



Planning and Highways Committee

Date: Thursday, 21 September 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 any other entrance 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

Lyons (Chair), Shaukat Ali, Andrews, Chohan, Curley, Davies, Gartside, Hassan, Hewitson, Hughes, Johnson, Kamal, J Lovecy, Ludford and Riasat

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 31 August 2023. 5 - 12
5. **136444/FH/2023 - 1A Cavendish Road, Manchester, M20 1JG - Didsbury West Ward**
The report of the Director of Planning, Building Control and Licensing is enclosed. 13 - 38
6. **137462/FO/2023 - Land Off Parkmount Road, Manchester, M9 4AJ - Harpurhey Ward**
The report of the Director of Planning, Building Control and Licensing is enclosed. 39 - 78

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,
Manchester, M60 2LA

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, 13 September 2023** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA

Planning and Highways Committee

Minutes of the meeting held on 31 August 2023

Present: Councillor Lyons - In the Chair
Councillors Shaukat Ali, Andrews, Chohan, Curley, Davies, Gartside, Hassan, Hughes, Johnson, Kamal and Lovecy

Apologies: Councillors Hewitson, Ludford, Riasat

Also present: Councillors Igbon and Wright

PH/23/64 Supplementary Information on Applications Being Considered

A copy of the late representations received had been circulated in advance of the meeting regarding applications 136812/OO/2023, 136814/FO/2023, 136963/FO/2023 and 136791/FO/2023.

Decision

To receive and note the late representations.

PH/23/65 Minutes

Decision

To approve the minutes of the meeting held on 27 July 2023 as a correct record.

PH/23/66 136812/OO/2023 - Land At Red Bank Victoria North Manchester

The Committee considered the report of the Director of Planning, Building Control and Licensing that presented the outline of an application for a development comprising: Erection of a residential led mixed use development across severable plots comprising residential (Use Class C3a); non-residential floorspace comprising commercial, business, service and community uses (Use Classes E, F and Sui Generis); residents amenity space including within clubhouse buildings; health centre (Use Class E); a primary school (Use Class F); the final surface finish of the highway and footpath consented under HIF permission ref: 133143/VO/2022; creation of new public realm and associated landscaping, car parking provision, cycle storage, and other associated works (with all matters reserved). It also outlined an application for development with all matters considered: Demolition of existing buildings and structures.

The Outline application was for a residential led development, with a clubhouse, a health centre, a primary school, infrastructure, public realm and landscaping. One letter of support had been received.

The Planning Officer noted that it was unusual for an outline application to be brought before Committee but that the Planning team had accepted due to the size of the plans. The outline application was to establish the principle of the development.

The applicant addressed the Committee, stating that the outline application proposed a new district for the city that had been in planning and public consultation since 2021. The project would create a new population of 6,000 people. The aim of the project is to create a sustainable community, with affordable housing a key part of the project. It was noted that the project aimed to meet the requirement of 20% affordable housing across the plans, with 5% already secured. The homes built on site would be a mix of open market, built to rent and affordable. There were non-residential plans too, including the building of a new Primary School. There were extensive plans regarding the public realm. It was noted the project would create over 4,500 temporary construction jobs.

Members, in general, welcomed the proposals as put forward in the outline application. Concerns were raised regarding the lack of social housing in the application and the process of considering an outline application, whether discussion would be possible later when further planning applications are put forward due to the lack of commitment to certain proposals within the application in its current form.

The Planning Officer noted that there was an expectation of 20% affordable housing but without the detail, they could not be certain. They did inform the Committee that 20% affordable housing was being delivered elsewhere in the project. As this was an outline application, there were conditions set within it. The Planning Officer stated that the public realm was being looked at creatively, but more detailed proposals can be discussed at future phases of planning.

Members then queried why the application was being considered as an outline application and concerns over space for children to play.

The Planning Officer stated that an outline application was a legitimate part of the process and was not unusual in other places. The Planning Officer was confident of what was being supported but accepted that detail could not yet be confirmed. The scale of the investment was the reason for an outline application being accepted, noting they had not seen this level of thought at this stage before. The Planning Officer noted that there would be a lot of open space for children to play.

Members then queried if there was a possibility for priority to be given to certain residents for the affordable housing as part of this project and if there would be any constraints to the Committee in the future to agreeing the outline application.

The Planning Officer noted that a local lettings policy could form part of the project. They stated that the Committee were agreeing to the parameters in the report and that further detail would still need to be considered.

Councillor Andrews moved the Officer's recommendation of Minded to Approve.

Councillor Shaukat Ali seconded the proposal.

Decision

The Committee resolved to be Minded to Approve the Application for the reasons and subject to the conditions set out in the report and subject to the signing a legal agreement in respect of affordable housing and to secure the retention of the project architect.

**PH/23/67 136814/FO/2023 - Land Bounded By Dantzic Street, Dalton Street
And The Railway Line Known As Plots NT02, NT03 And NT04
Manchester**

The Committee considered the report of the Director of Planning, Building Control and Licensing concerning the erection of a phased residential led mixed use development comprising three residential towers (Use Class C3 and C2) (NT02 34 storeys, NT03 part 8, part 20 and part 31 storeys and NT04 part 8, part 27 storeys) with associated flexible non-residential floorspace comprising commercial, business, service and community uses (Use Classes E, F and Sui Generis); erection of a 6 storey residential amenity space within a clubhouse building (part of NT02), with associated car and cycle parking, hard and soft landscaping, improvement works to Dantzic Street, drainage infrastructure and associated engineering works following demolition of existing buildings and structures.

The application proposed 1551 homes of which 78 would be affordable (5%). It included a clubhouse, commercial uses, highway improvements, public realm and landscaping.

Three letters had been received providing comments on construction impacts and the impact of the height on nearby residential accommodation.

The Planning Officer noted that the Council had a land interest in the site and that needed to be disregarded by members of the Committee.

The applicant addressed the Committee, noting that this application was the first phase of a new sustainable community. The application proposed 1,551 new homes, with high-quality public realm. There was a commitment to affordable housing, with 5% secured and 20% the ultimate aim. Within the application, there would be 4,000sq. metres of non-residential uses. The application would create a 26% biodiversity net-gain, with energy efficiency measures in place in the design of buildings. The application would create over 1,800 temporary construction jobs.

A member raised a query regarding the proposals for Dulwich Street and if there would be actual play space for children or would the space be for parking for residents. A member also queried if the affordable housing as part of the application was 5% or if there would be 20%.

The Planning Officer noted that Dulwich Street would be restricted access and that was why there was reference in the report to it being gated. The application only proposed space for up to 100 cars, around 10% of the site which was not a large number. In terms of affordable housing, 5% was offered as part of the proposal but the objective was 20%, as had been secured in other proposals, leaving the Planning Officer with no reason to doubt it would not be secured for this application. A local lettings policy could also form part of the application.

A member noted the green and blue policy within the application that noted the target would be reached in 2025. They queried if that trajectory would continue post-2025. They also queried if the 10 disabled access points proposed satisfied the Planning Officer. They also questioned if, in relation to the new trees proposed, there would be any control over the wider area. A member then noted the 1,250 jobs created by the application and questioned if that would include apprenticeships for young Manchester residents.

The Planning Officer noted that this was the usual level of disabled access points. In terms of trees, there was lots of space to plant the trees and they were confident that the number proposed would be met. The Planning Officer was also confident that apprenticeships for local residents would form part of the jobs created by the application.

Councillor Shaukat Ali moved the officer's recommendation of Minded to Approve.

Councillor Hughes seconded the proposal.

Decision

The Committee resolved to be Minded to Approve the Application for the reasons and subject to the conditions set out in the report and subject to the signing a legal agreement to secure 5% on site affordable, a late-stage review of the viability and to secure the retention of the project architect.

PH/23/68 136963/FO/2023 - Loreto College 146 Chichester Road And The Former Probation Centre Bounded By Chichester Road South/Moss Lane East/Maher Gardens And Tamworth Street Manchester M15 5PB

The Committee considered the reports of the Director of Planning, Building Control and Licensing concerning the erection of a three-storey Class F1 (a) (Provision of education) building comprising a 20 no. classrooms, an assembly space, study centre, staff rooms and associated accommodation following the demolition of the existing single-storey building and partial demolition of the St Vincent's building together with a phased landscaping scheme; boundary treatments; cycle parking; and, car parking.

The application proposals seek approval for the provision of a teaching block for the Loreto Sixth Form College on a site which lies to the immediate south of the existing College campus. The site is owned by the City Council and was previously leased to the Ministry of Justice who provided Probation Services from the single storey building on the site from the late 1980s early 1990s until 2021.

