within the reports and with the additional condition regarding removal of traffic restrictions/narrowing of Great Bridgewater Street and Watson Street.

(Councillor Davies left the room after making representations as a Local Ward Councillor and took no part in the ongoing discussions or decision-making process).

PH/23/09 135278/FO/2022 - St Gabriel's Hall, 1 Oxford Place, Manchester, M14 5RP - Ardwick Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that presented an application relating to a vacant student hall of residence (St. Gabriel's Hall), situated in Victoria Park Conservation Area. The proposal involves some demolition, the erection of part 4 storey, part 5 storey buildings and, the refurbishment and restoration of buildings to form 319 student bedrooms, landscaping, cycle parking, car parking and associated works.

Two objections had been received.. Representations had been received from Schuster Road and Park Range Residents Association, Rusholme and Fallowfield Civic Society, Manchester Civic Society and Fallowfield & Withington Community Guardian Group and SE Fallowfield Residents Group.

The agent addressed the Committee. The Committee was advise that the buildings would be sympathetic to the surroundings and the developers had consulted with residents and Ward Councillors. Mature trees would be retained and tree coverage would increase by 18%. Parking conditions had been accepted with an overall traffic plan in place and this scheme would offer good accommodation to attract students to Manchester and improve the setting in the conservation area.

Councillor Flanagan stated that he did not have any issues to raise other than the provision of two blue badge parking spaces for 319 students, stating that this represented less than 1% disabled parking and enquired what the visitors space were for. He felt that disabled students would not be “car free.” He stated he was minded-to-refuse if no provision would be proposed.

The planning officer stated that a condition could be added to address Councillor Flanagan’s concerns, adding that all parking spaces could be fully accessible.

Councillor Flanagan stated that he couldn’t accept this, and it seemed uncaring to have lacked provision for disabled parking in the first place which the developer should have addressed.

Councillor Lovecy seconded Councillor Flanagan’s motion of Minded-to-Refuse.

The planning officer sought clarification that the Committee were satisfied with the scheme other than parking issues.

The Chair put the vote to the Committee for a Minded to Refuse decision based on the lack of EVC and disabled parking.

Councillor Leech enquired as to what would happen if this motion was not carried.

Councillor Andrews stated that he would move the officer’s recommendation with the added condition regarding additional EVC and disabled parking.

Decision

The Committee were Minded-to-Refuse owing to a lack of electric vehicle charging points and disable parking.

PH/23/10 134705/FO/2022 - 247 Upper Brook Street, Manchester, M13 0HL - Ardwick Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that related to a change of use to create short stay emergency accommodation for homeless people (sui generis).

A total of nine ensuite bedrooms (with a shower and WC) would be formed providing accommodation for families within reconfigured ground, first and second floors. The basement would accommodate a kitchen / dining room, living room and an office. No external alterations to the building had been proposed. A bin storage area would be located in the rear garden, which also has the capacity to accommodate cycle storage.

One letter of objection with 15 signatures had been received. The planning officer added nothing further to the information within the published reports.

The agent for the applicant attended and addressed the Committee stating that this was an application for homeless accommodation which was previously a homeless person's hostel. This developed scheme could provide ensuite accommodation for families in the short term for urgent need. This was a vital service for the city council which would house persons and families prior to them gaining permanent residences. The agent understood objectors concerns but felt that there may be based on stereotypical views about homeless people and noted that the council's own homeless team view this operator with high regard, as they already run other similar premises. Any persons presenting with drug use issues would be well managed and reported to the city council and the premises would be staffed 24hours a day. The agent stated that the residents would not be a nuisance and asked the Committee to lend their support to this scheme.

The planning officer stated that there was a condition attached for a management strategy for the premises to run as per requirements within the report.

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

Councillor Flanagan seconded the proposal.

Councillor Davies sought clarification on the room layouts and space measurements.

The planning officer confirmed that the space would provide for 27 people with a maximum 8 week stay and added that there was provision for an additional room/bed for larger families.

Decision

The Committee resolved to move the officer's recommendation of Approve for the application.

PH/23/11 134946/FO/2022 - Jessiefield, Spath Road, Manchester, M20 2TZ - Didsbury West Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that related to a resubmission following the refusal of planning permission for a similar, but larger development that was subsequently dismissed at appeal.

The current application sought to overcome the previous reasons for refusal and the conclusions of the Planning Inspector. The redesigned development proposed the erection of a part two, part three storey building to form 26 retirement living apartments to be managed by McCarthy and Stone.

Following notification of the application 112 objections had been received, together with a petition containing 67 signatures. Following amendments to the proposal and a further period of neighbour re-notification, a further 46 letters of objection had been received.

The planning officer brought member's attention to the Supplementary Information report which stated that in response to concerns raised, the applicant had provided an additional car parking space in order to provide 20 spaces for the proposed 26 apartments. This ratio is the same as for the previously refused scheme where the percentage of the car parking was considered acceptable.

An objector attended the hearing and addressed the Committee on the application stating that there had been 112 views expressed on the application without 1 letter of support. Concerns were raised in relation to overlooking, mass and scale and stated that the report failed to cover the planning history and previous refusals properly.

The applicant attended and addressed the Committee stating that they had worked collaboratively on a great design and noted that officers now recommended approval.

Councillor Hilal, spoke as a Local Ward Councillor to the Committee and objected to the application in relation to overdevelopment, traffic issues, lack of car parking, overlooking, scale and massing, ecological issues and loss of wildlife.

Councillor Stanton also addressed Committee as a Ward Member also objecting to the application

Councillor Leech addressed the Committee as a Local Ward Councillor and welcomed the objector's points made against this scheme. Councillor Leech stated that he objected to the application, raising issues relating to car parking levels, overlooking and privacy, scale and massing, construction traffic and the lack of any mitigation for car parking on nearby roads. He also stated that the existing building should be retained and that there was a need for family housing

Councillor Leech then left the meeting and took no further part in the discussion or decision-making process.

The planning officer stated that the previous application had been refused for three reasons and had these been provided. The Inspector dealing with the appeal concluded that there would be no unacceptable loss of privacy or overlooking and the comings and goings, activity and disturbance would not be inappropriate. The officer detailed the use of obscured glazing and distances from the rear boundary and included details as to why the scheme was now acceptable in scale and massing terms including the removal of the four storey elements. It was also clarified that the previous application had not been refused due to a lack of car parking spaces. Affordable housing had been fully tested and was found not viable due to the lesser amount of units but would be re-tested as part of the recommendation for a legal agreement if approved. Also, there was a construction management condition proposed to address these concerns.

The Chair reiterated that the previous scheme was refused for various reasons and the planning officer stated that this previous scheme had an officer's recommendation of refusal for 3 reasons, but this did not include car parking.

Councillor Lovecy proposed the Committee be move of Minded-to-Refuse on two grounds:

1 – The scale and massing of the scheme - referring to the previous application warranting the same reason for refusal, Councillor Lovecy conveyed that she felt this assessment still holds weight against this current proposal in its large footprint and dominance owing to its height.

2 – Parking – this was not considered at the previous application appeal as the Committee had not considered it as a reason for refusal. This scheme required a range of parking options and Councillor Lovecy was not convinced by the current submission. The distance to shops and other amenities would not deter the use of vehicles by residents.

Councillor Davies raised concerns in relation to the level of parking proposed.

Councillor Andrews seconded proposal made by Councillor Lovecy of Minded-to-Refuse.

Decision

The Committee agreed the proposal of Minded-to-Refuse, based on the scale and mass of the scheme coupled with the lack of adequate parking and disabled parking spaces.

(Councillor Flanagan declared a personal interest in the item and withdrew from the meeting for the duration taking no part in the discussion or decision-making process).

(Councillor Sadler left during this item and took no part in the discussion or decision-making process).

PH/23/12 135309/FO/2022 - Didsbury Technology Park - Phase 3, Princess Road, Manchester, M20 2UR - Didsbury West Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that related to the erection of a six storey commercial office building (Use Class E(c)(i,ii,iii), Use Class E (g)(i,ii)), with ancillary cafe on ground floor (Use Class E(b)) and roof mounted Solar PV array ; together with the Erection of three storey decked car park (Sui Generis) together with landscaping, highway works, and other associated works.

In response to the notification process, four responses were received from nearby residents raising concerns around the scale of the proposed development, loss of daylight, noise, the principle of further commercial development, traffic generation, and the sustainability of the project.

The planning officer stated that for clarification purposes the late representation details that it is proposed to revise the off-site highway works condition to include Traffic Regulation Orders for additional junctions along Barlow Moor Road.

The agent for the applicant attended and addressed the Committee.

Councillor Leech, speaking as a ward Councillor, stated that his only concern had been regarding three junctions on Barlow Moor Road and stated that, if these were now covered by amendments in the supplementary information report, he could accept the proposal.

The planning officer had nothing further to add to the points raised.

(Councillor Leech left the meeting after making his comments and took no further part in the discussion or decision-making process).

Councillor Flanagan moved the officer's recommendation of Approve for the application, subject to all amendments of conditions contained in the Late Reps report.

Councillor S Ali seconded the proposal.

Decision

The Committee resolved to move the officer's recommendation of Approve for the application, subject to all conditions and amendments thereof, contained in the reports.

PH/23/13 134891/FO/2022 - Northern Lawn Tennis and Squash Club, Palatine Road, Manchester, M20 3YA - Didsbury West Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that related to the replacement of existing grass tennis courts to form 3 no. all-weather tennis courts bounded by a perimeter fence and illuminated by new floodlighting columns.

In response to the application as originally submitted, 61 representations had been received including 1 objection, 3 neutral and 57 in support. Following revised information and a further period of renotification, 5 additional representations had been received, including 1 neutral response and 4 in support.

The planning officer had no further information to add to the report submitted.

The applicant attended and addressed the Committee.

Councillor Flanagan moved the officer's recommendation of Approve for the application.

Councillor S Ali seconded the proposal.

Decision

The Committee resolved to move the officer's recommendation of Approve for the application, subject to all conditions and amendments thereof contained in the reports.

**PH/23/14 135048/FO/2022 - Northern Lawn Tennis and Squash Club,
Palatine Road, Manchester, M20 3YA - Didsbury West Ward**

The Committee considered the report of the Director of Planning, Building Control and Licensing that related to the erection of an 8.3 metre-high building to house two padel tennis courts, with associated lighting and infrastructure.

The proposed building is situated centrally within an existing tennis club and seeks to provide two new courts for padel – a relatively new racquet sport similar to a mix between tennis and squash. The application site is situated within Blackburn Park Conservation Area.

In response to the application as originally submitted 51 representations have been received. 28 in support, 1 neutral and 22 of which object to the proposal. Following revised information and a further period of renotification, 10 additional representations have been received, including 1 in support, 1 neutral response and 8 objections.

The planning officer confirmed that this second application for the same site as the previous application was for a new build indoor court.

The applicant attended and addressed the Committee, stating the club had engaged with acoustic consultants and that acoustic fencing was also proposed. The Padel Courts would address the lack of tennis courts across the City.

Councillor Hilal addressed the Committee as ward councillor regarding concerns in relation to noise and requested the Committee to hold a site visit.

The planning officer stated that there was an acoustic report submitted and added that environmental health officers were satisfied that the noise impacts were acceptable. There was a condition to ensure that acoustic insulation is installed alongside an acoustic fence. Expert officers at the council were assuring the planning officer that impacts would not be unacceptable.

Councillor Flanagan stated that he understood the need for such facilities in Manchester but had concerns about noise.

The planning officer stated that the advice received gave an assurance that noise would be mitigated.

Councillor Leech noted issues relating to noise but felt that a site visit would not help the Committee.

Councillor Davies stated that noise was the main issue here but felt that a site visit would not help the Committee. She added that it would not be likely that the

Committee could check other padel courts as part of their decision-making process. Councillor Davies felt that sustained durations of padel court use and the noise from this may not be acceptable and added that all individuals have a different tolerance level to noise. Noise is known to have an adverse effect on health. Councillor Davies supported Councillor Flanagan's comments and felt that the Committee required a greater understanding of noise mitigation.

The Director of Planning noted Councillor Davies having proposed a reason to defer the application, to have a greater understanding of noise mitigation, adding that the report could return to the Committee in more detail.

Councillor Flanagan expressed that it may be helpful to have a site visit with an acoustic/noise expert to explain but added that a deferral could also be considered.

Councillor Andrews proposed a motion to defer the application for the Director of Planning to arrange a more detailed report to come before the Committee.

Councillor Flanagan seconded the proposal.

Councillor Davies requested that the future report contained information in less-technically detailed terminology also.

The Director of Planning stated that they could have a colleague from environmental health to join the meeting to address any concerns.

Decision

The Committee resolved to defer the application for the Director of Planning to arrange for a more detailed report regarding noise mitigation to come before the Committee, at a later date.

PH/23/15 135321/FH/2022 - 15 Craigmere Avenue, Manchester, M20 2YQ - Didsbury West Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that proposed to erect a part single/part two storey extension to the side of the dwelling to provide additional living accommodation.

Objections had been received from four local residents, ward Councillor Hilal and the West Didsbury Residents Association. The main concerns raised include the impact on residential amenity, pedestrian/highway safety, insufficient parking and the overdevelopment of the site.

The planning officer drew members attention to the fact that the front elevation had been redesigned and that the bay window at the current property would be retained.

The applicant attended and addressed the Committee.

Councillor Hilal addressed the Committee and stated that she supported the residents living in Craigmere Avenue in their objections to this application.

The planning officer stated that the scheme had been reduced, the frontage was redesigned, and porch removed. There was also a condition for a replacement tree.

Councillor S Ali proposed to move the officer's recommendation of Approve for the application.

Councillor Flanagan seconded the proposal.

Councillor Lovecy stated that she supported the amendments to windows and the replacement of the tree.

Decision

The Committee agreed the officer's recommendation of Approve for the application, subject to all conditions and amendments thereof contained in the reports.

(Councillor Leech declared an interest in this item and left the room for the duration, taking no part in the discussion or decision-making process).

PH/23/16 135647/FO/2022 - 550 Mauldeth Road West, Manchester, M21 7AA - Chorlton Park Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that related to the erection of a retail foodstore (Class E) with new access arrangements, following demolition of existing structures. It is proposed that the store is operated by Lidl.

In response to the application as submitted, 180 representations had been received. 76 in support, 9 neutral and 95 of which object to the proposal. One of the letters titled Community Letter of Objection was received with 122 signatories.

The planning officer stated that an additional condition was recommended to ensure that an acoustic fence to the service yard be erected should the Committee approve the application. Also, to clarify, due to concerns raised a Road Safety Audit was undertaken by the applicant and this included a site visit. From 3-4pm in November 2022, in line with school finishing times. Highways officers and TfGM were both satisfied that all traffic concerns had been addressed in the report with further pedestrian facilities to be looked into.

An objector attended and addressed the Committee on the application stating that she was representing 122 residents in Chorlton Park Ward. There had been 97 other online objections. This scheme was not suitable due to the proximity to 4 schools, a food bank and family support charity centre. The objectors had concerns with the traffic modelling for this scheme and having made their own checks, believe that the increases in traffic could be as much as 200 cars per hour. This would have a detrimental effect on air quality and have the potential for road accidents. There had

already been a road traffic accident leading to life altering injuries for a child in the area and the objector reported an incident happening the day before the hearing. This scheme was not consistent with the Council's own strategy. The headteacher of Loreto High School had submitted a comment, stating that they had concerns for pupil safety if the development went ahead. There had been 2 hit and run incidents already. There were already queues along Nell Lane adding to car fumes, safety issues and clear signs of frustrated drivers making it already unsafe at present. This scheme would exacerbate these dangers. There are already 4.5 thousand schoolchildren in the locality and the headteacher of Chorlton High School had also submitted concerns, stating that this was an extremely difficult area due to traffic and the Metrolink stop. The shared access to Hough End Hall was already too busy and schools had made attempts to stop parents using the local highways to drop off and collect their children. It was felt that the addition of a supermarket in this location would increase parental pick ups as they would use the supermarket when arranging drop off and collection of children. Due to the lack of diligence in tackling the issues in the area and failure to consider the potential impacts, the objector requested that the Committee refuse this application. The objector inferred that the reports had been rushed through and objections not considered properly. A site visit during school hours would prove the objectors' case should the Committee want to consider this option. In their closing statement, the objector read from a parent's objection which considered that a serious and deadly accident would be likely to occur and those who let the scheme go ahead would be to blame.

The agent for the applicant attended and addressed the Committee on the application stating that the scheme would create jobs, that highways officers were satisfied with traffic and road concerns and deemed them safe and appropriate. The proposal would be a modern and attractive building matching Hough End Hall. There would be no less to amenity to local residents, and no impact to air quality and there are clear benefits. The site was a brownfield site, and the development would improve the area. The location of the store allowed for shoppers to visit via tram, bus bicycle and on foot. In their closing statement, the agent stated that approving the application would create growth and jobs.

Local Ward Councillor Rawson addressed the Committee and stated that this was a busy junction with 4 schools nearby. The plan for a Lidl supermarket was welcomed by some residents as this would bring an affordable supermarket to the area which those nearby would not have to visit in a vehicle and there was support for this being available to pedestrians and cyclists. The Merseybank estate was in a "food desert" area with a lack of local shops/supermarkets and many were keen for the scheme to go ahead for this reason. Councillor Rawson stated that he had children in local schools and so understood the concerns around the issues raised. There would be 40 jobs available at the supermarket for local people and Wards Councillors had campaigned for better parking restrictions in the area and had achieved a 30mph speed limit, pedestrian zone, pelican crossing and crossing patrol. If the scheme were to be approved, then there could always be additional highways mitigation applied in the area. Councillor Rawson expressed that there should be higher interventions at the key times of the school day. A site visit would show why the area required extra measures, such as a no deliveries condition/policy at key school times, no reduction of pavement space, crossing points and no kerb mounting. Lidl could be asked to provide a crossing patrol for the first year of operations and should

considered additional cycle parking instead of car parking space. The junction of Mauldeth Road West and Nell Lane would require some traffic calming and bus shelters should be added at the supermarket.

The planning officer addressed the concerns raised including a justification for the number of car parking spaces proposed and that Highways officers and TfGM were satisfied but conditions were in place to address issues on access to Nell Lane. An upgrade to the junction using a MOVA system was proposed, and air quality had been properly assessed. The planning officer reminded the Committee that the recommendation was for approval.

Councillor Flanagan stated that he was glad to see the current building being up for demolition but understood the issue and felt that the positive aspects of the scheme had to be balanced with safety concerns. In his closing statement, Councillor Flanagan noted the four schools and a park in the vicinity of this scheme and proposed a site visit at a peak time.

The planning officer reiterated that all traffic concerns had been fully assessed by Highways officers and TfGM.

Councillor Leech seconded the proposal for a site visit and stated that he was considering a move of Minded-to-Refuse. He did welcome the idea of a low-cost supermarket but felt that the objector had made a good case against the traffic modelling and concurred that he had little faith in this as well. Councillor Leech was in the belief that changes along Mauldeth Road West due to this scheme would shift traffic down onto an already busy Nell Lane and felt that this traffic flow had not been fully considered. It would be pertinent for the Committee to make a site visit at a peak time due to the four schools in this area.

The planning officer assured the Committee that the Highways officers had looked at all traffic considerations in great detail and added that the fallback position would be that the existing building could be back in use if the scheme was not approved.

Councillor Leech reiterated his concerns regarding the claim that there would be zero additions to traffic flow, adding that this could not be the case and expressed having no faith in the traffic modelling.

The Chair stated that the Committee had expert advice to help in the consideration of all applications.

The Director of Planning stated that a site visit may require a meeting to assess the best time for this purpose. If the scheme was deferred due to concerns that officers hadn't considered the traffic management plans accordingly then again, officers would come back with further information.

The Chair stated that some Committee members had family commitments and may not be available to make a site visit at school times so suggested an evening visit that would still be at a busy time, possibly the day before the next Planning and Highways Committee meeting.

Councillor Davies explained that there were other experts involved within the representations in that headteachers knew their area very well and stated that a plan of the site in relation to the nearby schools would have been helpful. Councillor Davies was satisfied with the proposal of a site visit and mentioned that it may be worth asking the local headteachers what they felt the best time to visit would be.

The Chair reminded the Committee that they should take both sets of experts into account, adding that there was a process within the Labour Group to deal with these concerns and then had the Committee vote on the proposal for a site visit as proposed by Councillor Flanagan and seconded by Councillor Leech.

Decision

The Committee agreed the proposal to undertake a site visit, owing to concerns raised around traffic and pedestrian safety, junctions and highways at the site.

PH/23/17 135604/FO/2022 - Land to the rear of 354 Wilbraham Road, Manchester - Chorlton Park Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that related to the erection of 65 dwellings (Use Class C3(a)), with associated infrastructure, including landscaping, ecological mitigation, drainage and car parking and access from Wilbraham Road. It also includes the demolition of a garage to the rear of 354 Wilbraham Road. It is also proposed to improve the floodlights on an adjacent site occupied by Maine Road FC.

The application site comprises an overgrown former playing field, it is understood this was last in use in 2016. In mitigation for the loss of the field, there is an agreed package of replaced and enhanced sport facilities.

The proposals were subject to the notification by way of 449 letters to nearby addresses, site notice posted at the site and advertisement in the Manchester Evening News.

In response 30 comments were received, 19 of these objecting to the proposals from 18 separate addresses, 11 comments were received in support.

The planning officer did not add anything to the report submitted.

An objector attended and addressed the Committee on the application stating that they were representing other local residents who wished for the Committee to undertake a site visit. It had been discovered that someone owns land that is part of the plot for development. Traffic on Wilbraham Road was very busy with two other side roads joining this road close to the proposed scheme. If allowed, the development would add to traffic issues in the area, and it was expressed that there was no detailed consideration of this within the reports. The layout of dwellings in this application were not in keeping with others in the area, being 2.5 storeys tall as opposed to 2 storeys. There was a threat to the urban character of the area and there had not been enough consideration to the flood risk posed at this site. Residents and land engineer had discussed flooding issues, but this had not

appeared in the reports. The mitigation for the loss of this plot as a playing field was to be covered at Alexandra Park but the objector questioned if residents local to the park had been consulted on this.

The agent for the applicant attended and addressed the Committee on the application stating that all land at the site was under the applicant's control. The applicant works with disadvantaged children across Manchester and were looking at redundant land for building opportunities following funding cuts to the associated charities supported by the applicant. The site had last been used for sports in 2016 and had no on-site facilities. The applicant had engaged with local residents and Ward Councillors and conveyed that the scheme was acceptable. The playing pitch mitigation was covered by nearby availability at Alexandra Park. There was a clear need for affordable family homes in Manchester and this proposal would feature 13 homes with a mix of social rent and mortgages. Air source heat pumps would be installed at all residences meaning no gas boilers would be installed. There were no road safety issues with the scheme as each dwelling had space for two cars with electric vehicle charging and cycle storage. Gardens would be fully vegetated making this a sustainable development. It was stated that there had been no objections received and the Committee was requested to approve the application.

Local Ward Councillor Midgley addressed the Committee stating that this proposal met a need for affordable housing in the area. The applicant had made modifications to match houses in the locality and reduced the initial proposed number of dwellings. The number of affordable rental dwelling had been raised from 4 to 7 and also 6 first time buyers would be able to get onto the property ladder. In their closing statement, Councillor Midgley felt that there was a need for some assistance with traffic calming measures to Wilbraham Road.

The planning officer stated that the grant of planning permission would not override any legal issues such as land ownership and this was a matter that the developer would need to resolve. Regarding flood risk concerns, this had a full drainage scheme attached and there would be additional tree planting which would assist with any overlooking issues. The design of the residences had been considered acceptable, the loss of what was previously a playing field had been addressed and this would provide much needed affordable housing. The planning officer concluded by stating that a new junction subject to traffic regulation orders would be created for this development.

Councillor Flanagan noted objectors concerns and felt they had to be balanced with the need for affordable housing in this area. He proposed to move the officer's recommendation of Minded-to-Approve for the application with an added condition, whereby the developer would contribute towards traffic calming measures. If this could not be a condition, then it was requested that Highways officers work with Local Ward Councillors.

The Director of Planning referred the Committee to Condition 7 regarding highways works and explored the potential for rewording of this condition to address any impacts on the highway and concerns raised by the Committee. If this was agreeable, the Director of Planning stated that this could be delegated to herself to

make the required arrangements with the Chair of the Planning and Highways Committee.

Councillor Flanagan stated that this was agreeable and satisfied his earlier proposal to move the officer's recommendation of Minded-to-Approve for the application with the Director of Planning's recent comments as a condition.

Councillor Riasat enquired on the legal issue with the entrance to the site if there were an actual dispute regarding land ownership and asked where this would lead to.

The planning officer stated that there was only one access point and if this area was in dispute the developer may not be able to gain access and therefore would not be able to implement the planning permission.

Councillor Andrews seconded the proposal from Councillor Flanagan.

Decision

The Committee agreed the officer's recommendation of Minded-to-Approve for the application with an added condition whereby both the Director and Chair of the Planning and Highways Committee, would amend condition 7, to address the concerns of the Committee regarding impact on the highway and traffic.

(Councillor Leech declared an interest in this item and left the room for the duration, taking no part in the discussion or decision-making process).

PH/23/18 135396/FO/2022 - Manley Park Play Centre, York Avenue, Manchester, M16 0AS - Whalley Range Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that related to planning permission, 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. Following these approvals, a further application was submitted in September 2022 (application reference 134732/FO/2022) which sought 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. These revised proposals indicated an increase in height of the activity hall to 9.3 metres. This application was approved by the Council's Planning and Highways Committee meeting held on the 20 October 2022.

The current proposals seek to provide a further enlargement to the rear of the previously approved extension to the north of the existing building to form a 42m² therapy room.

110 addresses were notified of the proposals, 2 responses were received raising concerns with the proposals and particularly implications in terms of pedestrian and highway safety in the vicinity of the park.

The planning officer had nothing to add to the printed report.

Councillor Flanagan moved the officer's recommendation of Approve for the application

Councillor S Ali seconded the proposal.

Decision

The Committee resolved to Approve the application as set out in the report submitted.

PH/23/19 135731/FH/2022 - 24 Victory Street, Manchester, M14 5AE - Moss Side Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing that related to the applicant seeking permission for the erection of a single storey rear extension together with a front porch enlargement, to provide additional living accommodation for a family dwellinghouse. The property is not listed, nor is it located within a conservation area.

Thirteen neighbouring dwellings were notified of the proposed development and four letters of objection were received as well as one enquiry.

The planning officer referred to further comments from two local residents contained within the supplementary information report.

Local Ward Councillor Bell addressed the Committee and stated that she understood the need for larger family homes in the Moss Side Ward owing to a general lack but stated that local residents were against the proposal and that she also objected. The neighbours had stated that there would be a loss of light, their properties would be overlooked and that there would be disruption and distress. One local resident suffered with autism which was exacerbated by noise and Councillor Bell requested that the Committee consider the impact that this extension would have on neighbouring residents. The privacy of nearby residents would be impacted on and Councillor Bell concluded by stating that she supported a refusal of this planning application.

The planning officer stated that this extension measured 3.5 metres which met the limit stipulated in planning policy and added that 3 metres could be added without need for planning permission. There was separate legislation for construction noise.

Councillor Flanagan felt that there needed to be some balance observed, adding that it was not a huge extension and the work would probably be done reasonably quickly. Councillor Flanagan understood the need for families to have larger homes in this area and moved the officer's recommendation of Approve for the application.

Councillor Lovecy questioned whether the extension would have windows to the sides and stated that one neighbouring house is under a social rental scheme. She asked if planning considerations took into account the loss of light to the adjoining properties and noted the impact felt by these residents.

The planning officer stated that the concerns are of a tolerable level and the difference between the requirement for planning application or not was 0.5 metres and confirmed that windows of the extension looked out onto the applicant's own garden space.

Councillor Andrews seconded Councillor Flanagan's proposal.

Decision

The Committee agreed the officer recommendation of Approve for the application as detailed in the report submitted.

(Councillors Riasat and S Ali both left the meeting as this item commenced and took no part in the discussion or decision-making process).

PH/23/20 Confirmation of The Manchester City Council (Land at 52 Didsbury Park, Didsbury) Tree Preservation Order 2022 - Didsbury East Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing to inform the Committee about the background and issues involved in the making of a Tree Preservation Order (TPO) on 6 September 2022 and to recommend the confirmation of this Tree Preservation Order.

The planning officer had nothing to add to the report submitted.

Councillor Andrews moved the recommendation within the report.

Councillor Kamal seconded the proposal.

Decision

The Committee agreed the recommendation to instruct the City Solicitor to confirm the Tree Preservation Order at 52 Didsbury Park, Didsbury, Manchester, M20 5LJ, under Section 199 of the Town and Country Planning Act 1990, and that the Order should cover the trees as plotted on the plan attached to this report.

Application Number	Date of Appln	Committee Date	Ward
135048/FO/2022	27th Sep 2022	16 March 2023	Didsbury West Ward

Proposal Erection of an 8.3 metre high building to house two padel tennis courts, with associated lighting and infrastructure

Location Northern Lawn Tennis and Squash Club, Palatine Road, Manchester, Manchester, M20 3YA

Applicant Mr John Egan, The Northern Tennis Club, Palatine Road, Manchester, M20 3YA,

Agent NJL Consulting, 6th Floor Origin, 70 Spring Gardens, Manchester, M2 2BQ

Introduction

The application was placed before the Committee on 26 February 2023 where consideration of the proposal was deferred due to questions concerning surrounding noise impact.

It was requested that Officers bring a report to a future meeting with further information to detail the impact of noise arising from the proposed development and how this would impact on neighbouring residential occupiers. This issue is explored further below.

Noise Impact

The application has been fully considered against national and local planning policy and guidance relating to noise. The City Council's Environmental Health team has also provided further information relating to the assessment of the potential noise impacts arising from the proposal.

The noise survey undertaken to support the application included noise readings taken at an existing covered Padel court, this to establish the likely noise levels that would be generated. The readings were taken in line with the net on the open side of the court, where there is just a mesh barrier (which will not reduce the noise). The ends and corners of the courts have glass walls and this does provide attenuation. The noise readings were taken during a men's double match; it is likely that the noise from impacts of the ball on the rackets, the court, the glass walls and the mesh walls would present a 'worst case scenario' for the noise assessment. The recorded figures were then inputted into noise modelling software with the report indicating that the predicted external noise levels at the nearest residential properties are all below 50 dB LAeq,1hr (this is the guidance value at which Sport England guidance states as being acceptable).

The noise levels at the residential properties are assessed in 1-hour periods during the daytime. The noise is averaged over the one-hour period. All these levels are

assessed outside (externally). In noise terms the daytime period is 07.00 – 23.00hrs (16hrs) and the night time period is 23.00-07.00hrs (8hrs). The night time period, for obvious reasons, is classed at the most sensitive time of day. The proposed use of the Padel courts in the application under consideration would be within daytime hours only.

Comments were made at the February Committee meeting about the nature of the Padel game and balls hitting off the walls of the court similar to squash. The walls are used, however, in Padel the game is more like tennis meaning that the ball is mainly hit over a net. There would be some impact noise from shots against the glass wall, although the wall does provide a degree of attenuation (noise reduction) against racket noise and speech, and the proposed courts are also proposed to be covered which would further reduce noise.

It is noted that the Tennis Club is in a suburban/mixed use area and there are other noise sources contributing to the ambient noise level including that from road traffic on Palatine Road and noise from the adjacent Metrolink line. The existing noise climate in the area already includes noise from multiple tennis courts that are in use at the club, so although the Padel courts have the potential as an additional source of noise it would not be out of character for the area and is deemed to be acceptable. As such based upon National Planning Practice Guidance (NPPG) on noise the advice is that the proposals are acceptable subject to noise being mitigated/reduced.

In this instance an acoustic barrier / fence is proposed to reduce noise levels further from the use of the courts. The NPPG is clear that noise can be mitigated and the impact on nearby residents reduced to allow developments to go ahead. The proposal which includes mitigation is therefore in accordance with this guidance.

Some specific concerns were also raised with regards to noise impacts on those people working at home. The City Councils Environmental Health team has confirmed that this is unlikely to be an issue based upon the likely noise attenuation from standard double glazing (30dBA reduction), or when a window needs to be opened (10-15dBA reduction) and that most office environments are themselves designed to have noise levels of 45-55 dBA.

The applicant has since the last Committee meeting provided a further Technical note prepared by their acoustic specialist in respect of noise this sets out: a visual representation of noise propagation in 3D noise model; discussion of the assessment and how it compares with other standards; and, comparison of predicted noise levels and existing levels.



Figure 2.1: Noise contour of Padel Court propagation at 1.5 m height

This visualisation of noise is based on a worst-case scenario as in reality each end of the courts (including the end facing the residential receptors) would benefit from solid glass and canopy screening. As noise measurements were taken on a side with the open entrance area, the 3D propagation model used by the applicant's acoustician assumes the worst-case noise levels are apparent in every direction. The above model shows the noise propagation at a height of 1.5m which is indicative of noise to gardens and ground floor windows. The effect of the proposed acoustic screen is most pronounced.

The below model diagram shows the propagation of noise at a height of 4 m which is indicative of noise to first floor windows, where the effects of the screen are minimised.



Figure 2.2: Noise contour of Padel Court propagation at 4 m height

The assessment concludes that less noise would be expected to emanate from the short ends of the courts. As set out in the report the proposed conditions require a post completion validation report to confirm the expected noise levels are achieved.

In respect of a review of the noise impacts against other relevant standards, the applicant's acoustician sets out the anticipated noise impacts against: British Standard 8233:2014 'Guidance on sound insulation and noise reduction for buildings'; World Health Organisation Guidelines on Community Noise 1999; and ProPG: Planning & Noise for New Residential Development. This review confirms that the criteria adopted by the applicant from the Sport England document 'Artificial Grass Pitches (AGP) Acoustics – Planning Implications' are equal to the more stringent recommendations of all available standards and good practice documents.

In respect of the comparison of predicted noise levels with the existing the applicant's acoustician confirms that the predicted noise levels due to Padel Court use are lower than the average ambient noise levels with the site as existing experienced at the residential site boundary.

In conclusion it is considered that the proposal is acceptable subject to the proposed conditions and validation requirement as currently set out. In accordance with local and national policy, and considering relevant British standards and guidance, the noise from the use of the proposed Padel courts, in the context of the existing use of the site and mitigation proposed, would not give rise to significant adverse impacts to the surrounding residential properties as such a reason for refusal based on noise impacts could not be reasonably sustained.

Other Matters

Covenant - Since the previous Committee meeting a further representation has been received in respect of a covenant that exists between a neighbouring residential property and the applicant in respect of the use of the Tennis Club. This relates to the erection of buildings and fencing. As set out within this report this is a private law matter between the applicant and resident in question which would be required to be resolved between the parties before carrying out the proposed development and is not a planning consideration that can be given weight.

Lighting – A lighting report prepared on behalf of neighbouring residents has been submitted to the Council. This report relates to a previous approval for replacement lighting at the Tennis Club granted in 2022 (reference 132108/FO/2021) and recently submitted details in order to discharge the relevant lighting conditions attached to that consent. No decision has been issued in respect of that condition discharge and the submitted information is currently being reviewed, it is noted that that planning approval set curfew hours of 10pm for lighting to be switched off and contains a verification and validation requirement which have yet to be agreed.

In respect of the current application Environmental Health have assessed the lighting scheme which sets out that the lighting levels at the nearby residential premises would comply with the 'E3 Zone requirements for suburban areas' (10Lux maximum before 23.00hrs). A verification report and post completion testing is required to ensure these limits have been met and this is reflected in the proposed conditions set out at the end of this report.

Further responses have been provided by the applicant to respond to concerns made, the comments can be summarised as follows:

- Reference has been made to the refusal of a similar application in Bournemouth in 2022, the applicant has also provided information relating to the approval of a similar application for Padel Courts at a Tennis Club in a Conservation Area in Poole in October 2022.
- The proposals are considered to be an acceptable addition to this part of Blackburn Park Conservation Area. Previous appeal decisions at the site have contented that the Tennis Club site does have a different character and appearance to the wider conservation area;
- The Club has and still does demonstrate an enormous amount of community and school use through a MOU with the City;
- The Padel Courts do not have any impacts on the level of tennis courts available. The approved consent decided at planning committee on the 16th February 2023 actually increased the facilities at the club by replacing two existing grass courts with three all-weather courts to assist in year round play. The Padel Courts would not have any implications on court availability for members and actually provides additional facilities for members to use.
- The NLTC is accepted as making a positive contribution to the Conservation Area and the introduction of padel tennis is in keeping with its mission as a major provider of racquet sports to the area. The vast number of existing members the NLTC serves who could utilise these facilities without the need to drive to similar facilities much further away. Potential new users in south Manchester would be much closer to this facility and would therefore not need to travel further afield.

- The NLTC's development as part of the Conservation Area as a historic site for tennis and over its 100+ year tenure, has consistently introduced change and innovation, reflecting changes in the sport and associated sports, including becoming an important centre for the related game of squash. Today, the vision of the Lawn Tennis Association is to make tennis more accessible and breaking barriers to entry. The LTA sees that padel tennis forms an important vehicle for achieving this, encouraging existing clubs to make it available to members and the wider public.
- The NLTC will continue to engage with neighbouring properties and ensure any concerns raised are dealt with quickly and effectively.

Executive Summary

The proposal is for the erection of an 8.3 metre high building to house two padel tennis courts, with associated lighting and infrastructure.

The proposed building is situated centrally within an existing tennis club and seeks to provide two new courts for padel – a relatively new racquet sport similar to a mix between tennis and squash. The application site is situated within Blackburn Park Conservation Area.

In response to the application as originally submitted 51 representations have been received. 28 in support, 1 neutral and 22 of which object to the proposal. Following revised information and a further period of renotification, 10 additional representations have been received, including 1 in support, 1 neutral response and 8 objections.