Due to its long-standing reputation of academic excellence, the college was consistently oversubscribed with nearly 3 applications received for each available place. It was operating at capacity with no further flexibility to accommodate the ever-growing demand for places. This situation will be exacerbated owing to demographic growth in the Manchester region. ONS data indicated growth of circa 20-30% in 16

18-year-olds over the next 5-10 years. In order to meet this forecasted demand, the college had put in place a capital plan that focused on a new teaching block located on the application site. A grant application was submitted to the Department of Education in November 2022, which was approved, and confirmation obtained in May 2022 for the provision of new teaching accommodation proposed by these application proposals.

Nearby properties were notified of the proposals with letters sent to 191 addresses, in addition a site notice was posted, and an advertisement placed in the Manchester Evening News notifying of the application proposals. In response, comments were received from 1 Manchester resident together with comments from ward members raising concerns around: the perceived inefficient use of land, impacts on air quality, transport implications of the proposals, and the notification process undertaken.

The Planning Officer noted that funding for the application had been received on a time-limited basis and that there was an urgent need to provide post-16 education places. The situation relating to transport and car parking was being looked at in more detail outside the application.

Councillor Igbon addressed the Committee as a local resident. It was noted that residents had not received information regarding the application and concerns had been raised that had not been addressed. The college has a negative impact for residents in terms of vehicles, pollution, noise, anti-social behaviour, and litter. The plan to extend was a lack of responsibility to the community, with an additional 500 people proposed to be attending the college. Within the application, there was a lack of an Active Travel Plan lack which would cause severe impact to residents. The Travel Plan enclosed as part of the application was not fit for purpose and a comprehensive plan should be worked on between the college and other stakeholders, including residents, according to Councillor Igbon in their capacity as a local resident.

The applicant then addressed the Committee, stating that there was a shortage of post-16 places, and the proposal would increase capacity at the college. The college had received a grant for the expansion. They were aware of the ongoing traffic issues and were happy to work with stakeholders and residents to alleviate those problems, as had already been happening. The college was involved in a wide range of environmental issues. The application proposed 96 cycle spaces. All students at the college would receive Carbon Literacy training. The applicant stated that they had consulted on the proposals locally and that they wanted to continue to support the local area.

Councillor Wright addressed the Committee as a ward councillor, querying why there appeared to be a separate process for the active travel plan. Councillor Wright noted that the issue related to traffic. A recent air quality assessment was completed that showed an improvement since stopping 2-way traffic, and more traffic would have a detrimental effect on this. Councillor Wright stated that the college had referenced it not being safe to cycle, yet the application contained a lot of information about cycling.

The Chair questioned if an active travel plan can be included as a condition. The Chair also asked if the Director of Planning could write to the college to stress the importance of engagement with residents.

The Director of Planning, Building Control and Licensing stated that they would write to the college regarding engagement. It was noted that there is a proposed condition attached to the application regarding a travel plan [Condition 16]. The Director suggested that this condition could be reworded to link this travel plan with the wider travel plan for the whole of the college and to develop a plan for communication and engagement; and that if the Committee were minded to approve the application, the wording of this condition could be delegated to the Chair and Director of Planning.

The Planning Officer noted that 191 addresses were provided notification of the application, with more also sent by the college. It was stated that this went beyond the statutory requirements. The Planning Officer accepted that a formal travel plan would be included, alongside improvements to the public realm. They noted that the proposed extension would be an energy efficient building.

A member raised concerns that there would be an impact on residents from the increased traffic. They stated that resident should be involved in the creation of the travel plan and improvement is needed in the ongoing engagement strategy.

A member also stated that the travel plan needed to include a reduction of air pollution, but noted their support with the amendments to conditions as referenced by the Director of Planning.

Councillor Shaukat Ali moved the officer's recommendation of Approve.

Councillor Andrews seconded the proposal.

Decision

The Committee resolved to Approve the application subject to conditions with authority delegated to the Director of Planning, Building Control and Licensing in conjunction with Chair to redraft Condition 16 as discussed.

PH/23/69 136791/FO/2023 - Former Chorlton Leisure Centre Manchester Road Chorlton Manchester M21 9PQ

The Committee considered the report of the Director of Planning, Building Control and Licensing concerning the erection of 2 no. 5 storey residential buildings comprising 50 no. dwellings (Class C3) with ancillary communal facilities; and, associated access, car parking, bin store, amenity space and landscaping, following the demolition of the existing building. The proposal was for a part 7 part 11 storey purpose built student accommodation (PBSA) building providing 197 student bed spaces.

The application related to the erection of a 5-storey residential development comprising 50 affordable apartments for the over 55s, following demolition of an existing vacant leisure centre. Following notification of the application 9

representations had been received, including 3 objections, 2 in support and 4 neutral responses with comments.

The Planning Officer had nothing to add to the report.

The applicant addressed the Committee, noting that the application would make a contribution to the local area. They had consulted widely, which had informed the application as submitted. The proposal was for 50 affordable homes for elderly residents. The proposals were energy efficient and in a sustainable location. They noted there had been no objections from the statutory consultees. They noted that the existing building could not be converted, and that this application would bring significant benefits to the site.

A member queried if there was parking space for carers. Another member queried if the 19 spaces proposed was sufficient.

The Planning Officer noted that the 19 spaces were sufficient for the application, allowing both visitors and occupiers to park.

Councillor Andrews moved the officer's recommendation to approve.

Councillor Curley seconded the proposal, noting that no issues had been raised regarding the application by Historic England.

Decision

The Committee resolved to approve the application as set out in the officer's report.

PH/23/70 137579/FO/2023 - 12 And 12A Errwood Road Manchester M19 2PA

The Director of Planning, Building Control and Licensing confirmed that this item had been withdrawn and therefore no decision was required.

PH/23/71 Confirmation of The Manchester City Council (Land at Sherwood Street & Wynnstay Grove) Tree Preservation Order 2023

The Committee considered the report of the Director of Planning, Building Control and Licensing informing the committee about the background and issues involved in the making of a Tree Preservation Order (TPO) on 18 April 2023 and to recommend the confirmation of this Tree Preservation Order.

The Director of Planning recommended that the Planning and Highways Committee instruct the City Solicitor to confirm the Tree Preservation Order on land at Wynnstay Grove/Sherwood Street, under Section 199 of the Town and Country Planning Act 1990, and that the Order should cover the woodland as plotted W1 on the plan attached to the report.

The Planning Officer noted that this report had been deferred from the previous meeting and a meeting had since taken place between Planning officer's and the landowners.

An objector addressed the Committee, noting their belief that the TPO appeared a blunt instrument. They stated there was considerable tree issues on the street. They felt that the TPO was unnecessary. They stated that some trees were coming to the end of their natural life on the life. The objector stated that the trees on the site were not in any danger.

The Planning Officer was happy to enter engagement with the landowner and that was not prevented by the TPO. Any end-of-life trees could be independently assessed where necessary whilst the TPO was in place. The TPO simply served as extra protection.

A member noted that the TPO was a positive and that it was nothing against the landowners.

Councillor Curley moved the officer's recommendation to instruct the City Solicitor to confirm the TPO, noting that Planning Officer's had alleviated members concerns.

Councillor Andrews seconded the proposal.

Decision

The Committee resolved to instruct the City Solicitor to confirm the Tree Preservation Order on land at Wynnstay Grove/Sherwood Street, under Section 199 of the Town and Country Planning Act 1990, and that the Order should cover the woodland as plotted W1 on the plan attached to this report.

Application Number	Date of Appln	Committee Date	Ward
136444/FH/2023	9 Mar 2023	21 Sept 2023	Didsbury West Ward

Proposal Erection of new front porch, erection of single storey rear extension to form garage with terraced area above following excavation of section of existing rear courtyard, and erection of fencing above existing walls around perimeter of the site; following demolition of part of boundary wall

Location 1A Cavendish Road, Manchester, M20 1JG

Applicant Mr Matthew Smith

Agent Mr Sean Monaghan, MOJO Architecture

Executive Summary

The application seeks planning permission for the erection of new front porch, erection of single storey rear extension to form garage with terraced area above following excavation of section of existing rear courtyard, and erection of fencing above existing walls around perimeter of the site; following demolition of part of the boundary wall.

The property sits within the Albert Park Conservation Area but is not listed.