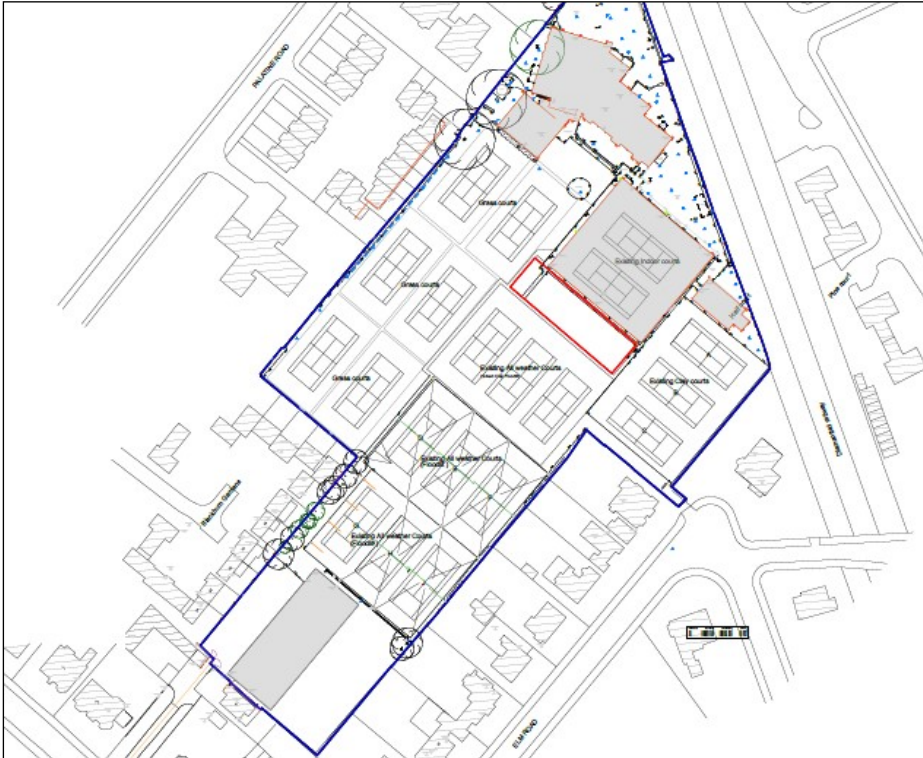
Key Issues

- The application site relates to an accessible, brownfield site and where the playing of tennis and racquets sports is already established.
- The impact on the character and appearance of the conservation area as a consequence of the proposed building.
- Concerns are raised in relation to adverse noise and lighting impact. The impact has been assessed by Environmental Health as being acceptable.
- The proposed development has the potential to deliver an enhanced sporting and recreational offer for a sport not currently provided for in Manchester.
- The proposal would deliver health and well-being benefits to residents and visitors.
- The proposal would diversify the offer for racquet sports at the club, to the benefit of economic viability.

Description

The application site relates to Northern Lawn Tennis Club, which is located at the junction of Palatine Road and Lapwing Lane.

The site is bounded by residential properties on three sides. A Metrolink line adjoins the eastern boundary.



Location plan showing the position of the proposed padel court area outlined in red

The nearest residential properties to the part of the site to which the application relates, are situated to the north, west and south along Palatine Road, Blackburn Gardens and Elm Road respectively. The site lies within the Blackburn Park Conservation Area.

The Proposal

Planning permission is sought to replace two of the existing grassed tennis courts with two all-weather padel tennis courts with associated lighting.

The padel courts are proposed within a 8.3 metre high building situated to the south of the existing indoor court building.

Padel is a racquet sport similar to a mix between tennis and squash. The court is one third of the size of a normal tennis court and is played on a court surrounded by walls of glass and metallic mesh.

During the game the ball can be played off a wall and played using a short, stringless racquet with holes and a low compression tennis ball. Service is made under arm.

The proposed padel courts are situated to the south-east of existing indoor courts and will be orientated north-east to south-west in line with the proposal for 3 all-weather courts, that are subject to a separate planning application (Ref: 134891/FO/2022).



Proposed location of the padel courts outlined above, with the single red line indicating the approximate position of the proposed acoustic fence to the Elm Road boundary

In addition, the existing footpath is proposed to be realigned around the proposed site to allow access in and around the courts and a two metre high acoustic fence is proposed adjacent to the rear garden boundary hedge of 29-31 Elm Road.

The proposal in tandem with the application for the all-weather courts would replace 9 existing grass courts, 6 synthetic clay (all weather) and 3 clay courts (weather dependent), with 6 grass courts, 9 synthetic (all weather), 3 clay courts (weather dependent) and 2 padel courts.

Background

The Northern Lawn Tennis Club is one of the oldest lawn tennis clubs in the UK. The club was originally located in Old Trafford before relocating to its current location in 1909.

The clubs' expansion over the years has led to the club hosting national and international tournaments.

The proposed padel courts are intended to help the club financially and aid the delivery of sporting opportunities for the wider community.

There is a close relationship between padel and conventional tennis and there is often a crossover in participation between both sports.

It is anticipated that the redevelopment of the exiting tennis courts will offer higher level of use, whilst providing an opportunity to support another similar sport.

Consultations

Local Residents/Occupiers – 51 representations have been received. 1 neutral response in which questions are raised surrounding hours of use, together with 22 objections and 28 in support. Comments are summarised below:

-There is concern about the noise which the Padel tennis courts will generate. Padel tennis is a very noisy activity which is very likely to cause severe disturbance to the residents living closest to it on Elm Road and Palatine Road.

-The application should be refused on the grounds of excessive noise. It is understood that a similar proposal from a club in Bournemouth has already been rejected on account of the noise factor.

-According to the plans, the padel courts are very large and tall and not in any way in keeping with the character and history of the Blackburn Conservation Area.

-The view from Elm Road and the vista looking up Pine Road of the proposed massive sheds creates an industrial image to the area which is completely out of character in a high quality residential area.

-Padel tennis is played on a hard-court surface and includes toughened glass panels that can be played from. In this respect, it results in a game played much like squash. A ball being forcibly played from a glass panel creates a much louder and more intrusive sound than simply a racquet.

-Padel tennis, although a relatively new sport, is well known to be very noisy and is therefore not suited to a quiet residential area

-The proposed lighting suggests that noise could go on into the night.

-The height of the structure would have a detrimental effect on the landscape of this area which is already impacted by the buildings which are already there.

-The noise will be quite intrusive in a residential area. The noise is likely to reverberate around any buildings, exacerbating the noise effect.

-The loud and percussive noise that striking the ball will create, combined with the player noise that will undoubtedly accompany it - as has been clearly evidenced in Padel courts elsewhere, will completely ruin the quiet enjoyment of neighbouring houses and gardens.

-The proposed materials are not in keeping with the conservation area.

-The application involves the erection of a large and unprepossessing construction undoubtedly to the detriment of the prospect and character of the Conservation Area.

-The submitted Noise Assessment incorrectly refers to a neighbouring property on Elm Road as being one property, when it is in fact two flats. The assessment also mistakenly refers to the boundary to Elm Road as comprising a timber fence, when it is actually a hedge. If the noise impact needs to be reduced by a fence to meet the

recommended standards, the Club will need to erect one on their side of the boundary.

-The additional facilities would have a positive impact on MMU and courts being available for matches/training.

-Padel is a great addition to the offer that Manchester has from a racket sport point of view, something that should be supported.

-It is questioned whether there would be any restrictions on usage in terms of operational hours.

-The proposal will promote a new game through its infancy. It would be good to see part of the proposal provide some form of free use/coaching to young people in the area.

-The proposal will increase the range of facilities and the Northern and is supported.

-The proposal has social and recreational benefits and will enhance provision and the club and will provide a facility not readily available in this part of Manchester.

-Until recently, when 2 temporary courts were opened in Handforth, the other nearest Padel courts are in Huddersfield and Harrogate. Padel is the fastest growing sport in the UK and provision is needed in a major city like Manchester.

-The proposed 2 new padel courts will represent an increase in sporting capacity in South Manchester adding to the city's amenities without any cost to the council budget.

-The increased availability of recreational sporting facilities is consistent with the local and national drive to increase the population's physical and mental health through sport and exercise.

-Padel courts would promote further opportunities for physical activity to take place, contributing to the health and well-being of communities (as per the requirement of Core Strategy Policy EN10).

Following the receipt of revised information including the inclusion of an acoustic fence to the Elm Road boundary involving a slight change to the site edged location plan, example imagery and updated noise and lighting assessments, residents have been re-notified in writing.

In response, a further 10 representations have been received, including a acoustician's report commissioned by a local resident which disputes the finding of the submitted noise impact assessment. Comments are summarised below.

-The proposal will increase the sports capability of the club. Padel is increasing in popularity worldwide and allowing the courts would enable all to try out at no cost to the Council's budget.

-The nature of the Padel tennis means that there will be hard bats hitting hard balls which will then hit hard glass walls causing excessive offsite noise.

-The fact that the acoustic report is now recommending a 2m high acoustic fence, whereas a fence was not proposed previously, raises question marks on the whole assessment process.

-The noise level at a minimum is almost reaching the maximum advisable level and this will very likely go beyond the acceptable levels

-A 2 metre high fence is not going to provide much benefit for impacts on a glass screen of 3m height.

-The revised proposal does not counter original concerns about noise. The mitigation offered by the acoustic fence is questioned as is the context of the noise assessment.

-The proposed building is out of character with the conservation area.

-Clarification is sought regarding the position of the proposed acoustic fence. Information has also been provided to indicate the existence of a legal covenant, which may prevent the erection of a fence on land where the proposed fence is to be sited.

-Concerns are also expressed surrounding noise from the proposed padel courts and a request for a guarantee that any noise would exceed the authorised limits.

-It is contended that there is no evidence produced by the club of any benefits to the schools in the area which was cited as one of the main reasons for approving a 1995 application for a tennis court building to the rear of properties along Parkfield Road South.

-A request is made for the application to be deferred for a future Committee meeting and for the Committee to undertake a site visit.

Blackburn Park Conservation Society – There is concern that the level of noise and disturbance associated with the proposed padel tennis courts would be detrimental to the living conditions of the occupiers of neighbouring residential properties in Blackburn Park.

It is also not clear what is being planned in terms of materials and roof covering. There is concern that the structure would be detrimental to visual amenity and would not enhance the character of the Blackburn Park Conservation area, particularly the landscape view from Pine and Elm Road.

Manchester Metropolitan University (MMU) - It is considered that the additional facilities would have a positive impact on MMU and the courts being available for matches/training.

It will allow the club to grow and enhance the reputation of the club to become a destination of choice for tennis. It would not only attract talent from around the country, but also keep home-grown talent in Manchester. It would also give students a fantastic sporting experience alongside their studies

Local Ward Members – Councillor Hilal objects to the proposal. It is concerning that a padel tennis court is being proposed. Padel tennis is a very noisy game, halfway between squash and tennis using a hard bat knocking the ball against a glass wall the noise emitted is considerable.

The company who sells padel courts actually warn customers, when purchasing the courts, of the noise impact. The structure is 8.7m high and this will impact greatly on the neighbouring homes (particularly Elm Road). It will also damage this important landscape in a conservation area. There is no public benefit introducing this type of noisy detrimental activity at a private members club which will cause unacceptable harm to the area and considerable noise disruption to local residents.

Sport England - As part of the assessment of their consultation, Sport England has sought the views of the Lawn Tennis Association (LTA). The LTA act as Sport England's technical advisors in respect of their sport and their sport facilities.

The LTA have been supporting the club as they develop the scheme and consider that the padel provision forecasts outlined by the club will positively benefit both padel and tennis participation. The proposal will benefit both padel and tennis participation. The proposed building meets the relevant design guidance and will be fit for purpose.

As such, no objection is raised to the proposal by Sport England. It is considered that the proposal will provide new opportunities to meet the needs of current and future generations.

MCR Active – Reference is made to the Manchester Playing Pitch and Outdoor Sport Strategy (2022). The main finding in terms of this application is that there is a deficiency of tennis courts of all types across Manchester.

It is noted that the proposal does not result in the loss of a tennis facility but would create a facility that can accommodate a different format of tennis aimed at increasing participation and physical activity amongst Manchester residents in that locality. Padel is an introductory format that allows progression to tennis

Given the proposal is in accordance with all relevant Manchester Sport Strategies and supported by the Lawn Tennis Association (LTA), there will be no loss of tennis facility provision, and will result in an increase in participation. The application is therefore supported.

Environmental Health – The lighting assessment shows that the site would meet the E3 Suburban Zone lighting criteria. A verification report will be needed on completion of the work. A condition is advised.

With reference to noise impact, it is noted that the Clement Acoustics noise report has assessed the noise from the activities from the Padel Court and the potential impact on surrounding residents.

The report demonstrates that if the courts were in operation then they would be in compliance with the 50 dB LAeqt at the nearest noise sensitive receptors.

A 2 metre high barrier to be erected on the boundary of the site with 29 and 31 Elm Road is proposed. This should be installed as per the recommendations of the Acoustic Report. A condition is also advised that the proposed courts should only operate in accordance with the management measures contained within the submitted report.

Highways Response - The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

Given that the proposed development will not result in any increase in leisure space and is a replacement of existing tennis courts, it is accepted that no highway concerns in terms of safety or capacity are considered would be likely to arise. The current on-site car parking and cycle parking offering is to be retained and as such, there are no concerns regarding vehicular build up on-street.

Access to the new courts will continue as existing via the sports ground of the Northern Club and the pedestrian access from Parkfield Road South. The proposal includes a minor realignment of an internal pedestrian route through the site which is considered acceptable.

Given the minimal scale of construction works involved, the level of construction vehicles is unlikely to generate any significant on-street parking demands.

Flood Risk Management – A condition requested in relation to the submission and agreement of a surface water drainage scheme.

Other matters

Consultation & Publicity

As the application site is situated within a designated conservation area, the proposal has been advertised in the local press (Manchester Evening News) as affecting the setting of a Conservation Area. A site notice has been also displayed at the application site.

Planning History

132108/FO/2021

Replacement of 2 no. 8m height lighting columns with 4no. 4m height lighting columns and replacement of lighting heads to 18no. existing lighting columns.
Approved 28 June 2022.

111419/JO/2016/S2

Variation of Condition No.2 (specified plans) and 8 (details of Green Roof) attached to application 077757/FO/2005/S2 for the erection of new building 8.43 metres high adjacent to 5A Parkfield Road South to accommodate 2 double and 1 single tennis court with associated landscaping following demolition of existing indoor court building. The change to the specified plans condition would see the building not being sunk into the ground and the removal of the green roof to be replaced by a sheet metal roof with photovoltaic panels. *Refused 7 June 2016. Allowed on appeal (Ref: APP/B4215/W/16/3164609) 28 February 2017.*

100419/CC/2012/S2

Conservation Area Consent for the demolition of an existing indoor court building. *Approved 22 March 2013.*

077756/CC/2005/S2

CONSERVATION AREA CONSENT for the demolition of the existing indoor court building to facilitate the erection of building 8.43 metres high adjacent to 5A Parkfield Road South to accommodate 2 double and 1 single tennis court with associated landscaping. *Approved 13 June 2012.*

077757/FO/2005/S2

Erection of new building 8.43 metres high adjacent to 5A Parkfield Road South to accommodate 2 double and 1 single tennis court with associated landscaping following demolition of existing indoor court building. *Approved 13 June 2012.*

092896/FO/2010/S2

Installation of terrace and canopy to existing club house and extension of balcony. *Approved 8 July 2010.*

059126/FO/SOUTH2/00

Retrospective application for the construction of a storage shed and siting of a steel water storage tank for use as an irrigation system for ground maintenance. Approved 28 September 2000.

PolicyLocal Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'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 also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy EN3 (Heritage) – states that the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre. New developments 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 ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Policy EN10 (Safeguarding Open Space, Sport and Recreation Facilities) - The Council will seek to retain and improve existing open spaces, sport and recreation facilities and provide a network of diverse, multi-functional open spaces. Proposals on existing open spaces and sport and recreation facilities will only be permitted where equivalent replacement space will be provided in the local area or the site has been demonstrated to be surplus.

Policy EN14 (Flood Risk) – refers to flood risk and amongst other issues states that all new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of green infrastructure.

Policy EN17 (Water Quality) - states that developments should minimise surface water run-off and minimise ground contamination into the watercourse construction.

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policies of the Unitary Development Plan are also considered relevant:

Policy DC18.1 (Conservation Areas) – relates to development proposals within conservation areas and seeks to preserve and enhance the character of its Conservation Areas by considering the relationship of new structures to neighbouring buildings and spaces, the effect of changes to existing buildings and the desirability of retaining existing features. Consent to demolish a building within a Conservation Area will be granted only where it can be shown that is beyond repair, incapable of beneficial use or where its replacement would benefit the appearance or character of the area.

Policy DC26 (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.

The Guide to Development in Manchester (SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Manchester Playing Pitch and Outdoor Sport Strategy (2022)

This document seeks to protect, develop and enhance playing field sites and sporting facilities.

Places for Everyone Greater Manchester Joint Development Plan (Draft August 2021)

The draft version of the Places for Everyone Joint Development Plan was published in August 2021 and has been produced by Greater Manchester Combined Authority to provide a long-term plan for jobs, new homes, and sustainable growth for nine of Greater Manchester's districts. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan. As this plan is at an advanced stage it would now be considered as a material consideration for planning applications.

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.

National Planning Policy Framework

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

The Framework underlines 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.

Sections 4, 8, 11, 12 and 16 are considered particularly relevant to the consideration of this application. Of particular relevance are paragraphs 194, 197 and 202.

Paragraph 194 states:

‘In determining applications local planning authorities should require an applicant to describe the significance of any heritage assets affected, the level of detail should be proportionate to the asset’s importance’.

Paragraph 197 states: *‘in determining applications, local planning authorities should take account of:*

- a) *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) *the desirability of new development making a positive contribution to local character and distinctiveness’.*

Paragraph 202 advises that:

‘Where a development proposal will lead to less than substantial harm to the significance of designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use’

Principle

The principle of the proposed development is considered acceptable and would comply with the aforementioned policy and guidance and has received support from Sport England Manchester Active, with the proposal adhering to the objective contained within the Manchester Playing Pitch and Outdoor Sport Strategy (2022) which indicates that there is a deficiency of tennis courts of all types across Manchester and for which the proposed development would contribute to remedying.

The proposed building is suitably located, situated within the bounds of an established tennis club and would result in a use similar in nature and within a building of a comparable scale to that of existing structures.

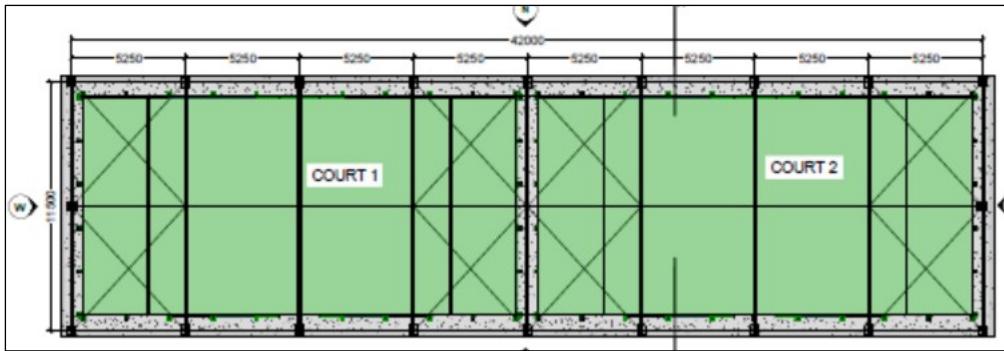
The proposed development would deliver economic and social benefits by enhancing provision at the club and would provide a diversified sporting and recreational offer for existing members, whilst fulfilling demand for padel court provision in the wider area, as well as sustaining a requisite number of tennis courts, even with the two courts to be lost.

The proposal would promote healthy communities by enabling access to greater sporting provision which would attract new and existing participants, ultimately beneficial to the health and well-being of users.

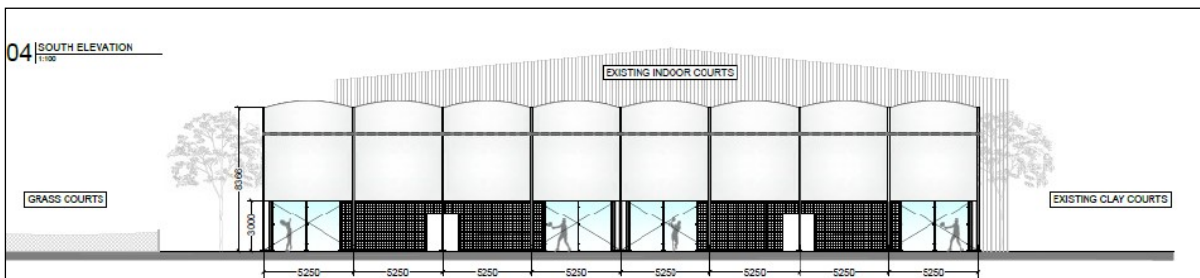
Specific planning issues including the impact to the residential amenity and the character and appearance of the conservation area is outlined further below.

Design, Scale, Layout and Appearance

The two proposed padel courts are approximately two storeys in scale and situated adjacent to the southern side of the existing indoor courts, which are housed within a double height building with dual pitched roof and which screens the proposed padel court building when viewed from the north. Due to the enclosure of the site formed by surrounding properties, the structure will not be visible from the highway.



Proposed court layout



Proposed southern elevation with existing indoor court behind

The proposed structure would accommodate two courts with blue synthetic surface and incorporate a light grey, sky coloured canvas canopy with supporting walls comprised of mesh and part tempered glass. Each padel court is rectangular in shape, measuring 10 metres in width and 20 metres in length. Entrances are located at each side of the court. The proposed size specifications comply with the standards established in the regulations of the Padel Game.



Example image of a 2 court padel canopy, (orientated side by side, as opposed to the proposed scheme which is orientated lengthways), meaning a smaller canopy. The proposed canopy will also be unbranded

In terms of the technical specification of the materials, the supporting structure consists of arches made of high-strength aluminium which tie with a roof membrane

comprising two layers of polyester textile membrane with p.vc and with Keder welded to both sides to guarantee tightness to the structure. The two layers of canvas form an air chamber to provide thermal insulation and better resistance to the elements. The upper side walls are 3 metres in height from ground level and consist of a layer of polyester textile membrane covered with P.V.C. The total height of the building, including the roof is 8.3 metres.

Each court will be lit with by 4no 400W floodlights accommodated within the canopy.

It is considered that given the existing backdrop formed by existing buildings of the club, including the indoor court building, which is of slightly greater scale, together with the siting of the building away from the site boundaries and the separation formed by existing outdoor courts, views of the proposed structure would not be substantive or unduly prominent.



Arrow indicating approximate position of the proposed padel court building and view of the nearest residential properties along Elm Road beyond

The nearest residential properties located at 29 -31 Elm Road are situated approximately 21 metres away and partially screened by existing tree planting and hedgerow. Whilst the building will be visible from properties to the opposite site of the site along Palatine Road, Trafalgar Place and Blackburn Gardens, it is considered that given the scale of the buildings, its position, separation distance and context formed by existing buildings associated with the club, there will be no demonstrable harm to the visual amenity or concerns relating to over-dominance that could be sustained.

Heritage Impact

The application site is situated to the northern end of the Blackburn Park Conservation Area (designated in 1979), which comprises the area bounded by Barlow Moor Road to the south, Palatine Road to west, Lapwing Lane to the north and Wilmslow Road to the east. The area which derives from its historical association with Charles Blackburn and is predominantly residential in character,

containing buildings of various architectural styles and eras, sited arranged along tree-lined roads.

Given the status of the area, it is necessary to determine whether the impact of the proposed development would affect the significance of the Conservation Area to an acceptable degree, when taking into account relevant planning legislation, policy and guidance.

Legislation and planning policy seek to preserve or enhance the character, appearance and historic interest which heritage assets possess.

The desire to have special regard to the desirability of preserving the character of conservation areas is outlined within Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 which refers to the need for Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character and appearance of designated areas.

This point is supported by policies EN3 and DC18.1 of the Core Strategy, along with Section 16 of the NPPF, which underline the need for due consideration to be given to the impact of new developments on heritage assets

Paragraph 194 of the NPPF states that ‘

‘In determining applications local planning authorities should require an applicant to describe the significance of any heritage assets affected, the level of detail should be proportionate to the asset’s importance’.

Paragraph 197 states: *‘in determining applications, local planning authorities should take account of:*

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness’.*

Paragraph 202 advises that:

‘Where a development proposal will lead to less than substantial harm to the significance of designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use’

The application is accompanied by a Heritage Statement which provides a summary of the history and development of the local area and assesses the significance of the site, the special interest of the conservation area and the contribution that the application site makes to this special interest. The statement further assesses the impact of the proposed works upon the conservation area.

The assessment notes that the Northern Tennis Club is not a primary source of special interest in the conservation area and does not form part of any key views into, out of within the area and has a low level of contribution to its historic interest. Any significance derives from its open character and social interest relating to the holding of prestigious and historic tennis tournaments.

The impact of the proposed development has been assessed using Historic England guidance on conservation areas. The Council concurs with the assessment that the proposed development will have a neutral impact on surrounding architectural quality.

As referred to in the previous section of this report, the proposed building is not considered to be unduly prominent.

Given the existing backdrop formed by existing buildings of the club, including the indoor court building, which is of slightly greater scale, together with the siting of the building away from the site boundaries and the separation formed by existing outdoor courts, views of the proposed structure would not be significant.

The two grass courts proposed to be replaced do not constitute part of the core central area of grass and is surrounded on three sides by modern tennis facilities. There are no listed buildings in the vicinity of the application site and as the proposed building is situated towards the centre of the club, away from the site boundaries, there are no concerns surrounding over-dominance. Furthermore, the building is not dissimilar in scale and appearance to the adjoining indoor court building, albeit slightly lesser in scale and with the utilisation of alternative materials.

It is therefore believed that the proposed development would result in a negligible change to the character and appearance of the conservation area. The impact can be defined as neutral and less than substantial. It is therefore considered that there is capacity to accommodate the proposal without substantial harm to designated heritage assets within the area, or any substantial impact that would affect their setting and significance.

With reference to paragraph 202 of the NPPF, any harm which is considered less than substantial, should be weighed against the public benefits of the proposal.

In this case, public benefits are derived from social and economic improvements offered.

The proposed development would promote health and well-being in a sustainable location where existing resources and infrastructure can be shared and would provide a modern facility to inspire sporting participation in a growing racket sport to complement the existing offering at the club. The proposed provision would aid in supporting the finances of the club to help ensure its future operation, as well as catering for demand for the sport in the wider area. On this basis, it is considered that on balance, given the less than substantial impact to heritage assets, coupled with public benefits that the proposed facility could provide, the impact to the conservation area can be sustained in this location.

Residential Amenity

The impact to residential amenity and the living conditions of nearby residential occupiers principally relates to the impacts of noise and lighting associated with the proposed development.

Noise

Many of the objections received raise concerns about the potential for noise impact, mainly as a consequence of the percussive noise that striking the ball would create, combined with the player noise and the sound of balls reverberating off the walls of the building.

The application has been accompanied by a Noise Assessment Impact, which has been further updated to take account of concerns raised by local residents and the City Council, including in response to the submission of a report commissioned by a local resident which seeks to review the findings of the submitted reports.

The assessment provides calculations using 3D noise map modelling software of the closest noise sensitive properties and considers the cumulative impact of the existing courts and the proposed padel courts. Attended noise measurements have been undertaken for an existing covered padel court in order to determine a baseline noise level. The gardens and facades of residential properties on Elm Road are identified as being the nearest noise sensitive receptors.

The report notes that given the distance and screening to the nearest residential gardens at 29 and 31 Elm Road, the noise impact would be below the recommended noise criteria at all receivers.

To safeguard amenity, the proposal provides for the inclusion of 2 metre high acoustic fence adjoining the boundary with 29 and 31 Elm Road, in order to provide further treatment to protect the nearest residents from general noise generated by the use of the courts. A suitable condition requiring implementation of the fence, prior to the padel courts becoming operational has been included.

The report provides calculations that have been undertaken to assess whether noise emissions would meet recognised British Standard recommendations. Again, it is considered that given the distance and proposed screening to residential facades, noise emissions are expected to be below the recommended noise criteria at all receivers.

A cumulative assessment has also been undertaken, assuming all proposed padel and tennis courts are in use simultaneously. The calculated noise levels at the identified receivers anticipates compliance with the relevant noise criteria.

As such, according to the calculations undertaken, internal and external noise levels are expected to comply with relevant noise criteria.

In response to the third-party report commissioned to review the findings of the submitted Noise Impact Assessment, an updated report provided by the applicant revisits the basis of the assessments and standards used and provide details of the

noise sources used in the assessment along with a comparison of the earlier and latest assessments.

In summary, the assessment asserts that the analysis provide robust assumptions based on relevant criteria and demonstrates that no significant noise impact would result as a consequence of the proposed development.

The Council's Environmental Health Service has provided further comments and state the application site is in a suburban/mixed use area and there are other noise sources contributing to the ambient noise level including noise from road traffic on Palatine Road and noise from the adjacent Metrolink line. The existing noise climate in the area already includes noise from multiple tennis courts that are in use at the club, so although the Padel courts would be an additional source of noise it would not be out of character for the area and is deemed to be acceptable. As such based upon National Planning Practice Guidance (NPPG) relating to noise the advice is that the proposals are acceptable subject to noise being mitigated/reduced.

Some specific concerns have been raised with regards to noise impacts on those people working at home. Environmental Health have confirmed that they do not have concerns about noise from the proposed development adversely affecting people within their homes.

In conclusion the recommendation of the Council's Environmental Health is that the applicant can be approved in relation to noise impacts subject to the proposed conditions and validation requirement as currently set out. In accordance with local and national policy, and considering relevant British standards and guidance, the noise from the use of the proposed Padel courts, in context with the existing use of the site, would not give rise to significant adverse impacts to the surrounding residential properties and noise impacts would not be a reason to refuse the proposals.

General disturbance

Whilst the proposed courts would generate a higher frequency of use and visits to the club in comparison to the use of the existing outdoor courts, only 2 courts are proposed. The impact is therefore expected to be less than substantial given that the number of participants at any one time would be low (4 if both courts were in use simultaneously, or 8 if doubles was being played).

In the context of an existing, busy tennis club and ongoing levels of activity, including the use of the clubhouse throughout the year, it is not considered that there would be a significantly harmful uplift in activity levels beyond the existing situation.

Lighting

The proposed padel courts will be lit by 8no 6.2 metre 400w floodlights - 4 per court and sited within the canopy.

The application has been accompanied by a Lighting Assessment which details the levels of luminosity from the proposed lighting, including light spillage analysis.

The report which has been assessed to the satisfaction of Environmental Health demonstrates that given the assessment and the centrally located position away of the building away from the site perimeter, any impact to the amenity of neighbouring occupiers can be sustained. The proposed levels meet with the E3 suburban zone lighting criteria, which relates to well inhabited urban settlements and seeks to protect surrounding properties from obtrusive light, glare, sky glow or light intrusion.

The existing outdoor courts are already lit by floodlighting which is permitted to 22.00 hrs daily. It is not considered that the proposed lighting would generate any further impact than is presently the case.

In order to safeguard future amenity, a condition has been included which will limit the operation of the lighting to align with the existing lighting. A further condition has been included which will require a verification report to be submitted and agreed post installation of the lighting in order to confirm the lighting conforms to the agreed levels. Provided this can be demonstrate, the proposed lighting should not form a barrier to the proposed development.

Visual Amenity

Aside from the impact of the proposed structure to accommodate the proposed padel courts, it is also necessary to assess the impact of the proposed acoustic fence.

The proposed fence is comprised of close boarded timber at a height of 2 metres and is proposed to be sited adjacent to the rear gardens of 31 and 33 Elm Road.

Given the fence is of typical of a height for a rear garden boundary, is within permitted development limits and is separated from the rear gardens by existing vegetation, any impact to visual amenity is considered negligible.

Flood Risk/Surface Water Drainage

The application site is located wholly in flood zone 1 '*low probability of flooding*'. In line with the Government guidance relating to the provision of sustainable drainage systems (SuDs) and as advised by the Council's Flood Risk Management team, it is necessary for the development to incorporate a surface water drainage scheme. An appropriate condition has therefore been included.

If such measures are successfully implemented, it is considered that any flood risk can be satisfactorily sustained.

Highway Impact

Given that the proposed development will not result in any noticeable increase in provision and as the proposal predominantly relates to the replacement of existing tennis courts, no material impact is anticipated in terms of an uplift in parking demand or highway safety.

The club already incorporates a large car parking area which accommodates 64 parking spaces to be retained, as will existing cycle parking provision. Highways raise no concerns that the proposal would generate increased demand for parking that could not be catered for by existing provision given the ample availability.

It is also noted that the site is situated within a highly accessible location adjacent to a high frequency bus route and Metrolink station. On this basis, it is not considered that any undue impact to the highway would result as a consequence of the proposed development.

Access

Assisted access will be provided to the courts. There is already an existing court access route for those requiring disabled access from the point of entry into the club through the clubhouse and onto the courts. The proposed courts will utilise the features already in place with the footpath being rerouted around the proposed courts as required and will include the necessary ramps up to courts as needed.

Disabled toilets are available within the clubhouse and indoor tennis facility. Disabled changing rooms are also located within the clubhouse which can be utilised if required.

Construction Management

To ensure construction is effectively controlled and to prevent any disruption to existing occupiers in the area, or along key routes throughout this part the city, a condition is included which requires the submission and approval of a construction management/demolition plan which details amongst other matters, working practices, working hours, dust suppression, the parking of construction vehicles and the removal of waste.

Other Issues

Legal Covenant

Whilst it is noted that a neighbouring occupier indicates the existence of a legal covenant which would prevent the erection of fence in the position indicated, the proposed fence is to be sited on land belonging to The Northern. In any event, any extraneous matters arising from a covenant would be a separate civil legal matter and the granting of planning permission would not override or supercede any legal issues that need to be addressed by the applicant.

Community Use

With reference to any benefits to schools in the area or community, the club has confirmed that they have current partnerships with the universities and Manchester schools in conjunction with Manchester Active and the Lawn Tennis Association.

Conclusion

In summary, it is considered that given the proposed facility is to be sited within the context of a busy tennis club and it has been demonstrated that no significant environmental or amenity impacts are likely to result, the proposed development can be satisfactorily accommodated in this location and without any material harm to the character and appearance of the conservation area.

It is believed that any perceived impact is outweighed by the benefits that that the proposal would deliver to health and well-being and by enhancing and diversifying the sporting offer at the club to ensure its longevity.

Other Legislative Requirements

Equality Act 2010 - Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

Recommendation APPROVE

Article 35 Declaration

Officers have worked with the applicant / 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.

Conditions to be attached to the decision

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

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

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

-Drawings referenced 1538-MRH-002/B, received by the City Council as Local Planning Authority on 12 December 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) Notwithstanding details submitted, no above ground development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as Local planning Authority. The development shall only be implemented in accordance with the agreed materials.

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, pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy.

4) The courts, including the lighting hereby approved, shall not be in operation outside of the hours of 9.00 am to 22.00 hrs on any day.

Reason - In the interests of neighbouring residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

5) Prior to the use of the associated lighting commencing, 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 received by the City Council as Local Planning Authority on 12 December 2022. 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 together with a timetable for their carrying out. Any such works shall be carried out in accordance with the approved post-completion report.

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

6) 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 Manchester Core Strategy.

7) The acoustic fence indicated on drawings referenced 1538-MRH-002/B and detailed on drawings J7/02161 and J7/01043, received by the City Council as Local Planning Authority on 12 December 2022, shall be implemented prior to first operation of the padel courts hereby approved or the all-weather courts subject to application referenced 134891/FO/2022 first becoming operational, whichever is sooner. The fence shall thereafter be retained so long as the courts are operational.

Reason - To safeguard residential amenity from undue noise impact, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

8) The development hereby approved shall only be implemented in accordance with the measures and criteria detailed within the submitted Noise Impact Assessment (Ref: 16764-NIA-02/Rev C), produced by Clement Acoustics received by the City Council as Local Planning Authority on 12 December 2022.64-NIA-02 Rev C.

Prior to the courts hereby approved becoming operational, a post completion report will be required to validate that the development, as implemented, conforms to the recommendations and requirements in the approved Noise Impact Assessment. This report should include the results of post completion testing, which shall be undertaken to confirm whether the target noise level criteria set out in the Clement Acoustics Noise Impact Assessment have been met. The post-completion report shall be submitted to the City Council as Local Planning Authority for its approval.

If the post-completion report demonstrates that the noise level criteria specified above are not met, the report shall include details of the further works or measures to be taken ("the remedial works") to achieve compliance with the noise criteria, together with a timetable for their carrying out. Any such works shall be carried out in accordance with the approved post-completion report. In the event that such further works are required, a further verification report shall be required to demonstrate whether the noise level criteria set out in the approved Noise Impact Assessment have been met. The requirements of this condition as regards the post-completion report shall apply equally to any verification report.

The courts hereby approved shall not be brought into operation until a post-completion report or, as appropriate, a verification report demonstrates that the noise level criteria detailed within the submitted Noise Impact Assessment (Ref: 16764-NIA-02/Rev C), produced by Clement Acoustics received by the City Council as Local Planning Authority on 12 December 2022.64-NIA-02 Rev C have been met.

Reason - To safeguard the amenity of nearby residential properties, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and Policies DM1 and SP1 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: 135048/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:

Environmental Health
Sport England
Blackburn Park Conservation Society

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

Relevant Contact Officer : Steven McCoombe
Telephone number : 0161 234 4607
Email : steven.mccoombe@manchester.gov.uk

Application Number	Date of Appln	Committee Date	Ward
134946/FO/2022	21st Sep 2022	16 March 2023	Didsbury West Ward

Proposal Erection of part two, part three storey building to provide 26 no. retirement apartments with associated communal facilities, landscaping, boundary treatments and car parking following the demolition of the existing dwelling

Location Jessiefield, Spath Road, Manchester, M20 2TZ

Applicant McCarthy & Stone Retirement Lifestyles Ltd, C/o Agent

Agent Mr Chris Butt, The Planning Bureau, Unit 3 Edward Court, Altrincham Business Park, Broadheath, Altrincham, WA14 5GL

Introduction

This application was deferred at the meeting of the Committee held on 16th February 2023; members resolved to be 'minded to refuse' the proposal and requested Officers bring a report to a future meeting to address their concerns. The concerns expressed related to:

1. The impact of scale and mass and not addressing the Inspectors conclusion on the previous appeal; and,
2. Lack of on-site car parking provision;

These matters are addressed below:

Scale and Mass

Concerns were raised by Committee around the scale and mass of the proposed development and its impact on the character of the area.

As set out in the Committee report, the current proposal had sought to address these concerns, particularly in the context of the appeal decision and the comments of the Inspector.

As noted in the Committee report, the Inspector found that the scale and mass of the building would represent a dominant structure, particularly sections that were 4-storeys in height. More specifically, the reference made was to the adverse visual effect arising from the most visible element at the Spath Road/Lancaster Road corner.

In response, the scale and mass of the proposed building had been substantially reduced, with the four-storey frontage reduced in height and the dominant gable features removed; the highest part of the building being no more than three storeys. The overall amount of development and footprint had been reduced in all dimensions, resulting in a reduction to the width and depth of the building, increased

articulation to the elevations, involving a variation to the roof ridge height, the inclusion of dormers, recesses and projections to the building.

This issue has been further reassessed on the basis of potential impact on visual amenity but also, and importantly, in respect of the previous Planning Inspectors decision.

Members are advised that the reduced nature and scale of the current proposal responds to the comments of the Inspector and fully addresses the conclusions reached in making that decision. Notwithstanding this, following the concerns raised by Committee at the previous meeting, the scale of the proposed development has been decreased further with the central ridge line to Spath Road lowered by approx. 200mm and the Lancaster Road elevation (as well as the internal facing elevation ridge) being lowered by approximately 650mm.

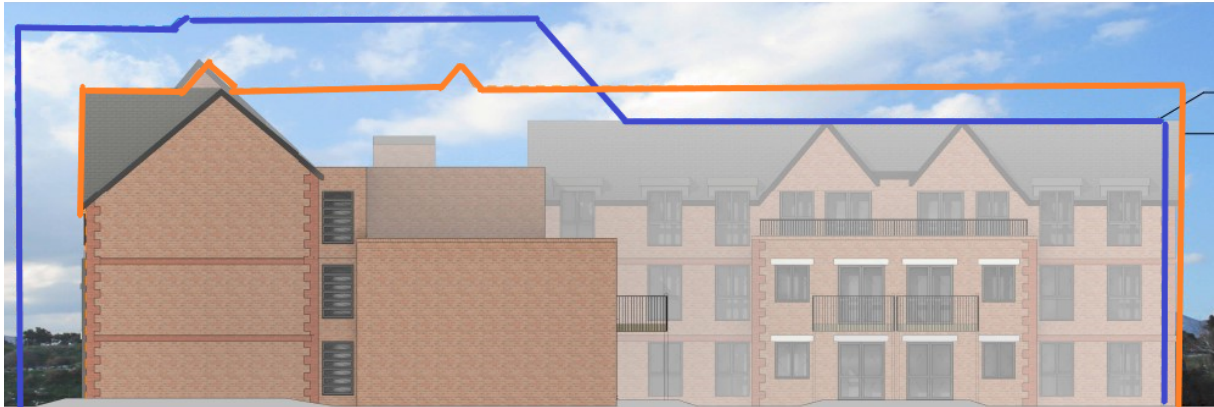
The Inspectors decision is a material consideration and in this instance it is not considered there is a reason for refusal based on scale, height and massing that could be reasonably sustained.



Proposed East Elevation of revised scheme – Blue line indicates building line of previously refused scheme, the orange line shows the building line of the scheme as originally submitted



Proposed North Elevation of revised scheme - Blue line indicates building line of previously refused scheme, the orange line shows the building line of the scheme as originally submitted



Proposed West Elevation of revised scheme – Blue line indicates building line of previously refused scheme, the orange line shows the building line of the scheme as originally submitted



Proposed South Elevation of revised scheme – Blue line indicates building line of previously refused scheme, the orange line shows the building line of the scheme as originally submitted



CGI of Proposed scheme showing the Lancaster Road elevation



CGI of the previously refused scheme from the same viewpoint

Parking

Concerns were also raised by Committee about the level of car parking provision; noting there were 20 spaces for 26 retirement apartments which they considered to be insufficient and would have the potential to lead to on-street parking problems.

The level of car parking on the previous refused scheme was also raised both at the Committee at that time and as part of the subsequent appeal. Although a reason for refusal on these grounds was not given, the Inspector did assess the proposed provision and found it to be acceptable.

As Members are aware the ratio of car parking in both the refused scheme and that recently deferred for consideration is the same. However, following the last Committee meeting, the applicant has amended the amount of car parking on site to provide 26 spaces including 2 disabled spaces; this represents a 100% car parking provision. This has been achieved by a minor redesign of the space and not at the expense of landscaping or loss of trees. The applicant has provided additional tree protection information in relation to the revised layout and also confirmed additional tree planting on the site so that whilst 8 trees would be required to be removed from the site and additional 22 trees would be planted as part of the proposals an increase of 3 new trees than originally submitted.

The applicant has also provided information of existing schemes they manage; this indicates that the highest recorded demand (including staff, residents and visitors) is 0.7 spaces per apartment. At 1 space per apartment the proposed level of provision is therefore above their own requirements.



Site plan extract showing a Revised parking layout with 26 spaces, representing 100% provision

In terms of parking, there is one regular on-site member of staff (the house manager) on duty during normal working hours during the working week. One space is usually provided for their use if required but most house managers tend to live in the local vicinity of schemes and may not necessarily need a space.

Having regard to the above, it is maintained that the level of proposed parking provision is entirely acceptable in this location and a reason for refusal on the grounds of a lack of car parking could not be reasonably sustained.

Executive Summary

The application is a resubmission following the refusal of planning permission for a similar, but larger development that was subsequently dismissed at appeal.

The current application seeks to overcome the previous reasons for refusal and the conclusions of the Planning Inspector. The redesigned development involves the erection of a part two, part three storey building to form 26 retirement living apartments to be managed by McCarthy and Stone.

Following notification of the application 112 objections have been received, together with a petition containing 67 signatures. Following amendments to the proposal and a further period of neighbour re-notification, a further 47 letters of objection have been received.

Key Issues

-The proposed development relates to retirement living apartments and represents a resubmitted proposal following the refusal of an earlier application for a similar development recently dismissed at appeal.

-The revised proposal seeks to take account of the conclusions drawn by the Planning Inspector during the appeal and is considered to overcome previous concerns surrounding scale and mass.

-The application has been considered by both the Council's Arboriculturalist and Highways Services. No significant issues are raised.

Background

A previous application by the same applicant involving the erection of a part 3, part 4 storey building to accommodate 34 retirement living units (LPA ref: 128018/FO/2020) was refused at the Planning and Highways Committee meeting on 17 December 2020.

The application was refused based on three reasons. Namely:

1. The scale and massing of the development proposed would cause harm to residential amenity by virtue of providing an overbearing structure that would also give rise to overlooking and loss of privacy to properties on Holme Road, contrary to policy DM1 of the Core Strategy.

2. The demolition of the family dwelling house and creation of 34 retirement apartments and the creation of a car park within the front garden, will result in unduly harmful levels of activity and general disturbance from the increase in comings and goings from the development due to increased levels of domestic activity taking

place on site. This will lead to an increase in noise disturbance which would cause unacceptable harm to the residential amenity of existing occupants within the surrounding area, which is contrary to Policies SP1, H1 and DM1 of the Manchester Core Strategy (2012), saved policy DC26 of the Unitary Development Plan, the Guide to Development in Manchester (2007) and the National Planning Policy Framework (2019).

3. The design of the development constitutes an overly dominant incongruous structure in the street scene to the detriment of the visual amenity and character of the area, by virtue of the height and the extent of the building, contrary to policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

A subsequent appeal was dismissed on 16 March 2022.

The Inspector concluded that the first two reasons for refusal were not justified stating that the scheme *“would not have a significantly detrimental impact on the living conditions of neighbouring occupiers in the surrounding area, particularly through general disturbance and noise, or result in a sense of enclosure and/or loss of privacy to the occupiers of No’s 23 and 25 13”*.

The Inspector however concluded that the third reason for refusal was justified and that the development would have a significantly detrimental impact on the character and appearance of the appeal site and surrounding area as a consequence of the scale and mass of the proposed building and the amount of development proposed.

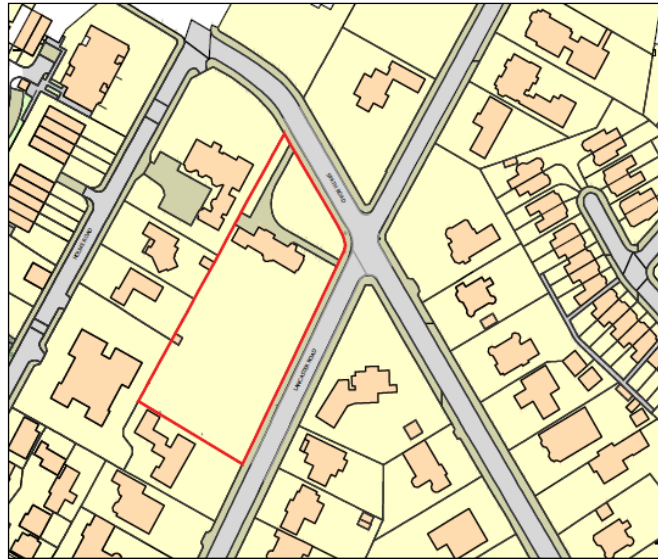
The Inspector stated that the:

‘Scale and massing of the proposed development would represent a notable addition to the built environment that would represent a dominant structure through its overall scale and massing, particularly through the sections that are 4-storeys in height. This adverse visual effect would be readily visible from both Spath Road and Lancaster Road, where this awkward relationship would be heightened, due to the lack of articulation of the ridge of the proposed front elevation facing Spath Road and the overall amount / form of development proposed in this location’.

This current application has sought to respond to the assessment at appeal, which has culminated in a revised proposal that has resulted in the reduced height and massing of the building and a reduction in the number of units from 34 to 26.

Description

The application site measures approximately 0.47 hectares in area and is presently occupied by a large, two-storey, five bedroom, detached dwellinghouse, with single storey attached garage, known as ‘Jessiefield’. The property is situated at the corner of Spath Road and Lancaster Road.



Location of the site edged red

The existing building is of traditional construction, comprising red brick masonry, vertical hanging tiles at first floor level and a tiled roof. The property is set behind a red brick wall with hedgerow behind.



View of property from inside Spath Road entrance

The property is positioned to the northern side of the site, with its main frontage facing Spath Road.

The property is enclosed by a combination of brick wall, timber fencing and metal gates, incorporating a vehicular access serving a driveway off Spath Road and separate pedestrian entrance off Lancaster Road.

The building is set within extensive grounds, including a deciduous wooded area to the southern end of the property. The curtilage of the property incorporates mature hedges and trees. Many of the trees are protected by a Tree Preservation Order (TPO), the majority of which are located in the wooded area to the southern side of the property.

The immediate area is predominantly residential in character and includes a number of substantial, characterful properties of various architectural styles, largely ranging from 2-3 storeys in height. The area is leafy in character with mature trees lining nearby roads.

In the case of this application, planning permission is sought to demolish the existing building to facilitate the erection of part two, part three storey building to provide 26 retirement apartments, with associated communal facilities, landscaping, boundary treatment and car parking.

The proposed development follows the recent refusal of planning permission for a previous development involving a part 3, part 4 storey building comprising 34 retirement living apartments (128018/FO/2020). This was refused permission by the Planning and Highways Committee on 17 December 2020 and subsequently dismissed at appeal in March 2022.

The current application seeks to address the previous reasons for refusal and represents a revised proposal to that which was originally submitted for the application, with amendments made to the building height, footprint, site layout, landscaping and articulation. The revised proposal entails the erection of a part two, part three storey building to provide 26 no. retirement apartments with associated communal facilities, landscaping, boundary treatments and car parking following the demolition of the existing building.

Background of Applicant and Concept

The applicant is McCarthy and Stone – one of the UK's leading house builders for retirement living and who provide 70% of all specialist accommodation for the elderly.

Retirement living represents an option for older people who wish to live in accommodation that provides comfort, security and the ability to manage independently. It enables older people to remain living in the community and away from institutions, whilst receiving the care and support they require.

All McCarthy and Stone development are specifically designed to provide specialised accommodation for older people, with communal facilities and features within apartments tailored to meet the particular needs of older people. Facilities include a residents' lounge, battery car charging store for mobility vehicles, a lift, secure entrance lobby, CCTV entry system, house manager, an emergency help line and a management company to maintain the grounds and building fabric.

In terms of the anticipated demographic who would occupy the proposed apartments, 60-70% of McCarthy and Stone occupants are aged 78 or over and around 30% aged 80 or over.

Planning History

128018/FO/2020

Erection of a part three, part four storey building to provide 34 retirement apartments with associated communal facilities, landscaping and car parking following the demolition of the existing dwelling. *Refused 18 December 2020.*

The refusal of permission was subject to an appeal (Ref: APP/B4215/W/21/3274312) *dismissed on 16 March 2022.*

123555/FH/2019

Erection of single-storey rear extension, erection of single-storey side extension with accommodation in roof-space, following demolition of existing garage, erection of front porch and installation of 3no. dormers and gable to front, installation of gable with balcony to rear, together with elevational alterations, and reconfiguration of driveway and associated landscaping and boundary treatments. *Approved 25 June 2019.*

089194/FO/2009/S2

Erection of two 3 storey detached dwelling houses with basement parking and associated landscaping. *Approved 29 May 2009.*

077185/FO/2005/S2

Erection of a part 3 storey/part 4 storey block of 13 apartments with associated landscaping and parking for 14 vehicles. *Refused 28 November 2006.*

The refusal of permission was subject to an appeal (Ref: APP/B4215/A/07/2038312) *dismissed on 26 June 2007.*

F03625

New porch and kitchen extension to dwellinghouse. *Approved 23 October 1975.*

Consultations

Local Residents/Occupiers – In response to the application as originally submitted 107 representations have been received, all of which object to the proposed development, together with a petition containing 67 signatures. Principal comments are summarised below:

- The proposal will lead to increased traffic, congestion and disturbance to neighbouring roads.
- The proposal does not include a sufficient number of off-road parking spaces for the number of units proposed.
- The proposal ignores Council policy in relation to affordable housing.
- The proposal represents over-development and the proposed building would be over-dominant and out of character with the area.

- Insufficient space is provided for bin storage.
- The removal of the lawn, trees and shrubbery would harm the ecosystems in this area.
- There is no need for further retirement properties in this area.
- The loss of the existing house would harm the character of the area.
- The proposed roofscape is unduly dominant.
- The proposed parking area is dominant and coupled with the loss of soft landscaping and the widening of the vehicular access would result in visual harm.
- Since the previously refused application the planning balance has not changed because the revised proposal would still cause significant harm to the character and appearance of the area due to its excessive scale.
- The overall scale and massing of the building would be over-dominant. The building will not function or add to the overall quality of the area, the building is visually unattractive due to its architecture, layout and landscaping.
- The development fails to provide an appropriate amount and mix of development – especially usable green space not affected by large trees.
- There are significant concerns about the amount of development being proposed, especially along the Lancaster Road frontage.
- The application does not consider the overshadowing of the existing garden area.
- The proposal will cause further damage to the fabric of Lancaster Road which is an unadopted, private road.
- The drawings show no significant change. In fact, both the south and north elevation drawing indicate an increase of height in the middle section.
- The planning balance has not changed because the revised proposal would still cause significant harm to the character and appearance of the site and its surroundings. There is still conflict with the Development Plan.
- There are still serious concerns about the overall amount of development being proposed in this location, especially within the frontage and along Lancaster Road.
- The increase in the roof-space in the middle section of the north and south elevation could potentially allow for more units to be created within the building's envelope.
- The revised drawings show insignificant changes to the amount of overall development.
- Didsbury cannot take any more residential properties.

- A proper evaluation by the Planning Inspector was not undertaken in relation to the impact on 23 and 25 Holme Road.
- The road surface of Lancaster Road cannot meet any increase in demand for traffic flow and on street parking.
- The existing building should not be demolished at the expense of more apartments.
- No affordable units are to be provided.
- The proposal would lead to an unacceptable increase in traffic and insufficient parking is provided for the development.
- There is dangerous access to development from blind bend on Spath Road.
- The proposed prices of the apartments indicates that the flats cannot be regarded as affordable housing. The balance between community benefit and private profit is entirely skewed against the community.
- The proposed building would be out of character with the area.

Local Ward Members

Councillor Hilal objects to the application. It is considered that the proposed development would not be in keeping with the area and involves the demolition of a house and garden that adds great community value.

The plans involve building a car park over the front garden and to build on much of the rear garden, destroying trees which will affect the wildlife habitat.

There are concerns regarding the size, number of units, the impact on the area of yet more apartment blocks in West Didsbury, car parking and traffic congestion.

There are further concerns that the applicant will not be building any affordable housing as the scheme has been reduced by 8 flats from their previous application. This is not considered acceptable.

The new submission still represents significant overdevelopment of the site and it is requested that the application be refused.

Councillor Leech objects to the application on the following grounds:

1. Overlooking homes on Holme Road and Lancaster Road. It is disingenuous at best to suggest that the row of conifers between the site and homes on Holme Road, act as a suitable screen. Under no circumstances would these be considered suitable for protection, and they are clearly going to be removed at some point, given that they are massively oversized.

2. Overall, the scale and mass of the proposed building would still be overbearing and cause harm to residential amenity. This was considered a good reason for the previous refusal, and clearly still stands. There are some concerns that the mock up

photos underestimate the visual impact of the proposed building, but even if they are accurate, they clearly will be overbearing on the street scene.

3. The creation of 26 apartments (as opposed to the original 34) will still create unacceptably harmful level of activity and general disturbance and noise with increased comings and goings from the development.

This is still relevant with the proposed size of the development on what is a small site - part of the site is not able to be developed due to the number of trees, and the proposed building on the rest of the site is far too dominant.

4. 20 parking spaces for 26 flats, visitors and staff will result in unacceptable levels of on-street parking, with no solution to deter parking on Spath Road or Lancaster Road. Nobody has offered a solution as to how the developer intends to stop cars belonging to staff, visitors and residents from parking on the private roads, most specifically Lancaster Road. While it may be possible to take action against construction staff during any building work, this is not the case once the development is built. It is unacceptable for the Council to simply say "it is not our problem", which is what the Planning Department would be doing by not coming up with a workable solution that protects the amenity of residents on Lancaster Road.

5. The applicant claims that residents give up their cars when they move into retirement developments. They claim that this is within a short walking distance of the shops. It is uncertain which ones they are referring to, given that it is a very significant walk to Didsbury Village, Burton Road and Northenden, particularly for an older person. The McCarthy and Stone development in Chorlton on Albany Road, which is very close to the district centre, has caused all sorts of parking and road safety problems on Albany Road and Brantingham Road. This level of parking is wholly inadequate for the number of flats, staff and visitors.

5. Spath Road is already a rat run. Additional on-street parking and plans to widen the entrance to the new development close to the bend in the road, will compromise road safety. Cars will end up being parked on the bend. During consideration of the previous application concerns about traffic appear to have been dismissed, yet Highways have subsequently recognised the use of Dene Road/Spath Road as a rat run, with resources subsequently spent to deal with speeding cars. Limited resources meant that there was not enough money to do both roads, but any suggestion that there is not a problem with this being a rat run, should be questioned as to why the Council spent Council tax-payers money on road safety in the area, if it is not a problem

6. There is great concern about the proposed demolition of a fine, larger, family home, which are in great demand in the area. Manchester is short of larger family accommodation, and this will represent yet another large family home demolished or converted into flats. It is recognised that there is nothing to stop the owner from demolishing the building without planning permission, but every effort ought to be made to retain Jessiefield.

7. The applicant claims that there is unmet demand for older person accommodation in the area. A quick look at the available accommodation in the area shows that

there is already a very significant level of older person accommodation on local streets - Barlow Moor Rd, Mersey Road, Palatine Road and on Spath Road. Demand for older person accommodation has not been proved and has been overstated to support their application.

8. Lack of affordable housing in the development - All developments of over 15 units should have 20% affordable housing, but there are no plans for affordable homes in the development, nor for a financial contribution towards off-site affordable homes. I understand that a 1 bed flat is going to be sold for in excess of £300k. Service charges are also very high at M&S developments. This can hardly be considered affordable. It also serves to raise question marks about the likelihood of residents giving up their cars to move into this development.

9. Construction vehicles are going to struggle getting in and out of the Palatine Road/Dene Road West junction. The only other options are Barlow Moor Road/Victoria Avenue, which has cars double parked all day every day, and Dene Road/Wilmslow Road, which we have already established has a problem as a rat run. No explanation as to how the developer will address the road safety concerns during the construction phase has been provided.

On this basis, it is requested that the application be refused.

Needham Hall and Dundreggan Residents Group – have written to object to the application for the reasons as set out above and additionally outline specific detailed concerns and inconsistencies in relation to over-development and the overbearing impact of the proposed block, the loss of a good examples of a arts and crafts style house, hazardous access from the site onto Spath Road, insufficient provision for parking, loss of trees and habitat, the loss of a family house, the lack of an affordable housing contribution, disturbance from construction traffic and lack of community consultation.

It is considered that the applicant has selectively highlighted how they have addressed the findings of the Planning Inspector relating to the previous application. It is maintained however that most concerns have not been addressed, critically those relating to scale and over-dominance, and the impact to visual and residential amenity. The Committee is urged to refuse the application.

West Didsbury Residents Association – have written to the object to the proposal. Concerns are raised based on the proposal having a negative impact upon the character of the area; the loss of an existing characterful Arts and Crafts style building, the lack of public consultation by the applicant since the last application; concerns surrounding the loss of soft landscaping and the dominance of cars eroding the verdant character of the site, the impact on the living conditions of neighbouring occupiers as a result of general disturbance, over-dominance, loss of privacy and sense of enclosure; insufficient off-site parking, the likelihood of increased on-street parking, the impact upon highway safety and the effects of bio-diversity.

If the application is approved, conditions are requested in relation to construction management, the requirement for a updated peak demand parking study, tree work methodology, native landscaping bio-diversity enhancement to be incorporated.

Following receipt of revised drawings and a further period of neighbour re-notification, a further 47 representations have been received, all of which object to the proposal. Principal comments are summarised below:

- The Planning Balance has not changed because the revised proposal would still cause significant harm to the character and appearance of the site and its surroundings
- There are still serious concerns about the overall amount of development being proposed in this location, especially within the frontage and along Lancaster Road
- The changes made in the revised drawings are insignificant and do not change that the proposal is too large and represents overdevelopment.
- The Road surface of Lancaster Road cannot meet any increase in demand for traffic flow and on street parking
- The design is incongruous with buildings in this area and demonstrates no sensitivity to local architecture or heritage.
- The proposal will lead to the overlooking and loss of privacy of neighbouring properties. . The developer proposes a building of substantial height, extremely close to the boundary.
- Insufficient parking is available on the scheme for residents, visitors, carers, health care visitors and staff.
- The proposal would create a dangerous access to development from blind bend on Spath Road
- The density of the development is out of character with the area.
- Concerns are raised in relation to the demolition of the existing building and the replacement of the front garden with a car park, due to the impact to wildlife and visual amenity.
- There is a token amenity area, placed where it will cause maximum disturbance to the amenity enjoyed by the residents of the dwellings on Holme Road.

Needham Hall-Dundreggan Residents Group – Further comments are raised. Principally:

- The small changes to the width of the entrance are minor and inconsequential, as they do not address the placement of that entrance and its likely extensive daily use by residents, staff, visitors, service vehicles, and delivery vehicle. Concerns about

traffic access and egress directly into the blind curve of Spath Road, with hazards to pedestrians, cyclists, and other vehicle drivers remain unaddressed.

-With the changed layout of parking, and also now the apparent deletion of space for the ornamental tree planting in the original plan, the visual impact of the proposed block continues to be overbearing and incongruous to the character of the area. Replacing the current front garden, in the revised plan the front area of driveway, hard standing, and multiple car parking, with a wider entrance, is now even more visually obtrusive.

-Insufficient parking is proposed.

-Whilst there is now some variation in the roof line compared with the monotonic design in the earlier elevations, this variation is insignificant in addressing the massive size of this development

-It appears that revised plans show slight lowering of height in some areas, but then increases in height in other areas. Moreover, there is no change in the over-large footprint of the development on the site. The design and mass of the revised block of 26 apartments and associated facilities continues to be overbearing, dominant and incongruous.

-The revised plan continues to present multiple balconies (at height) and other opportunities for overlooking of existing residences.

-The revised plan continues to present issues related to loss of habitat and loss of green space.

In addition, further responses have been received from Local Ward Members.

Councillor Stanton - Prior to the proposal to demolish the house and redevelop the entire site at least one commercially viable application to provide additional residential housing without loss was approved.

I would strongly steer the developer towards these as the best and most acceptable use of the land. There is no unmet need for retirement accommodation in Didsbury – we are replete with it.

Given the proposed development would make no contribution towards achieving the Manchester Housing Strategy, its over development of the site, associated overlooking, impact on ecology, lack of onsite parking, impact on traffic are all good grounds to recommend against approval, and also for the Committee to decline the application if it is referred to them.

Councillor Leech - Concerns are raised that there are now fewer parking spaces than previously proposed, and it is believed that Highways and Planning massively understate the potential problems relating to parking, traffic and road safety.

The height of the proposed building will be higher in places, than the previous version, and the potential for overlooking of properties on Lancaster Rd and Holme Road remains.

Environmental Health – Conditions are requested in relation to the need for a construction/demolition management plan, an external lighting scheme, a waste management scheme, electric vehicle charging, external equipment acoustic insulation and a site investigation/remediation strategy relating to ground conditions.

Highway Services – It is noted that a 2 tonne weight restriction applies to Spath Road and a 20 mph speed limit is also applicable. Lancaster Road is not maintained at public expense.

The site is considered to be adequately accessible by sustainable modes and is in close proximity to public transport facilities.

Trip Generation

It is considered that the additional vehicle trips likely to be generated by this development can be accommodated on the adjacent highway network.

Parking

19 on-site parking spaces are provided for the 26 apartments equating to 73% provision of which two are accessible bays which meets core strategy standards. 20% of the bays should be provisioned with electric vehicle (EV) charging (minimum 7kW) with the remaining bays provided with the infrastructure (ducting) to allow for further future EV conversion. The overall amount of onsite parking being provided is acceptable from a highway perspective.

With regard to the narrower vehicle access now proposed, it is confirmed that it will be acceptable to Highways for waste collection to be undertaken externally from Spath Road.

There is no objection to the removal of the existing entrance on Lancaster Road. If the planning application is approved, then alterations to the highway will be required via a S.278 agreement.

Boundary Treatment

The proposed boundary treatments are acceptable from a highway perspective.

Construction Management

If the application is recommended for approval, a condition is requested which requires the submission and approval of a construction management plan.

HS2 Ltd – No objection. The location plan boundary partially falls within sub-surface safeguarding for Phase 2b of HS2. Having reviewed the proposal, the proposed development is not sited directly above the HS2 bored tunnel alignment and not

directly above the proposed sub surface tunnels. It is unlikely therefore that the foundations required to construct the proposed development will affect HS2 works in that location.

Adult Social Care – The type of housing proposed is supported in Didsbury to ensure there is mixed market provision of older people's housing.

Greater Manchester Ecology Unit (GMEU) – The submitted surveys appear to have followed best practice guidelines and been undertaken by suitably qualified ecologists.

The site does not have any nature conservation designations, nor are the proposals likely to impact upon any such site.

The building and lawn/formal garden areas are the dominant habitat on the site which will be directly impacted upon by the proposed development. The boundary vegetation including area of woodland to the rear of the site is proposed for retention with appropriate root protection zones.

No bats or evidence of bats roosting in the buildings were recorded during the survey results, and only low levels of bat activity were recorded during the nocturnal survey. No potential roost features were identified in any of the trees. No further survey work is recommended in relation to bats.

The trees and building on the site could potentially support breeding birds, and the nests of all wild birds are protected under the Wildlife and Countryside Act, 1981 (as amended).

Rhododendron was identified on the site. This species is listed on Schedule 9 of the Wildlife and Countryside Act, 1981 (as amended) making it an offence to spread this species in the wild.

No other protected species were recorded on the site, although it is possible that species such as hedgehogs will be present in the area. Measures to enhance the site for biodiversity have also been identified within the report.

Greater Manchester Ecological Unit made recommendations about conditions about bat surveys, lighting, breeding birds, tree works in line with British standards, measures in relation to rhododendrons, enhancements for biodiversity including features for hedgehogs and an informative relating to bats if the local planning authority are minded to grant permission.

Greater Manchester Police (Design for Security) – The application is supported subject to the layout issues within Section 3.3 of the submitted Crime Impact Statement being addressed and the physical security measures within Section 4 of the Crime Impact Statement being conditioned. The applicant would then need to apply for 'Secured by Design' accreditation.

Arboriculture – No objection, subject to the trees being adequately protected and the applicant adhering to the specifications provided by the arboricultural consultant.

The proposed mitigation planting is acceptable and would provide a diverse portfolio of tree cover to ensure sustainability of green infrastructure in the future.

The proposed development results in the loss of very few trees, all of which are low quality and value.

Services and utility installation can be sited remote from trees, but if they do need to be located within root protection areas specialist measures can be deployed for their installation to minimise harm to retained trees.

No materials or machinery should be stored within the root protection zones of any trees.

Any work carried out on this site must be in line with BS:5837.

Flood Risk Management – Conditions are requested in relation to submission and agreement of a surface water drainage scheme and for its subsequent maintenance.

United Utilities – The drainage of the site should be carried out in accordance with the principle contained within the submitted Foul and Surface Water Drainage Design Drawing.

Other matters

Consultation & Publicity

The proposal by virtue of the number of units created the development has been classified as a small-scale major development. As such, the proposal has been advertised in the local press (Manchester Evening News) as a major development. A site notice has been displayed at the application site.

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'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 also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

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. New housing will be predominantly in the North, East, City Centre and Central Manchester, these areas falling within the Regional Centre and Inner Areas of Manchester.

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

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

The policy provides an exemption from providing affordable housing, or a lower proportion of affordable housing, a variation in the proportions of socially rented and intermediate housing, or a lower commuted sum, may be permitted where either a financial viability assessment is conducted and demonstrates that it is viable to deliver only a proportion of the affordable housing target of 20%; or where material considerations indicate that:

Intermediate or social rented housing would be inappropriate. In the latter case, such circumstances could include:

- There is a very high level of affordable housing in the immediate area;
- There is either a high proportion of social rented (35%), or low house prices in the immediate area compared to average incomes;
- Affordable housing would be prejudicial to the diversification of the existing housing mix.
- The inclusion of affordable housing would prejudice the achievement of other important planning or regeneration objectives which are included within existing Strategic Regeneration Frameworks, planning frameworks or other Council approved programmes;
- It would financially undermine significant development proposals critical to economic growth within the City;
- The financial impact of the provision of affordable housing, combined with other planning obligations would affect scheme viability;
- There is a need for additional housing provision for older people or disabled people either as affordable or market housing dependent on the results of a financial viability assessment of the scheme.

Policy EN1 (Design Principles and Strategic Character Areas) - All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the city should be fully realised, particularly on major radial and orbital road and rail routes.

character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Policy EN9 (Green Infrastructure) - New development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green

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

South Manchester Regeneration Framework

South Manchester is identified as an area with a rich and diverse group of neighbourhoods, with a wide range of issues and needs. Some areas are already successful, so the SRF is needed to help continue and build on this success. Other areas, in contrast, have particular issues that the SRF will help to tackle, such as poor housing and high levels of deprivation and worklessness.

The opportunity for the SRF is to build on and improve its assets – the distinctive, successful neighbourhoods and centres, the high quality parks and the strong heritage and character of South Manchester – and use these as a model to drive forward the future of the area. These qualities should be applied across South Manchester to raise the quality of the built environment and expand the number of successful neighbourhoods.

The SRF identifies a key issue for the area as providing a wider choice of housing to attract and retain residents. The SRF states future housing developments need to focus on providing high-quality family accommodation. It identifies that high-quality sustainable new housing developments should meet the housing needs of the existing and future population of South Manchester.

Manchester Residential Quality Guidance (2016)

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

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

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

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

Make it happen.

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.

Places for Everyone Greater Manchester Joint Development Plan (Draft August 2021)

The draft version of the Places for Everyone Joint Development Plan was published in August 2021 and has been produced by Greater Manchester Combined Authority to provide a long-term plan for jobs, new homes, and sustainable growth for nine of Greater Manchester's districts. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan. As this plan is at an advanced stage it would now be considered as a material consideration for planning applications.

National Planning Policy Framework

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

The Framework underlines 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.

Sections 4, 5, 11 and 12 are considered relevant to the consideration of this application.

Of particular relevance, Paragraph 130 states:

Planning policies and 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;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

National Planning Policy Guidance (March 2014)

The Government produced a suite of documents to act as a live resource which set out advice and best practice on a wide range of planning issues following a detailed review of planning policy guidance as a way of streamlining policy.

The relevant sections of the NPPG in this case are as follows:

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.

Issues

Principle

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that decisions are to be made in accordance with the development plan, unless material considerations indicate otherwise.

In this case the principle of the proposed development is considered acceptable and would comply with relevant planning policies and guidance.

It is considered that revised proposal has overcome the previous concerns detailed within the appeal decision for the earlier refused proposal. Notably, as a result of a reduction in the scale and mass of the building and the amount of overall development. The amended scheme is now considered to be in keeping with local character and would not give rise to any significantly harmful impact in terms of residential amenity or the operation of the local highway.

The proposed development would make effective use of the site and provide high quality retirement living apartments for an ageing population, adding to the diversity of housing in the city within a highly accessible location and would contribute to local and national residential growth objectives.

Policy H6 sets out the framework for determining residential developments in this part of the city.

Whilst the general planning policy approach is to direct high density residential proposals to district centres in south Manchester, this does not preclude development of this nature elsewhere. Inevitably, there will be sites which can accommodate higher density due to location and character. The policy advocates the suitability of such proposals where provision would add to diversity of housing and accommodation that meets the needs of elderly people

As such it is considered that the proposal complies with the strategy set out in the adopted housing policies of the Core Strategy.

Consideration of the more specific planning issues and the impact of the proposal upon its surroundings and adjoining occupiers, as well as the loss of the existing building is outlined further below.

Demolition of existing building

The existing building on site is an attractive, characterful 5 bedroom, detached dwellinghouse and its loss would be regrettable. However, the building has no formal designation and has been assessed as not being worthy of being classified as a non-designated heritage asset. The property is not situated within a conservation area or an area of any designation. The building is not therefore protected from demolition. It is also the case that significant public benefits would arise as a result of the development with the provision of 26 apartments specifically designed for retirement living.

It should also be noted that permission has been granted previously for a proposal involving two houses within the garden area.

Site Layout

The proposed building presents its main frontages to Spath Road and Lancaster Road to optimise its corner position.

A single, 'L' shaped, part two, part three storey building would occupy a central position within the site to maximise the frontage to the roads which it seeks to address and provide continuity in the street scene.

The proposed building is sited in the same orientation with a staggered building line as is the case for the existing building, albeit sited further back into the site. A rear wing extends southwards, stopping short of a protected wooded area at the southern end of the site.

Vehicular access to the site off Spath Road is maintained, leading to a car park area accommodating 19 spaces to the northern side of the proposed building. A further access off Lancaster Road is to be blocked off. Existing boundary treatment is to be retained.



Proposed site layout shown the outline of the proposed building, tree cover, parking and the relationship with neighbouring properties

The wooded areas to the southern side of the proposed building is also to be retained, with the areas around the building softened by planting, including communal garden areas to the eastern and western sides of the building.

The arrangement is considered to maximise development to the street frontage and reinforces the suburban grain, whilst fulfilling the potential of the site and without compromising the character and appearance of the area, or the setting and amenity of adjoining buildings.

Design, Scale and Appearance

The previously refused application for a part three, part four storey building to provide 34 retirement apartments with associated communal facilities, landscaping and car parking was refused by the City Council, as it was considered that the building would represent an overly dominant incongruous structure in the street scene, detrimental to visual amenity and the character of the area. The application was subsequently dismissed at appeal on 16 March 2022 where the Inspector noted that:

'The scale and massing of the proposed development would represent a notable addition to the built environment that would represent a dominant structure through its overall scale and massing, particularly through the sections that are 4-storeys in height. This adverse visual effect would be readily visible from both Spath Road and Lancaster Road, where this awkward relationship would be heightened, due to the lack of articulation of the ridge of the proposed front elevation facing Spath Road and the overall amount / form of development proposed in this location'.

In response, the applicant has made changes to the scale and massing of the proposed building, both through the initial submission of the current application and through further changes made during the application process itself. This has also ultimately resulted in a reduction in the number of units.

The surrounding context predominantly comprises two and three storey detached and semi-detached buildings, consisting of a combination of single dwellinghouses and flats, with hipped or gabled roofs, large front / rear garden spaces and parking provision. There is no specific vernacular or architectural style in the area, with Lancaster Road specifically including a number of more recent architectural styles.

Neighbouring and nearby buildings of note include 'Cairncroft' - a large three storey building converted to a flats, situated to west, 'Lynwood' - a part two, part three storey dwellinghouse situated to the north-west at the corner of Spath Road and Holme Road, 'Lancaster House' – a two storey dwellinghouse set within spacious grounds to the other side of Lancaster Road to the east, Rathen House – a three storey dwellinghouse to the north east and Needham Hall which is situated further along Spath Road to the west which includes a four storey apartment block within its grounds.

In consideration of the appeal, the Inspector found that the overall scale and massing of the proposed building would be over-dominant, particularly due to the four storey elements, the lack of articulation to the roof ridge facing Spath Road and the overall amount of development.

In response, whilst the proposed building is similar to the original proposal in terms of its design approach, the scale and mass of the proposed building has been reduced, with the four-storey frontage omitted and the highest part of the building being no more than three storey in scale. The overall amount of development and footprint has been reduced in all dimensions, resulting in a reduction to the width and depth of the building, increased articulation to the elevations, involving a variation to the roof ridge height, the inclusion of dormers, recesses and projections to the building façade.

In summary, principal amendments include:

- A narrowing of the building frontage by approximately 1 metre. This results in narrower frontage, increases the separation gap to the Lancaster Road corner and is 4.5 metres narrower in width to the proposal considered at appeal;

- A reduction in roof ridge height behind the main frontage and a reduction in height by approximately 1 metre and a 4.5 metre reduction where it drops to two storeys behind the frontage. A reduction in height of the building to two storeys at its southern end;

- Increased variation and articulation to the roof ridge line to give the appearance of gaps in the building and increase views of the sky;

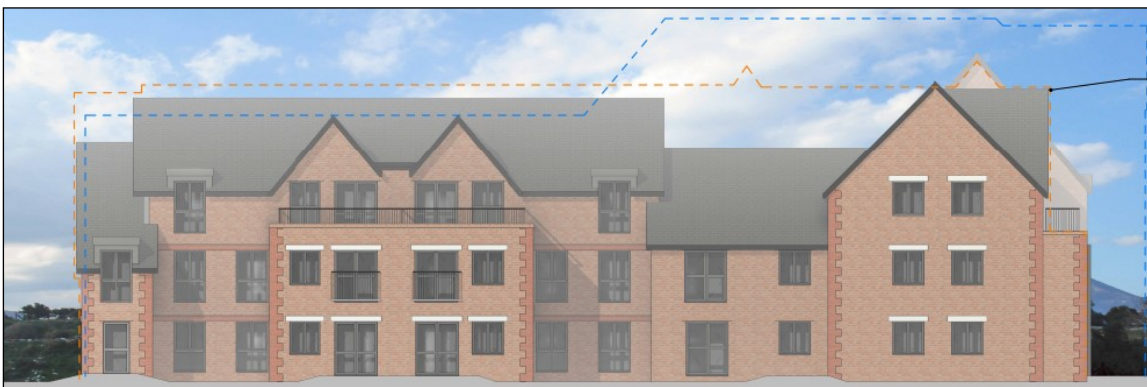
- The setting back of the building along the entire Lancaster Road frontage by approximately 1 metre and up to 2.7 metres at its greatest point.