One representation in support of the scheme was received from a Local Councillor. The key issues for consideration are the potential impact on highway and pedestrian safety which would arise as a consequence of the removal of part of the boundary wall allowing access to the rear yard of the application property for parking; potential impacts on neighbouring occupiers due to any overbearing appearance as well as the impact on the character of the Conservation Area. These issues are fully considered within the main body of the report.

Description

The application site is located on Cavendish Road, although the primary elevation of the property faces towards the south-east in the direction of Burton Road. As such, the side elevation of the property fronts Cavendish Road. The front of the application property sits behind the single storey, flat roof structure of G.T Blagg hardware shop.

Immediately to the north-west and west of the site sits the Cavendish Community Primary School, with the front of the school leading out onto Cavendish Road. To the north there are residential properties. The immediate area surrounding the application site is characterised by retail units, cafes, restaurants, public houses and bars, with flats above, and residential dwellinghouses. Other local landmarks of the immediate area include the Cavendish Park Road playground, The Metropolitan West Didsbury, Burton Road Metrolink stop and Withington Community Hospital.

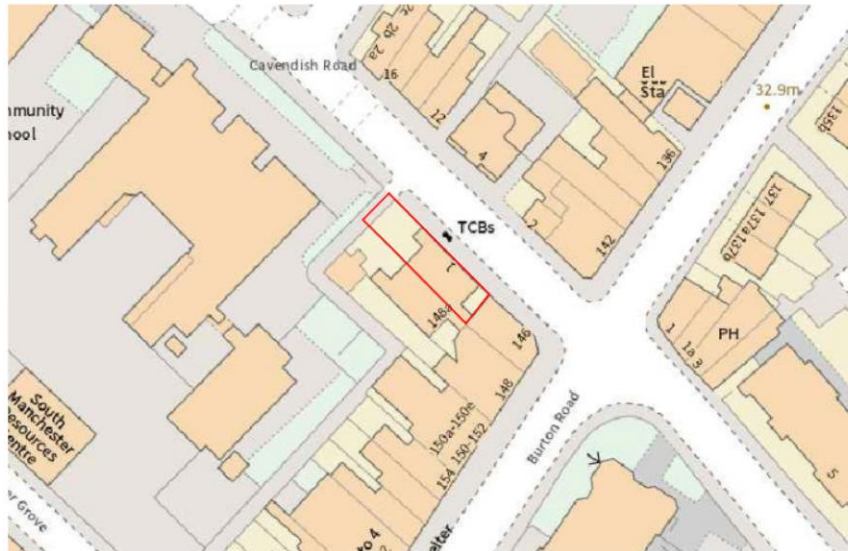


Figure 1. Submitted location plan with site edged in red.

The property is located within the Albert Park Conservation Area. During the late Victorian period, the shopping area on Burton Road was developed to the south and culminated in the North with the large scale Victorian public house, the Midland, on the corner with Lapwing Lane. Around the 1900s Cavendish Road, a short cul-de-sac, was extended to continue the line of Lapwing Lane. This coincided with the construction of the largest buildings in the conservation area - Shawgrove and Cavendish Road Schools.

The application site is within a visually prominent location within the Conservation Area, especially from the junction of Burton Road, Lapwing Lane and Cavendish Road.

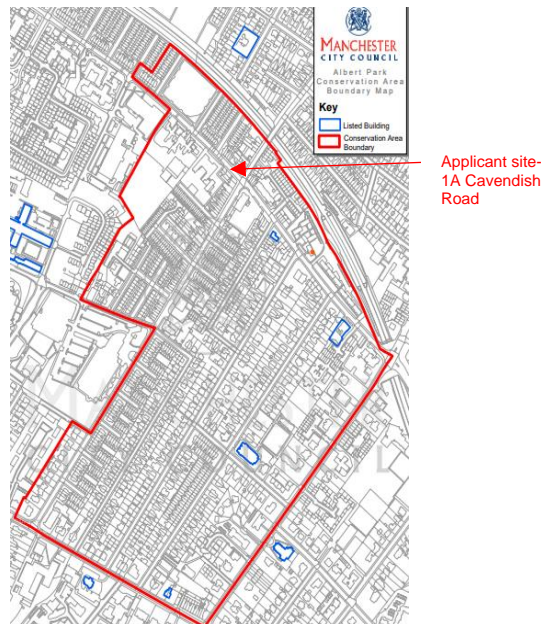


Figure 2. Map of Albert Park Conservation Area in relation to applicant site.

The application site relates to a late Victorian dwellinghouse (assumed c.1880), constructed in red brick (attractive Flemish bond with polychrome effect to north

gable of particular interest) with stone dressing, slate pitched roofs, eminent chimneystacks and sash windows. Standing at three storeys, the building survives fairly intact externally and in plan form.

The front of the property is accessible from a gate off Cavendish Road to the south of the site, which leads to a small hard surfaced courtyard. Access into the property is from steps leading to the front door with a right hand turn leading into the property itself. The property benefits from further amenity space to the rear. A change in level occurs between the property itself and the rear amenity space and steps allow access down into the courtyard area. Boundary treatment surrounding the rear amenity space consists of an approx. 1.8 metre brick wall surrounding the perimeter of the site. The immediate neighbour to the south west benefits from a similar arrangement in terms of rear amenity space.



Figure 3. Entrance to the property from a personnel gate off Cavendish Road.



Figure 4. Primary view of the property as seen from Cavendish Road.



Figure 5. Rear view of the property as seen from Cavendish Road.



Figure 6. Rear garden.



Figure 7. Rear boundary wall of applicant site in relation to rear alleyway.

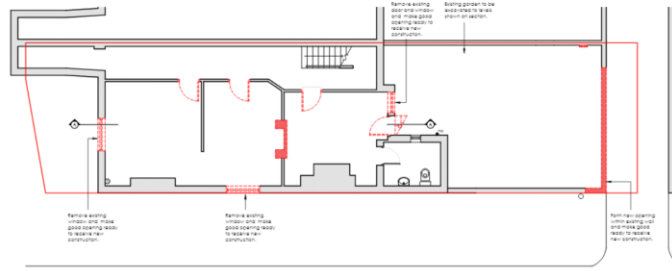


Figure 8. Existing lower ground floor plan.

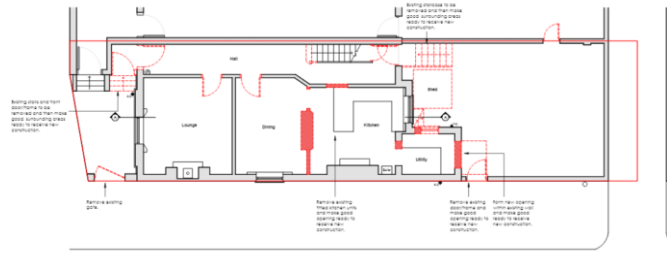


Figure 9. Existing ground floor plan.

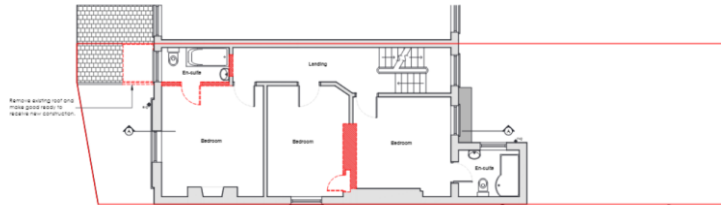


Figure 10. Existing first floor plan.

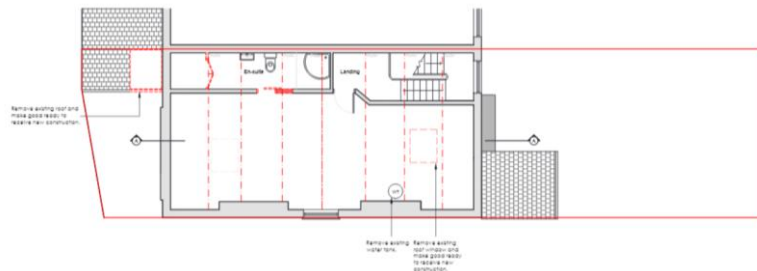


Figure 11. Existing second floor plan.

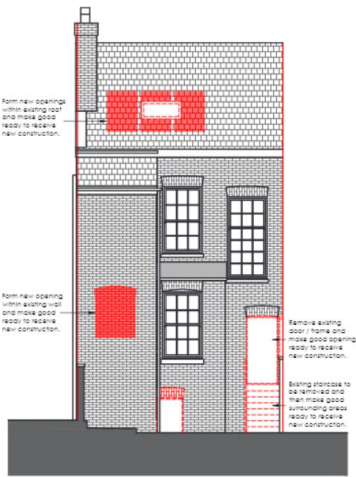


Figure 12. Existing primary elevation.