- A narrowing of the vehicular access in order to reduce view of the building and parking from Spath Road.

The following elevational drawings show the evolution of the proposed development from its inception to the present proposal.



Proposed northern (Spath Road) elevation. The blue line depicts the outline of the previously refused scheme and the red line depicts the outline of the building originally proposed as part of the current application



Proposed eastern (Lancaster Road) elevation. The blue line depicts the outline of the previously refused scheme and the red line depicts the outline of the building originally proposed as part of the current application



Proposed southern elevation. The blue line depicts the outline of the previously refused scheme and the red line depicts the outline of the building originally proposed as part of the current application



Proposed western elevation. The blue line depicts the outline of the previously refused scheme and the red line depicts the outline of the building originally proposed as part of the current application

The elevational drawings have been supplemented by visually verified montages shown from a variety of perspectives, both during the summer months when trees are in leaf and during the autumnal and winter months when tree cover is much less.

Below is a selection of views which show the existing situation and how the proposed building has progressed from the proposal dismissed at appeal and the currently proposed scheme. The images shown are generated during the winter months to show the site at its most sensitive and when views would be most prominent.



View of existing building from Spath Road/Lancaster Road junction



View of from Spath Road/Lancaster Road junction of the proposed building dismissed at appeal



View of from Spath Road/Lancaster Road junction of the proposed building for the current application



View of existing building from Spath Road



View from Spath Road of the proposed building dismissed at appeal



View from Spath Road of the proposed building for the current application



View from Holme Road of existing Cairncroft building which neighbours the site to the west



View from Holme Road of Cairncroft building with proposed building dismissed at appeal beyond



View from Holme Road of Cairncroft building with the building for the current application beyond

The drawings and images demonstrate that the proposed building has been significantly reduced in scale and mass to that originally refused planning permission and that there has been a reduction in height from 4 to 3 storeys which was the principal issue of contention and main issues raised by the Inspector.

It is considered that three storeys is characteristic of the area, with the proposed scale largely informed by the neighbouring 'Cairncroft' building, situated immediately to the west.

Whilst concerns are raised that the central element of the building elevation facing Spath Road proposed is higher to that originally proposed as part of the current application, the increase in height is 200mm and is 1100mm less than the development dismissed on appeal. All other elements of the building are lesser in scale and mass and represent a much smaller building overall.

The reduction in scale, the narrowing of the frontage, increased separation distance to the site boundary and increased variation in roof ridge/gable height and articulation to the elevations, all serve to lessen the impact of the scale and mass.

It is believed that the latest amendments would result in a development commensurate in scale to the immediate context and is informed by its surroundings. The scale would be comparable in height to neighbouring buildings and responds effectively with the streetscape.

The proposed building footprint lies slightly more centrally in the plot than previously proposed and coupled with the reduction in scale and dimensions, together with the amount of overall development, it is considered that the proposed building overcomes previous concerns and responds appropriately and sympathetically with the immediate street-scape.

In terms of appearance, the proposed building adopts a traditional approach referencing traditional architectural elements found in the area, such as gable features, dormers and vertical proportions and proposes a selection of high-quality,

traditional materials comprising a mixture of red and buff brick and render, with grey roof tiles and grey coloured UPVC door/window frames and black UPVC rainwater goods.

Given the traditional format and as there is no homogenous use of materials in the area, it is considered the proposed appearance would effectively assimilate into the street-scene and satisfactorily complement the context of neighbouring buildings.

It is considered that on balance, when taking into account the conclusions of the Inspector and through an assessment of the revised proposal, the design, scale and appearance of the proposed building would be in keeping with the surrounding context and would not appear over dominant or in the street-scene.

The proposed development has addressed previously upheld concerns surrounding mass and scale by reducing the scale from 4 to 3 storeys, reducing the number of units from 34 to 26, provided a more spacious setting to the building by reducing the dimensions of the buildings and reducing the frontage width and by setting the building back further from Lancaster Road. On the basis of the revised proposal, it is considered that the proposed development can comfortably assimilate into the streetscape with no significantly harmful effects.

Density/Balance of Accommodation

The proposed block would provide 13 No. 1 bed units and 13 No. 2 bed units totalling 26 apartments, each with their own self-contained accommodation but also having the benefit of communal areas including homeowners' lounge, internal refuse store, and mobility scooter charging room. The proposals will also include a guest suite for visitors and lounge area with kitchen units for self-catering. All units comply with the Council's internal space standards.

Access

The proposed building incorporates measures to aid ease of access for all. The site itself is relatively flat, providing no obstacles to level access across the site and to the entrance doors themselves.

The apartments themselves are of a good size and offer satisfactory circulation space. Level access would be afforded to all entrance doors to incorporate level thresholds. Lifts would provide access to each floor. Two disabled parking spaces are proposed in close proximity to the building entrance.

Given the demographic of prospective occupiers, movement throughout the building has been specifically designed for ease of access in compliance with the requisite building regulations in order to ensure all areas are fully accessible. Corridors and doors have been designed to generous widths for wheelchairs and access to all communal areas have been designed on the ground floor with short distances to the entrances and lifts.

Residential Amenity

In comparison to the previously refused application, concerns have been expressed by local residents about the impact of the proposal upon the living conditions of neighbouring occupiers, particularly as a consequence of increased levels of activity, vehicular movements, over-dominance and overlooking. This culminated in a reason for refusal for the previous proposal for a larger development which was not upheld on appeal.

On appeal, whilst it was accepted that the proposed development would result in the general intensification of the site and would result in more vehicle movements when compared to a single dwellinghouse, it was considered that given the size of the site, the nature of the proposed development or the use of the existing access, that there would not be a significant harmful effect on the living conditions of neighbouring occupiers with regard to general disturbance and noise.

Similarly, the Inspector considered that given the screening afforded by tree and hedge planting on the common boundary with neighbouring properties and the separation distance between the site and the nearest neighbouring properties, there would be no significant loss of privacy or a prevailing sense of enclosure.

The conclusions of the Inspector represent the baseline position in this case, whereby the impact of a larger development for a part 4 storey building with 34 units was not considered to have a significant, detrimental impact on neighbouring living conditions.

The below drawing indicates the distances between the proposed building and the neighbouring properties adjoining the western boundary with Holme Road, which represents the most sensitive relationship.



- Denotes existing buildings with assumed habitable windows measured from OS data
- Denotes proposed building facade with habitable windows measured from proposed data
- Denotes proposed dimensions to building facade with habitable windows measured from proposed data
- Denotes proposed dimensions to adjoining boundary
- Denotes proposed dimensions of previously refused application footprint to adjoining boundary/ adjacent buildings
- - - Denotes refused application proposed footprint

The drawing shows a distance of between 5.2 metres between the proposed building and the Holme Road boundary at its closest point, with the part of the building containing habitable windows and balconies set back from the boundary by 16.25

metres at its closest point and separation distance of approximately 29 metres between facing habitable windows.

These separation distances are considered an appropriate relationship, particularly as the proposed building is set back further in parts than the proposal considered on appeal.

Similarly, it is not believed that the proposed development would create any significant harmful impact in terms of over-dominance or overshadowing.

For the previous proposal considered at appeal, the Inspector concluded that the neighbouring properties along Holme Road would not experience any sense of enclosure and due to the combination of the proposed distance between the scheme and the rear boundaries of No's 23 and 25, along with the existing mature trees / vegetation and the potential for additional landscaping, there would not be any significant harmful effect caused by the relationship of the proposed building with neighbouring buildings, nor would it impede the use of their garden areas.

Given that the proposed development is of a lesser scale and the separation distance between building has increased in parts, it is not considered that there would be any significant detrimental impact on the living conditions of neighbouring occupiers.

In terms of activity levels, retirement living is considered to represent a passive use with a lesser degree of activity and traffic generation to that of open market housing. Again, the impact of activity was considered acceptable by the Planning Inspector for the previous application and in this case, it is not considered that the proposed number of units and level of associated vehicular movements would be unduly excessive or give rise to any harmful impacts in terms of noise and disturbance. It should also be noted that the immediate area is not confined to individual dwellinghouses and there are examples of higher density apartments development within the vicinity of the site. It is not therefore believed that the proposed development would appear out of place or give rise to materially different impacts in terms of activity levels.

Overall, the current application has been reduced in scale to 3 storeys, resulting in reduction of 8 units, as well as a lesser amount of car parking spaces. The overall scale and mass of the building has been reduced and the separation distance to the common boundary slightly increased. It therefore stands to reason that the proposed development in this case must be considered appropriate in terms of the impact to residential amenity and any such concerns cannot be sustained.

A condition has been included to ensure the series of windows to the western boundary are obscurely glazed. These windows provide light to the circulation corridor at the part of the building closest to the boundary. The condition would prevent any perception of overlooking.

Landscaping and Trees

The application has been accompanied by a Tree Survey which sets out the impact to existing trees as a consequence of the proposed development.

In summary, The number of trees retained and provided is as follows:

- 44 trees in total trees on site;
- 8 trees proposed to be removed;
- 36 trees retained on site;
- 21 trees retained on site that are not protected by a TPO;
- 19 new trees proposed
- All trees protected by the TPO are retained.

All trees proposed to be removed have been assessed as being of low quality and value as identified within the submitted survey. The trees are not protected and are not considered to be of sufficient amenity value to provide a constraint to development.

The report notes the presence of trees subject to Tree Preservation Orders which are unaffected by the proposed development and that mature trees are found along the Spath Road boundary and to the southern part of the site. The belt of mostly Beech trees at the southern edge of the site contribute significantly to the verdant character of the area.

In summary, the proposal seeks to retain all the significant trees, including the trees protected by tree preservation orders, but remove a small number of lesser quality trees. The proposal is believed to be considerate of the retained trees and the ongoing relationship with neighbouring properties.

The proposed apartment block has been carefully sited so far as possible outside the root protection area of the significant trees around the site, including the trees protected by the tree preservation order.

Notably, it is necessary to remove the low quality and value variegated Holly (number 10) as identified within the submitted survey, to accommodate the proposed building. This tree is not of to be of a sufficient amenity value to provide a constraint to development.

The building is proximate to trees 14 to 17 and some minor pruning will be required to provide space for construction and to maintain a separation thereafter. The pruning would not materially detract from visual amenity

The proposed development results in the loss of very few trees, all of which are low quality and value. 8 trees are indicated for removal, including Holly, ornamental Magnolia and an Ash tree. The proximity of proposed hard surfaces have been sited away from trees, but where hard surfaces still coincide with root protection areas, specialist measures could be deployed to minimise harm to trees.

The Council's Arboriculturist holds no objection to the proposal, subject to retained trees being adequately protected during excavation and construction. No materials

or machinery should be stored within the root protection zones of any trees. The proposed mitigation planting is considered acceptable for this site.

In terms of landscaping, the existing Cypress trees along the common, western boundary and which provide an important screening function are to be retained. The existing hedge along the boundary with Lancaster Road is also to be retained, as are the trees along the Spath Road boundary.

New shrub and ornamental tree planting is proposed throughout the site, alongside new lawned areas, bulb planting and a compacted gravel path to the woodland area. Permeable block paving is proposed for the car parking surface, connecting to a permeable Bitmac surface to provide access from the road.

With regard to boundary treatment, the existing boundary wall to the Spath Road frontage is to be retained. A new 2.1 metre high timber fence is proposed to be erected to the eastern, western and southern boundaries and the existing hedge to Lancaster Road retained.

It is considered that all trees of high value are to be retained throughout the site and the proposal includes satisfactory planting in mitigation. The resultant landscaping scheme would complement existing planting and improve the appearance of the grounds and provide usable amenity space. Through maintenance provided by the management company, the proposal would result in a well-managed environment. On this basis, the tree works proposed are not considered a constraint to development.

Conditions have been included to ensure the protection of retained trees and hedgerow, as well as ensuring root protection areas are not compromised and that tree work is undertaken in accordance with British standards.

It is acknowledged that there would be increased hard area coverage within the application site from built form and car parking above and beyond the existing situation. However, the revised scheme is considered to reach the right balance between planting, landscape setting and the proposed built form in order to be in character with the context in which it is set.

Ecology

The application is accompanied by an updated survey (Nocturnal Bat Survey Report and Updated Site Walkover assessment which has been assessed by Greater Manchester Ecology Unit (GMEU).

It is considered that the report appears to have been undertaken with reasonable effort and have followed best practice guidelines, undertaken by suitably qualified ecologists

The site does not have any nature conservation designations, nor are the proposals likely to impact upon any such site.

The building and lawn/formal garden areas are the dominant habitat on the site which would be directly impacted upon by the proposed development. The boundary

vegetation including area of woodland to the rear of the site is proposed for retention with appropriate root protection zones.

It is considered that the proposed development would not result in any significant or unduly harmful impacts to local ecology given the characteristics of the site.

A condition is advised in relation to works and demolition being carried out outside the main bird nesting season and an Informative included for works to cease if any bats are encountered during works.

Impact to the Highway

It is noted that the site is considered suitably accessible by public transport via bus services along Palatine Road. A Metrolink stop situated a short distance to the north off Lapwing Lane is also within walking distance of the site.

The previously refused application for a similar, larger development was previously assessed as being acceptable from a highway impact perspective and was not raised as an issue during appeal for the previously refused application.

In terms of off-road parking provision, 19 off road car parking spaces are proposed for 26 apartments, equating to 73% provision. In comparison to the previously refused scheme which proposed 26 spaces for 34 apartments (76%) ratio, the level of parking provision is of a similar level and assessed as being appropriate in this location.

The spaces encompass 2 accessible spaces. A proportion of the spaces are also to be served by electric charging points, which is a requirement of an attached planning condition. Highways consider that given the location and likely levels of car ownership, the level of parking provision is acceptable.

The parking spaces are supplemented by cycle parking spaces and mobility scooter parking area situated internally.

The room identified on the floor plan as 'MSS' can accommodate a minimum of 10 bicycles (using bike parking rack locking storage stand) or a minimum of 5 mobility scooters or any combination thereof.

In this instance the number of cycle spaces is considered appropriate. Given that the average of entry to retirement living development is 78, cycle storage demand is anticipated to be low. This is supported by surveys of existing McCarthy and Stone developments which show that the number of cycle movements to and from their retirement living developments is extremely low. The proposed development would not therefore be expected to generate significant cycle movements which would result in the need for more than the spaces proposed to be provided.

Highways have considered the Transport Statement submitted by the applicant with regard to vehicle movements, access, parking demand and highways safety and consider that proposed access arrangement of Spath Road is acceptable and that the proposal is unlikely to generate a significant increase in the level of vehicular

trips which would impact unduly on network capacity. The additional vehicle trips likely to be generated by this development can be satisfactorily accommodated on the adjacent highway. This is considered particularly so, given the low traffic generation normally associated with retirement living development. It is also noted that there is a link between entering retirement living development and giving up car ownership. As time passes and residents age, car ownership has been shown to decrease and therefore car ownership is typically lower than for other forms of housing

No other highway or pedestrian safety issues raised by colleagues including the proximity to bend on Spath Road.

On this basis, the impact upon highway and pedestrian safety is considered satisfactory.

Crime and Disorder

The applicant in partnership with Greater Manchester Police (Design for Security) has provided a 'Crime Impact Statement' as part of the application. This details measures to be incorporated within the scheme in order to be able to design out crime.

In order to ensure design measures are introduced to limit the potential for crime and to enhance security for prospective occupiers, a condition has been included to ensure the proposal achieves 'Secured by Design' accreditation.

Climate Change

The application site is situated within a highly sustainable location, within an existing residential neighbourhood with nearby access to a range of shops, amenities, and transport services.

The proposed development would result in a modest number of additional residential units within the context of a principally residential environment for which, the impact upon climate change is considered less than significant.

The site is located close to a busy, main arterial route and transport corridor, and is therefore unlikely that there would be any significant or harmful contribution to air quality or climate change as a consequence of vehicular movements or ongoing activity.

Whilst there would be some limited impact upon air quality during the construction phase, the impact during the operational phase of the development post implementation, is not considered significantly harmful. Through effective mitigation and construction management during the construction phase, the impact upon air quality can be further controlled.

The proposal includes the provision of 5 electric vehicle charging spaces – an uplift in the 2 originally proposed to be provided, with the remaining car parking spaces to incorporate ducting to enable additional double socket electric vehicle charge points to be provided as the demand arises through the life of the development

Such measures will serve to limit the impact the upon climate change. The development also incorporates energy efficient measures as part of the development, as outlined in the section below relating to environmental standards.

Environmental Standards

City Council policy requires that developers focus on achieving low carbon and energy efficient developments and therefore development should be expected to demonstrate its contribution to these objectives.

The application has been accompanied by an Energy Statement which demonstrates that the proposal would comply with policies EN4 an EN6 of the Core Strategy and exceed the national standards set out in Part L1 of the Building Regulations.

The statement highlights that the proposal would utilise a good thermal envelope to minimise heat loss, as well as introducing heating and lighting systems to drive energy efficiency, as well as an array of photo voltaic panels.

A condition has been included which would require the submission and agreement of a Verification Report to ensure the measures are incorporated within the development design are implemented.

Drainage and Flood Risk

The application site is located wholly in flood zone 1 '*low probability of flooding*'.

In line with the Government guidance relating to the provision of sustainable drainage systems (SuDs) and as advised by the Council's Flood Risk Management team, it is necessary for the development to incorporate a surface water drainage scheme. An appropriate condition has therefore been included.

If such measures are successfully implemented, it is considered that any flood risk can be satisfactorily sustained.

Waste Management

An internal bin storage area is proposed, with bins managed by an appointed management company and collected from the highway on Spath Road. Further details are required in relation to recycling arrangements and frequency of collection. The parameters of the waste management arrangements are considered acceptable. An appropriate condition is included which require further details to be agreed.

Ground Conditions

Whilst a Phase 1 Desktop Study was submitted as part of the application, the conclusion of which is accepted by Environmental Health, it is advised that a Phase 2 Assessment should be completed in accordance with the recommendations contained within Phase 1 assessment. An appropriate condition has been included, which will require the submission and approval of a more detailed site investigation report and any subsequent remediation strategy prior to the commencement of

development. A further condition requiring a verification report to demonstrate the work is completed in accordance with agreed methodology is also included.

Construction/Demolition Management

To ensure demolition and construction is effectively controlled and to prevent any disruption to existing occupiers in the area, or along key routes throughout this part the city, a condition is included which requires the submission and approval of a construction management/demolition plan which details amongst other matters, working practices, working hours, dust suppression, the parking of construction vehicles and the removal of waste.

Affordable Housing

Comments have been made that the proposed development does not include any affordable housing provision.

Policy H8 of the Core Strategy indicates an exemption from the need to provide an affordable housing contribution for accommodation such as that proposed. where there is a need for additional housing provision for older people or disabled people either as affordable or market housing dependent on the results of a financial viability assessment of the scheme.

The applicant has provided a Financial Viability Assessment which provides a robust analysis of the site value, build costs and profit calculations.

The assessment concludes that based on the number of retirement living units, there is no financial headroom for an affordable housing contribution given the anticipated gross sales receipts and the financial outlay. The assessment has been reviewed by the City Council, the findings of which are agreed.

Legal Agreement

The applicant has agreed to enter into a legal agreement which contains a reconciliation clause which would require the future retesting of viability for the provision of affordable units. The reassessment would consider whether circumstances have changed to allow for an off-site contribution.

Conclusion

It is considered that revised proposal has overcome previous concerns and responded to the findings of the Planning Inspector raised during the course of the previous appeal for a similar development.

The proposed building has been reduced in terms of scale, mass and the amount of overall development. As assessed within the report, It is believed that the amended scheme can be satisfactorily absorbed into the immediate context without any significant harmful impact.

The proposed development would make effective use of the site and provide high quality retirement living apartments, adding to the diversity of housing in the city within a highly accessible location and would contribute to local and national residential growth objectives. On this basis, the proposed development is considered acceptable and would comply with overarching planning policy and guidance.

Other Legislative Requirements

Equality Act 2010 - Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making

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

Recommendation MINDED TO APPROVE subject to a legal agreement containing a reconciliation clause which would require the future retesting of viability for the provision of affordable units.

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.

Reason for recommendation

Conditions to be attached to the decision

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

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

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

Location plan referenced NO 2697 3 AC 0001, received by the City Council as Local Planning Authority on 14 September 2022, drawings referenced NO-2697-3-AC-0003, NO-2697-3-AC-0008, NO-2697-3-AC-1000 Rev C, drawing reference 1050-KC-XX-YTREE-TTP01/Rev C received by the City Council as Local Planning Authority on 1st March 2023, drawing referenced NO-2697-3-AC-2002 Rev G and NO-2697-3-AC-2001 Rev E received by the City Council as Local Planning Authority on 22 February 2023, drawing referenced NO-2697-3-AC-0002 Rev G received by the City Council as Local Planning Authority on 24 February 2023, drawing reference NO-2697-3-AC-0020 Rev B received by the City Council as Local Planning Authority on 1st March 2023, drawings referenced NW-2697-03-LA-101 3712 Rev F and NW-2697-03-LA-201 3712 Rev A received by the City Council as Local Planning Authority on 3rd March 2023, NO-2697-3-AC-1001 Rev C received by the City Council as Local Planning Authority on 7th March 2023

Energy Statement produced by Focus Consultants and received by the City Council as Local Planning Authority on 14 September 2022
Phase I Desk Top Study Report prepared by Arc Environmental, dated 7 August 2020, received by the City Council as Local Planning Authority on 14 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.

3) No above ground development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be implemented in accordance with the agreed materials.

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, pursuant to policies SP1, EN3 and DM1 of the Core Strategy.

4) Notwithstanding details submitted, prior to the commencement of development, a construction management/demolition 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:

- Measures to control noise and vibrations;
- Dust suppression measures;
- Compound locations where relevant;

- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

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

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

5) Prior to first occupation of the development hereby approved, the City Council as Local Planning Authority must acknowledge 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.

6) No above ground development 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 City Council as Local Planning Authority.

The submitted details shall include the following:

-Consideration of alternative green SuDS solution (that is either utilising infiltration or attenuation) if practicable;

-Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment.

-An existing and proposed impermeable areas drawing to accompany all discharge rate calculations.

-Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;

-Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building;

-Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of

the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site;

-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 (as follows) is required.

-Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.

-Hydraulic calculation of the proposed drainage system;

-Construction details of flow control and SuDS elements.

The development shall be carried out in accordance with the agreed details.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN8 and EN14 of the Manchester Core Strategy.

7) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the City Council as 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 prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system, pursuant to policy EN17 of the Manchester Core Strategy.

8) Notwithstanding details submitted, the development hereby approved shall not be occupied until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been 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 use or development is in operation. No bins shall be stored outside the curtilage of the site other than on the day of collection.

Reason - In the interests of public health and residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

9) The car parking area indicated on drawing numbered NO-2697-3-AC-0002 Rev G, received by the City Council as Local Planning Authority on 24 February 2023 shall be surfaced, demarcated and made available for use prior to any of the residential units hereby approved being occupied. The parking areas shall be for the sole use of residential occupants of the development and shall be available for use at all times whilst the apartments are occupied.

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

10) Prior to the first occupation of the development hereby approved, full details of electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the apartments and retained thereafter.

Reason - In the interest of air quality pursuant to policy EN16 of the Manchester Core Strategy.

11) The boundary treatment shall be implemented in accordance with the details shown on drawing referenced NW-2697-03-LA-101 3712 Rev F received by the City Council as Local Planning Authority on 3rd March 2023. The boundary treatment shall be completed prior to first occupation of the apartments hereby approved. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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.

12) The hard and soft landscaping scheme approved by the City Council as Local Planning Authority shown on drawings referenced NW-2697-03-LA-101 3712 Rev F and NW-2697-03-LA-201 3712 Rev A received by the City Council as Local Planning Authority on 3rd March 2023 shall be implemented not later than 12 months from the date of commencement of 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.

13) The development hereby approved shall be carried out in accordance with details contained with the Energy Statement produced by Focus Consultants and received by the City Council as Local Planning Authority on 14 September 2022 . A post construction review certificate/statement shall be submitted for approval prior to first occupation of the development hereby approved.

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.

14) The development hereby approved shall include a lighting scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme shall be submitted to and approved in writing by the local planning authority prior to commencement of any lighting works. The approved scheme shall be implemented in full before the development is first occupied and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

15) If any external 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 DM1 and SP1 of the Manchester Core Strategy.

16) Prior to first occupation of the apartments hereby approved, a scheme for the enhancement of the site for biodiversity purposes shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

Reason -To mitigate the loss of vegetation and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

18) The development hereby approved shall be implemented in accordance with the submitted Phase I Desk Top Study Report prepared by Arc Environmental, dated 7 August 2020, received by the City Council as Local Planning Authority on 14 September 2022. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

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

19) When the development commences, the development shall be carried out in accordance with a 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. No occupation of the development shall take place until the completion/verification report is submitted to and approved 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 SP1 of the Manchester Core Strategy.

20) a) Any externally mounted ancillary plant, equipment and servicing to be installed 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 its installation, 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 any externally mounted ancillary plant, equipment and servicing to be installed becoming operational, an approved 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 saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

21) Prior to the commencement of above ground works, full details of all necessary off-site highway works, to be implemented via a S.278 agreement, shall be submitted to and approved in writing by the City Council as Local Planning Authority and be implemented in accordance with a timescale to be agreed by the City Council as Local Planning Authority. Such works should include:

-Any works to facilitate the widened access onto Spath Road and the making good of any associated footway.

Reason - In the the interests of highway safety and amenity, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

22) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on drawing referenced 1050-KC-XX-YTREE-TPP01/Rev C received by the City Council as Local Planning Authority on 1st March 2023. The 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. Any works undertaken within the

identified 'no-dig construction' areas on the approved Tree Protection Plan shall be supervised by a suitably qualified arboricultural expert. 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.

23) 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 Manchester Core Strategy.

24) Before first occupation of the development hereby approved the communal windows to the western elevation facing the rear of properties along Holme Road, shown on drawing referenced NO-2697-3-AC-1000 Rev C, received by the City Council as Local Planning Authority on 23 December 2022, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

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

25) Each residential unit within the purpose-built Retirement Living housing development hereby approved shall be occupied only by:

- A single person not less than 60 years of age;
- Joint residents of whom the head of the household is not less than 60 years of age and the spouse, partner or cohabitee not less than 55 years of age;
- Persons living as part of a single household with such a person or persons;
- Persons who were living as part of a single household with such a person or persons who have since died.

Reason - In the interest of amenity and to allow diversification of the housing stock, pursuant to policies DM1, SP1 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: 134946/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:

Urban Design & Conservation
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Urban Design & Conservation
Greater Manchester Police
Greater Manchester Ecology Unit
West Didsbury Residents Association

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

Relevant Contact Officer : Steven McCoombe
Telephone number : 0161 234 4607
Email : steven.mccoombe@manchester.gov.uk



Application Number	Date of Appln	Committee Date	Ward
135278/FO/2022	25th Oct 2022	16th March 2023	Ardwick Ward

Proposal Erection of part 4 storey, part 5 storey buildings, together with the refurbishment and restoration of existing buildings to form student accommodation (sui generis) together with associated landscaping, cycle parking, car parking and associated works following demolition of certain existing buildings

Location St Gabriels Hall, 1 Oxford Place, Manchester, M14 5RP

Applicant McLaren Property Ltd & The Sisters of the Cross & Passion

Agent Vanessa Rowell, Avison Young

Executive Summary

The application relates to a vacant student hall of residence (St. Gabriel's Hall), situated in Victoria Park Conservation Area.

The proposal involves the demolition of some buildings, the erection of part 4 storey, part 5 storey buildings and, the refurbishment and restoration of buildings to form 319 student bedrooms accommodation (sui generis), plus landscaping, cycle parking, car parking and associated works.

4 objections have been received from nearby occupiers. Representations have also been received from Schuster Road and Park Range Residents Association, Rusholme and Fallowfield Civic Society, Manchester Civic Society and Fallowfield & Withington Community Guardian Group and SE Fallowfield Residents Group.

Key Issues

-Impact to the character and appearance of the conservation area. Principally, as a consequence of the proposed demolition and the impact to trees.

-The impact to amenity.

-The need for purpose-built student accommodation (PBSA).

-Regeneration of a deteriorating site.

Introduction

At its meeting on 16 February 2023, the Committee was 'minded to refuse' the application as they did not consider the level of parking provision for disabled students to be sufficient..

The original submission included two parking spaces, both of which were identified for use by disabled students. In order to address members concerns, the applicant

has reviewed the ground floor layout to include two further spaces for disabled people bringing the total to four. 100% of the parking provision on site would be allocated to disabled students who need access to a car.

The applicant manages 21,000 beds spaces at 89 sites in the UK. They have a total of 153 parking spaces for disabled people across their portfolio. They state that demand for parking space is very limited and at present only 6 students require access to a DDA parking space. On this basis they believe that the provision proposed would address demand.

There are no specific policies in the core strategy relating to parking requirements for PBSA. However, new developments should provide 'appropriate parking provision. On the basis of the characteristics of the site, market research and demand elsewhere in their portfolio the four spaces now proposed would be proportionate and appropriate.

On this basis, officers do not believe there is a policy based reason for refusal that could be substantiated.

Description

The site is bounded by Oxford Place, 5 and 7 Oxford Place, 11 Rusholme Place and the rear of Melrose Apartments. The development of a 7 storey building for flexible office, research and development and educational space, known as 'City Labs 4.0' is under construction to the north west.



View of existing buildings from Oxford Place



View of existing buildings from Oxford Place

The front of the site comprises areas of hardstanding and soft landscaping, with a tree lined perimeter to the southern (front) boundary. Vehicular and pedestrian access is served from Oxford Place.

The site measures approximately 0.65 hectares and relates to a former student halls of residence associated with the University of Manchester. It is located in the Victoria Park Conservation Area and Oxford Road Corridor, south. None of the buildings are statutorily listed and there are no heritage designations which form either part of the site or that would be immediately affected. There are however non-designated heritage assets at the site which require consideration, namely 'The Lodge', the Chapel and the Woodthorpe Hall, which all contribute positively to the character and appearance of the conservation area

The site contains the following buildings:

St Gabriels Hall

St Gabriel's Hall is a large building formed of three main phases; the original c1850s villa called "The Lodge" to the centre, a 1922 residential accommodation block to the east, and a 1963 chapel to the west. St Gabriel's Hall was established in 1920 by the Sisters of the Cross and Passion (otherwise known as the Passionist Sisters), as a women's only halls of residence connected to the University of Manchester. In 1963 a modern, purpose-built chapel was added to the villa's eastern side. Linking the gap between "The Lodge" and the Woodthorpe Hall flats. The hall and its extension is internally laid out as student bedrooms with shared bathrooms and amenity space.

Woodthorpe Hall

This comprises a 2 storey U-Shaped building with an internal layout of thirteen ground floor and first floor student cluster flats, all of which are accessed by external doors facing inwards to a central courtyard.

St David's Hall

The church hall was built in 1935 as part of wider proposals for a new church that were never realised. It was most recently used as ancillary amenity space to the student accommodation.

The buildings have all remained vacant since the site was vacated in 2019.

The area is mixed use in nature, comprising homes, with a concentration of student accommodation, retail, office, and educational uses. Rusholme district centre, a busy neighbourhood centre with a primary focus on food and drink uses, is to the west.

The Proposal

Planning permission is sought for some demolition and the erection of part 4 storey, part 5 storey buildings and the refurbishment and restoration of existing buildings to form student accommodation (sui generis), with associated landscaping, cycle parking, car parking and associated works

319 student bedrooms are proposed, including 217 studios and 102 cluster units, split across two new-builds and a refurbished St Gabriel's Hall & Woodthorpe Hall.

The development includes:

- The partial demolition of St Gabriel's Hall (1922 extension / modern lean-to's and extensions), retaining the original lodge and chapel. Alterations to internal layouts to increase student rooms and maximise amenity space provision;
- The demolition of St David's Hall;
- The renovation of Woodthorpe Hall and alterations to internal layouts;
- The erection of two new part 4, part 5 storey student accommodation blocks at the eastern and western edges of the site.
- Retention and restoration of the significant elements of the existing estate;
- Removal of lean-to elements to the rear of St Gabriel's;
- The enhancement/upgrade of landscaping around the building and repairs to boundary walls.
- Plant spaces are proposed to the rear of the site and in the lower ground under the St Gabriel's Hall. Entrances to all blocks are accessed off new courtyards created between the various buildings. The main site entrance would be opposite the chapel, with the concierge located at lower ground floor in the chapel.

Consultation & Publicity

The proposal has been advertised in the local press (Manchester Evening News) as a major development affecting a conservation area. A site notice has also been displayed at the application site.

EIA

A screening opinion dated 31 May 2022 was undertaken prior to submission of the application

The proposal type is listed in Class 10 'Infrastructure Projects' subsection 10(b) 'Urban Development Projects' of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017.

The regulations indicate that an EIA may be required if:

- The development includes more than 1 hectare of urban development which is not dwellinghouse development; or
- The development includes more than 150 dwellings; or
- The overall area of the development exceeds 5 hectares.

As the relevant threshold is exceeded in term of the number of overall dwellings, a screening opinion was issued which assessed that an Environmental Impact Assessment would not be required for the development proposed.

Consultations & Notification Responses

Local Residents/Occupiers – 4 objections have been received relating to scale, impact on privacy, loss of trees/ecological features, impact to air quality, the abundance of student accommodation in the area, an increase in noise/activity levels and the impact to the character and appearance of the conservation area.

Schuster Road & Park Range Residents Association – make the following comments:

-13 trees would be removed and there are no proposals to re-plant those diseased or to replace the others on the site with 'forest trees' which might attain similar stature. Such forest trees are critical to the wildlife in the area, to the character of the conservation area and to climate amelioration.

-The new buildings would be close to plot boundaries and the root systems will almost inevitably be damaged at the new-build boundaries.

-The north and east elevations are highly misleading as almost all the significant trees shown are not within the site. Both the adjacent plots to the north and east could be developed. The scheme would set a precedent for other developments within the conservation area - and particularly along the north side of Oxford Place.

-It would further drive out wildlife - including insects, bats and birds - which need green space to grow and thrive. Hedgehogs and owls have gone missing from the area following major development projects on Anson Road.

-The historic building line given by Holly Bank at 9 Oxford Place and the neighbouring historic building would be totally lost. A block is shown on the far right which takes up the majority of the plot.

-the facade to the west of the Victorian Victoria Park building should not project beyond the building line.

-It is unfortunate that the 1930s Woodthorpe building was allowed to project so much. It is, however, a two-storey building and much lower than the Victorian houses on either side, which are still dominant to it, and its existence should not be used as an excuse to abandon the original building line.

-The new block to the east is five stories is only about halfway between the line of Woodthorpe and 9 Oxford Place. A line drawn parallel to the frontage walls of these sites and crossing the frontage of both St Gabriel's and 9 Oxford Place would pass through the ground floor corridor of the proposed eastern block and through the south end of the central courtyard garden of Woodthorpe. Allowing the proposed east block building line and height, invites proposals to the east along Oxford Place to adopt the same building line and mass.

-As well as taking up pretty well all the Green Space on the plots concerned, the new buildings dwarf the height of St Gabriels Hall and the adjacent historic buildings.

-In order to preserve what makes the Conservation Area unique - the proposal needs to be amended to preserve this building line (ie.Holly Bank at 9 Oxford Place and its neighbouring building) so that the amount of green space in front of any development is consistent with all the other historic buildings in the conservation area.

-The Developer has put forward a case for need of more student accommodation. There seems to be no determination in this document as to why this accommodation must be in the Conservation Area, nor is there any assessment of the amount of existing and proposed student and single person accommodation around the area between Hathersage Road, Heald Place, Old Hall Road and Anson/Birchfields Road. Neither has there been any assessment of the ability of the area to sustain this population whilst continuing to provide adequate services and ensure that the area remains attractive to families so as to ensure a balanced, sustainable neighbourhood. There are many brownfield sites outside the conservation area which are perfectly suitable and viable, and several smaller blocks could be built to achieve any proven need. Rusholme has a primary need for social housing and housing for permanent residents (both for sale and rented). This development site would be more suitable for this purpose and achieving the Council's objective of Sustainable Communities.

-The St Gabriel's site is close to the junction of Wilmslow Road and Moss Lane East. There are already issues with the number of vehicles which can enter Oxford Place from Moss Lane East on each traffic light cycle. Parking is a desperate problem in the immediate area and the currently proposed Residents Parking Scheme has become necessary because of this. It is inconceivable, whatever the policies adopted for the site, that more parking need will not be generated from student residents and their visitors. There will be a constant arrival and departure of supermarket deliveries,

fast food deliveries (by car), Amazon deliveries and other parcel deliveries as well as service and maintenance vehicles for the site. The needs of 320 students will further overwhelm the area.

-The development goes against the council's policies and vision regarding climate change, green infrastructure and zero carbon.

Rusholme and Fallowfield Civic Society – The reopening of St. Gabriel's Hall is positive, the proposal breaches a number of City Council planning policies due to overdevelopment and a significant loss of mature trees and open gardens. The Society therefore objects to the proposal. The proposal is not harmonious with the existing leafy character and does not provide a substantial landscaped/unbuilt area.

Fallowfield & Withington Community Guardian Group and SE Fallowfield Residents Group – would like to see a significant decrease in the number of bed spaces so that there is no further increase from the current provision. There are too many students living in PBSA in the vicinity as well as in the community. There is already an overabundance of student accommodation in Rusholme, Victoria Park, Fallowfield and adding more to this site will exacerbate the very real problems which already exist because of the high density of students concentrated in these neighbourhoods. The effect of cramming more students onto this site is likely to contribute to problems experienced in other areas of high student density. Issues of noise, anti-social behaviour, parking problems, litter, waste excesses are considerable and will have an impact on amenity for other local residents.

-The new blocks seem out of character in terms of bulk and size next to St. Gabriel's. The materials appear sympathetic, but the block is too bulky in a conservation area.

-the proposal will be detrimental to the character of the area and the quality of setting due to the lack of remaining open space and the loss of mature trees.

-The loss of mature trees will impact heavily on loss of other wildlife and biodiversity which we consider inappropriate for a site of important conservation.

Manchester Civic Society – An objection is raised, based on the following grounds:

-The losses and changes envisaged here will, if approved, inevitably set a pattern and precedent for future proposals in this Conservation Area.

-The large trees along the frontage of the site are to be replaced by ones of smaller species. This change would strike a discordant note to the tree cover in the Conservation Area.

-The proposed buildings will all impact quite significantly on the Root Protection Zones (RPZ) of the forest trees at the site boundary.

-Trees, hedges and greenspace are necessary components of the wildlife habitats and corridors which connect the parks (including the adjacent Whitworth Park) in this area with one another via the VPCA. This development is highly intensive in its use

of the site, building over of large parts of the former gardens. This will further drive out wildlife by loss of habitat. It will badly compromise the wildlife corridors.

-The site has been designed to be almost totally car-free, but the reality is that the envisaged amount of accommodation will generate the use of taxis and some residents will own and use cars which will be parked off site. This is a very large addition to the number of residents in the area.

-The scale of massing of the buildings and the encroachment of the building line and the loss of greenspace which had separated the buildings, compromises the setting of the nearby original buildings.

Historic England - It is suggested that the Council seeks the views of their specialist conservation and archaeological advisers to assess the proposal.

Highway Services – The site is accessible by sustainable modes and is in close proximity to a range of local bus services providing connectivity to tram and train. The proposal is unlikely to generate a significant increase in the level of vehicular trips and therefore there are no network capacity concerns.

A resident parking scheme is due to be delivered in Rusholme by mid-2023, where parking bays are to be introduced on the north side of Oxford Place. Therefore, the vehicle accesses and waste collection arrangements for this development will need to be amended to account for this.

The widening of the access and egress would need to be undertaken through S278 works with resident parking zone bays changes amended through Traffic Regulation Order (TRO) amendment. The parking bays to the north side of Oxford Place are not compatible with the proposed on-street waste collection and we require that the scheme is adjusted to allow for internal collection.

Two accessible parking spaces are being provided with electric vehicle charging provision. The cycle parking arrangement is acceptable.

The waste storage arrangements are acceptable subject to the necessary TRO amendments to allow for the required access.

If the planning application is approved, then alterations to the highway will be required and are to be undertaken through S278 agreement between the developer.

Conditions are advised in relation to travel planning, construction management, a move-in/move-out strategy and off-site highway works.

Environmental Health – Conditions are advised in respect of construction management, external equipment insulation, acoustic insulation, EV charging and waste management. A further condition is required in relation to the site investigation of ground conditions and a scheme for any identified remediation.

Environment Agency – No objection in principle, but a condition is requested in order to understand the risks to controlled waters.

Green Space (Trees) – No objection from an arboricultural perspective. The trees do offer some visual amenity value in the area; however, they would not be deemed to be of high visual amenity as they are set back in the site and do not front Oxford Place. The trees fronting the road would be retained and the buildings have been realigned to enable T19, T29 and T31 to be retained although T31 has to be removed for health and safety reasons.

Subject to mitigation planting and BS:5837 being strictly adhered to, the proposal is acceptable. The mitigation planting plan is acceptable, but some larger growing specimens such as Beech or Oak would help to mitigate the loss of the larger trees.

Greater Manchester Ecology Unit (GMEU) - No overall objection based on Ecology grounds. Bat surveys found no evidence of bat roosting. The refurbishment of buildings and tree removal could cause disturbance to bats. The probability of bats being present as low but if they are found work must cease and advice sought from a suitably qualified person about how best to proceed. The tree replacement is acceptable and the landscaping would not reduce local biodiversity. The installation of bat boxes on retained trees would enhance biodiversity.

Greater Manchester Police (Design for Security) - The development should be designed and constructed in accordance with the recommendations and specification set out in sections 3 and 4 of Crime Impact Statement.

Flood Risk Management – Recommend conditions including a maintenance and management scheme for sustainable urban drainage.

United Utilities - consideration should be given to the 1000mm diameter combined sewer adjacent to the northern boundary of the site. It is understood that this sewer has been accurately located and a minimum 3 metre standoff distance either side from the face of the sewer should be provided. If the application is to be recommended for approval, a relevant condition has been recommended.

Works and Skills - A local labour condition relating to construction is requested.

Greater Manchester Archaeological Advisory Service (GMAAS) – The site does not contain any heritage assets that are afforded statutory protection but it is in the Victoria Park Conservation Area and could contain below-ground archaeological remains of interest. In particular, a former boundary between the ancient townships of Rusholme and Chorlton-on-Medlock could have been routed across the site

A Heritage Statement and an archaeological desk-based assessment describe the significance of any heritage assets in accordance with Paragraph 194 of the NPPF.

The archaeological assessment concludes that below-ground remains of archaeological interest may survive in relation to the ancient township boundary, and a limited programme of intrusive archaeological investigation via evaluation trenching is implemented is recommended.

GMAAS supports the application subject to the implementation of the scheme of works. An appropriate condition is attached.

Cadent – No objection. An ‘Informative’ is advised with respect to Cadents’ assets and the infrastructure the obligations of the applicant.

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'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 also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy H12 (Purpose Built Student Accommodation) states that the provision of new purpose built student accommodation will be supported where the development satisfied the criteria below:

- 1. Sites should be in close proximity to the University campuses or to a high frequency public transport route;*
- 2. 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;*

3. *Proposals that can demonstrate a positive regeneration impact in their own right will be given preference over other schemes;*
4. *Proposals should be designed to be safe and secure for their users, and avoid causing an increase in crime in the surrounding area;*
5. *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;*
6. *Where appropriate proposals should contribute to the re-use of Listed Buildings and other buildings with a particular heritage value;*
7. *Consideration should be given to provision and management of waste disposal facilities;*
8. *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 bedspaces; and,*
9. *Applicants/developers must demonstrate to the Council that their proposals for purpose built student accommodation are deliverable.*

Policy EC1 (Employment and Economic Growth in Manchester) looks to ensure priorities for economic growth, the Council will support significant contributors to economic growth and productivity including health, education, retailing, cultural and tourism facilities, and other employment generating uses.

Policy T2 (Accessible Areas of Opportunity and Need) states that the Council will actively manage the pattern of development to ensure that new development: is located to ensure good access to the City's main economic drivers, including the Regional Centre, 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. Particular priority will be given to providing all residents access to strategic employment sites.

Policy EN1 'Design principles and strategic character areas' The proposal's considered to be a high quality scheme in terms of its design and appearance that would enhance the regeneration of the area.

Policy EN3 (Heritage) – states that the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre. New developments 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 ancient monuments,

listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Policy EN4 (Reducing CO₂ Emissions by Enabling Low and Zero Carbon Development) concerns reducing CO₂ emissions and states that where possible, new development and retrofit projects must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies. The use of building materials with low embodied carbon in new development and refurbishment schemes is also sought.

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

Policy EN14 (Flood Risk) – refers to flood risk and amongst other issues states that all new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of green infrastructure.

Policy EN16 (Air Quality) – states that 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. 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.

Policy EN17 (Water Quality) states that developments should minimise surface water run-off and minimise ground contamination into the watercourse construction.

Policy EN18 (Contaminated Land and Ground Stability) - The Council will give priority for the remediation of contaminated land to strategic locations as identified within this document. Any proposal for development of contaminated land must be accompanied by a health risk assessment.

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

In addition to the above, a number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy.

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policies of the Unitary Development Plan are also considered relevant:

Policy DC18.1 (Conservation Areas) – relates to development proposals within conservation areas and seeks to preserve and enhance the character of its Conservation Areas by considering the relationship of new structures to neighbouring buildings and spaces, the effect of changes to existing buildings and the desirability of retaining existing features. Consent to demolish a building within a Conservation Area will be granted only where it can be shown that is beyond repair, incapable of beneficial use or where its replacement would benefit the appearance or character of the area.

Policy DC26 (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.

The Guide to Development in Manchester (SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Corridor Manchester Spatial Framework

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.

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.

Oxford Road Corridor SSF (March 2018)

The Framework intends to support the strategic themes and objectives for the Corridor and guide decision making on planning applications. The Framework recognises the need to accommodate further student accommodation; however, states that this should continue to be controlled in line with the City Council's Core Strategy Policy H12 and led by institutional partners with the wider city regeneration objectives in mind. It should be in line with evidenced demand and be in locations

that are within a reasonable walking distance to the heart of the universities. This will include an upgrade of existing stock that is reaching the end of its life as well as additional provision.

Places for Everyone Greater Manchester Joint Development Plan (Draft August 2021)

The draft version of the Places for Everyone Joint Development Plan was published in August 2021 and has been produced by Greater Manchester Combined Authority to provide a long-term plan for jobs, new homes, and sustainable growth for nine of Greater Manchester's districts. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan. As this plan is at an advanced stage it would now be considered as a material consideration for planning applications.

Manchester City Council Report for Resolution - Executive: Purpose Built Student Accommodation Manchester (December 2020)

This report acknowledges the significant economic contribution students make to Manchester whilst they live and study in the city. It also recognises the development of assets within the Oxford Road Corridor area is vital to capture the commercial potential of research and innovation and help to realise the economic potential of the Corridor.

The report states, a high-quality residential offer for students in appropriate locations, is critical for Manchester's Universities ability to attract and retain students in a global market and confirms that accommodation should be located in the areas immediately adjacent to the core university areas, principally the Oxford Road Corridor area.

National Planning Policy Framework

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

The Framework underlines 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.

Sections 4, 5, 11, 12 and 16 are considered relevant to the consideration of this application.

Other legislative requirements

-Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Listed Building Act") provides in the exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be

paid to the desirability of preserving or enhancing the character or appearance of that area.

Issues

Principle

The proposal would make efficient use of a previously developed site for an established use at this site. This is a highly sustainable location close to the main Manchester University campuses, within walking distance of the city centre, as set out in planning policy.

It would reuse previously developed land and use vacant buildings and heritage assets sensitively in a manner that would maintain the character and appearance of the host Victoria Park Conservation area.

The scheme would deliver significant economic, social and environmental benefits including job creation, spending in the local economy, providing a catalyst for further regeneration, providing needed purpose-built student accommodation, bringing empty buildings back into effective use and an upgrade to the appearance of the site. On this basis, the proposal is considered to accord with policy and guidance.

Specific planning issues, including the acceptability of purpose-built student accommodation is considered below.

Principle of Purpose-Built Student Accommodation (PBSA)

Policy H12 of the Core Strategy is the main development plan policy for PBSA.

Subject to the criteria in the policy, such development could be supported. Priority is to be given to schemes that are part of the universities' redevelopment plans or which are being progressed in partnership with the universities, and which clearly meet the Council's regeneration priorities.

Policy H12 lists criteria developers are 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 bedspaces.

The supporting text to the policy refers to a potential oversupply of student bedspaces in purpose-built accommodation. The site has been used as student accommodation until it was vacated in 2019, due to the buildings not able to meet modern standards.

The proposal meets the policy criteria contained within policy H12 and as such, the principle of an increase in student accommodation on the site can be supported.

Taking each of the 10 criteria in turn, the following commentary and assessment is provided:

1) Sites should be in close proximity to the University campuses or to a high frequency public transport route which passes this area.

The site is close to the university campuses and an approximate 5-10 minute walk to the nearest buildings. The site is a short distance from Oxford Road which links the site with the universities and which accommodates a number of high frequency bus services to the universities and beyond.

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 EN5.

An Energy Standards Statement states that the total carbon reduction calculated for the new build elements is approximately 19% over current building regulations, when compared against the current 2013 Part L. It is expected that energy demands and CO2 emissions will be significantly reduced compared to its previous use.

The proposal would incorporate solar control, LED Lighting and heat recovery in ventilation systems. A 'very good' BREEAM rating would be achieved and the proposal meets with both policy EN5 and H12.

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.

The proposal is comparable in scale to both the buildings on the site and surrounding buildings, some of which are of a greater scale, including to the north and west along Oxford Road and Hathersage Road. The site is close to Rusholme district centre where there is a range of retail, food and drink and other commercial uses.

The location is sustainable and accessible and would be marketed as car free. There would be two accessible parking spaces. The proposal would not lead to an increase in on-street parking.

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.

The proposed development would bring back into use a student halls of residence that is currently vacant, showing signs of degradation and no longer meets modern standards.

The proposal would regenerate a brownfield site which could deteriorate and through sensitive refurbishment, would introduce a high quality development which could encourage at nearby neglected sites. It would align with the objectives of the Oxford

Road Corridor and contribute to the improvements to the overall appearance of the Victoria Park Conservation Area, as well as introducing activity and vibrancy which is currently lacking due to vacancy and the current condition of the site.

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.

A permanent on-site team would manage the site. Greater Manchester Police (Design for Security) support the proposal subject to the measures outlined within the submitted Crime Impact Statement being implemented.

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.

The site layout, design, scale and appearance are considered acceptable.

7) Where appropriate proposals should contribute to the re-use of Listed Buildings and other buildings with a particular heritage value.

The proposal involves the re-use of vacant non-designated heritage assets (St Gabriel's Hall and Woodthorpe), which have heritage value within the Victoria Park Conservation Area. They are in urgent need of repair and restoration, given their age, lack of investment and period of vacancy. They would be reused and refurbished in a manner that respects their status.

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.

A waste Management Strategy provides details of the number of receptacles and recycling arrangements and details of on-site management and collection. Waste would be collected on a weekly basis by a licensed waste carrier and accords with the Council's standards.

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 bedspaces.

A Student Need Assessment which demonstrates a quantitative and a qualitative need for new purpose-built student accommodation.

10) Applicants/developers must demonstrate to the Council that their proposals for purpose built student accommodation are deliverable.

A Viability Statement demonstrates that the amount of development proposed is the minimum necessary demonstrates that the proposal is deliverable. On this basis, it believed that the scheme is deliverable.

In summary, it is considered that the principle of development for this proposal is acceptable and complies with the criteria of policy H12 of the Core Strategy.

Demolition of the Existing Buildings and Alterations

The existing buildings has been vacant since 2019 and no interest is understood to have been made in the intervening period since its last use to either re-use or restore the building.

The derelict nature of the site contrasts with the architectural qualities of both the historic environment and more recent nearby developments. The site occupies a prominent position at the gateway to the conservation area will deteriorate further without investment, as evidence by neighbouring villas.

A Heritage Statement outlines how the proposal would preserve and enhance the character of Victoria Park Conservation Area and the significance of the non-designated heritage assets on the site in accordance with the policies and aims of the NPPF, as well as development policy and overarching legislation.

Some buildings would be demolished or altered to rationalise space and to allow high quality, complementary buildings that would ensure the preservation and enhancement of historic elements.

Buildings and structures have been added to the original St. Gabriel's lodge building, over time, including a 1922 extension and single storey extensions to the rear. These have diminished the original coherence of the built form and have no value or are detrimental. Their demolition would provide clarity and legibility to the original lodge and chapel.

Woodthorpe is relatively unaltered and therefore requires minimal intervention in terms of demolition or alteration, apart from the removal of the small link structure between Woodthorpe and the Chapel. It is not considered that its removal would enhance the legibility of the forms of Woodthorpe and the Chapel.

The St. David's building does not make a positive contribution to the Conservation Area, and its demolition would create space for the provision of a new building.

The retained buildings are in need of repair and restoration. The majority of windows and doors on both the St Gabriel's and Woodthorpe buildings are not original and have been replaced, more recently at Woodthorpe, which now has UPVC replacement windows. Any newly exposed brickwork and roof replacements following demolition would either be made good or replaced with a similar material.

The chapel would be refurbished to provide shared amenity spaces. It is currently vacant and dated, with signs of deterioration. The areas under St. Gabriel's and in the link building previously used for back of house areas are in a poor condition.

The chapel would be subdivided on the lower floor to form different rooms / spaces if necessary. The Chapel has some historic significance including an exposed roof space and full height original windows facing Oxford Place which would be utilised and enhanced.

The Terrazzo tile entrance floor would be retained and the front doors would be replaced and brought up to modern standards to comply with the recommendations in the Crime Impact Statement.

The proposal would enhance the buildings and their setting, by reinstating the clarity of form to the historically significant elements through the removal of poor quality/ low significance structures that have been added over time, and which currently diminish the character of the buildings and the character of the Conservation Area.

The scheme would provide a long term future for the site in a manner that respects original features of heritage value It would sure the future of buildings and enhance the gateway into conservation area.

The loss of the buildings to facilitate redevelopment would offer public benefits by leading to environmental, sympathetic improvements, meet housing growth aspirations for the area, provide student accommodation in the correct location and lead to increased vibrancy and vitality in the area, whilst creating direct and indirect employment through the operation of the development and through the construction. On this basis, it is considered that the elements to be demolished in the conservation area can be justified and sustained in order to protect the future of the site.

Redevelopment of the Site and Contribution to Regeneration

The proposal would redevelop a vacant, derelict brownfield site which occupies a prominent position at the gateway to the Victoria Park Conservation Area, Oxford Road corridor and Rusholme district centre.

The loss of existing building elements would support a viable redevelopment, with any perceived harm outweighed by bringing the site back into effective use to the benefit of the area, including through job creation and benefits to the local economy via increased expenditure at local businesses.

On balance, the proposal would have a positive and beneficial effect on the conservation area. It has been sympathetically designed and would enhance the character and appearance of the conservation area and contribute to the ongoing regeneration of the area.

There is a strong link between economic growth, regeneration and the provision of a range of residential accommodation. 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, in order to ensure

Manchester remains competitive on a global higher education stage. This proposal would support this key objective.

Heritage Impact

There is a need to have special regard to the desirability of preserving the character of conservation areas as outlined within Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 which requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character and appearance of designated areas. This is supported by policies EN3 and DC18.1 of the Core Strategy, along with Section 16 of the NPPF, which underline the need for due consideration to be given to the impact of new developments on heritage assets

Paragraph 194 of the NPPF states that:

'In determining applications local planning authorities should require an applicant to describe the significance of any heritage assets affected, the level of detail should be proportionate to the asset's importance'.

Paragraph 197 states: *'in determining applications, local planning authorities should take account of:*

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness'.*

Paragraph 202 advises that:

'Where a development proposal will lead to less than substantial harm to the significance of designated heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use'

Paragraph 203 states that proposal should consider:

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

Paragraph 206 further states:

'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those

elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably’.

The site is in the Victoria Park Conservation Area. None of the buildings on site are listed and there are no listed buildings situated nearby that would be directly affected.

A detailed Heritage Assessment includes a Visual Impact Assessment and has been reviewed by the City Council as Local Planning Authority. It assesses direct and indirect heritage impacts. Direct impacts being the physical alterations to the fabric of buildings and the setting of the site and indirect impacts resulting from changes to experience of the site or the setting of other heritage assets.

There are non-designated heritage assets at the site which merit consideration in planning decisions. The assessment concludes that the circa 1850s building ‘The Lodge’, the 1963 Chapel and the 1939 Woodthorpe Hall are positive contributors to the character and appearance of the conservation area and are considered to be non-designated heritage assets, whilst the 1922 St Gabriel’s residential extension and the St David’s Church Hall are neutral contributors and are not considered to be non-designated heritage assets

The proposal seeks to retain and restore the best examples of buildings across the site, maintaining the existing use as student accommodation. Two neutral buildings would be replaced by residential buildings. The new builds would respond effectively and sympathetically to their context, using materials that reflect existing buildings. The height would be appropriate in heritage terms providing a balance between visual impact and viability in order to ensure the holistic refurbishment and redevelopment of the site. There would be a negligible visual impact to the setting of the adjacent Woodthorpe Hall.

The proposal would replace neutral and partially detrimental components across the site with buildings that respond positively to their surroundings. Following closure, the site has fallen into a state of disrepair and now contributes to a sense of disuse and disrepair which exists along the northern side of Oxford Place. Neighbouring buildings to the east are in a state of neglect and enabling investment is required to facilitate the refurbishment of the buildings on site to prevent further deterioration which would undermine the character and appearance of non-listed heritage assets and the conservation area as a whole.

Notwithstanding this, considerable weight that must be given to preserving or enhancing the character of the conservation area, as set out in within Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990. It is considered that on balance and when weighed against the public benefits arising from the reuse and refurbishment of the vacant existing heritage buildings on site, any perceived impact is of neutral or of less than substantia impact which can be sustained in this instance.

The proposal would enhance the character of the conservation area and the significance of the non-designated heritage assets on site, pursuant to the aforementioned policies and relevant guidance contained within the NPPF.

Site Layout

The new buildings would form bookends to the site. The existing buildings would largely be retained in their original form, with demolition proposed to the elements considered to have less heritage value, including the existing 1922 extension to the rear of St Gabriel's lodge, as well as several, later lean-to extensions at the rear which are of little to no merit.



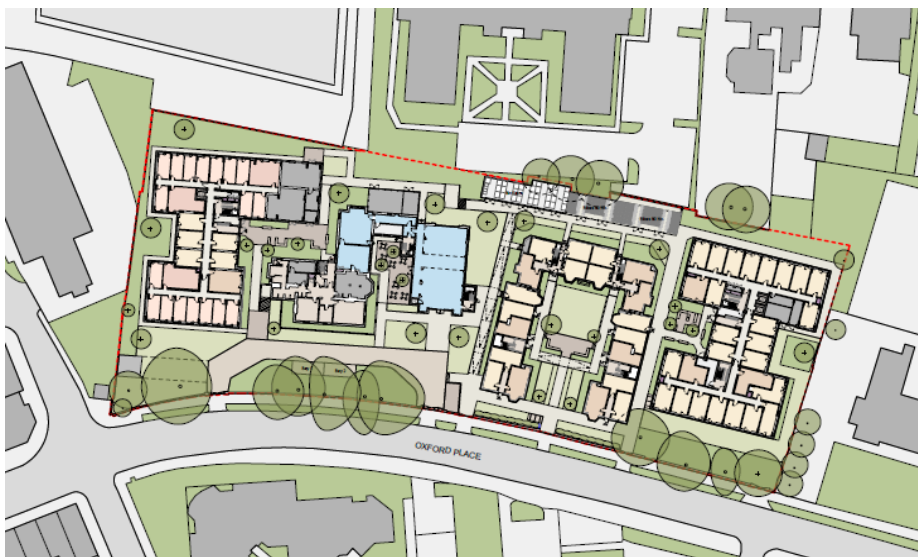
Site context

The existing buildings would predominantly be used for studio bedrooms, with the chapel and lower ground floor areas of St Gabriel's providing amenity spaces.

Plant spaces are proposed to the rear of the site and in the lower ground floor under St. Gabriel's lodge back of house area and external plant, including an air source heat pump and waste/cycle enclosures are proposed.

Entrances to all blocks are accessed off courtyards created between the buildings. The main entrance would be opposite the Chapel, with a concierge at lower ground floor. Areas identified as amenity not within the chapel would be used for management offices, laundry rooms and other service spaces for the students.

The majority of trees would be incorporated into the landscaping to maintain character along Oxford Place. High- quality planting, hard landscaping and legible pedestrian circulation routes are proposed around the site. A reconfigured driveway would accommodate 2 accessible parking spaces and fire service access.



Proposed site layout
Landscaping and Trees

There are trees which are considered to contribute to appearance and character of the area, as well as being of some ecological and amenity value. A Tree Survey has assessed the age and condition of all trees. Details of mitigation planting has also been provided.

The Survey identifies that there are 32 trees on site, which are primarily either Category B or C. Some trees are Category U and are recommended for removal on health and safety grounds. 17 trees are proposed be removed (8 are Category C and 4 category B). In addition, 5 trees are proposed to be removed due to health and safety. 23 trees will be planted which would result in an increase of 6 trees at the site. 15 existing trees are proposed to be retained. There would also be an 18% increase in soft landscaping.

The City Council's Arboriculturalist has an undertaken an assessment of the tree works proposal and considers that whilst the existing trees proposed to be removed do offer some visual amenity value in the area, they would not be deemed to be of high visual amenity as they are set back in the site and do not front Oxford Place.

The proposal would retain the trees fronting the road and realigned the buildings to enable the retention of a number of specimens.

Subject to mitigation planting and BS:5837 being strictly adhered to, the tree works would be acceptable in principle and should not form a barrier to redevelopment. Conditions surrounding tree works, tree protection and mitigation planting are recommended to ensure the value provided by trees is enhanced.

The soft and hard landscaping scheme would provide a high-quality environment and would respond positively to the setting of existing buildings and overall appearance of the conservation area.

The site frontage would look to retain the majority of existing trees to maintain a mature and established character along Oxford Place and through the integration of new, high-quality planting and hard landscaping would present a character that would

serve to benefit the character and appearance of the site and enhance the experience for occupiers.

Ecology

An Extended Phase 1 Habitat and Day Time Bat Survey concludes that the Phase 1 Habitats present on the site are common throughout the UK. No nationally rare or locally rare plant species were located during the Extended Phase 1 Habitat Survey. The bare ground and amenity grassland are habitats of limited ecological value.

The buildings have been the subject of a daytime bat survey with St Gabriel's Hall considered to offer moderate potential to support a bat roost. The report suggests a minimum of two dusk emergence surveys should be conducted to determine if bats are using the roof void in the east of the building and the external features of the building. No evidence of bat activity was found in the building during the survey. The Chapel is considered to offer negligible potential to support a bat roost. Woodthorpe Hall is considered to offer negligible potential to support a bat roost.

St David's Hall has low potential to support a bat roost. A minimum of one dusk emergence survey was advised to determine if bats are gaining access to the roof void. The trees on site were subject of a ground level assessment to search for features that could support roosting bats and none were found, The trees offer negligible potential to support a bat roost.

A first survey for St Gabriel's Hall in June 2022 recorded no bats emerging from St. Gabriel's Hall or St. David's Hall. Low levels of bat activity were recorded during the surveys and it was recommended that the development can proceed without the need for further survey work.

GMEU consider that the probability of bats being present on site is low and the overall risk to bats as low.

It is accepted that the planned tree replacements and new landscaping would not result in a loss of local biodiversity, but given the potential presence of foraging bats, the installation of bat boxes on retained trees would be a useful biodiversity enhancement.

On this basis, the impact on ecology is considered acceptable. A condition would require the development to include measures to promote biodiversity.

Design, Scale and Appearance

The existing buildings vary between 2 and 5 storeys in scale. Neighbouring the site to the east are residential and student accommodation buildings of 6-8 storeys, which lie outside the conservation area.

To the north is Manchester Royal Infirmary which presents a significant increase in scale on Hathersage Road, as well as 'City Labs' buildings which are a much greater scale, rising to approximately 30- metres in height.

Immediately to the east are villas that form part of the original layout to Victoria Park and are comparable in scale to the existing buildings on the site. On the other side of Oxford Place are two further student accommodation blocks - Burkhardt House and Hulme Hall which are again of a comparable scale to the existing site.

The proposal would respond to its context and involves new buildings to bookend the existing site which would frame the retained St Gabriel's Hall, The Chapel and Woodthorpe.

The new build elements are largely four storeys, increasing to a partial fifth storey to the rear of the western, St. Gabriel's element.



St. Gabriels – details of appearance (extract from Design and Access Statement)

The scale would respond effectively and sympathetically to the scale of existing and neighbouring buildings. A change in elevational treatment relating to the highest element serves to break up the scale and massing of the roof line of St Gabriel's lodge and responds effectively to the 'City Labs' building to the rear of the site, which steps up in height due to its greater scale, as well responding to the increase in scale of the large student accommodation building immediately to the west.

The facade incorporates a simple masonry grid, with reveals to windows to provide modelling and relief to reflect the main St Gabriel's building. To provide natural ventilation to the bedrooms, the facade design includes perforated screens with openable full height glazed windows behind.

A buff colour brick is proposed next to St Gabriel's Hall and a red brick for the block next to Woodthorpe. The brick colour will change for the top level of each building to a dark grey and deeper red respectively to relate to the change in colour of the roofs of both St Gabriel's Hall and Woodthorpe respectively and have been stepped back to reduce the mass of the buildings. Patterned brickwork is proposed to the recesses in the brick grid to give additional depth, visual quality and interest to the gable end and courtyard elevations.

The character and appearance of both St Gabriel's Hall and Woodthorpe would be retained through repair or replacement where necessary.

It is considered that on balance, the appearance of the proposal has sought to reflect the characteristics, colour palette and materials used on existing buildings. The overall impact would be a cohesive, high-quality design which maintains the character of the street-scene and the conservation area.

Amount of Development

The proposal involves 9,686 sqm of gross internal of floorspace, providing 319 student rooms, with 217 studio bedrooms and 102 cluster bedrooms. The accommodation is broken down as follows:

-St. Gabriel's/chapel (refurbished element) – 4 floors, 13 studio rooms and plant and amenity space (1,385 sqm);

-Woodthorpe (refurbished) – 2 floors, 7 accessible studio rooms, 13 studio rooms and 20 cluster rooms (1,123 sqm);

-New build west – 5 floors, 14 clusters, 102 cluster rooms, 1 accessible studio room, 30 studio rooms (3,630 sqm);

-New building east – 4 floors, 1- accessible studio rooms, 123 studio rooms (3,549 sqm).

2,412 sqm of exiting floorspace and 7179 sqm of new floorspace.

Impact to the Highway

The development would be largely car free, with the exception of delivery and emergency vehicles. Two, accessible, electric vehicle charging spaces are proposed. Refuse collection would take place from the north side of Oxford Place following amendments to Traffic Regulation Orders as agreed with Highways.

Vehicular traffic would be confined to a one entry and exit loop in front of St Gabriel's Chapel. Vehicular entry would be gated and controlled. General vehicle access would be limited to delivery and blue badge holders only during normal parts of the year. Entry would be controlled via a fob and intercom arrangement. Special dispensation would be allowed for moving in/ moving out days.

A 'move in / move out' strategy would be operated with an online booking system which would allocate new or departing residents a timeslot for loading/unloading. This should minimise the impact on Oxford Place and the local road network. A condition has been included which requires the submission and agreement of a more detailed moving in/moving out strategy.

160 secure cycle spaces are proposed plus 18 visitor spaces.

The development is intended to be car free and in a highly accessible location close to the universities. It would not cause any significantly harmful impact to the highway as a consequence of vehicle movements, parking demand or to highway safety.

A resident parking scheme is due to be delivered in Rusholme by mid-2023, where parking bays are to be introduced on the north side of Oxford Place. Aside from waste collection vehicles, any potential vehicles associated with the development would therefore be prohibited from parking on-street adjacent to the site.

The parking scheme would necessitate alterations to the site access for waste collection vehicles. This would require alterations to Traffic Regulation Orders to the northern side Oxford Place, which would need to be agreed as a S.278 agreement.

Residential Amenity

Given the site's edge of centre location, former use, neighbouring residential uses and the busy nature of the surroundings, the introduction of a student accommodation in the area is unlikely to have any detrimental impact to the nearest residential occupiers due to existing background noise levels and levels of activity.

Specific amenity issues are outlined below.

Sunlight/Daylight

The applicant has produced a Daylight Study to assess the impact on existing light levels.

The study uses the industry standard methodology as prescribed by the Building Research Establishment (BRE) and British Standard guidance. The BRE guidance advises that new development should take care to safeguard access to sunlight for existing buildings and any non-domestic buildings where there is a particular requirement for sunlight.

The main criteria used in such analysis includes the Vertical Sky Component (VSC) which measures the general amount of light available on the outside plan of a window as a ratio (%) of the amount of total unobstructed sky viewable following the introduction of visible barriers such as buildings.

The relevant BRE recommendations for daylight and sunlight are for VSC, measured at the centre of a window and should be no less than 80% of its former value, where the windows(s) do not meet the criteria. If the VSC at the centre of the window is more than 27% of available light, then the diffuse daylighting will not be adversely affected.

Analysis also involves Annual Probable Sunlight Hours (APSH) which measures the amount potential direct sunlight that is available to a given surface. Only windows which face within 90 degrees of due south need to be assessed. BRE guidance states that windows should continue to receive in excess of 80% of their pre-development value or 25% of available hours over a year / 5% of hours in the winter to be considered well lit.

The study provides analysis of the impact on the 9 nearest affected buildings. Residential properties further away are considered a sufficient distance from the site that they will not be significantly affected. Analysis also takes into neighbouring windows with balconies since they typically received less daylight

The technical analysis concludes that the development relates satisfactorily with the neighbouring buildings in terms of daylight and sunlight.

Of the 431 windows and 330 rooms assessed, 97% of the losses of daylight fall within numerical limits set by the BRE guidance and all of rooms assessed meet the default guidance for sunlight.

The small number of rooms that do not meet the default BRE guidance for daylight amenity do so mainly due to the presence of balconies, which is evident of the impact of the balconies themselves rather than as the main contributor to the relative loss of light as opposed to the development. In any event, the retained daylight levels are considered to be consistent with that of a highly urbanised setting.

On balance, is believed that the proposed development demonstrates a high level of compliance with the BRE guidance and that the impact upon neighbouring sunlight/daylight levels can be adequately sustained.

Given the above, the impact upon residential amenity is not considered to be significant, particularly given the city centre location of the site and its position adjacent to a major radial route into and out of the city centre.

Noise and disturbance

Core Strategy Policy H12 requires that proposals should have no unacceptable effect on residential amenity in the surrounding area and Policy DM1 similarly requires that new development should not give rise to negative impacts on amenity.

The existing buildings were until recently occupied as student halls of residence and therefore the use is established. Whilst there would be increase in student occupants, it is considered that the nature of neighbouring land uses, the Oxford Road corridor location and the prevalence of student accommodation in area, the proposal would not give rise to any significantly harmful impacts in terms of activity levels and associated noise and disturbance.

A Noise Assessment has analysed the impact on existing background noise levels. It highlights that the rear facades of St Gabriel's & Chapel Hall, where the proposed external plant is located, will be mechanically ventilated to ensure the impact is reduced to a level where there is a low likelihood of adverse effect. For all other facades, standard double glazing and trickle vents would be sufficient to meet the Council's internal noise level criteria.

Appropriate conditions have been included to ensure that plant equipment will meet the Council's noise criteria. If this can be demonstrated, it is not anticipated that existing background noise levels will be unduly affected.

Overlooking and privacy levels

The proposal provides sufficient spacing between neighbouring buildings to maintain a similar interface distance between the proposed elements and that of the existing buildings. It is not therefore considered that the distance between habitable windows would give rise to harmful overlooking or any subsequent loss of privacy.

The design of the buildings has also been considered to minimise their impact on Oxford Place, having been set back from the boundary to retain the existing mature tree line and a significant proportion of the existing lawn.

The proposed site is situated within an identified by policy has been appropriate for such development and given that the building is situated at the fringe of Rusholme district centre it is not uncommon for developments of a higher density to be sited in such close proximity to each other, with subsequent reduced levels of light and sense of openness being substantially less than suburban areas. On that basis, the impact upon the residential amenity can be sustained in this instance.

Air Quality

An Air Quality Assessment demonstrates that there would be no significant or harmful impact to air quality. The proposal would largely be car free and generate only a small amount of additional traffic on the local road network. All heat and hot water would be all-electric means. As a result, the proposal would not result in any significant emissions once operational.

Any impact during construction would be limited and temporary in duration. Mitigation measures would be implemented to reduce dust emissions and through the use of good practice control measures via the implementation of a Demolition/Construction Management Plan, air quality factors are not considered a constraint to development of the site. A condition has been included to ensure the mitigation measures detailed within the assessment, during and post construction are adhered to, as well the need to implement a Demolition/Construction Management Plan.

Accessibility

The main entrances lead directly to the circulation cores, which provide access to all floor levels. Each level is served by lift and stair core containing two passenger lifts. All rooms are located along wheelchair accessible routes from the vertical circulation cores. The internal circulation strategy would be developed to meet the requirements for Approved Document Part M of the Building Regulations.

The proposal would have 5% accessible/adaptable bedrooms and studios. It would not be feasible to retro-fit a lift into both St Gabriel's Lodge (albeit a lift will serve both levels of the amenity space) and Woodthorpe given the tight circulation spaces and level changes on upper floor levels that cannot be overcome with compliant ramps due to space constraints. The landscape around the ground floor of Woodthorpe has been developed to give level access to all rooms to allow 7 of the 18 Accessible Studios to be in the existing building.

Flood Risk/Surface Water Drainage

The site is located within Flood Zone 1, where a low risk of flooding is anticipated (indicating an annual probability of fluvial flooding of less than 1 in 1,000).

A Flood Risk Assessment and Outline Drainage Strategy has been considered by the City Council's Flood Risk Management Team who advise that conditions should be included which require the submission of further design details and details of a clear adoption policy to ensure effective management and maintenance of the scheme thereafter. If these measures are successfully implemented, the strategy is in principle considered acceptable.

Crime and Security

A Crime Impact Statement has been reviewed by Greater Manchester Policy (Design for Security and provided the physical security measures detailed are implemented, the proposal can be supported from a crime and security perspective. A condition has been recommended.

Waste Management

A waste Management Strategy provides details of an appropriate number of receptacles and recycling arrangements, together with details of on-site management and collection. Waste would be collected on a weekly basis from the roadside. A condition would require the submission and approval of a detailed waste management strategy details of estimated volumes of waste, details of internal and external waste stores, receptacle capacity/numbers, recycling arrangements, waste transfer details and collection frequency. Subject to such details being agreed, it is believed that satisfactory waste management arrangements are capable of being accommodated at the site.

Ground Conditions

A Risk Assessment identifies land contamination and / or geo technical constraints, and any need for additional investigation or remediation. All risks identified are either 'moderate' or 'low' and recommendations for intrusive investigation are made. This is accepted by Environmental Health. A Phase 2 Assessment should be completed in accordance with the recommendations contained within Phase 1 assessment and a condition is recommended. A further condition would require a verification report to demonstrate the work is completed in accordance with agreed methodology.

Archaeology

An archaeological assessment concludes that below-ground remains of archaeological interest may survive, especially those pertaining to the ancient township boundary, and recommends that a limited programme of intrusive archaeological investigation via evaluation trenching is implemented in advance of development

GMAAS accepts the conclusions and recommendations of the submitted desk-based assessment. An appropriation condition is recommended and included which will

secures the implementation of a programme of archaeological works to be monitored by GMAAS.