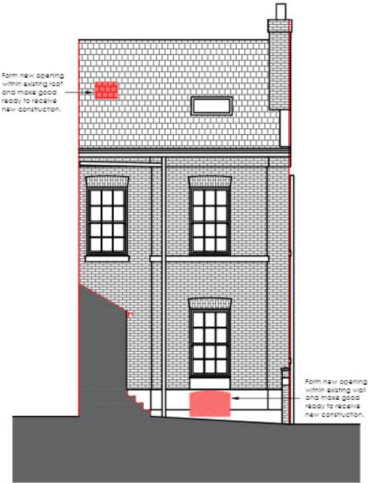


Figure 13. Existing rear elevation.

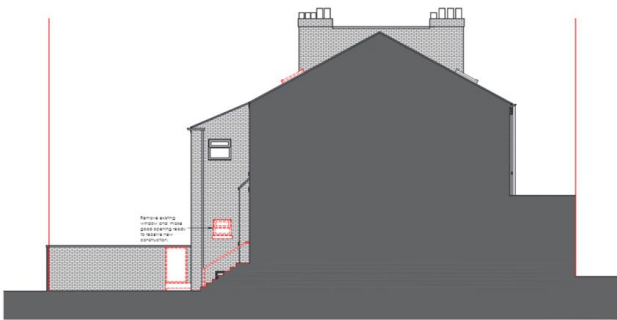


Figure 14. Existing side elevation (1).



Figure 15. Existing side elevation (2).

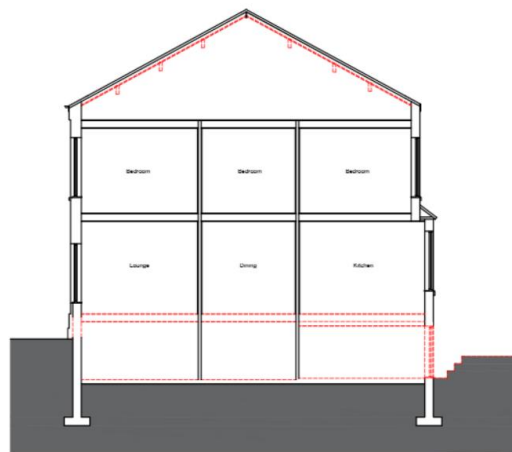


Figure 16. Existing Section.

The applicant is seeking permission for the erection of new front porch, erection of single storey rear extension to form garage with terraced area above following excavation of a section of existing rear courtyard, and erection of fencing above existing walls around the perimeter of the site; following demolition of part of the boundary wall.

In order for a car to park within the new garage area within the rear courtyard, a new gateway into the rear courtyard would need to be formed.

When the application was submitted, a front and rear dormer was proposed within the application. The insertion of the two dormers was considered inappropriate and unacceptable given the property's prominence within the Conservation Area and as agreed with the agent, this element of work was omitted from the proposed scheme.

Planning history

No planning history exists for this site.

Consultations

Local residents:

No responses were received from local residents.

Local councillors:

Councillor John Leech made representations on behalf of the applicant in support of the application. In relation to the access point to the rear in connection with the proposed garage area, Councillor John Leech stated the alleyway to the rear was already in use and discussed comparable local circumstances. Councillor John Leech raised the issue of the removal of the rear wall at the site and whether this could be achieved without planning permission. The Councillor also highlighted how the rear wall historically does not benefit from planning consent and how the rear courtyard was historically used for parking purposes.

West Didsbury Residents Association:

No responses were received from West Didsbury Residents Association.

Highway Services:

Highways have raised concerns which can be summarised as follows -

During the initial consultation, concerns regarding the rear on-site car parking proposal with access from Cavendish Road and the rear alleyway were raised. The location of the car parking space is not preferred from a Highways perspective due to compromised forward visibility for motorists and pedestrians. Given that vehicles will access/egress from a constrained access point, which is within close proximity to a highly trafficked junction, adjacent to a school access point and across the school entrance markings.

After further information was provided by the applicant, Highways reviewed the additional information and provided further comments as follows:

Highways have concerns regarding the safety of the proposed vehicle access point. The applicant was requested to provide a swept path and visibility splay to show how the appropriate manoeuvres can be made. The boundary treatment should maintain permeability to a height of 600mm to ensure that child pedestrians are visible when vehicles exit the garage and alleyway. The applicant should confirm that they have a formal written agreement to guarantee rights of access over any land which falls outside of the site's red line.

Following this, further comments/documents were received in order to address comments made by Highway Services. Highways commented again stating they still had concerns regarding the safety of the proposed vehicle access point:

- It is adjacent to a primary school with what appears to be inadequate pedestrian/vehicle intervisibility.
- The submitted visibility splay does not indicate the existing items of street furniture such as the tree and pedestrian guard rail, these are likely to be within the visibility envelope shown.
- Observations of the area show bins in the alley way and on the footway.

Clarification is sought to confirm where these bins would be stored and how this will be monitored, bins should not be left on the adopted footway.

Following an assessment of all information submitted by the applicant/applicant's agent the following further comments have been received;

MCC Highways are aware of the historical dropped kerbs and vehicular access at this location. However, should a request for dropped kerbs / vehicle crossover in this location be requested now, it would not be supported.

Whilst this planning application is not relating to a vehicle crossover / dropped kerb application and is for a new vehicle access into the property boundary only, concerns remain regarding the pedestrian / highway safety impacts of the intensification of the access route from Cavendish Road. The submitted swept path and visibility splay assessments are not adequate.

Given the highway safety concerns stated above and the proximity of the site to Cavendish Road Primary School, MCC Highways cannot support this application.

Policies

The Core Strategy Development Plan Document (2012-2027):

The "Core Strategy" was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long-term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below:

Policy SP1: Spatial Principles- Development in all parts of the City should make a

positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1: Development Management- This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document: -

- Appropriate siting, layout, scale, form, massing, materials, and detail.
- Impact on the surrounding areas in terms of the design, scale, and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques.

Policy EN1: Design Principles and Strategic Character Areas- States that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Policy EN3: Heritage- States that 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.

Unitary Development Plan for the City of Manchester (1995):

The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant and are relevant to consideration to the proposed extension to a residential dwellinghouse.

Policy DC1 of the Unitary Development Plan seeks to accommodate the demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. It relates specifically to residential extensions and the relevant criteria from this policy

include:

DC1.1 The Council will have regard to:

- a. The general character of the property
- b. The effect upon the amenity of neighbouring occupiers
- c. The overall appearance of the proposal in the street scene;
- d. The effect of the loss of any on-site car-parking

DC1.2 states extensions will be allowed subject to:

- a. They are not excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings)
- b. They do not create a loss of sunlight/daylight or privacy
- c. They are not out of character with the style of development in the area
- d. They would not result in the loss of off-street parking Policy

DC1.3 states that Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

DC1.5 The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require adaptations to their homes.

Policy DC18 of the Unitary Development Plan encourages and help ensures the protection, preservation and enhancement of its Conservation Areas, which are areas of special character representing the rise and development of the world's first industrial city. The policy gives effect to the obligation placed on the Council by statute to give particular consideration and attention to the quality of developments within conservation areas.

DC18.1 states:

- a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i) the relationship of new structures to neighbouring buildings and spaces;
 - ii) the effect of major changes to the appearance of existing buildings;
 - iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
 - iv) the effect of signs and advertisements;
 - v) any further guidance on specific areas which has been approved by the Council.
- b. The Council will not normally grant outline planning permission for development within Conservation Areas.

Guide to Development In Manchester:

The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development appropriate to Manchester. It seeks to retain the essential distinctiveness of its character areas, whilst not precluding new development.

National Planning Policy Framework (2021):

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. The NPPF was updated in July 2021 and provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e., the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its

composite building, as well as the function and appearance of public and private spaces.

iii. Chapter 16. Conserving and enhancing the historic environment- States that heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 197- 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 199- When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 202- Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Other Legislative requirements:

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.