Climate Change

City Council policy requires that developers focus on achieving low carbon and energy efficient developments and therefore development should be expected to demonstrate its contribution to these objectives.

The site is situated within a highly sustainable location with excellent access to a range of amenities and public transport and within walking distance of the nearby universities which the proposal is intended to serve.

The proposal harnesses the objectives of sustainable development as advocated by the National Planning Policy Framework (NPPF), which seeks to provide development in sustainable locations, which will support strong, vibrant and healthy communities and contribute to building a strong, responsive and competitive economy.

The proposal is supported by an Environmental Standards Statement which indicates that the total carbon reduction calculated for the new build elements is approximately 19% over current building regulations, when compared against the notional benchmark development utilising the current 2013 Part L CO2 emission factors.

Pursuant to Policy EN4 of the Core Strategy, the proposal has been designed to include several sustainable design features including effective solar control, LED lighting, and heat recovery in ventilation systems. Further, the proposal will utilise building materials with low embodied carbon.

The scheme is targeting a minimum 'Very Good' rating under the Building Research Establishment Environmental Assessment Method.

A condition has been included which will require verification as to environmental standards achieved to reflect those outlined within the Environmental Standards Statement.

Construction Management

To make sure construction and demolition is effectively controlled and to prevent any disruption to existing occupiers in the area, or along key routes throughout this part of the city, a condition is included which requires the submission and approval of a construction management/demolition plan which details amongst other matters, working practices, working hours, dust suppression, the parking of construction vehicles and the removal of waste.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation

and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 APPROVE

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.

Conditions to be attached to the decision

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

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

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

Drawings referenced 10349-SHP-Z0-A-B5D8-XP-XX-001, 10349-SHP-Z0-A-B5D8-G100-EL-XX-00, 10349-SHP-Z0-A-B5D8-G100-EL-XX-002, 10349-SHP-Z0-A-B5D8-G100-PL-01-001, 10349-SHP-Z0-A-B5D8-G100-PL-01-001, 10349-SHP-Z0-A-B5D8-G100-PL-02-001, 10349-SHP-Z0-A-B5D8-G100-PL-03-001, 10349-SHP-Z0-A-B5D8-G100-PL-04-001, 10349-SHP-Z0-A-B5D8-G100-PL-RF-001, 10349-SHP-Z0-A-B5D8-JC20-PL-00-001, 10349-SHP-Z0-A-B5D8-JC20-PL-01-001, 10349-SHP-Z0-

A-B5D8-JC20-PL-02-001, 10349-SHP-Z0-A-B5D8-JC20-PL-03-001, 10349-SHP-Z1-A-B5D8-G200-EL-XX-001, 10349-SHP-Z1-A-B5D8-G200-EL-XX-002, 10349-SHP-Z1-A-B5D8-G200-EL-XX-003, 10349-SHP-Z1-A-B5D8-G200-PL-00-001, 10349-SHP-Z1-A-B5D8-G200-PL-01-001, 10349-SHP-Z1-A-B5D8-G200-PL-02-001, 10349-SHP-Z1-A-B5D8-G200-PL-LG-001, 10349-SHP-Z1-A-B5D8-G200-PL-RF-001, 10349-SHP-Z1-A-B5D8-JC20-EL-EN-001, 10349-SHP-Z1-A-B5D8-JC20-EL-ES-001, 10349-SHP-Z1-A-B5D8-JC20-EL-XX-001, 10349-SHP-Z1-A-B5D8-JC20-EL-XX-002, 10349-SHP-Z2-A-B5D8-G200-EL-XX-001, 10349-SHP-Z2-A-B5D8-G200-EL-XX-002, 10349-SHP-Z2-A-B5D8-G200-EL-XX-003, 10349-SHP-Z2-A-B5D8-G200-PL-00-001, 10349-SHP-Z2-A-B5D8-G200-PL-01-001, 10349-SHP-Z2-A-B5D8-G200-PL-RF-001, 10349-SHP-Z2-A-B5D8-JC20-EL-XX-001, 10349-SHP-Z2-A-B5D8-JC20-EL-XX-002, 10349-SHP-Z2-A-B5D8-JC20-EL-XX-003, 10349-SHP-Z3-A-B5D8-G200-EL-EE-001, 10349-SHP-Z3-A-B5D8-G200-EL-EN-001, 10349-SHP-Z3-A-B5D8-G200-EL-EN-002, 10349-SHP-Z3-A-B5D8-G200-EL-ES-001, 10349-SHP-Z3-A-B5D8-G200-EL-ES-002, 10349-SHP-Z3-A-B5D8-G200-EL-EW-001, 10349-SHP-Z3-A-B5D8-G200-PL-00-001, 10349-SHP-Z3-A-B5D8-G200-PL-01-001, 10349-SHP-Z3-A-B5D8-G200-PL-02-001, 10349-SHP-Z3-A-B5D8-G200-PL-03-001, 10349-SHP-Z3-A-B5D8-G200-PL-04-001, 10349-SHP-Z3-A-B5D8-G200-PL-RF-001, 10349-SHP-Z3-A-B5D8-G251-DE-TY-001, 10349-SHP-Z3-A-B5D8-G251-DE-TY-002, 10349-SHP-Z3-A-B5D8-G251-DE-TY-003, 10349-SHP-Z4-A-B5D8-G200-EL-EE-001, 10349-SHP-Z4-A-B5D8-G200-EL-EN-001, 10349-SHP-Z4-A-B5D8-G200-EL-EN-002, 10349-SHP-Z4-A-B5D8-G200-EL-ES-001, 10349-SHP-Z4-A-B5D8-G200-EL-ES-002, 10349-SHP-Z4-A-B5D8-G200-EL-EW-001, 10349-SHP-Z4-A-B5D8-G200-PL-00-001, 10349-SHP-Z4-A-B5D8-G200-PL-01-001, 10349-SHP-Z4-A-B5D8-G200-PL-02-001, 10349-SHP-Z4-A-B5D8-G200-PL-03-001, 10349-SHP-Z4-A-B5D8-G200-PL-04-001, 10349-SHP-Z4-A-B5D8-G200-PL-RF-001, 10349-SHP-Z4-A-B5D8-G251-DE-TY-001, 10349-SHP-Z4-A-B5D8-G251-DE-TY-002, 10349-SHP-Z4-A-B5D8-G251-DE-TY-003, 0919-RFM-XX-00-DR-L-0001-S2-P03, 0919-RFM-XX-00-DR-L-0003-S2-P03, 0919-RFM-XX-00-DR-L-0004-S2-P01 and 0919-RFM-XX-00-DR-L-0005-S2-P01 received by the City Council as Local Planning Authority on 25 October 2022.

Drawings 0919-RFMXX-00-DR-L-0001 Rev P04 and 10349-SHP-Z0-A-B5D8-G100-PL-00-001 rev P02 received by the City Council, as Local Planning Authority, on the 1 March 2023

Covering Letter by Avison Young and parking analysis received by the City Council, as Local Planning Authority, on the 1 March 2023

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) Prior to the commencement of a phase of the development, all materials to be used on all external elevations of that phase of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include the submission of samples (including a panel) and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, vents, details of the drips to be used to prevent staining in, ventilation and a strategy for quality control management.

The approved materials shall then be implemented as part of the development.

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

4) Prior to the commencement of demolition/development, a construction management and demolition management plan outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning Authority, which for the avoidance of doubt should include:

- Measures to control noise and vibrations;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

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

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 - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

5) No demolition or alteration by way of substantial partial demolition shall take place until arrangements have been put in place to secure the implementation of the development hereby approved. These details shall be submitted to and approved in writing by the City Council as Local Planning Authority and shall include details of deliverability and the timescale for carrying out the redevelopment.

Reason - To prevent unnecessary demolition and to ensure redevelopment take place following demolition of the existing building, pursuant to saved policy DC18.1 of the Unitary Development Plan for the City of Manchester and policies EN3 and SP1 of the Manchester Core Strategy.

6) The development hereby approved shall be carried out in accordance with details contained with the Energy Standards Statement received by the City Council as Local Planning Authority on 25 October 2022, A post construction review certificate/statement shall be submitted for approval prior to first occupation of the development hereby approved.

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 and the

principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

7) The new buildings hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least a 'very good' rating. Post construction review certificate(s) shall be submitted to and approved in writing by the City Council as Local Planning Authority, before any of the new buildings hereby approved are first occupied.

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, , and the principles contained within The Guide to Development in Manchester SPD (2007), and the National Planning Policy Framework.

8) Prior to the commencement of development (with the exception of demolition), a programme of archaeological works shall be undertaken in line with the 'Written Scheme of Investigation (WSI) for an Archaeological Evaluation: St Gabriel's, Oxford Place, Manchester' (dated 15 May 2022), received by the City Council as Local Planning Authority on 25 October 2022.

The works are to be undertaken in accordance with the WSI, which covers the following:

1. A phased programme and methodology of investigation and recording to include:
 - archaeological evaluation trenching;
 - pending the results of the above, an open-area excavation (subject to a revised WSI).
2. A programme for post-investigation assessment to include:
 - production of a final report on the results of the investigations and their significance.
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.
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 - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence (and any archive generated) publicly accessible pursuant to policy EN3 of the Manchester Core Strategy and saved policy DC20 of the Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework.

9) Notwithstanding details submitted, the development hereby approved shall not be occupied until a more detailed scheme for the storage (including segregated waste

recycling) and disposal of refuse has been 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 use or development is in operation.

Reason - In the interests of public health and residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

10) The development hereby approved shall be implemented in accordance with the submitted Phase I Preliminary Risk Assessment prepared by RSK Geosciences, dated February 2022 (Ref: 11671 RO1 (01), received by the City Council as Local Planning Authority on 25 October 2022. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

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

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.

11) When the development commences, the development shall be carried out in accordance with a 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. No occupation of the development shall take place until the completion/verification report is submitted to and approved 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 SP1 of the Manchester Core Strategy.

12) The development hereby approved shall only be implemented in accordance with the physical security specifications outlined within sections 3 and 4 of the submitted Crime Impact Statement (Ref:2022/0179/CIS/01 - version A) dated 9 June 2022, received by the City Council as Local Planning Authority on 25 October 2022.

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.

13) Notwithstanding details submitted, prior to commencement of development (excluding demolition) a scheme for surface water drainage works in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details shall be submitted to and approved in writing by the City Council as Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design, prior to the use of the building commencing.

In order to avoid/discharge the above drainage condition the following additional information has to be provided:

-A finalised drainage layout showing all components, outfalls, levels and connectivity, including connectivity to the public sewer and compliance with easements where applicable;

-Hydraulic calculation of the proposed drainage system consistent with the finalised drainage layout; including evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 45% climate change in any part of a building;

-Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.

-Construction details of flow control and SuDS elements.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN8 and EN14 of the Manchester Core Strategy.

14) The development hereby approved shall not be occupied until details of the implementation, maintenance and management of a 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;
- 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 prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system, pursuant to policy EN17 of the Manchester Core Strategy.

15) (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than those identified with the submitted Arboricultural Impact Assessment (Ref. 22/AIA/MAN/33) received by the City Council, as Local Planning Authority on 25 October 2022.

(b) 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.

16) 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 Manchester Core Strategy.

17) Prior to first occupation of the development hereby approved, a scheme for the enhancement of the site for biodiversity purposes shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

Reason -To mitigate the loss of vegetation and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

18) 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.

19) Prior to any site clearance or earthworks a reasonable avoidance measures method statement for hedgehog and other mammals 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 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 Manchester Core Strategy

20) Notwithstanding the details shown on drawing and documents referenced 0919-RFM-XX-00-DR-L-0001-S2 P03, 0919-RFM-XX-00-DR-L-0003-S2 P03, 0919-RFM-XX-00-DR-L-0004-S2 P01 and 0919-RFM-XX-00-DR-L-0005-S2 P01, no above ground development shall commence until a detailed hard and soft landscaping treatment scheme (including replacement tree planting) has been submitted to and approved in writing by the City Council as Local Planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

21) The development hereby approved shall include a scheme for the illumination of external areas during the period between dusk and dawn. Prior to the first occupation of each phase (save for the enabling works phase), full details of such a scheme for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of each phase and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using and ensure that lighting is installed which is sensitive to the bat environment

the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Manchester Core Strategy.

22) 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.

23) Notwithstanding the details contained within the Framework Travel Plan submitted, a detailed Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority prior to first occupancy of the units hereby approved. In this condition a Travel Plan means a document which includes:

- (1) The measures proposed to be taken to reduce dependency on the private car by those attending or employed in the development;
- (2) A commitment to surveying the travel patterns of staff and customers during the first three months of the development and thereafter from time to time;
- (3) Mechanisms for the implementation of the measures to reduce dependency on the private car; and
- (4) Measures for the delivery of specified travel plan services; and 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 (2) above shall be submitted to the City Council as local planning authority for approval. 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 reduce dependency on the car travel and to promote alternative means of transport, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

24) No part of the development hereby approved shall be occupied until the space and facilities for bicycle parking have been provided in accordance with the details shown on drawings referenced 10349-SHP-Z0-A-B5D8-G200-EL-XX-001-P01 received by the City Council as Local Planning Authority on 25 October 2022 and 10349-SHP-Z0-A-B5D8-G100-PL-00-001-P01 REV P02 received by the City Council, as Local Planning Authority, on the 1 March 2023. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to

mode of transport in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy.

25) Notwithstanding details submitted, prior to first occupation of the development hereby approved, full details of an electric car charging point shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the apartments.

Reason - In the interest of air quality, pursuant to policy EN16 of the Manchester Core Strategy.

26) The accessible car parking spaces indicated on drawing referenced 10349-SHP-Z0-A-B5D8-G100-PL-00-001-P02 received by the City Council as Local Planning Authority on 1 March 2023 shall be surfaced, demarcated and made available for use prior to the development hereby approved being occupied. The parking spaces shall be available for use at all times whilst the development is occupied.

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

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

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

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

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

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

28) Prior to the first occupation of the development hereby approved, a moving in and out management strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and thereafter retained and maintained.

Reason - In the interest of managing the impact of the development on the car parking area and local highway network during moving in and out periods of activity pursuant to policies T2 and DM1 of the Manchester Core Strategy.

29) a) Any externally mounted ancillary plant, equipment and servicing to be installed 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 its installation, the scheme, including any necessary mitigation, 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 any externally mounted ancillary plant, equipment and servicing to be installed becoming operational, an approved 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 saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

30) The buildings hereby approved 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.

b) Prior to occupation of the building hereby approved 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 amenity of nearby residential properties, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and Policies DM1 and SP1 of the Manchester Core Strategy.

31) Notwithstanding details submitted, the development hereby approved shall not be occupied until there has been submitted to and approved in writing by the City Council as Local Planning authority a plan indicating the positions, design, materials and type of any new boundary treatment to be erected. The boundary treatment shall be completed before the development hereby approved is occupied and shall thereafter be retained.

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 in order to comply with policies SP1, EN3 and DM1 of the Manchester Core Strategy.

32) Notwithstanding the TV and Radio Reception Survey (issue 0.2) received by the City Council, as Local Planning Authority on the 25 October 2022, within one month of the practical completion of the development hereby approved 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 for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The measures identified must be carried out within one month of the study being approved in writing to the City Council as Local Planning Authority.

Reason - To provide an indication of the area of television 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.

33) Prior to occupation, full details of all necessary off-site highway works to be implemented via a S.278 agreement, shall be submitted to and approved in writing by the City Council as Local Planning Authority and be implemented in accordance with a timescale to be agreed by the City Council as Local Planning Authority. Such works should include:

- The resurfacing of the footway adjacent to the development (on the north side of Oxford Place), together with the reinstatement of any redundant vehicle crossovers adjacent to the application site on Oxford Place.

- Changes necessary to widen the access and egress to the vehicle loop around the chapel which would necessitate resident parking zone bays changes and an amendment to Traffic Regulation Order

- Amendments to existing TRO's (i.e double yellow lines) along Oxford Place to facilitate refuse collection.

- Any necessary mitigation works which arise from the submission of a Road Safety Audit (RSA1) which will be required to inform the S.278 agreement.

The development shall not be occupied until all the necessary off-site highway works have an agreed timescale for implementation. The development shall only be occupied in accordance with the agreed works.

Reason - In the interests of highway safety, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

34) The development hereby approved shall be used as purpose-built student accommodation only (sui generis) and for no other purpose (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.

35) Prior to the first operation of the development hereby approved, an external 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.

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: 135278/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.

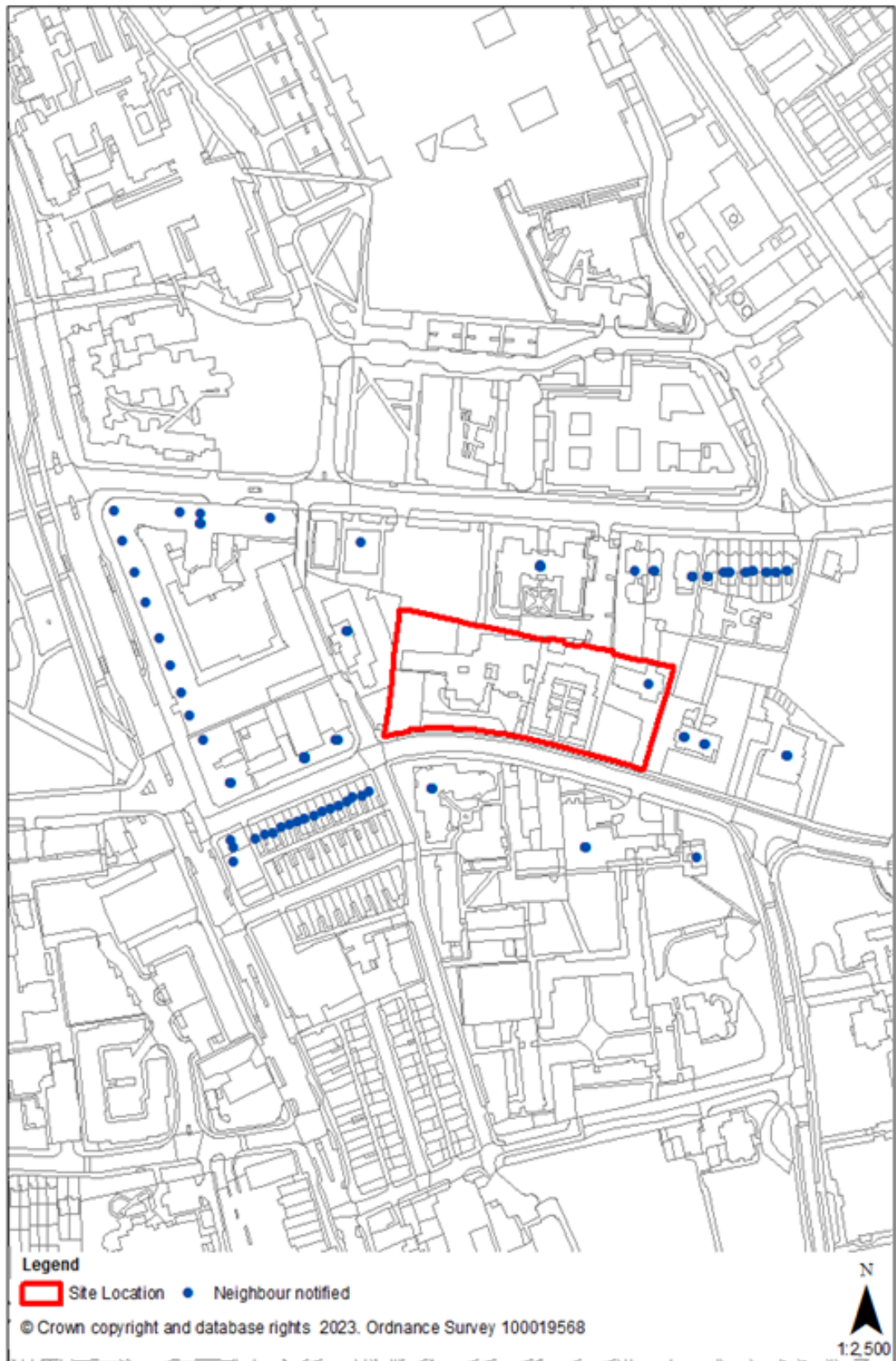
The following residents, businesses and other third parties in the area were consulted/notified on the application:

Highway Services
 Environmental Health
 Neighbourhood Team Leader (Arboriculture)
 MCC Flood Risk Management
 Urban Design & Conservation
 Work & Skills Team
 Greater Manchester Police
 United Utilities Water PLC
 Environment Agency
 Greater Manchester Archaeological Advisory Service
 Greater Manchester Ecology Unit
 Rusholme, Fallowfield & Moss Side Civic Society
 Environmental Health
 MCC Flood Risk Management

Neighbourhood Team Leader (Arboriculture)
Urban Design & Conservation
Work & Skills Team
Greater Manchester Ecology Unit
Rusholme, Fallowfield & Moss Side Civic Society
Environment Agency
Greater Manchester Archaeological Advisory Service
Greater Manchester Police
United Utilities Water PLC
Greater Manchester Ecology Unit

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

Relevant Contact Officer : Steven McCoombe
Telephone number : 0161 234 4607
Email : steven.mccoombe@manchester.gov.uk



Application Number	Date of Appln	Committee Date	Ward
135647/FO/2022	2nd Dec 2022	16th Marc 2023	Chorlton Park Ward

Proposal Erection of a new Lidl foodstore (Use Class E) with associated car parking and landscaping

Location 550 Mauldeth Road West, Manchester, M21 7AA

Applicant Lidl Great Britain Limited

Agent Mr Joshua Ambrus, Rapleys

Introduction

The application was placed before Committee on 16 February 2022, where it was resolved to defer consideration of the proposal to allow for a site visit to enable Members to gain a better understanding of highway related matters.

In response to issues raised at the meeting regarding the operation of the highway and impacts of the scheme on pedestrian safety, additional information has been included in the body of the main report, including additional information submitted by the applicant.

Executive Summary

The proposal is for the erection of a retail foodstore (Class E) with new access arrangements, following demolition of existing structures. It is proposed that the store is operated by Lidl.

In response to the application as submitted, 185 representations have been received. 78 in support, 11 neutral and 96 of which object to the proposal.

One of the letters titled Community Letter of Objection was received with 122 signatories.

Key Issues

- Since a change in the use classes order introduced by Central Government the use as an office building is now in the same use class as retail and therefore the existing building could be used for retail without the need for an application for planning permission.
- The application site relates to accessible, brownfield land and would offer favourable regeneration to provide appropriately scaled economic development which would create a range of local employment opportunities.
- The proposed redevelopment has the potential to bring about significant economic, environmental and visual improvements by replacing what is currently underutilised brownfield land with a modern foodstore development. Such development would improve the appearance of a prominent site adjacent to a key arterial route.

- The development would be located to the south of a Grade II* Listed Heritage asset which has been taken into account in the Scale, Mass, Layout, Design and material selection of the submitted scheme.
- The application has been considered by both TfGM and Highways Services. Subject to necessary off-site highway works, no significant issues are raised.

It is acknowledged the proposal has generated concerns particularly in relation to impact on public and highway safety; this is fully addressed in the report.

Description

The application site measuring 0.69 hectares is currently occupied by a building known as Lowry House, it is the former Carillion office block and associated 105 space car park, that was utilised more recently as temporary accommodation during the establishment of Chorlton High School South further to the east along Mauldeth Road South. The four storey office 1970's block would be demolished to make way for the development.



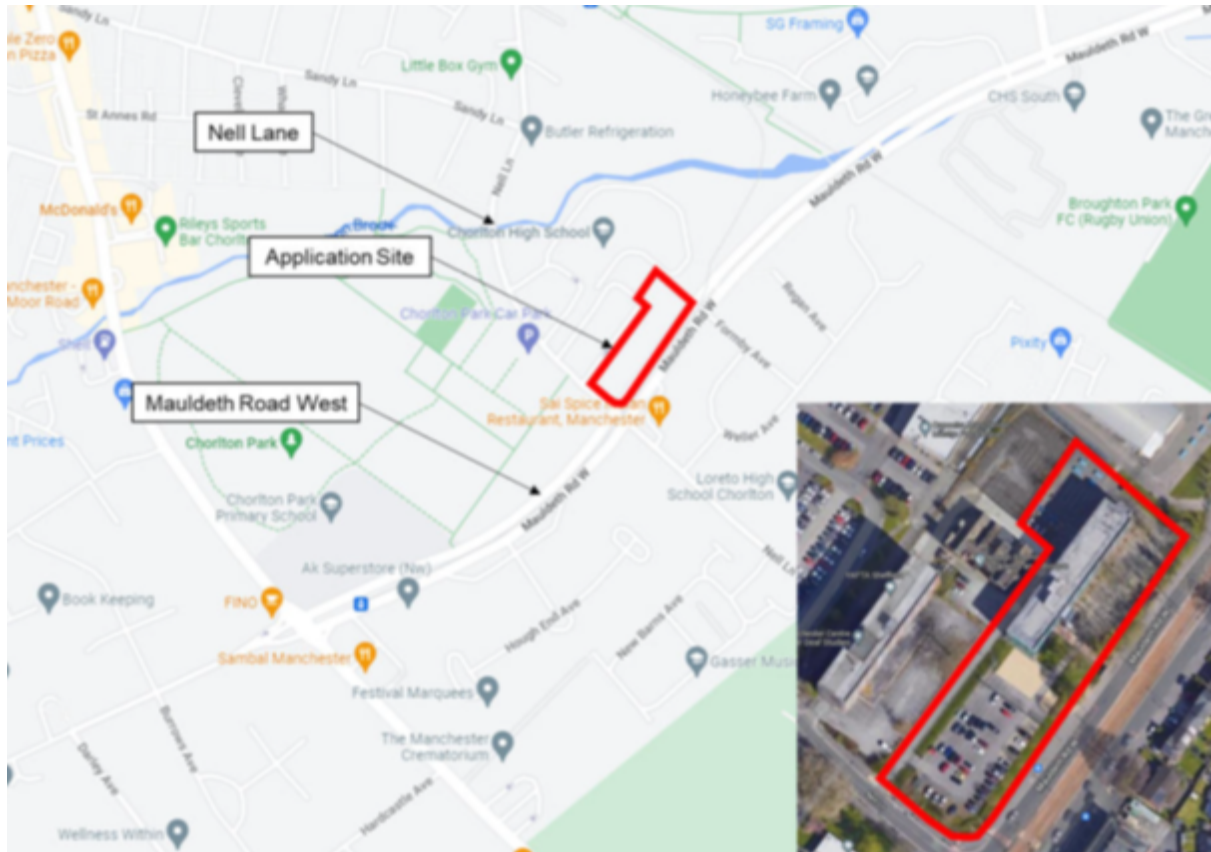
To the north west, on the other side of an unadopted service road, lies the former Mauldeth House, which was utilised as an office building and the Grade II* Listed Hough End Hall, a 16th century manor house, which is now utilised as a mosque and educational centre. To the north and east lies Chorlton High School. To the south lies Mauldeth Road West with a former public house known as The Southern and housing beyond and to the west lies Nell Lane with Chorlton Park beyond. The wider area is characterised as predominately residential with shopping parades.

The site is enclosed by green weld mesh fencing, with a wall for a small section defining the entrance to the former Carillion/CHS South building. Vehicular access is taken off Nell Lane near to the signalised junction with the Mauldeth Road West. This access also provides a route to parking associated with Mauldeth House and Hough End Hall. Metrolink is street running at the junction of Nell Lane and Mauldeth

Road West in front of the site, protected in a central reservation for the rest of the length of the application site before it swings off road in front of Chorlton High School.

The site lies within Flood Zone 1 (low risk of flooding).

The site is not located within or adjacent to a Conservation Area.

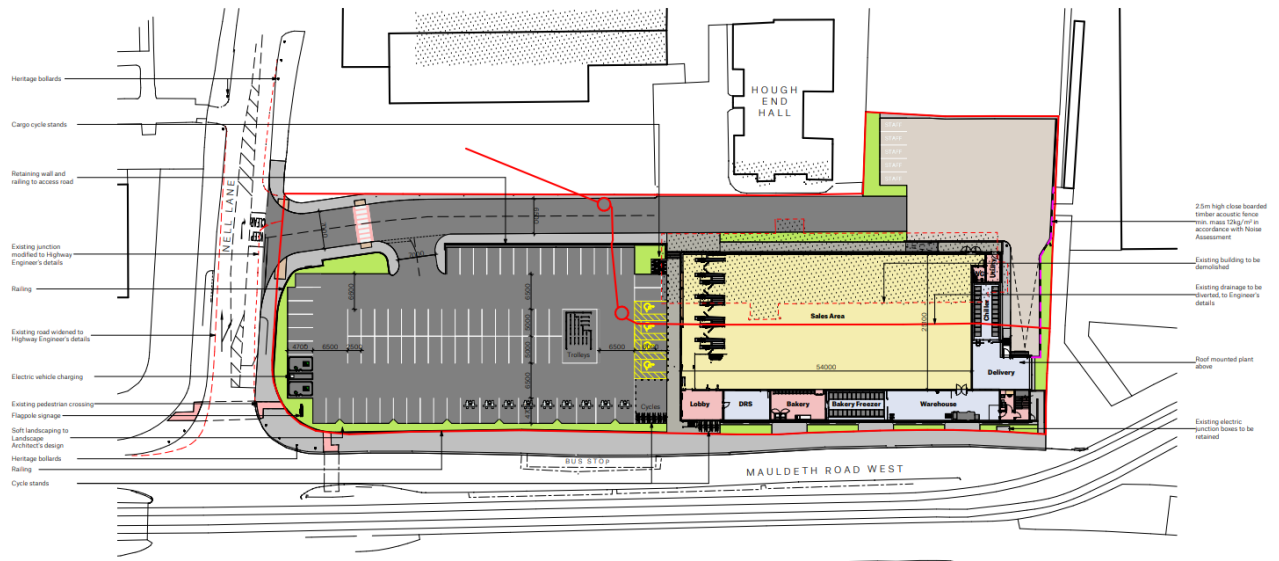


Proposal

Planning permission is sought for the erection of a new retail food store (Use Class E) to be operated by Lidl.

The proposed development comprises 1988 sqm gross internal area (GIA), with a net sales area of 1360 sqm together with associated servicing area, parking and landscaping. There would be 85 car parking spaces (including 4 disabled, 9 parent & child spaces, 2 electric vehicle charging (Electric Vehicle Charging) spaces, cycle parking now comprises a total of 24 spaces, including provision for 4 cargo bikes. The store would be open from 07.00 to 23.00 Monday to Saturday and 10.00 to 18.00 Sundays.

The proposed development would be accessed via a widened existing access off Nell Lane with deliveries taking place from the north of the site.



Environmental Impact Assessment Screening

The application proposals were subject to the issuing of a formal screening opinion by the Council as local planning authority. This concluded that this development would have some impact on the surrounding area. However, it was judged that these would not be significant to warrant a formal Environmental Impact Assessment and that the formal opinion of the City Council, is that an Environmental Impact Assessment is not required to accompany this application in this instance.

Publicity

The proposal due to the scale of development has been classified as a major development. As such it has been advertised in the local press (Manchester Evening

News) as a major development. A site notice was displayed at the application site. In addition, statutory consultees have been consulted and notification letters were sent an extensive area.

A Statement of Community Involvement is submitted with the application that sets out that the applicant undertook pre-application engagement with the local planning authority, local councillors and local residents (leaflet drop, web page, public exhibition and phone number provided).

Consultation responses

Following the neighbour notification and advertisement of the proposals, 185 responses were received from residents and businesses 96 of these were objecting to the proposals, 78 responses made supportive comments. 11 neutral comments were received.

One of the letters titled Community Letter of Objection was received with 122 signatories including the Head Teacher of Loretto High School. One of the letters of objection is from the Head Teacher of Chorlton High School and one is from the Head of Year 8 at Loretto High School.

Objections received state that:

- Any development surrounded by so many schools, needs to recognise the environment for safe, easy and convenient travel from bus walking routes and to encourage cycling, especially the growth of cargo bikes. Lessons need to be learnt from other successful active travel infrastructure, rather than cater for the largest input / output of cars and such vehicles.
- There have been many objections to Lidl opening here due to harm caused by:
 - increase in traffic and therefore road safety at an already busy junction at peak times
 - increasing air pollution in an area that is effectively a campus of scholars (4 schools in very close proximity),
 - increase in noise levels due to increase in road traffic at otherwise rare and quieter times e.g. late evenings and weekend mornings due to proposed lengthy opening times; the times of noise level increase are also likely to be outside of these hours with large lorries delivering/collecting goods and waste to and from Lidl before or after opening times (large vehicles on narrow roads such as Nell Lane already cause much vibration in the houses which line this road)
 - Requirements include a 5 yr road accident history (of which there have been some serious ones, not all too infrequently before traffic calming measures were input) in the area to be taken - documented in one of the comments attached to this application. Safety should not be further compromised by Lidl opening on the proposed site but it will surely increase the traffic and therefore percentage of accidents.
 - Documented that the road will be widened to allow a right turn lane onto Mauldeth Road. The road cannot be widened at this point without narrowing pedestrian routes.
- Why are Lidl asking for permission to erect Logo signs etc before approval of their planning consent?

- Committee should visit the site during peak school hours to appreciate the unsuitability of this location including the long-standing road safety, congestion, and the pollution issues on this busy multi-school corridor.
- This site is not suitable for a large supermarket development because it is close to three large high schools, a large primary school, a foodbank, and family support charity centre. The site is not in a town centre location.
- The proposal to build a large supermarket car-centric development on this site is not consistent with Manchester City Councils Active Travel strategy and other related policies and priorities of Manchester City Council and the Greater Manchester Combined Authority. The alterations to the highway will be detrimental to pedestrians and cyclists experience Other authorities have refused similar development.
- The application has missing information (an additional highways technical note), unrealistic assumptions (about travel distances), and failure to properly consider the impact this development will have on the surrounding school communities demonstrates a lack of ethical consideration and conscious omission of information throughout the proposed development.
- This supermarket will create more traffic (from further afield) with large amount of arrivals and departures, leaving the local residents subject to more air pollution; There is too much car parking and servicing contrary to Manchester's commitment to reducing CO2.
- There is not enough parking as people will not travel on foot, by bicycle or use public transport (buses are quite a long walk away), Mauldeth House should be demolished to provide parking with a one way system.
- The increase in traffic near schools and a park will increase air pollution on roads that are already congested to the detriment of users of sports facilities and playgrounds causing harm to public health. Reference being made to the Clear Air (Human Rights) Bill and the Environmental Protection Act 1990. A query was made about how the Air Quality Assessment and how it assesses the existing baseline and a suggestion was made that the site is established as an extension to Chorlton Park.
- Construction traffic will disturb the learning of children at neighbouring schools.
- There is a need for speed bumps on Nell Lane and Mauldeth Road West to slow traffic, children have been hit by cars on Mauldeth Road West. St Werburghs Road/ Nell Lane has been indicated as an 'active travel route' on the maps used in the ongoing Manchester active travel consultation.
- Local schools are concerned that the store will serve as a magnet for children from local schools. They also believe that it will discourage students from cycling to the schools due to the impacts on road conditions undermining efforts by the schools to encourage active travel. This location is important as an active and safe school travel corridor.

- The Transport Assessment's consideration of accidents is misleading as it only counts some accidents within a narrow radius of the site.
- The increase in traffic might affect the operation of Metrolink and Southern Cemetery.
- The existing building should be reutilised rather than be demolished. This goes against the Council's carbon neutral objectives. It should be repurposed for affordable housing for key workers.
- The site should be utilised to bring forward a multi storey mixed use development that brings forward affordable housing which is much needed; and or a hotel / office use.
- There were criticisms of the submitted Travel Plan, SUDS, lack of photovoltaics and that the development did not meet the 10% biodiversity net gain target. The need for trees to compensate for road pollution and to block views of the supermarket from the main road were referenced.
- The area is already served by supermarkets and shops and this additional store would affect the vitality of independent retailers in Chorlton.
- The design of the scheme (including advertising posters) would disrespect the heritage of the listed building at Hough End Hall. One resident stated that the design should be akin to the Hall and school design.
- Concerns about the impact of the proposals on the Beech tree to the front of Hough End Hall.
- Concern about the possible impact on the operation of the Mosque/academy
- Littering associated with the use on site and within the neighbouring park
- Loss of the fencing around the site might allow children to access the car park.
- Criticism of pre-application engagement and the timing of the submission of the application at Christmas.
- Very few people who support the development and that there were more suitable sites.

Expressions of support for this proposal relate to:

- The offer of an improvement to the overall retail offer in the area, in terms of a reasonably priced grocery shopping offer in time of a cost of living crisis.
- Having a facility such as this would be of significant benefit to the community as it will be accessible on foot, by bicycle and by public transport (with linked trips during pick up/drop off to schools) and will result in a reduction of car and taxi journeys which people currently have to make from this area to do their weekly shop.

- The proposal will solve the problem of the current site being an eyesore and will remove an existing ugly building which dwarves the historic Hough End Hall.
- The car park may take the pressure off Nell Lane during drop off / pick up periods where parents park inconsiderately.
- The scheme would cause no further traffic than there was when the building operated for Carillion or for the temporary accommodation for Chorton High School South. People will visit throughout the day rather than at peaks as with previous occupants.
- The increase in traffic will be a worthy sacrifice.

Neutral comments suggested that the store should open after school drop off time. – Comments were made that residents were promised a Low Traffic Neighbourhood to be established on Sandy Lane with a cycle lane, this is a U-turn. One comment suggested access from Mauldeth Road West as an alternative. One comment states that there is a need for a wider footpath and a segregated cycle access with a cyclops junction to Nell Lane and Mauldeth Road West and speed bumps to St. Werburghs Road.

Objections and expressions of support asked for an increase in the amount of cycle parking, suggest the introduction of cargo bikes and request a cycle link to Barlow Moor Road and a cycle lane on Nell Lane.

Chorlton Voice

The proposed location, by a busy crossroad and close to four schools, is an inappropriate location for a new foodstore. The additional traffic and turning movements generated would be a hazard to pedestrian safety in the area. The proposed site layout is dominated by car parking, with little meaningful soft landscaping.

Given that the submitted Transport Assessment forecasts peak parking demand to be 67 spaces, the proposed 85 spaces is clearly excessive. The number of spaces provided could be significantly reduced, allowing space for meaningful site landscaping, including Sustainable Urban Drainage.