Issues

Relevant policies seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context. Policy EN3 of the Manchester Core Strategy seek to ensure development within Conservation Areas complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods. Policy DC18.1 of the Unitary Development Plan seeks to encourage and help ensure the protection, preservation and enhancement of its Conservation Areas, which are areas of special character. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

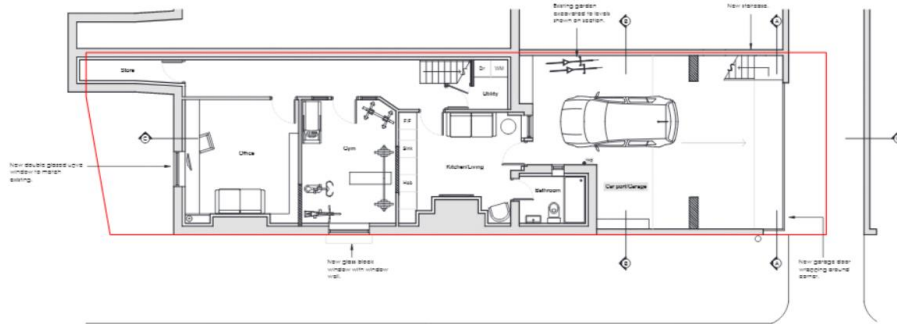


Figure 17. Proposed lower ground floor plan.

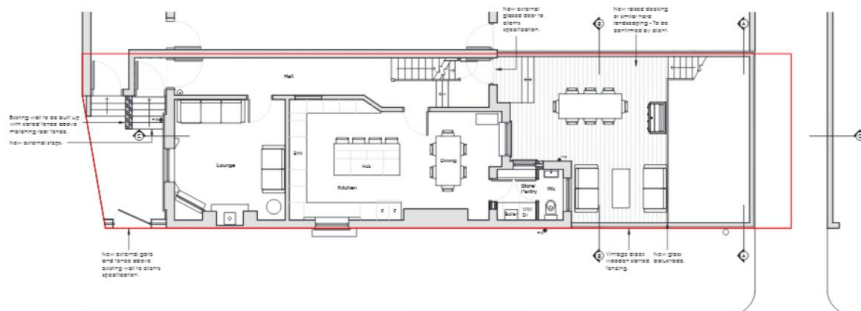


Figure 18. Proposed ground floor plan.

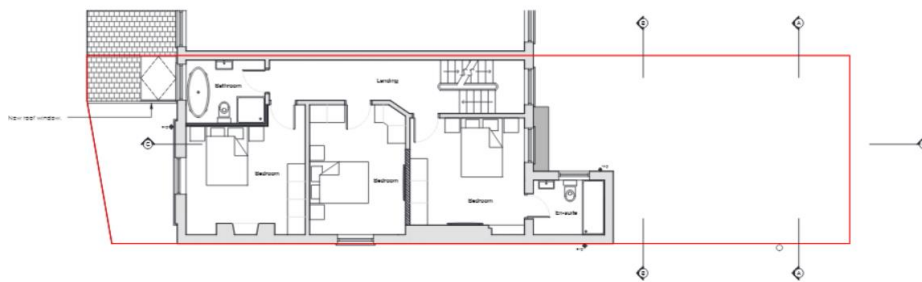


Figure 19. Proposed first floor plan.

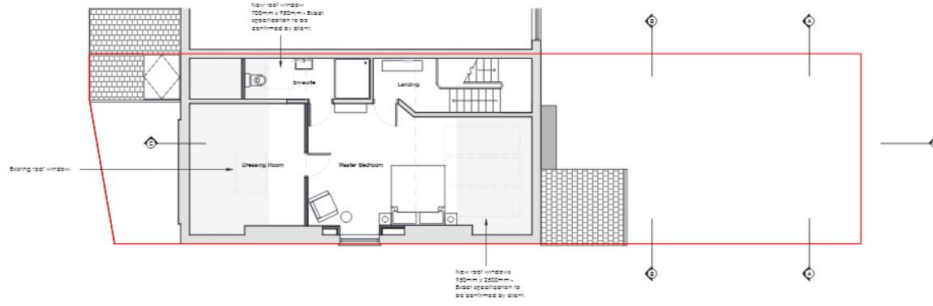


Figure 20. Proposed second floor plan.

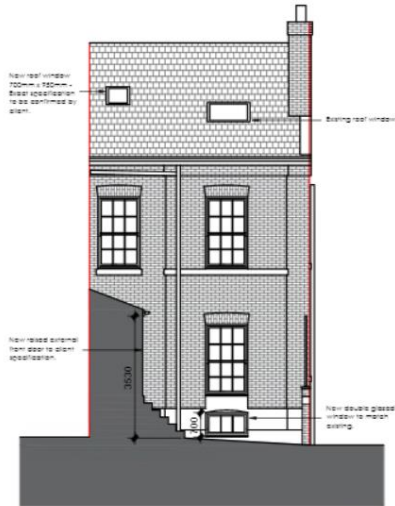


Figure 21. Proposed primary elevation.

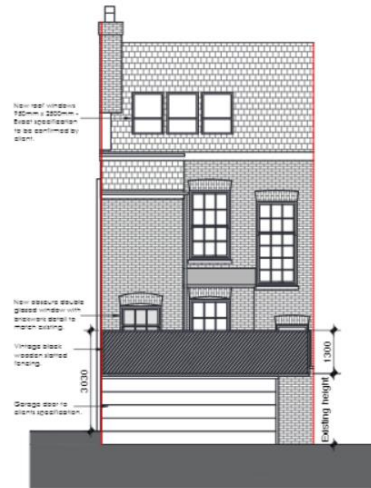


Figure 22. Proposed rear elevation.

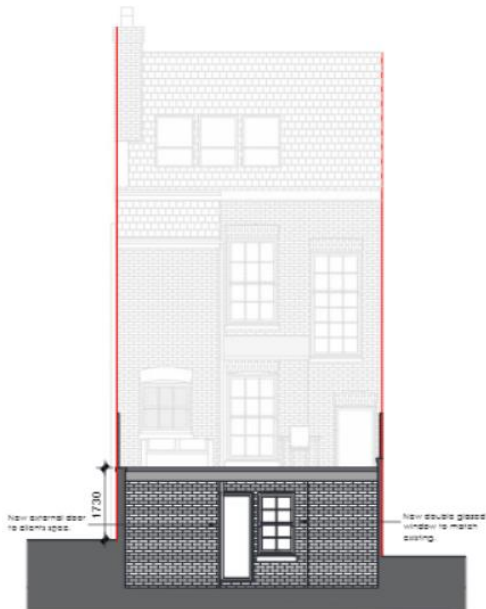


Figure 23. Proposed rear sectional elevation (1).

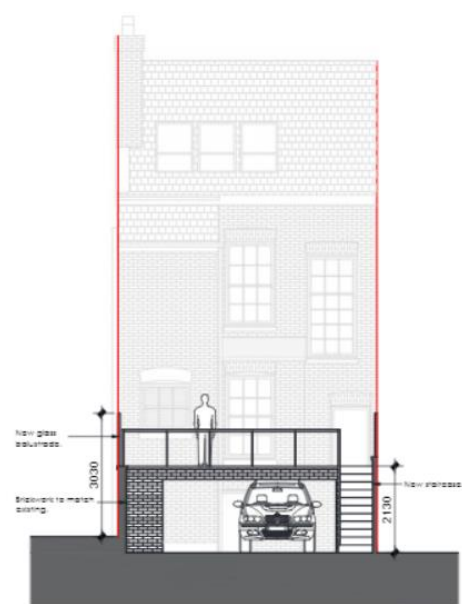


Figure 24. Proposed rear sectional elevation (2).

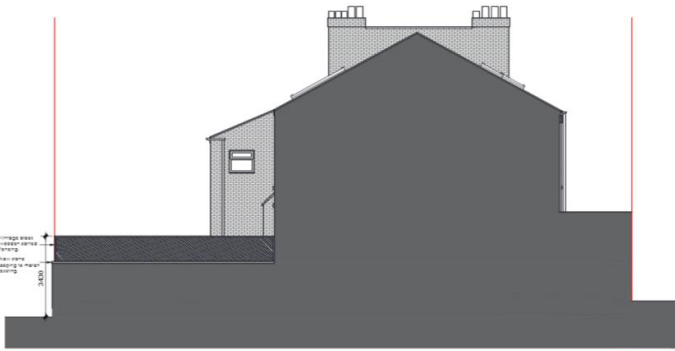


Figure 25. Proposed side elevation (1).

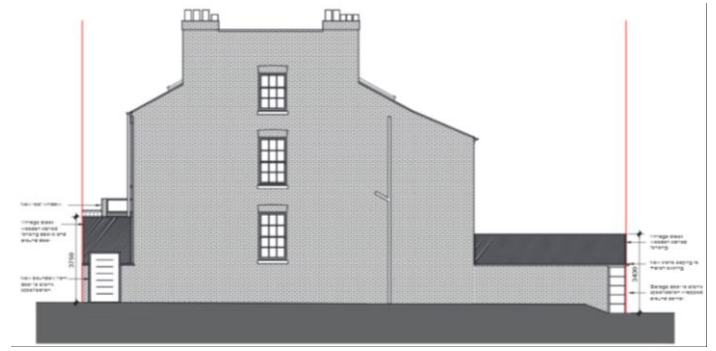


Figure 26. Proposed side elevation (2).

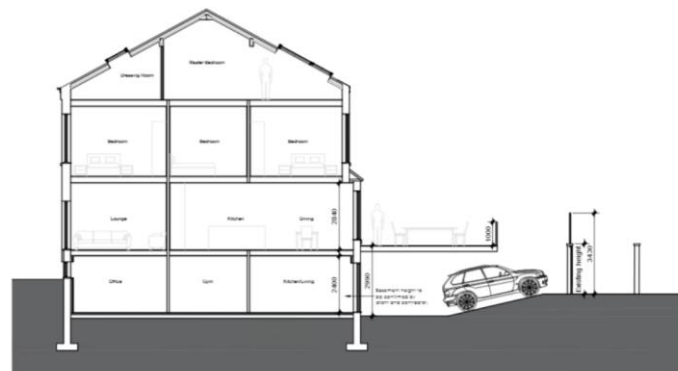


Figure 27. Proposed section.

Principle of Development:

The application seeks planning consent for the erection of new front porch, erection of single storey rear extension to form garage with terraced area above following excavation of a section of existing rear courtyard, and erection of fencing above existing walls around the perimeter of the site; following demolition of part of boundary wall.

The principle of development is not considered acceptable on several grounds. The erection of fencing above the existing walls around the perimeter of the rear amenity space would result in boundary treatment measuring 3.4 metres in height. This would result in a structure which is overly dominant given its context and would be out of keeping with the type of boundary treatment evident within the conservation area and would appear overly dominant within the street scene and there is also concern that the fencing would have an unacceptable visual impact to neighbouring occupiers appearing overly dominant to the adjoining occupiers. The scheme proposes a new off-street garage/parking area to the rear of the property which would be facilitated by the demolition of part of the existing boundary wall. The demolition of the wall requires permission due to the fact that it is within a Conservation Area. Highway Services were consulted during the application and raise concerns in terms of pedestrian and highway safety. The remainder of this report will consider the reasons of concern in more detail.

Erection of fencing above existing walls around perimeter of the site:

There is significant concern in relation to the erection of vintage black wooden slatted fencing to be installed on top of the existing boundary wall fronting Cavendish Road and along the boundary with the adjoining residential property. The proposed fencing to the front of the property to enclose the front entrance of the site, given it would follow the same form of development as seen with the light coloured wooden cladding in association with the G.T Blagg retail unit, is considered to be acceptable. However, the insertion of the fencing on top of the existing brick wall to the rear is not considered acceptable in visual terms.

Siting, scale and massing:

Vintage black wooden slatted fencing would be inserted on top of the existing brick wall to the rear of the property and this would involve the insertion and increase of boundary treatment against the highway of Cavendish Road, the unadopted highway of the rear alleyway and against the boundary with neighbouring property no.148a Burton Road. Through Permitted Development a height of 1 metre boundary treatment can be achieved without applying for consent against the highway and 2 metres in any other case.

The insertion of the fencing fronting Cavendish Road would at the highest point result in a height of 3.4 metres. This is considered to create an excessively tall boundary treatment which would be visibly intrusive along Cavendish Road. As a result, the proposed boundary treatment would produce a structure which is overbearing given its context and create a visually dominant impact along this section of the road. The property standing at 3 storeys high makes an important contribution to the Albert Park Conservation Area. As such, along Cavendish Road the insertion of the fencing above would result in an overbearing and visually intrusive structure within the streetscene and would be harmful to the Conservation Area by producing an incongruous feature. The fencing would be visible when approaching the junction close to the application site further south-east along Cavendish Road. The colouration, type of material as well as the height, visual appearance and long-range views are all considered to be unacceptable.

In assessing the proposal against guidance contained within the NPPF it is considered that the proposed scheme would cause less than substantial harm to the character of the conservation area but this would be at the higher end of less than substantial harm and that impact would be unacceptable for the reasons stated above. It is also considered that any public benefits, such as a first floor terrace amenity area for the applicant, would not outweigh that harm.

The proposed scheme would also necessitate the removal of part of the existing boundary wall which forms an attractive feature in the street scene. This would be replaced by a retractable boundary feature to allow access into the rear garden. If permission was to be granted full details of the design of the proposed retractable doors would need to be sought via an appropriately worded condition.

Residential amenity:

The fence would also be located on the common boundary with the adjoining property at 148a Burton Road. It is acknowledged that boundary treatment is necessary to provide increased privacy from the creation of the terraced area above

the proposed garage structure, the fence being 3.4 metres in total height would, it is considered, result in an overbearing structure for the immediate neighbour. This would be to the detriment of the use of the rear garden area and the amenity of the current and any future occupiers, visually dominating the adjoining garden area.

In all other aspects such as noise from comings and goings and use of an outdoor terrace, these aspects are considered to be acceptable.

Creation of garage and implications to the highway:

The proposal also includes the provision of an off-street parking space within the curtilage of the application site. This would be possible with the excavation of a section of the existing rear courtyard. A car could be parked within the lower ground floor car port/garage and the top of the proposed structure would be used as an outside terrace for the use of the applicants. In order to allow a car to be parked in this location, vehicular access would be facilitated into the rear courtyard via the alleyway. This would be possible through the existing alleyway, with existing dropped kerb, to the rear of the site. This alleyway is sited in between the applicant's rear boundary line and the eastern boundary of the Cavendish Community Primary School. It is the removal of part of the existing boundary wall which facilitates a vehicle being able to access the rear yard and to be able to park within the curtilage of the property.

Information has been provided by the applicant in the form of a photo collage and written information in relation to the existing use of the highway by vehicles, supporting information to demonstrate why it is considered that the vehicular movements would be safe and also providing details of other similar examples nearby. This information can be summarised as follows:

The applicant highlighted the local circumstances of the alleyway and surrounding area, including:

- Historic established use of the alleyway for access to the rear of the properties.
- The rear garden previously used for car parking prior to rear wall being built relatively recently.
- The garage already at the end of the alleyway which has been used for the parking of vans and cars for decades.
- An identical alleyway used for the same purpose to allow vehicle access to the rear of properties on the opposite side of Cavendish Road.

The following information was also provided by the agent on behalf of the applicant, for consideration:

- Written confirmation and legal documents illustrating the applicant has the right of access to the half of the alleyway not within the submitted site edged red.
- Document containing local parking arrangements for properties along Cavendish Road and Burton Road (see Figures 28, 29 and 30 as provided by the agent for Highways' consideration).
- Visibility splay plan (see Figure 31).
- Swept path assessment (see Figure 32).



Figure 28. Garage at the end of the alleyway used for parking purposes by a neighbouring property



Figure 29. Alleyway used for servicing purposes as existing, taken from applicant's rear window



Figure 30. Example of similar entrance circumstance opposite applicant property

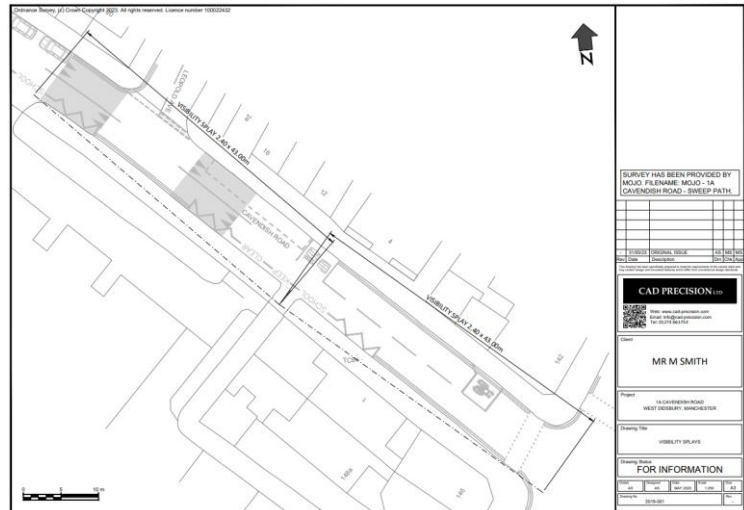


Figure 31. Visibility splay



Figure 32. Swept path analysis

Further written correspondence was provided by the agent on behalf of the applicant responding to concerns raised by Highway Services and these can be summarised as follows:

- Applicant contested pedestrian visibility requirements are not the correct guidelines to follow as they are for a property driveway. Applicant stated from the property to the alleyway the access would adhere to the requirements provided by Highways.
- The requirements have not been met in the case of neighbouring driveways.
- Applicant stated the alleyway always had and continues to have direct vehicle access to the main carriageway. Access to the alleyway is already established and permitted.
- Applicant willing to provide measures to increase safety for pedestrians crossing the footpath either side of the alleyway, e.g. signage and/or visibility measures.