Ward Councillors

Comments received from the three Chorlton Park councillors

General

Were surprised to learn of Lidl's interest in this site as it was expected to come forward for homes. Disappointed that this site is to be developed on its own as believe that for our area it would be beneficial for it to be developed alongside the Mauldeth House site, so that a development could be created which fully supports Hough End Hall and supports aims for the city, to make Manchester a world leading city, reducing inequality and becoming a zero carbon city by 2038.

That said, Ward Members have long had real concerns that so many of the ward's residents live in a food desert, that is, over a mile from the nearest supermarket. This primarily affects those parts of the ward furthest from tram stops and that have endured cut after cut to bus services year on year. Those areas are also where people are less likely to have access to a private car. Many people currently travel considerable distances to a reasonably priced supermarket. So we are very aware that for many residents this is an extremely welcome development that will bring real opportunities for reasonably priced food, including those whose households have been hit extremely hard by the cost-of-living crisis.

Also welcome and appreciate the considered approach to building design in keeping with Hough End Hall. Welcome the one-delivery and out-of-hours approach to servicing.

Should the application be approved however, there are serious concern. These are covered below but the main one is road safety and the safety of school students. Want to see those concerns addressed either by Lidl directly or by the imposition of planning conditions. Think that to allow the application to proceed without much more serious consideration of this on site would be seriously detrimental to the safety of our local young people.

Impact on road safety especially for school children

Noted with surprise that the original assessment was a desk-based exercise at a site that all those with local knowledge know is problematic.

There are four large schools within half a kilometre of the proposed supermarket site. Chorlton High, immediately north on Nell Lane, has 1500 students. Chorlton Park Primary 400 metres away on Mauldeth Road West has 800 + children from nursery age, Loreto High School, 400 metres to the south, has 764 students), and finally Chorlton High South, 1500 students and 400 metres to the East off Mauldeth Road West. The presence of two of these schools is not acknowledged in the Lidl planning application. This is a major oversight on the part of the applicants.

But in total this makes 4,500 school students from the age of 2 to the age of 16 in the very near vicinity twice per day. Believe this means that there is a heightened responsibility to ensure that the local walking and cycling environment for children, already far from ideal, must not become more hostile. Concerned that neither the Transport Assessment nor the Stage One Road Safety Audit specifically referred to the great sensitivity at this site for the safety of children. This is a key concern.

As local councillors have worked continuously and closely for many years with all our schools, and the Council, to improve safety in the vicinity for our children. In Summer 2022, MCC Highways department invested significantly in new infrastructure to improve safety in front of Chorlton High School, Loreto, and Chorlton Park Primary schools including the provision of bollards on pavements. This work was undertaken specifically to discourage parents from driving to school, and parking. As things stand the provision of this space significantly undermines that work.

Both Loreto and Chorlton High have historically benefited from an investment programme from TfGM, to improve local walking and cycling infrastructure including Bikeability training.

It is not possible for that number of children to arrive safely in school unless most of them walk or cycle. Therefore it is essential that the addition of a supermarket does not make a more hostile walking and cycling environment for those children by creating more points of conflict. We will discuss this further when considering the size and accessibility of the car parking below.

The junction of Nell Lane and Mauldeth Road West

The Nell Lane / Mauldeth Road junction has been a particular problem for us for years.

In May 2021 two students from Chorlton High were involved in hit and run collisions, one on Nell Lane. One student was very seriously hurt.

As a result, councillors held a special meeting with all local Head Teachers to discuss the safety of the home to school journey.

Heads said that worries about the safety of the junction between Nell Lane and Mauldeth Road West was of particular concern in keeping young people safe on their journey to school. We have real anxieties about additional pressure on the junction. Do not think that adding a right turning lane to on the north bound carriageway of Nell Lane is acceptable, given the hundreds of children that use this junction on foot or bike every morning and afternoon. Two 3-metre lanes will tempt queueing drivers to mount the pavement and undertake, illegal but regularly observed. An additional lane would mean that pedestrians have an additional lane to negotiate, and prioritises the movement of people in cars over those on foot inverting road hierarchy priorities. We would prefer the following interventions at this junction:

- a full review of time given for pedestrian and cyclist crossings on the signalised junction and pedestrian and cyclists to receive a higher priority that at present;
- the junction to have cameras so that red light running drivers are caught and penalised;
- funding for an additional traffic control person for one year initially to assure safe crossing at the junction
- Banning UTurns at the junction (along Mauldeth Road West)

Not adding an additional right turn lane will inevitably mean longer vehicle queues at the junction, but that has to be set against adding road capacity increasing car journeys and discouraging modal shift or worse, encouraging modal shift into the car. Queues along Nell Lane at school drop off and pick up times, both north and southbound, are already long and stationary in front of both these secondary schools increasing the level of traffic fumes that our children are exposed to. This is an additional concern.

Additional measures we are asking for:

- delivery vehicle being obliged by planning condition to deliver well outside peak hours (preferably before 7 am or after 7 pm)
- A raised entry treatment at the Nell Lane entrance with clear pedestrian priority. The pavement to continue at the same level either side.
- Car park measures in place; such as charging and ANPR cameras for any non-customer stays - to absolutely ensure that parents cannot use the car park as a drop off zone. Additional vehicle movements create conflict risk between vehicles and children walking and cycling. This is unacceptable so close to so many schools.

All changes to the public realm as a result of the application should be designed using guidance LTN 1/20 and the subsequent Design Guide adopted by GMCA in March 2021, which significantly develops the infrastructure guidance in relation to pedestrians and is published on the GMCA website.

In January 2022 one of us, Cllr Shilton Godwin, wrote to GMCA concerning the status of this guidance for Highways development that was not specifically Active Travel. The following response was received:

‘any active travel infrastructure being built, regarding of funding source, should comply to the standards. This is the case even if it is only part of a wider project which is about more than just active travel – so, for example, a new access road to a new development etc’

The site sits on the Bee Network so we would therefore want assurance on this matter before any application was approved. It is the habits that children and young people, establish during these formative years that will affect their future travel choices and we need them to be confident independent travellers. For that, their parents need to be confident that their journeys are safe.

Concern about traffic generation across a wider area

Manchester’s Active Travel Strategy has been published and is likely to be approved at Council on 4 March. This strategy will shape how our streets will change so that people feel safe and comfortable walking, wheeling or cycling within a fifteen-minute neighbourhood, and how this needs to be embedded within our entire transport system.

Chorlton cycleway is being constructed and will terminate at Mauldeth Road West just next to Chorlton Park Primary School. Nell Lane and Mauldeth Road West are both designated Bee Network routes and therefore changes to local infrastructure must take account of that. It is therefore essential that we do not allow a situation to develop here that works against the city’s necessary long-term requirements when we have the safety of so many young people to consider.

The Active Travel strategy is part of the city's key ambition to reduce the city's carbon emissions to zero by 2038, having declared a climate emergency in July 2019.

In Manchester the most intractable source of carbon emissions is transport, particularly cars which account for almost 30% of carbon emissions. Traffic levels currently are high and increasing – the number of vehicles registered in the city has risen 28% in the last decade.

We are concerned that the application has significant potential to increase traffic along the already highly congested minor roads nearby. This will make them less safe for the walking and cycling journeys that citizens need to switch to, to reduce carbon emissions.

More generally many residents have expressed to us their real concern that the development will attract additional traffic along Nell Lane and other minor roads, the known problem of inducing traffic demand. The impact of the proposals on Chorlton's many smaller roads does not feature in the application, but in Chorlton minor roads are already saturated and creating real difficulties for residents on foot and by bike. There is considerable anxiety about additional impact.

Chorlton has the second highest propensity to cycle in Manchester with a significant number of cyclists using Nell Lane. Nell Lane has been designated part of the Bee Network. Steps must be agreed as part of the application to ensure a safe walking and cycling environment for everyone along the road and through the junction

There are significant speeding issues on Nell Lane, St Werburghs Road and Mauldeth Road West.

We would like to see S106 money from this proposal spent on significant traffic calming, along Nell Lane and St Werburghs Rd in addition to whatever S278 requirements are set.

Over-provision of parking space

The planning application rightly refers to the significant number of people within walking distance and anticipates the maximum space occupancy in the car park as 67. We would therefore like to see the number of parking spaces reduced to certainly no more than 65, and ideally fewer. 85 spaces is a significant overprovision which should not be permitted. We also want to see the number of bike stands at least quadrupled. Currently only five are planned. Additional dedicated space for cargo bikes should be provided (at least five spaces and probably more). Steps should be taken in the management of the car park to ensure that it is only used for customers, not to enable parents to drop and go. So, we do not ask for fewer parking spaces, just for those spaces to be reallocated from cars to bikes and cargo bikes

Biodiversity

The biodiversity assessment has omitted a number of local sites of interest which contain significant wildlife

- Southern Cemetery is a Victorian cemetery, the largest in the UK. It is located within probably 250 metres of the site. It houses a range of wildlife including tawny owls, nuthatch, a significant population of bats and far, far more.

- Kingfishers are regularly seen along Chorlton Brook

- The site is also within a very short distance of Fallowfield Loop (just the other side of Chorlton Brook and the tram stop) and there is an almost uninterrupted route to Hough End Clough. Both of those locations support a diverse range of wildlife.

More consideration needs to be given to the ecological enhancement of the site. There is no mention of Biodiversity Net Gain of 10%. We want to ensure that this is met. We noted and were disappointed by the felling of half a dozen mature trees by Lidl as soon as the site was purchased. We wish to see adequate replacement of those in addition to whatever other requirements are included. With thoughtful planting the site could significantly enhance the biodiversity corridor which already links those sites with Chorlton Park itself and primarily, Chorlton Brook and Hough End Clough.

They suggest that this is in the form of

- More native trees to screen the car park from view;
- Careful protection of the old hazel tree sited in front of Hough End Hall (we are currently investigating whether this is or should be subject to a Tree Protection Order). It is extremely close to the site and must be at risk during the construction phase
- More native shrubs and flow planting likely to support insect life and water retention
- Many more bird boxes including swift boxes on the building
- A 'sponge' park (as in Gorton Park,)

Water management

In January 2020 parts of Chorlton as well as Didsbury came close to flooding from the Mersey. This included very high levels of water in the tributary Chorlton Brook close to the site. Chorlton Brook has overtopped a number of times in recent years causing flooding in the park and on the allotments.

The application proposes an attenuation tank and connection to the combined sewer. We are aware that United Utilities are forecasting that annual rainfall will increase by 59% by 2050 in North West England; creating a volume of additional water volume equivalent to 35 Beetham Towers to be managed annually in Greater Manchester. The city also has the highest proportion of combined sewers (mixed rainwater and foul waste-water disposal) in the country (55%) meaning that at times of high rainfall the chances of flooding with sewage is much higher here.

There is currently a tarmacked car park where the car park is proposed. Along with the reduction in car park size we would like to see a significant reduction in the area covered by tarmac. We would like to see this space used to create a sponge park to support biodiversity and improve on site rainfall management. Independent evaluation by the University of Manchester has established that the sponge park planted at Gorton Park reduced rainfall into drains by over 97%.

Surplus Food Waste

Food production and distribution is one of the most carbon intensive human activities and in the UK over 30% of our food is wasted. In Chorlton Park, as previously mentioned, there are of necessity a number of foodbanks and food pantries, and two are extremely close; Emmeline's Pantry and Quids In, both of which are based in the park, opposite. We would like to see a commitment to a partnership with our local food banks to ensuring that there is minimal food waste and that it is redistributed locally.

Energy

They note that the building specification is to adopt a materials first approach and to observe the energy hierarchy and that it is proposed to heat the building primarily using ASHP together with MVHR but we also note that it is anticipated that annual CO2 emissions are forecast at 42,600 kg which is the equivalent to a car being stuck in a five- mile traffic queue every day for a year. We recognise that these measures are an improvement on that legally required but we still feel that they are not adequate to the climate emergency and would request that to reduce further solar panels are added to reduce further the energy input requirement and therefore the calculated CO2 emissions.

Conclusion

This application sits at the centre of the two biggest concerns of our city, social justice and the climate crisis and we need to find a solution which supports both objectives. On the one hand a new store will bring improved access to well-priced food within far better reach of many of our residents. On the other, the store will attract increased traffic along already saturated minor roads.

They want to see all residents in our ward have better access to well-priced food, However, we are all aware of the increasing urgency of the climate crisis and experiencing its impact so we want to see the store built with absolutely minimal deleterious climate impact. This main issue here then is the increase in traffic so close to nearby schools, so we want to see the walking and cycling environment improved; enhancing the opportunity for biodiversity, and recognising and acting on the need to retain rainfall on the site as much as possible. The climate crisis is of huge concern in our community and we urge Lidl to respect this by ensuring that the new store is built in alignment with our real lived context. We would suggest that should they do that then they will reap the benefits, as they may attract customers from amongst our residents who currently feel extremely anxious about the implications that the new store will have for our environment.

They urge Lidl to work positively with us to make these changes to their application whether or not they can be made the subject of a condition, so that this store makes only a positive contribution to our community and neighbourhood.

Highway Services –

A summary of the full comments of Highways is as follows: -

The site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities including bus and tram.

In terms of traffic impact on the adjacent highway network, TfGM have provided comments which are summarised as follows:

- o TfGM HFAS suggest that a sensitivity test is undertaken with 50% new trips applied during all scenarios: weekday and Saturday.

- o It is unclear why the percentage of pass-by and diverted trips has been split 50% each way along Mauldeth Road at its junction with Nell Lane. The turning proportion for counted flows are not close to 50% at these locations.

- o Queries arise in relation to the LINSIG models provided.

Vehicle access is provided from Nell Lane where three-metre wide shared cycle/footways are retained on both sides, with a widened carriageway (9m) to accommodate a right-turn pocket and where the northern kerblines are built out to improve vehicle/pedestrian intervisibility. Keep clear markings are also to be provided at the junction.

For the internal raised pedestrian crossing, they would suggest that it is centralised between Nell Lane and the car park access so that any vehicles entering the site and stopping at the crossing will not potentially cause an overhang issue on Nell Lane.

TfGM recommend that a direct pedestrian access should be provided onto Mauldeth Road West to serve the site (ideally near the existing bus stop).

In relation to the above, and in particular the proposed highway layout on Nell Lane, require a stage 1 road safety audit is submitted for consideration.

The parking proposals comprise of 85 spaces of which four are DDA compliant, two have rapid electric charging, nine are for parent and child and five are staff spaces.

Bay and aisle sizes are compliant. Separate HGV parking is provided in the rear courtyard area with space for the vehicle to turn and exit in forward gear. Whilst this quantum of parking is acceptable, we require that 20% of the car parking bays (17no) are provisioned with cable routes to allow for future EV conversion.

Secure and sheltered cycle storage (for 10 bikes) is provided for customers under the building canopy. Separate staff cycle parking is provided in the warehouse. This arrangement is acceptable from a highway perspective

With regard to waste management, further information is required in relation to storage and collection.

The proposed boundary treatment plan suggests that the existing mesh fence will not be retained and in this regard clarification is sought. The internal walling details (railing type 2) is acceptable from a highway perspective.

Should the planning application be approved then alterations to the highway will be required and are to be undertaken through S278 agreement between the developer and MCC which would include any required technical approval.

An independent 'Stage 2' Road Safety Audit will be required; this may necessitate design changes.

For any projects that require a S278 and/or S38 highway agreement a Stage 1 Road Safety Audit (RSA 1) is requested to inform the preliminary design at the pre-planning stage - prior to planning approval being granted. This ensures that any underlying highway safety issues have been identified and mitigation is proposed accordingly. The scope and study area of the RSA1 will be agreed on a site by site basis however, as a minimum, it is expected to include the following:

- o 5 years of accident history
- o Audit of key pedestrian routes (crossing points, footway widths, condition etc.)
- o Audit of key cycling routes (ASLs, cycle lanes etc.)
- o Highway layout including, but not limited to (visibility assessments, speed limits, TROs, traffic calming etc.)

The submitted travel plan is acceptable to Highways.

Should the planning application be approved it is required that a Demolition and Construction Management Plan be conditioned.

FURTHER HIGHWAYS RESPONSE 02/02/2023: - Following the submission of additional requested information the following comments have been received

- o It has been clarified that a separate direct pedestrian access is also to be provided from Mauldeth Road West.

- o In relation to traffic impact/trip distribution the further information provided has been submitted to TfGM and in this regard we await their further comments.

- o With regard to waste management, the storage and collection proposals have been clarified and are acceptable.

- o A stage 1 road safety audit has been undertaken and raised queries related to vehicle tracking, existing site level differences and visibility issues to pedestrian crossings, which have been addressed as follows:

- In relation to vehicle tracking, the submissions confirm that the necessary vehicle manoeuvres can be made safely.

- It has been confirmed that the existing site level differences are to be adjusted as part of the development.

- The internal raised pedestrian crossing and access crossings have been repositioned and vegetation removed to satisfy visibility requirements.

MCC Highways consider that the matters identified within the safety audit have been addressed by the developer.

Highways section of Transport for Greater Manchester

TfGM Highways Forecasting Analytical Services and Urban Traffic Control are satisfied with the Highway Consultants response to TfGM's previous comments. TfGM UTC are currently checking the LINSIG models (software which allows traffic engineers to model traffic signals and their effect on traffic capacities and queuing) but it is anticipated that the models will be substantially correct.

In terms of the impact of the development at the junction of Mauldeth Road West / Nell Lane, this will be set up to run under MOVA control (microprocessor optimised vehicle actuation) through a TfGM funded project. Therefore, as the impact due to the LIDL traffic is not significant, it is considered that the additional traffic generated is likely to be mitigated by the MOVA operation. There is a pedestrian access to the store from Mauldeth Road West.

FURTHER HIGHWAYS RESPONSE -

In relation to traffic impact, TfGM have reviewed the modelling in detail and have indicated that any additional traffic generated can be accommodated on the highway network. Nell Lane will be widened to accommodate a right turn pocket which will allow passing traffic to progress unhindered towards the district centre. With regard to the signalised junction at Mauldeth Road West/Nell Lane, this will be set up to run under MOVA control which will mitigate the impact of any additional traffic.

Pedestrian access to the development is being provided from Nell Lane and Mauldeth Road West, and, in conjunction with existing pedestrian and cycle infrastructure, they are satisfied that the access arrangements are fit for purpose.

With regard to road safety, an independent stage 1 road safety audit has been undertaken for the development, and they are satisfied that all matters raised have been addressed within the proposed design.

In relation to accident analysis undertaken in the vicinity of the site, whilst a data discrepancy has been raised by the objectors at the junction of Mauldeth Road West/Nell Lane, Highways are satisfied that this is not material.

In relation to public transport connectivity, they consider that the site is adequately served by both bus and tram.

FURTHER HIGHWAYS RESPONSE FOLLOWING COMMITTEE -

Traffic Calming

With regard to the request for a review of traffic calming on Nell Lane Highways confirm that existing traffic calming measures are provided in the vicinity of the site and consider that no additional measures are required.

Junction Visibility

An independent Road Safety Audit undertaken on 18/11/2022 identified that the pedestrian/vehicle intervisibility could be improved through the repositioning of the pedestrian crossing point across the junction and this has been incorporated into the design. Regarding junction visibility, the repositioned and widened access and the car park access provide acceptable visibility in accordance with Manual for Streets guidance.

Potential blocking at the supermarket entry

Further to concerns raised at committee, the vehicle tracking at the site access has been reviewed and verifies that passing movements can be undertaken without vehicles having to bump up onto the footway.

Highway Safety and concerns relating to pupil drop-off

Due to the concerns raised at Committee it is now proposed that an additional 15 heritage type footway bollards will be installed to the north side of Nell Lane in the vicinity of the revised access and at the Mauldeth Road West junction to prevent drop-off and offer further protection to pedestrians.

On-site car parking provision

Core strategy guidance suggests one car parking space is provided for every 14 sqm of floorspace for class A1 retail use outside a district centre which equates to $1,360/14 = 97$ spaces which is in excess of the 85 being provided.

Signal control at the junction of Mauldeth Road West/Nell Lane

It is intended that Microprocessor Optimised Vehicle Actuation (MOVA) is installed at this junction which will be more responsive to traffic conditions and provide an increase in capacity. Highways are satisfied that the adjacent road network can accommodate the traffic movements associated with the development.

Chorlton Cycleway proposals – restricted vehicle movements

Concerns were raised at the Committee in relation to the possibility of additional traffic using Nell Lane due to vehicle turning movement restrictions being introduced as part of the Chorlton Cycleway scheme. As part of this scheme, banned vehicle movements are proposed at the following junctions.

Barlow Moor Rd/Wilbraham Rd right turn bans:

- Barlow Moor Rd Southbound into Wilbraham Rd
- Wilbraham Rd Westbound into Barlow Moor Rd
- Wilbraham Rd Eastbound into Barlow Moor Rd

Barlow Moor Rd/High Ln/Sandy Ln right turn bans:

- Barlow Moor Rd into Sandy Lane
- Sandy Lane into Barlow Moor Rd

In relation to the above Highways are satisfied that no additional traffic will be generated on Nell Lane as a consequence. It should be noted that there has been an existing no right turn (except buses and cycles) from Wilbraham Rd Eastbound into Barlow Moor Rd since May 2005 and in this regard, they consider that there will be no additional impact.

Driver response time to internal crossing

The entry radius on the northern side of the new bellmouth is 6m and using robust calculations the maximum speed is unlikely to exceed 15mph. The stopping sight distance calculator indicates that no more than 19m of stopping distance is required at that speed and 20m is provided to the controlled crossing on the access road.

Environmental Health - Conditions are advised with respect to fumes, construction management, hours of delivery, external lighting, acoustic insulation, external equipment, waste management, air quality and ground conditions.

Neighbourhood Team Leader (Arboriculture) – There are currently no trees on the site of any value as it would appear that the applicant felled the trees on this site prior to submitting an application. There are no objections to the proposed development as the proposed planting species and numbers are sufficient for this site. If any alterations are proposed for the road heading into the site we would need to see an arboricultural impact assessment for the Beech tree to the front of Hough End Hall.

MCC Flood Risk Management - Advise that conditions should be included to ensure the submission and approval of a surface water drainage scheme and its subsequent maintenance.

Parks & Events – Any comments received will be reported to committee.

Greater Manchester Police – Any comments received will be reported to committee. The application is accompanied by a Crime Impact Statement in which Greater Manchester Police state their support so long as the recommendations within the Crime Impact Statement are followed, a condition to this effect is recommended.

Transport For Greater Manchester – Metrolink have no objection to this application and whilst the development proposals are unlikely to affect Metrolink operations the site does adjoin the Highway in which Metrolink operates and therefore would like the applicant to be advised that the details of working safely near Metrolink. Additionally, if abnormal loads are required to access the site would draw the Applicant's attention to the electrical overhead lines that run along Mauldeth Road West and would also ask that any condition with regards to mitigating against the spread of detritus onto the highway also includes for the same onto Metrolink tracks.

Greater Manchester Ecology Unit – State that an assessment for bats found negligible value for bats, however, recommend the imposition of an informative so that the applicant is aware that they must seek and implement ecological advice should they find or suspect that the proposals will impact on protected species. Work that will impact on habitats where nesting birds may be present (for example demolition of a building or works to trees and other vegetation including undergrowth like bramble), should not be undertaken in the main bird nesting season (March – August) unless suitable checks for active bird nests have been undertaken. Planning policy (NPPF – July 2021 para 174d), 179b) and 180d)) encourages enhancements and net gains for biodiversity to be delivered through the planning system. Wherever possible measures to enhance the site for biodiversity should be secured as part of this planning application. Table 4 gives suggestions of what may be appropriate. A condition requiring the details of a biodiversity enhancement plan should be applied to any permission if granted.

Historic England – Confirmed that they do not wish to offer advice on the proposal on this occasion.

United Utilities - Made comment in relation to requirement for diversions and the need for a condition relating to conditions relating to sustainable drainage.

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'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.

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy EC1 (Employment and Economic Growth in Manchester) looks to ensure priorities for economic growth, the Council will support significant contributors to economic growth and productivity including health, education, retailing, cultural and tourism facilities, and other employment generating uses.

Policy C6 (South Manchester District Centres) - states that across the area there is capacity for both further convenience and comparison retailing floorspace. In total, approximately 8,000 square metres of convenience and 4,500 square metres of comparison retail floorspace will be promoted up to 2027.

Policy C9 (Out of Centre Development) - Development of town centre uses in locations which are outside a centre identified in policy C1 or a strategic location identified for such uses will be inappropriate unless it can meet the following criteria:

- There are no sequentially preferable sites, or allocated sites, within the area the development is intended to serve that are available, suitable and viable;
- The proposal would not have unacceptable impacts, either individually or cumulatively with recently completed and approved schemes and having regard to any allocations for town centre uses, on the vitality and viability of the City Centre and designated; district and local centres. An assessment of impacts will be required for retail developments of more than local significance; and,
- The proposal is appropriate in terms of its scale and function to its location.

Development that improves the environment of an existing out-of-centre facility or its relationship with surrounding uses will be supported, providing that it also meets the other criteria in this policy.

Policy T2 (Accessible Areas of Opportunity and Need) states that the Council will actively manage the pattern of development to ensure that new development: is located to ensure good access to the City's main economic drivers, including the Regional Centre, 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. Particular priority will be given to providing all residents access to strategic employment sites. Within the City Centre, development should provide a level of car parking which reflects the highly accessible nature of the location, as well as the realistic requirements of the users of the development. Elsewhere, all new development should provide appropriate car parking facilities.

Policy EN1 (Design Principle and Strategic Character Areas) relates to design principles and strategic character areas and states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the city should be fully realised, particularly on major radial and orbital road and rail routes.

Policy 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 of the City Centre. New developments 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 ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains. Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development) concerns reducing CO2 emissions and states that where possible, new development and retrofit projects must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies. The use of building materials with low embodied carbon in new development and refurbishment schemes is also sought.

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.

Policy EN8 (Adaptation to Climate Change) - 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. In achieving developments which are adaptable to climate change developers should have regard to the following, although this is not an exhaustive list:

- Minimisation of flood risk by appropriate siting, drainage, and treatment of surface areas to ensure rainwater permeability;
- Reduction in urban heat island effect through the use of Green Infrastructure such as green roofs, green walls, increased tree cover and waterways;
- The need to control overheating of buildings through passive design;
- The opportunity to provide linked and diverse green space to enhance natural habitats which will assist species adaptation;

Developers will be permitted to use green infrastructure elements such as green roofs, green walls, street trees and waterways to contribute to compliance with CO2 mitigation under Policy EN6, subject to sufficient evidence to quantify their contribution to compliance.

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

Policy EN14 (Flood Risk) – refers to flood risk and amongst other issues stat that all new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of green infrastructure.

Policy EN16 (Air Quality) – states that 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. 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.

Policy EN17 (Water Quality) states that developments should minimise surface water run-off and minimise ground contamination into the watercourse construction.

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

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policies of the Unitary Development Plan are also considered relevant:

Policy DC19 (Listed Buildings) states that in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting.

Policy DC26 (Development and Noise) states that the Council intends to use the development control process to reduce the impact of noise on people living and

working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise.

In addition, the below guidance and documents are also considered to be important material considerations:

The Guide to Development in Manchester (SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

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.

National Planning Policy Framework

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

The Framework underlines 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.

Sections 4, 6, 7, 11, 12 and 16 are considered relevant to the consideration of this application.

National Planning Policy Guidance (March 2014)

The Government produced a suite of documents to act as a live resource which set out advice and best practice on a wide range of planning issues following a detailed review of planning policy guidance as a way of streamlining policy.

The relevant sections of the NPPG in this case are as follows:

Town centres and retail – Paragraph 5 states that it may not be possible to accommodate all forecast needs for main town centre uses in a town centre: there may be physical or other constraints which make it inappropriate to do so. In those circumstances, planning authorities should plan positively to identify the most appropriate alternative strategy for meeting the identified need for these main town centre uses, having regard to the sequential and impact tests. This should ensure that any proposed main town centre uses which are not in an existing town centre are in the best locations to support the vitality and vibrancy of town centres, and that no likely significant adverse impacts on existing town centres arise.

Paragraph 9 states that the sequential test guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of centre locations (with preference for accessible sites which are well connected to the town centre). It supports the viability and vitality of town centres by placing existing town centres foremost in both plan-making and decision-taking.

Paragraph 15 states impact test only applies to proposals exceeding 2,500 square metres gross of floorspace unless a different locally appropriate threshold is set by the local planning authority. In setting a locally appropriate threshold it will be important to consider the:

- Scale of proposals relative to town centres;
- The existing viability and vitality of town centres;
- Cumulative effects of recent developments;
- whether local town centres are vulnerable;
- Likely effects of development on any town centre strategy; and
- Impact on any other planned investment.

Paragraph 17 (Reference ID:2b-017-20190722) states that the impact test will need to be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible. Ideally, applicants and local planning authorities should seek to agree the scope, key impacts for assessment, and level of detail required in advance of applications being submitted.

Noise - 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.

Air Quality – Guidance states that when air quality is considered relevant to a planning application, which includes when proposals:

- Give rise to potentially significant impact (such as dust) during construction for nearby sensitive locations;
- Significantly affect traffic in the immediate vicinity of the proposed development site or further afield; or
- Expose people to existing sources of air pollutants. This could be by building new homes, workplaces or other development in places with poor quality.

Other legislative requirements

Principle

The principle of the development is considered acceptable and would make efficient use of a previously developed site, to provide increased shopping choice for the local population, whilst contributing to the local economy through the creation of jobs.

The existing site is currently unoccupied. The site is in a highly sustainable location served by bus services and Metrolink. It is considered that the demolition of the existing building and erection of the proposed retail store would uplift the appearance of the site, improve views towards the adjacent Grade II* listed building and regenerate an under utilised site in a prominent location.

Comments have been made in objection that the site should be utilised to bring forward a mixed use development that will bring forward affordable housing, however, the local planning authority must assess this application on its individual merits.

Whilst the proposed store is out-of-centre in planning policy terms, the applicant has demonstrated that there are no sequentially preferable sites, or allocated sites, within the area that are available, suitable and viable. The proposal would not have any significant unacceptable impacts, either individually or cumulatively with recently completed and approved schemes and the proposal is appropriate in terms of its scale and function to its location. The proposed development is also considered to improve the surrounding environs.

The applicant has provided a Planning and Retail Statement which seeks to address the tests within policy C9 and justify the proposals in terms of sequential and impact tests set out within the National Planning Policy Framework.

The application proposal provides less than 2,500 sqm of retail floorspace so a full Retail Impact Assessment is not required by either policy C9 of the Core Strategy or the NPPF. The submitted Retail Statement is considered to be proportionate to the scale of the proposals and acceptable in scope and underlines that there is sufficient qualitative and quantitative need for the proposed store in this area.

On this basis, the proposed development is considered to accord with relevant Development Plan policy and national planning guidance as set out earlier in this report. There are no material considerations of sufficient weight to indicate otherwise.

An appraisal of the more specific planning issues and the impact of the proposal upon its surroundings is outlined further below.

Demolition of the Existing Building

The principle of the demolition of the existing building on site has been approved by a prior notification for demolition through application reference 134169/DEM/2022.

The present structure is considered to be of minimal architectural merit and the loss of the existing structure would offer significant public benefits by leading to environmental, social and economic improvements to the local area and an improvement for the setting of the Grade II* listed heritage asset that is Hough End Hall. A construction management plan is required by condition which would include the above requirements as well as management during the overall construction programme.

Redevelopment of the Site and Contribution to Regeneration

The existing building is showing signs of decline. The existing building has been subject to transient occupancy and periods of vacancy over recent years. It is considered that the proposed retail store would uplift the appearance of and regenerate an under utilised site. The proposed store represents an opportunity to introduce a high quality development within a sustainable location.

Employment and Contribution to the Local Economy

The proposed Lidl store would add to the diversity of shopping choice and increased competition in the area and provide a discount food store serving the local population. This will be beneficial to nearby residents.

Aside from creating employment during construction and through supply chains, a typical Lidl foodstore is anticipated to provide around 40 full time equivalent jobs, delivering a significant boost to the local economy. These positions range from managers, administrative roles to store assistants and cashiers.

In order to ensure these benefits are delivered, a condition has been included which requires that the applicant enters into a local labour agreement to target local residents for employment and training opportunities generated by the development. On this basis, it is considered that the proposed development will add positively to the local and wider economy.

Retail Impact

Due to the site's out-of-centre location, the application has been accompanied by an assessment of the retail impact, as a consequence of the proposed store.

Policy and guidance underlines that the scale and scope of retail assessments should be proportionate to the scale of development proposed and this is applied in this instance. Policy is also permissive of retail development outside of designated centres if the sequential and impact tests are satisfactorily addressed. As set out below, it is believed that the relevant policy tests have been met.

Sequential Site Assessment

The NPPF and Policy C9 of the Core Strategy require that the sequential approach to site selection should be applied to all development proposals for main town centre uses that are not in an identified centre and not in accordance with an up-to-date development plan. Applications for main town centre uses should be located within a town centre, then in edge-of-centre locations, and only if suitable sites are not available should out of centre sites be considered. The NPPF further requires that applicants and Local Planning Authorities should demonstrate flexibility on issues such as format and scale.

In this case, the nearest centres are

- Chorlton District Centre;
- Didsbury District Centre;
- Withington District Centre;
- Fallowfield District Centre;
- Barlow Moor Rd/Mauldeth Rd West (Chorlton Park) Local Centre;
- Beech Rd/Stockton Rd/Chorlton Green (Chorlton) Local Centre;
- Merseybank Local Centre;
- West Didsbury/Burton Road Local Centre;
- Stretford Mall; and

- Fallowfield Triangle Local Centre.

Due to the out-of-centre location of the proposed site, a sequential site assessment has been undertaken by the applicant which accords with an agreed catchment area based on a 5 minute drivetime. The drivetime is considered a realistic geographic area from which a foodstore will draw the vast majority of trade.

The assessment takes account of alternative sites that are located within or on the edge of existing centres which serve an equivalent catchment and which could accommodate the scale and form of the proposed development. It is therefore necessary to define any alternative sites that could accommodate the specific trading characteristics of a discount foodstore of the floorspace proposed and with an appropriate level of associated parking within a defined catchment area. The assessment should also make reference to Planning Practice Guidance which indicates that the application of the sequential test should be proportionate and appropriate for the given proposal.

An assessment of site appropriateness has been undertaken in both of these areas and based on the scale, form and characteristics of the proposed store format, there are no other sites that are suitable, viable or available. It therefore stands that following a robust assessment of nearby sites, there are no sequentially preferable sites within or on the edge of the identified centres which could realistically accommodate the proposed store.

Retail Impact Assessment

The NPPF states that retail proposals not located within an existing centre should be assessed according to their impact (if any) on existing centres. Impact assessments should be provided for all proposals over 2,500 sqm when the proposal is not located within an existing centre and not in accordance with an up-to-date development plan.

Core Strategy Policy C9 states that the level of detail within impact assessments for proposals of less than 2,500 sqm gross floorspace should be proportionate to the scale and nature of the development proposed and its likely effects on designated centres. For all proposals of 2,500 square metres gross floorspace and over, a full assessment will be required.

Supporting policy text goes on to states that the impacts of out-of-centre development will vary across the city and will need to be considered on a case-by case basis, although the Council considers that development of less than 650 square metres gross will generally be of local significance only.

In light of the above, as the proposal is less than 2,500 sqm a full, quantitative impact

assessment is not required and the proposed store at 1988sqm is significantly below the relevant threshold.

Nevertheless, based on the supporting justification to Policy C9, account has been taken as to the qualitative impact of the proposed store.

In assessing the trading impacts of the proposed discount foodstore regard has been had to the approach advocated within Planning Practice Guidance when examining

the diversion of trade. This uses a 'like affects like' principle with the reasonable assumption that a new discount foodstore would divert the majority of trade from equivalent surrounding food shopping destinations.

The applicant has provided an assessment of trading impact to surrounding mainstream foodstores and centres, taking account of both convenience and comparison retail goods expenditure

The analysis concludes that the proposed store is highly unlikely to result in a significant impact to the long-term trading performance of surrounding mainstream foodstores and with only limited trade diversion from existing centres and smaller shops and services.

The assessment includes a health check analysis of these areas in order to determine vacancy rates, environmental conditions and the current vitality and viability of any of the identified, defined centres and shops will remain largely unaffected. There is no evidence to suggest that the role and function of these centres will abate following the introduction of the proposed foodstore and would therefore comply with the relevant policy and guidance.

On balance, it is not considered that the proposed store will give rise to any significant adverse impacts on these centres.

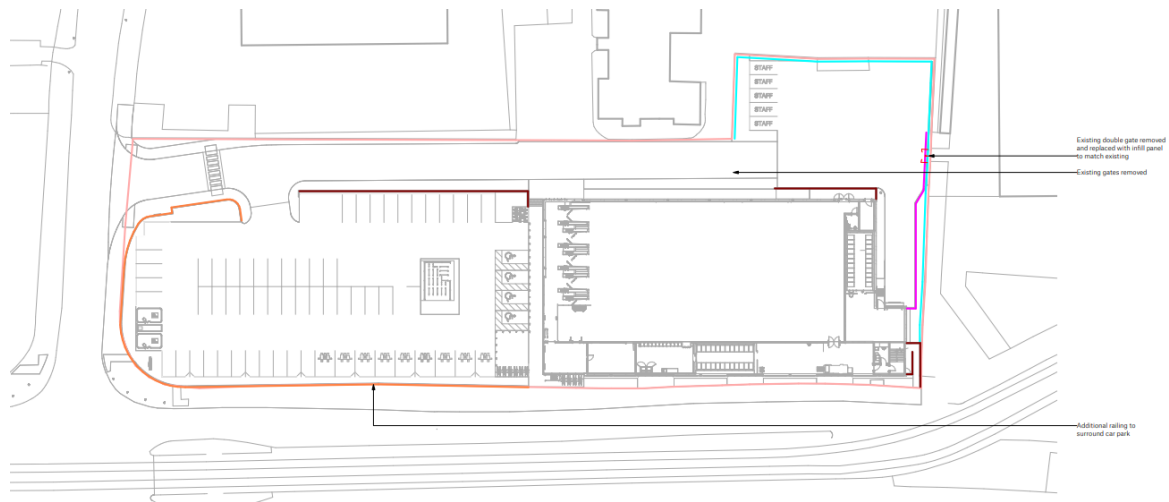
Conclusion

It is considered that the applicant has undertaken a robust and proportionate impact assessment and that there are no sequentially preferable sites, the proposed store can be satisfactorily accommodated without any significant effects upon existing retail operations within the identified catchment area, the store will not have a significant harmful impact upon the health of nearby centres and that there is sufficient capacity within the system so not to affect the viability of other operators. It should also be noted that the existing building on site could already be used legitimately for unrestricted retail use, albeit that the structure would not lend itself easily to conversion.