-In relation to local bins being stored in the alleyway, the applicant states that verbal agreements would be in place to ensure bins do not obstruct access to the alleyway and agreements could be put in place for bins along Cavendish Road.

-Applicant willing to update visibility splay with existing street furniture taken into account.

All information has been fully assessed by Highway Services. It is the case that there is an existing alleyway to the rear of the application property and this incorporates a vehicular access point which allows vehicles to enter and leave the alleyway. There is an existing garage further along the alleyway, as shown above. It is fully acknowledged that the alleyway is used by vehicles at the present time. However, it is the case that this is a narrow alleyway with limited visibility for vehicles entering and leaving the alleyway with existing street furniture also impacting on visibility. The highway is heavily trafficked and children use the footway in association with the neighbouring school.

Highway Services are concerned that the intensification of use of this existing access would have a detrimental impact on both highway and pedestrian safety. The existing alleyway is narrow and has limited vehicular movements. The proposal would exacerbate an existing situation that has the potential to further impact the safe use of the highway creating difficult manoeuvres in and out of the rear yard of the application property.

The issue has been raised that the parking of vehicles has taken place within the application property historically. However, the part of the boundary wall to be demolished is a lawful part of the boundary treatment and has been in place for in excess of 15 years. The removal of this element of the wall requires planning permission and the material impacts of the resulting development required full consideration. In this case those impacts are considered to be unacceptable.

Figure 33 and 34 below shows the alleyway to be used by the applicant to access the new in curtilage garage and shows the proximity to the school entrance. Figure 33 and 34 highlight the relationship with the junction and relation to the school entrance markings. It is acknowledged that the applicant's agent has provided additional information in order to attempt to demonstrate that the proposed scheme would be appropriate in respect of safety. However, it is considered that the scheme proposed is not acceptable in terms of highway and pedestrian safety.



Figure 33. Alleyway to be used to access proposed rear garage within the context of the streetscene.

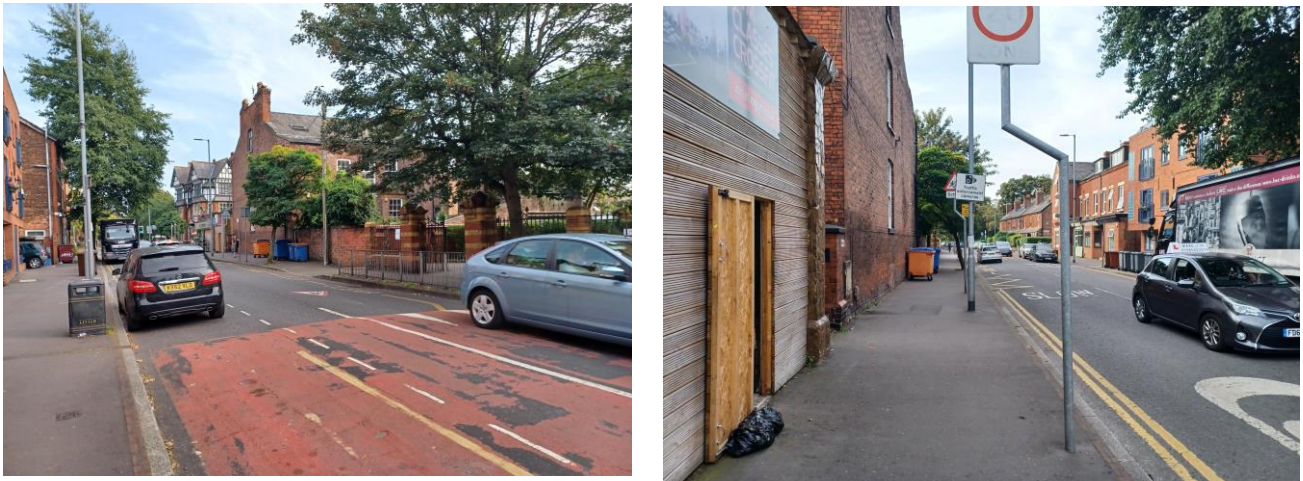


Figure 34. Distance photos of the alleyway to be used in connection with the immediate area. The Local Planning Authority accepts vehicular access exists at the rear of the property in the form of the alleyway. The Local Planning Authority also accepts the alleyway is used for servicing purposes to local infrastructure (as shown in Figure 29). It is also noted a garage is sited to the end of the alleyway and is used by a neighbouring property. However, the proposed rear garage and access point would be used much more frequently, in comparison to the alleyway being used for occasional servicing purposes as existing. As such, the provision of a garage in the rear of 1A Cavendish Road would intensify and exacerbate the use of the alleyway and lead to more movements. This is considered to have an unacceptable harmful effect on highway and pedestrian safety, especially given the site's close relationship to the School and nearby junction with Burton Road.

In regard to bins that are often stored in the alleyway, the applicant stated bins would not be stored in the alleyway as agreed by neighbours. However, this is not a matter that could be controlled through the grant of this permission and any bins stored at this location would create a further visual clutter for a driver exiting and entering the parking space.

The applicant has made reference to comparable local circumstances in terms of access arrangements, including application number 050398/FO/SOUTH2/96 (132/134 Burton Road- 3 storey extension at the side of a proposed 3 storey shop and flat development (approved under ref 049243) to form an additional 2 flats and increased retail area) and (4 Cavendish Road- Erection of a four storey block of 6 flats with associated car parking after demolition of existing garage). The historic planning applications were considered in terms of access arrangements, however given these are historic applications it is necessary for the scheme now under consideration to be fully considered on its individual merits and the grant of these previous permissions do not set any form of precedent which would override the concerns raised.

Conclusion:

It is considered that the proposed fencing to be located on top of the existing boundary wall would create an unacceptable feature within the street scene and would be detrimental to the character of the Conservation Area. It is also considered that the fencing would have an unduly overbearing appearance to the adjoining occupiers. Two reasons for refusal would be inserted within the decision notice to reflect these concerns.

The proposed demolition of part of the boundary wall would facilitate the parking of vehicles within the rear yard of the application property resulting in an unacceptable impact on pedestrian and highway safety due to increased vehicular movements. A reason for refusal reflects this concern.

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: Refuse

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Significant concerns were raised during the course of the application. Whilst some issues were able to be addressed and revised plans received, other issues were not able to be addressed.

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

- 1) The erection of fencing above existing walls around the rear perimeter of the site, by virtue of its siting, scale, massing, materials and colouration would form an incongruous and visually intrusive feature within the street scene and would be detrimental to the character or the appearance of the Albert Park Conservation Area. As such the proposal is contrary to the City Council's Planning Policies SP1, DM1 and EN3 of the Core Strategy for Manchester and Policy DC18 of the Unitary Development Plan for the City of Manchester.
- 2) The erection of fencing above existing walls around the rear perimeter of the site, by virtue of its siting, scale and massing would form an overbearing and visually intrusive feature against the common boundary with 148a Burton Road, to the detriment of residential amenity. As such the proposal is contrary to the City Council's Planning Policies SP1 and DM1 of the Core Strategy for Manchester and Policy DC1 of the Unitary Development Plan for the City of Manchester.
- 3) The creation of the new vehicular access into the rear courtyard is considered to create a dangerous proposed vehicle access point onto Cavendish Road. This in turn would be detrimental to highway and pedestrian safety. As such, the proposed development would be contrary to policy DM1 of the adopted Core Strategy for Manchester.

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: 136444/FH/2023 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.