Moreover, in this case the proposed operator (Lidl) does not provide the full retail offer. It provides a limited range of convenience and an ever-changing range of comparison goods and does not offer the range of services provided by the mainstream food retailers or smaller independent stores. As such, the impact is different than if a mainstream retail operator was to occupy the store.

It is believed on balance the proposed store is located within a sustainable location and that the addition of a discount retailer will add to consumer choice and quality of shopping provision in the area in which the site is located. On this basis, the retail impact is satisfactory.

Design and Layout



The proposed store would replace Lowry House which is situated to the front of the application site fronting Mauldeth Road West.

The proposed store would be located to the east of the site towards the boundary with Chorlton High School, with the delivery bay, servicing and staff parking to the north separating the building from Hough End Hall. Parking is incorporated adjacent to the west, with cycle parking and trolley parking. Vehicular access being taken from the widened access road off Nell Lane.

The site would accommodate 85 car parking spaces (including 4 disabled, 9 parent & child spaces, 2 electric vehicle charging (Electric Vehicle Charging) spaces (with further infrastructure to be conditioned). The cycle parking now proposed comprises a total of 24 spaces for customers, including provision for 4 cargo bikes.

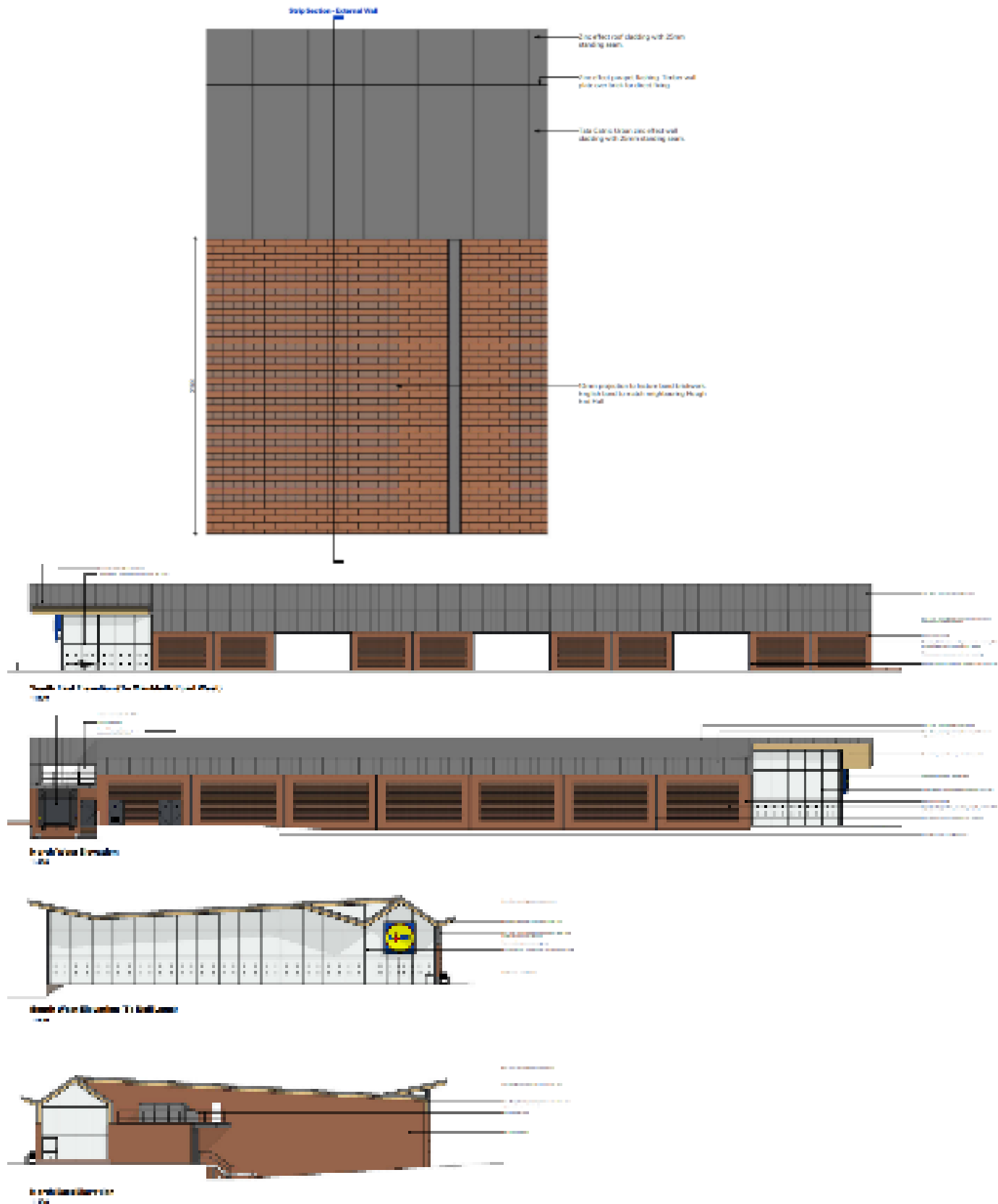
The entrance to the Lidl store would be on the western elevation with a pedestrian access from Mauldeth Road West.

The proposed retail store which would be two storey in height would be of a high quality design of an appropriate scale that responds to the context and would be constructed utilising materials that have been selected to compliment the materials of the neighbouring Grade II* Listed Hough End Hall.

This includes the use of glazing to the elevations, allowing views through to the adjoining listed building framed by Zinc coloured roofing material which is variegated to provide articulation that is a contemporary interpretation of the roofspace to the neighbouring building.

The red brick to be utilised would include a protruding brick detail with English bonding to provide visual interest and reference the influence of Hough End Hall. Advertisement panels along the side elevation facing Mauldeth Road West provide defined areas that are appropriate for the display of advertisements with these advertisement panels being located on the opposite side of the building to the Listed Building. These panels would also visually break up the elevation to Mauldeth Road. The display of advertisements elsewhere on the building would be controlled by the imposition of an appropriate condition. Conservation paving in the form of York stone utilised within the hard landscaping. The inclusion of conservation paving is

considered to be an appropriate response to the presence of the neighbouring heritage asset.



The position, scale, height and bulk of the building are considered to be appropriate in the street scene having regard to the high quality design of the proposal, the existing building on site to be demolished, the nature of the surrounding property and having regard to the relationship to the neighbouring heritage asset. The structure would not be over dominant or intrusive in the street scene and it is considered that the building can be readily assimilated into the street-scene and local context without any significant, undue impacts to visual amenity.

Heritage

The application site sits to the south of the Grade II* Listed Hough End Hall. The property which was built in 1596 was listed in 1952.

A Heritage Impact Statement has been submitted to accompany the planning application which sets out the significance of the heritage asset including any contribution made by its setting.

Currently there are very limited views of the Hall from Mauldeth Road West due to its set back location and development that has occurred historically in close proximity to the Hall. The statement sets out that the setting of the Hall has been severely compromised, in addition to the height and scale of surrounding buildings, the concrete surface treatments for car parking have degraded the setting of the asset. It is considered that the mature tree to the frontage of the Hall whilst partially obscuring views of the Hall, contributes positively to the setting of the site.

The applicant has stated that the development proposals have been informed and guided by the neighbouring Grade II* Listed Building. The scale of the proposed retail store is greatly reduced from the current four storey office block and the architectural devices employed and materiality selected pay heed and take architectural cues from the neighbouring property.

Hough End Hall is one of Greater Manchester's oldest surviving buildings and despite external and internal alterations the building remains a fine example of Elizabethan architecture. The buildings, car parking and infrastructure surrounding have degraded the significance of the asset.

Section 199 of the National Planning Policy Framework sets out that when considering the impacts of the proposed development on the significance of a designated heritage asset great weight should be given to the assets conservation and the more important the asset the greater weight should be, this is irrespective of when it whether any potential harm amounts of substantial harm total loss or less than substantial harm to its significance.

Lowry House is of no significance and is detrimental to the setting of the Hall therefore there would be no harm from the demolition and loss of the building. The proposed replacement structure would be on a similar footprint to the existing Lowry House but would be considerably lower in height and massing. The proposed building is also set slightly further away from Hough End Hall.

The building proposed will remain in the setting of Hough End Hall as an intrusive feature despite having a reduced height and massing. This reduction in height and slight set back would afford slightly better views of the building from the access road and from Mauldeth Road West.

The car parking would take the place of an existing area used for car parking and this element in the wider landscape would result in no impact on the significance of the site. Although the proposal would sit negatively within the setting of a highly listed asset it is considered that the harm caused is at the lower end of the less than substantial harm test and it is considered that the proposal would offer public benefits in the form of a retail offer serving the local community, employment opportunities together with landscaping and tree planting that will outweigh that less than substantial harm. The development is therefore considered to be in accordance with the National Planning Policy Framework, Policy EN3 of the Manchester Core strategy and saved policy DC19 of the Unitary Development Plan for the City of Manchester.

Impact to the Highway

A Transport Statement accompanies the application which assesses trip generation, parking demand and highway safety, whilst acknowledging the highly sustainable location of the application site and how the site is accessibly located, within close proximity to a range of transport modes.

The Transport Assessment includes evidence on existing safety and assesses the impact of all modes of additional or altered travel. Taking this into account with the quantum of development and its planning context highways accept the scheme.

The existing Highway and measures in place



Junction of Nell Lane and Mauldeth Road West - existing lights, crossing with tactile paviments, 20mph speed restriction, double yellow lines.



Double yellow lines continuing along Nell Lane near Mauldeth House and the entrance to Chorlton Park.



Continuing double yellow lines, slow markings, cushion painting, footway bollards and lit crossing point.



Continuing double yellow lines, Keep Clear markings, cushion painting, footway bollards and right hand turning pocket into Chorlton High School car park

Parking

85 parking spaces are proposed for the proposed foodstore. Of these 4 will be accessible, with 9 parent and child spaces. 2 of the parking spaces will be for electric vehicle charging (EVC), with below ground infrastructure required for more spaces, to be secured by condition.

Based on the survey work, involving a car park accumulation assessment, it is considered that based on the floorspace proposed the amount of parking provision is sufficient to cater for anticipated demand, including seasonal variations without the displacement of parking onto the local highway network. Highway Services are satisfied at the level of provision would accord with policy guidance. Specifically, core strategy guidance recommends one car parking space is provided for every 14 sqm of floorspace for class A1 retail use outside a district centre which equates to $1,360/14 = 97$ spaces which is in excess of the 85 being provided.

Concerns have been raised in relation to the car park being used for drop off and pick up of children attending nearby schools and it is considered that this is a matter that may interfere with the safe operation of the car park and conflict with users of the proposed store. On that basis a condition is recommended requiring the submission of a car park management plan with specific reference to measures to be implemented in order to prevent short stay parking for drop off and pick up of school children and to prevent school children using the car park as a short cut to Mauldeth Road West. Boundary treatment will also be in place to provide a physical impediment to those wishing to cut through the site, detailed below.

Trip Generation

The proposed development is to replace an existing Class E building with an existing 105 space car park. As part of the applicant's trip generation forecast, the trips associated with the uses of the existing building is estimated and deducted. The net

increase is then assessed at the junction using modelling and based upon the forecast trip generation during the peak traffic times for a weekday and weekend.

Fewer than 30 additional vehicles per hour are forecast to be added to the junction of Nell Lane with Mauldeth Road West in the weekday AM peak period. This rises to around 60vph additional forecast turning movements in the weekday PM peak and circa 80 new vehicles per hour on a Saturday during the midday peak.

The transport report submitted concludes that the proposed site access arrangement onto Nell Lane would work well within capacity in all scenarios with no queuing occurring. At the junction of Nell Lane and Mauldeth Road West the proposal would have a minimal impact. This has been assessed as acceptable by Highways and Transport for Greater Manchester. There will also be additional controls at the junction through the introduction of the MOVA control.

In simple terms, MOVA is 'software and infrastructure' that is added to traffic signal networks to make them much more efficient – in essence they ensure the signals are green at the right times as opposed to standard signals which have a fixed set of reds and greens based on observed and predicted flows.

Servicing

There would be one or two deliveries per day. During deliveries the vehicle engine would be switched off to reduce noise and disturbance. A graded ramp would be utilised in the delivery bay negating the need for noisy scissor or tail lifts.

Lidl routinely schedule deliveries for those periods outside peak-trading hours deliveries arriving over night or during the early hours of the morning.

A condition is now suggested, which the applicant are amenable to, which prevents deliveries during the morning school drop-off period, which also coincides with the morning rush hour, this would restricting deliveries between 08.00 to 09.00 hrs Monday to Friday.

Highway Safety

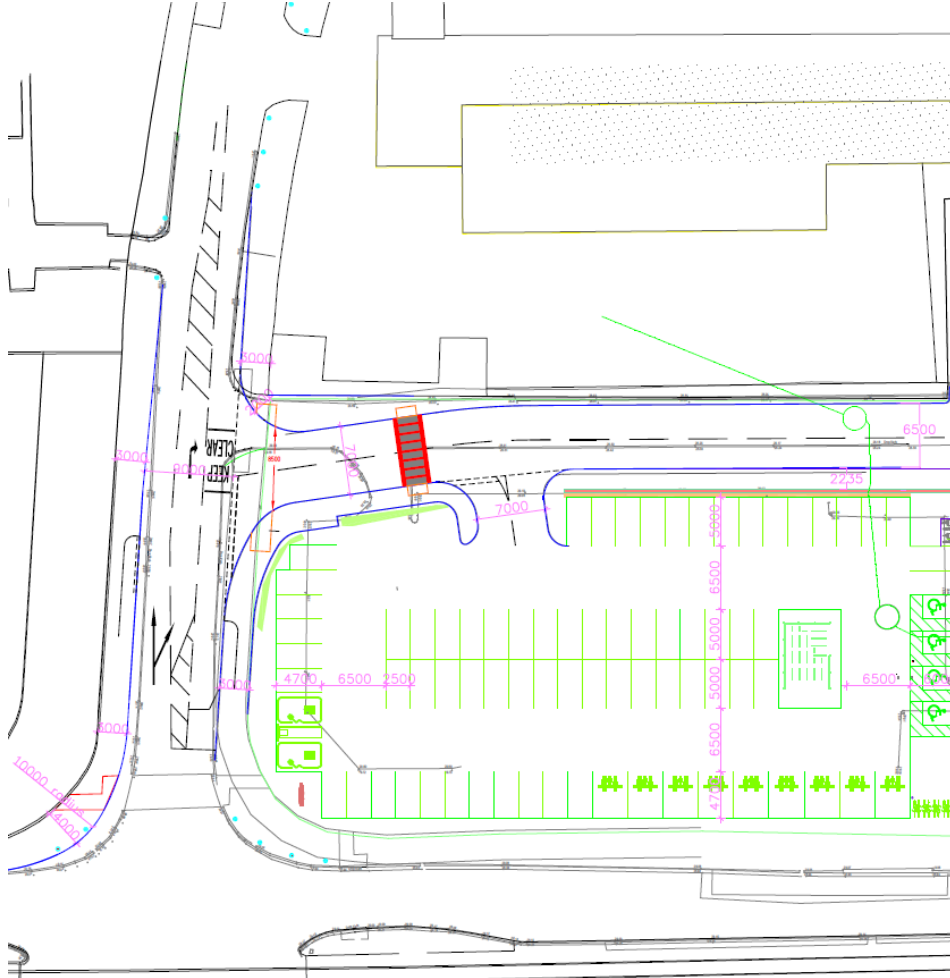
Personal injury accident data suggests that there is no particular trend or pattern of road accidents in the vicinity of the site resulting from any deficiencies in the local road network, or the operation of the site.

An independent Road Safety Audit undertaken on 18/11/2022 during school closing time, identified that the pedestrian/vehicle intervisibility could be improved through the repositioning of the pedestrian crossing point across the junction and this has been incorporated into the design. Regarding junction visibility, the repositioned and widened access and the car park access provide acceptable visibility in accordance with Manual for Streets guidance.

The vehicle tracking at the site access has been reviewed and verifies that passing movements can be undertaken without vehicles having to bump up onto the footway.

Highways Services have confirmed that Chorlton Cycleway proposals in the wider area are not considered to have any additional impact on the operation of the highway, specifically Nell Lane.

Off-site highway Works



The proposed development would require a number of off-site highway works. These measures include works to widen the service road carriageway to accommodate a right turn pocket on Nell Lane and where the northern kerbline is built out to improve vehicle/pedestrian intervisibility. Keep clear markings are also to be provided to this junction. An additional 15 heritage type bollards are now proposed to the north side of Nell Lane in the vicinity of the revised access and at the Mauldeth Road West junction to prevent drop-off and offer further protection to pedestrians. These measures have been provisionally agreed with TfGM and Highway Services.

The installation and commuted costs are to be funded wholly by the applicant. An appropriate condition detailing the required measures is included.

A question had been relating to the introduction of further highway works through a Section 106 legal agreement. It is considered that all necessary mitigation relating to the impacts of the proposed development are addressed through the recommended conditions and further works would not be commensurate to the scale of the

development proposed and the fact that the existing building could be brought back into economic use with no controls available to the Local Planning Authority.

Cycle Parking

The site layout has been designed in a cycle friendly way to allow suitable permeability for pedestrians and cyclists. The applicant has now submitted revised drawings that set out provision for a total of 24 cycle customer parking spaces, including provision for 4 cargo bikes. The level and type of provision is considered to be appropriate a condition to secure the provision is recommended.

Travel Plan

A Framework Travel Plan accompanies the application and includes sustainability measures such as on-site infrastructure, connecting with the existing off-site infrastructure, sustainable travel initiatives and monitoring and targets. A condition has been included to ensure a more detailed Travel Plan to be agreed and ongoing compliance. During the monitoring of the Travel Plan exploration of an extension of the Beryl Bike hire scheme could be included.

Active Routes To School

The application site is close to nearby schools and concerns have been raised in relation to the potential impact of the proposed use on the surrounding network. The proposal has been assessed in detail by both the Local Highway Authority and by TfGM and necessary mitigation measures are identified and required through appropriate conditions or measures provided as part of the development proposed. It must also be noted that the application property could be brought into use as an office, or indeed, as a retail use without any controls by the Local Planning Authority.

Conclusion

The Transport Assessment demonstrates that the proposal is not anticipated to have an adverse impact upon the safe and efficient operation of the existing local highway network both now and in the future. This is based on operational capacity assessments of various surrounding junctions. A Road Safety Audit was also carried out following comments received by TFGM.

Further information has been submitted that evidences that if the site were to revert to its authorised use that the TRICS database for the employment category that the existing use could generate more traffic now than the proposed Lidl.

Peak Period	Office Use	Lidl Foodstore	Net Change in peak hour traffic at Site Access
AM Peak, weekday	+82	+67	-15

Regardless the road safety concerns expressed in relation to the scheme have prompted an enhanced offer in relation to highways infrastructure and restriction in order to ensure that the proposed use would not provide any undue adverse impacts

on the immediately surrounding highway network including on pedestrian and cycle safety.

These are:

Increased cycle parking provision, including cargo bike specific provision;

Revised site boundary treatments to maintain pedestrian safety;

The introduction of 15 No. heritage style safety bollards on Nell Lane;

A condition restricting deliveries during the morning school drop-off period;

A condition requiring appropriate management of the store car park to limit short stay drop offs by school parents;

Alterations to the Nell Lane carriageway to provide a 3m-wide right turn lane into the site access to ensure that no right-turning traffic blocks the northbound ahead flow onto Nell Lane. Whilst retaining a minimum 3m width footway either side of Nell Lane;

At the bellmouth into the site, the proposals widen the footway on the northern side to provide more room for pedestrians to wait before crossing the road;

A controlled zebra-type crossing on a raised table to meet the demand for pedestrians between Nell Lane and the store itself.

Air Quality

An Air Quality Assessment has been submitted as part of the application to determine baseline conditions and assesses whether changes to air quality due to the construction and operation of the proposed development could significantly alter air quality.

The assessment considers the potential effects during the construction phase, including dust emissions and the impact during the operational phase, taking into account exhaust emissions from road traffic generated by the proposal.

An assessment of dust soiling and human health impacts during the construction phase has also been undertaken. Whilst it is noted that there is a risk of dust generation during construction, it is maintained that with the implementation of mitigation measures outlined within the assessment, the dust impacts from the construction phase are considered to be not significant.

The report sets out that the air quality changes to existing sensitive receptors are predicted to be negligible and not significant. Concentrations of harmful particles are likely to be below their respective long and short-term objectives at existing sensitive receptors and at the proposed development site which is therefore considered to be suitable for commercial use with regards to air quality.

The proposed development is not expected to have a significant impact on local air quality.

The following mitigation would be included at the proposed development:

- Two electric charging points are to be provided, with further infrastructure to be conditioned.
- A Travel Plan would be developed for the development to reduce reliance on the private car.
- A number of measures during demolition, earthworks, construction and trackout.

- Cycle parking
- Tree planting and landscaping

On balance the impact to air quality is not considered to be significant. Conditions have been included to ensure the mitigation measures detailed within the assessment, during and post construction are adhered to and for a separate construction/demolition management plan to be submitted and agreed.

Energy Performance

The submitted Energy and Sustainability Statement shows that the design of the building achieves a 16.94% carbon dioxide reduction and 23.56% energy reduction, when assessed against Part L2A of the 2013 Building Regulations.

Passive design strategies include natural daylighting reducing dependency on electric lighting and enhanced fabric efficiencies and thermal mass to help reduce temperature fluctuations by reducing heat gains and / or losses.

Active design strategies include heat recovery ventilation, sub-metering of energy consumption, low level lighting and a building energy management system.

Zero carbon technology to be included includes air source heat pumps. A condition to secure the performance of the building as set out in the submitted Energy and Sustainability Statement is recommended.

Additional Sustainability measures and Waste Management

The applicant has also set out that during the operation of the use Lidl:

- Charge for carrier bags rather than hiding the cost through higher prices; this provides the customer with a clear financial incentive to re-use their bags;
- Limit deliveries to a maximum of two per day. Delivery vehicles are also used to remove waste from the store on their return journey to the RDC where the waste/recyclable material is sorted and managed centrally. This also helps to reduce vehicle trips and emissions;
- Lidl recycling all paper/cardboard and plastic waste produced by the store. This means that over 80% of all waste produced in store is recycled;
- Lidl stores use a manual dock leveller for deliveries, reducing noise emissions and energy use;
- Water consumption is carefully monitored, and flow control devices and water meters are fitted in all stores; and
- Car park lighting is designed in accordance with Lidl's 'Dark Sky' policy with light fittings carefully specified in order to keep light spill beyond the site boundary to a minimum, with Lux and timer controls fitted.

A waste management condition is appended to retain the waste management operation which is considered to be appropriate.

Trees and Landscaping

There is no conflict shown on the plans or the arboricultural survey submitted in association with the application for the retention of the tree to the front of Hough End Hall. The tree is beyond the site edged red and would be unaffected.

Trees were removed from the Mauldeth Road West frontage prior to the submission of a planning application, however, the applicants were informed that the trees lost would be taken into account with regards to the need for replacement planting.

The scheme submitted shows 14, 4.5-6.25m, high extra heavy standard 16-18 girth trees (8 birches, 3 pear trees and 3 Whitebeam). 302 herbaceous shrubs and 1699 other shrubs. It is considered that this level of planting offsets the loss of previous tree cover to the site frontage, the applicant is requested to enhance the landscaping offer by satisfying the requirements of Greater Manchester Ecology Unit as set out below.

Ecology

The Ecological Impact Assessment submitted has been assessed by Greater Manchester Ecological Unit. The report finds that the site has negligible value for bats, however a precautionary informative is suggested to remind the developer of their obligations with regards to the Wildlife Act. The Greater Manchester Ecology Unit also suggest a condition relating to the protection of Breeding Birds, which has been attached.

There is also a requirement in an appropriately worded landscaping condition recommended for biodiversity enhancement over and above the measures already set out in the ecological impact assessment which require the installation of bird boxes, bat boxes and landscaping to create habitats.

Climate Change

City Council policy requires that developers focus on achieving low carbon and energy efficient developments and therefore development should be expected to demonstrate its contribution to these objectives.

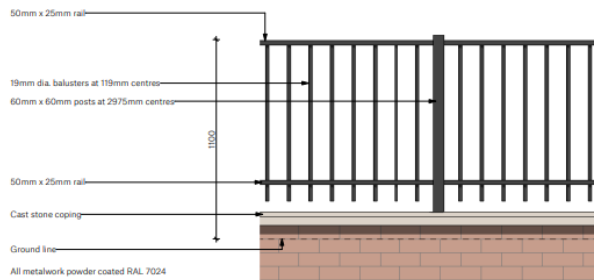
The site is situated within a highly sustainable location with excellent access to a range of amenities, transport services and a residential neighbourhood which the proposed use is largely intended to serve and therefore reducing the distance need to travel.

The site is situated within an existing residential neighbourhood, where existing infrastructure and services can be utilised. It is believed that the proposal therefore harnesses the objectives of sustainable development as advocated by the National Planning Policy Framework (NPPF), which seeks to provide development in sustainable locations, which will support strong, vibrant and healthy communities and contribute to building a strong, responsive and competitive economy.

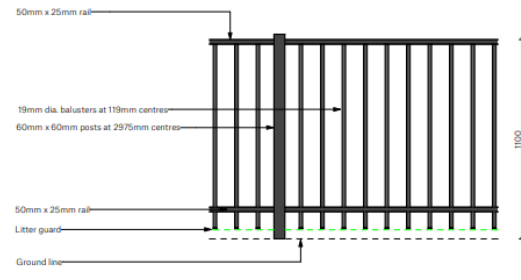
Boundary Treatment

It is proposed to erect a metal rail fence above a brick retaining wall around the site frontages to prevent pedestrians from cutting through the site as a short cut in order to protect the safety of pedestrians and with reference to comments made by

Greater Manchester Police in the Crime Impact Statement. Metal paladin fencing is to be retained to the service area to the rear. The boundary treatment is shown below and a condition to ensure its implementation is recommended.



Railing Type 2 - Proposed Elevation Detail
1:20



Railing Type 2A - Proposed Elevation Detail
1:20

Crime and Security

The proposed development has been designed with crime prevention and safety fully in mind with measures to be incorporated which would reduce opportunities for crime.

The application is accompanied by Crime Impact Statement which has been reviewed by Greater Manchester Policy (Design for Security). It is considered that provided the physical security measures detailed within the statement are implemented, the proposed development is acceptable from a crime and security perspective. In order to ensure the appropriate design measures are introduced an appropriate condition has been included.

Residential Amenity

The plant area and servicing area is located to the north of the site some distance from the Mauldeth Road West and Nell Lane frontages. The noise report submitted requires a 2.5m timber acoustic fence to the eastern boundary of the servicing area to mitigate any noise disturbance to the pupils studying at the neighbouring Chorlton High School.

The proposed use is separated from other sensitive receptors by intervening uses and infrastructure and is not considered to provide any undue detrimental impacts with regards to loss of light, overlooking or loss of privacy or noise disturbance associated with comings and goings associated with the proposed hours of opening or delivery. Regard is also had to the possibilities that exist for the use of the existing Class E building and the associated impact on residential amenity that these uses could have.

The applicant has confirmed the proposed unit would not have an extraction system that would lead to fumes, vapours or odours being emitted from the premises.

Subject to the imposition of the required mitigation and conditions, the development would therefore accord with policy DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

Construction Management

To make sure construction and demolition is effectively controlled and to prevent any disruption to existing occupiers in the area, or along key routes throughout this part of the city, a condition is included which requires the submission and approval of a construction management plan.

Ground Conditions

On the basis of the submitted reports, the ground conditions at the site are not considered prohibitive to the development proposed being delivered. A condition has been included to ensure compliance with the submitted mitigation and remediation measures identified and for a verification report to be submitted and agreed by the City Council post completion.

Drainage and Flood Risk

The application site is located in flood zone 1 'low probability of flooding'. The submitted Flood Risk Assessment has been considered by the City Council's Flood Risk Management Team who advise that notwithstanding the submitted information, further details are required in terms of surface water drainage and its subsequent maintenance. Suitable conditions have been included which require further agreement of such details. If these measures are successfully implemented, the drainage strategy is considered acceptable. Tree planting and landscaping would break up areas of existing hard standing at the application site.

External Lighting

The application has been accompanied by an external lighting scheme encompassing the specification (including illuminance details / mounting heights etc.) and full light spillage analysis. No concerns have been raised by Environmental Health with regards to having any adverse impact to the nearest sensitive occupiers. As a safeguard, a condition has been included which seeks the elimination of any glare or light spillage if any encountered and assessed by the Local Planning Authority as being a nuisance.

Accessibility

Customers will enter the south west entrance through the glazed automatic doors, which are suitable for disabled access and fire exit. Then leading to the single level main sales floor - looping back to the tills and exit through glazed automatic doors. This entrance/exit are both close proximity to the disabled (4 spaces) and child and parent bays (9 spaces) at the front of the store.

Signage

The decision of the applicant to apply separately for advertisement consent prior to the determination of this application is not material to the determination of this planning application based on its merits.

Conclusion

The proposed development would make efficient use of a previously developed site, to provide increased shopping choice for the local population, whilst contributing to the local economy through the creation of jobs.

The applicant has demonstrated that given the out of centre location of the site, there are no sequentially preferable sites, or allocated sites, within the area that are available, suitable and viable.

The proposal would not have any unduly unacceptable impacts, either individually or cumulatively with completed or approved schemes and the proposal is appropriate in terms of its scale and function to its location.

The existing building on the application site could be brought back into use as an office with no controls from a planning point on the intensity of use, hours of operation or any requirement for landscaping, cycle storage or other sustainability issues such as renewable energy sources. Similarly, the existing building could be brought into use as a retail offer without the need for an application for planning permission with no controls available through planning legislation.

It is considered that the proposal would uplift the appearance of the site and is unlikely to lead to any negative impacts to residential amenity and the operation of the local highway. It has been concluded that the proposal would cause less than substantial harm to the neighbouring Grade II* Listed Hough End Hall and the limited harm caused would be outweighed by the public benefits of the scheme. On this basis, the proposal is considered to accord with the aforementioned planning policy and guidance and there are no material considerations to indicate otherwise.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 / 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.

Conditions to be attached to the decision

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

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

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

Submitted Application Forms

ZZ-00-DR-A-01001 P04 GF PLAN

ZZ-01-DR-A-00 P03 1F PLAN

ZZ-RF-DR-A-00001 P03 ROOF PLAN

ZZ-XX-DR-A-02001 P05 ELEVATIONS

ZZ-XX-DR-A-02002 P02 EXTERNAL WALL MASONRY

XX-XX-DR-A-90001 LOCATION PLAN

XX-XX-DR-A-90002 P01 EXISTING SITE PLAN

Visuals

DESIGN AND ACCESS STATEMENT

Environmental Statement

EIA SCREENING

AIR QUALITY ASSESSMENT

CRIME IMPACT STATEMENT

PLANNING AND RETAIL

STATEMENT OF COMMUNITY INVOLVEMENT

NOISE IMPACT ASSESSMENT

ECOLOGICAL IMPACT ASSESSMENT

FLOOD RISK ASSESSMENT

DR-C-0100 P3 DRAINAGE STRATEGY

PHASE II GEO-ENVIRONMENTAL ASSESSMENT

TRANSPORT ASSESSMENT
TRAVEL PLAN

Received 02 December 2022

PROPOSED LIGHTING LAYOUT
HERITAGE IMPACT ASSESSMENT

Received 14 December 2022

ENERGY & SUSTAINABILITY STATEMENT
TRANSPORT ASSESSMENT

Received 16 January 2023

TECHNICAL NOTES RESPONDING TO HIGHWAYS COMMENTS

Received 31 January 2023

Email correspondence from Jim Budd of SCP to Andy Connell – 01.03.23
A Highways Summary note

Received 03 March 2023

XX-XX-DR-A-91002 P17 PROPOSED SITE PLAN

Received 06 March 2023

XX-XX-DR-A-90003 P07 BOUNDARY TREATMENT PLAN
SCP/220102/SK06 Rev A Visibility Splays at Car Park / Access Road Junction
SCP/220102/SK08 Rev A Proposed Location of Additional Heritage Bollards along
Nell Lane
R/2626/1C LANDSCAPING DETAILS

Received 07 March 2023

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) With the exception of demolition, no above ground development that is hereby approved shall commence unless and until samples and specifications of all other materials to be used on all external elevations of the development, have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed materials.

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, pursuant to policies SP1, EN3 and DM1 of the Core Strategy.

4) 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.

- o Full details of the impact of the demolition of the property upon the neighbouring designated heritage asset.
- o An amended Demolition Method Statement for the building on site that has controls over demolition vehicle access during school drop off and pick up hours, and;
- o A further updated existing asbestos Type 2 survey in relation to that building.

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.

5) The retail unit (Class E) hereby approved shall not be open outside the following hours:-

07:00 to 23.00 hrs Monday to Saturday

10.00 to 18.00 hrs Sundays

Reason - To safeguard residential amenity, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

6) Deliveries, servicing and collections, including waste collections shall not take place outside of the following hours: 07.30 to 20.00 hrs Monday to Saturday and 09.00 to 17.00hrs Sundays. They shall also not take place between the hours of 08.00 to 09.00 Monday to Friday.

Reason - To safeguard the amenities of nearby occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

7) 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.

8) a) Any externally mounted ancillary plant, equipment and servicing to be installed 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 its installation, 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 any externally mounted ancillary plant, equipment and servicing to be installed becoming operational, an approved 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 saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

9) 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 DM1 and SP1 of the Manchester Core Strategy.

10) 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.

b) Prior to occupation of the development 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 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 Core Strategy.

11) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

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

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and prior to occupation 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.

12) The car parking as indicated on the approved plans shall be surfaced, laid out and demarcated prior to the first occupation of the development hereby approved. The car park shall then be available at all times whilst the site is operational.

Prior to the occupation of the development hereby approved a car park management plan shall be submitted which shall include measures to be implemented in order to prevent short stay parking for drop off and pick up of school children and should also include measures to prevent the use of the car park as a pedestrian through route to Mauldeth Road West.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied and in the interests of pedestrian and highway safety in order to comply with policy DM1 of the Core Strategy.

13) The cycle parking provision arrangement shown on plans submitted shall be installed prior to the first occupation of the development and be retained thereafter for use by people visiting and working at the development.

Reason - To ensure that there is adequate cycle parking for the development in order to comply with policies T1, T2 and DM1 of the Core strategy.

14) The accessible parking spaces shown on the drawings submitted shall be implemented prior to the commercial unit hereby approved being occupied and be retained thereafter.

Reason - To ensure sufficient accessible car parking provision, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

15) Notwithstanding the electric vehicle charging points shown on the drawings submitted further details of provision for electrical charging shall be submitted for the approval of the local planning authority. The agreed electric charging provision shall be installed and operational prior to the commercial unit hereby approved being occupied and be retained thereafter.

Reason - In the interest of air quality, pursuant to policies DM1 and EN16 of the Manchester Core Strategy.

16) The development hereby approved shall be carried out in accordance with the Travel Plan (SCP/220102/TP/00) stamped as received by the City Council, as Local Planning Authority, on the 02 December 2022.

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 during the first three months of the first 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 occupation of the development, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

17) Prior to the commencement of above ground works, full details of all necessary off-site highway works, to be implemented via a S.278 agreement, shall be submitted to and approved in writing by the City Council as Local Planning Authority and be implemented in accordance with a timescale to be agreed by the City Council as Local Planning Authority. Such works should include:

- Works to widen the carriageway to accommodate a right turn pocket and where the northern kerblines is built out to improve vehicle/pedestrian intervisibility.
- Keep clear markings are also to be provided to this junction.
- Installation of additional heritage footway bollards to be installed to the north side of Nell Lane in the vicinity of the revised access and at the Mauldeth Road West junction

The development shall not be occupied until all the necessary off-site highway works have an agreed timescale for implementation.

Reason - To encourage walking to the site and in the interests of highway safety, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

18) a) The development hereby approved shall be implemented in accordance

with the measures as set out within the approved Energy Usage and Sustainability Statement prepared by Space Architects.

b) Within 3 months of the completion of the construction of the authorised development a verification statement prepared by a suitably qualified expert 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 Statement. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the recommendations and requirements within the approved report.

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.

19) The development hereby approved shall only be carried out in accordance with mitigation measures detailed within the submitted Air Quality Assessment produced by Miller Goodall dated 7 July 2022 received by the City Council, as Local Planning Authority on 2 December 2022.

Reason - To minimise the impact upon air quality and in order to minimise the environmental impact of the development, pursuant to policy EN16 of the Core Strategy, National Planning Guidance and National Planning Policy Framework (NPPF).

20) No development shall take place 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.

21) 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.

22) Prior to the first occupation of the development hereby approved details of the physical security specifications outlined within the submitted Crime Impact Statement (Ref: 2002/1427/CIS/02 - version A) dated 13 August 2022, received on 02 December 2022 to be installed at the development shall be submitted to and approved in writing by the City Council. The development shall be carried out in accordance with the agreed details.

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.

23) Notwithstanding the details of landscaping as set out within the approved drawing reference: R/2626/1C received 07 March 2022, a further plan indicating biodiversity enhancement to be made shall be submitted prior to commencement of above ground works. Landscaping and biodiversity enhancements 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.

24) The unit hereby approved shall not be occupied until the boundary treatment set out in accordance with drawing reference XX-XX-DR-A-90003 P07 (received 7 March 2023) has been implemented. The development shall only be carried out in accordance with the approved details and shall thereafter be retained.

Reason - In the interests of security and 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.

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

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

26) (a) Prior to the commencement of above ground works, details of a local labour agreement in order to demonstrate commitment to recruit local labour for operational element of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) The approved document shall be implemented as part of the occupation of the development. Within six months of the first occupation of the development details of the results of the scheme shall be submitted for consideration.

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

27) No signage of any type, including internal window vinyls shall be installed to any areas of glazing or curtain walling. Building advertisements shall be restricted solely to the billboard locations, as shown on the submitted drawings.

Reason - To prevent the proliferation of advertisement and to safeguard visual amenity, pursuant to saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies DM1, EN1 and SP1 of the Manchester Core Strategy.

Informative to be attached to the decision

Whilst the buildings to be demolished have been assessed as negligible risks for bats, the applicant is reminded that 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.

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: 135647/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
Greater Manchester Police
Transport For Greater Manchester

Greater Manchester Ecology Unit

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

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