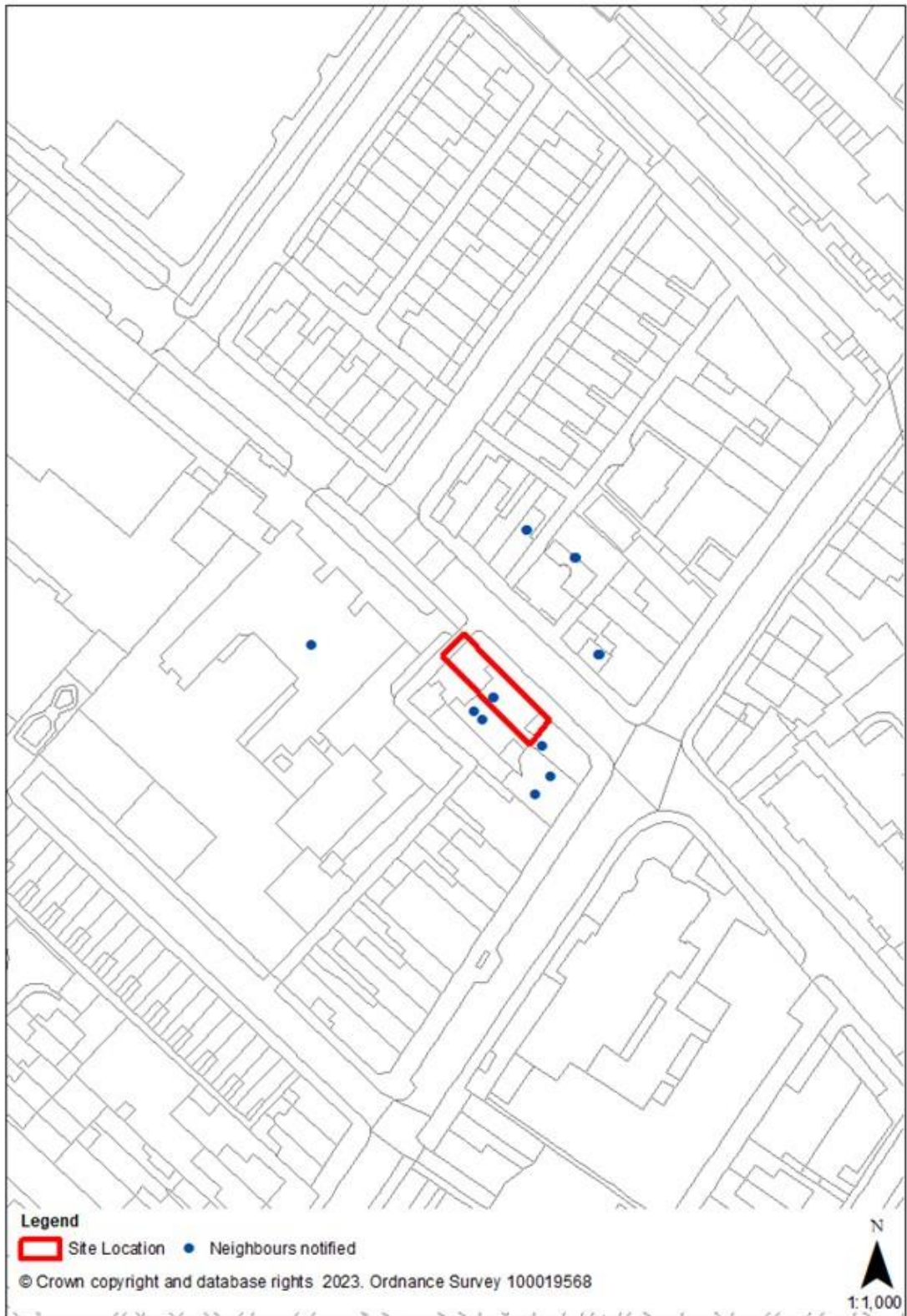
The following residents, businesses and other third parties in the area were consulted/notified on the application:

**West Didsbury Residents Association
Highway Services
Highway Services
West Didsbury Residents Association**

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

Representations were received from the following third parties:

Relevant Contact Officer :	Katie Raw
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Application Number	Date of Appln	Committee Date	Ward
137462/FO/2023	3 Jul 2023	21 Sep 2023	Harpurhey Ward

Proposal Erection of 24 dwellinghouses (Class C3) with associated parking, landscaping, access and boundary treatment.

Location Land Off Parkmount Road, Harpurhey, M9 4AJ

Applicant Mr Jon Benson, Mosscares & St Vincents Housing Group

Agent Mr Daniel Sutton, AEW Architects

Executive Summary

The proposed application relates to the erection of a 2 storey residential development (including accommodation to roof-space) comprising 24 affordable dwellinghouses consisting of 18 townhouses and 6 apartments, together with associated access works, landscaping, parking and boundary treatment.

Following notification of the application, 25 representations have been received, including 24 objections and 1 in support, with comments. A representation objecting to the development has also been received from Parkmount Residents' Association.

Key Issues

- Impact to the character and appearance of the street-scene and the impact of the loss of open space and trees.
- Contribution to the delivery of affordable housing.
- Sustainable location at the edge of a district centre.
- Impact to residential amenity.

Background of the Applicant and Proposal

The proposed development forms part of the first phase of Project 500, which seeks to provide 378 new, low carbon affordable homes on 27 sites owned by the Council across the city. Many of the sites are located in north and east Manchester and new development would respond to high demand for affordable housing.

Project 500 is being delivered by registered providers. In this case, the applicant is Mosscares St Vincent's Housing Group (MSV) - a registered social landlord who own and manage almost 9,000 properties in Greater Manchester, Lancashire and West Yorkshire.

MSV aspire to assist those struggling to find a decent home, the elderly, those on low incomes and those in need of specialist housing.

Description

The application site relates to an 'L' shaped area of informal open space bounded by Parkmount Road to the north, Rochdale Road to the west, Shepherd Street to the south and residential development accessed via Clayhill Walk to the east. This includes Edward Grant Court, a two-storey retirement housing complex operated by Northwards Housing. To the south-east corner, the site lies adjacent to the residential road of Hemsley Street South. This is a previously developed site, but it has remained vacant since the clearance of terraced housing in the 1970s.



View of site looking south from Parkmount Rd

The site measures approximately 0.65 hectares in area and comprises open grass land, containing a number of centrally positioned, established trees. A number of footpaths dissect the site, including a centrally located footpath running east to west, which links the residential estate at Clayhill Walk with Rochdale Road.

The site lies adjacent to Rochdale Road, a major north-south arterial route which links the city centre with the M60 motorway and beyond. Harpurhey district centre containing a wide range of retail, community and food and drink uses, lies a short distance to the south-east.



Aerial view showing the application site outlined in red (extract from AEW Design and Access Statement)

The immediate area is mixed in character and comprises the Grade II listed building of Harpurhey Baths immediately to the south, beyond which is Manchester College and North City Library. To the west, to the opposite side of Rochdale Road, is Valentine Medical Centre and its associated car park. David Lewis Recreation ground and parkland at Boggart Hole Clough are situated a short distance to the north and north-east respectively. The wider area generally comprises residential properties, including those that immediately bound the site to the east.

The Proposal

Planning permission is sought for the erection 24 residential dwellinghouses (Class C3), together with associated landscaping, access, car parking and boundary treatment.

The development comprises a combination of 18 x 2 storey townhouses incorporating accommodation to the roof space and 6 x 1 storey apartments housed within a two-storey block.

The proposed units are to be operated on an affordable basis, with 16 units for affordable rent and 8 units to be 'rent to buy'.

The proposal includes two vehicular access points with vehicular access to be taken from the north (off Parkmount Road) and to the south (off Shepherd Street) to provide access to both residents' parking areas and visitor parking spaces, with each proposed unit to have in curtilage parking space.

The existing pedestrian route serving Clayhill Walk which runs east-west through the centre of the site is to be retained.

Planning History

No history based on current records.

Consultations

Local Residents/Occupiers

24 representations have been received, including 23 objections. Principal comments are summarised below:

- The principle is supported, but the proposed windows are too small.
- The area is already built up and local services struggle to cope. There is a GP surgery across the road from the proposed development that is already at capacity, no NHS dentists are taking new patients in the area and the local primary schools are at/near to capacity. Have any risk assessments been done to assess whether the local area can cope with an influx of people?
- Parking is already an issue with Manchester college having no parking of its own and several of the houses on Bedford walk will lose light and be overlooked.
- The proposed houses would be built right up to elderly accommodation at Edward Grant Court.
- The development would result in increased noise and anti-social behaviour.
- The proposal would result in the removal of several established trees
- Blackley / Harpurhey areas need green spaces at the side of the road to create a nice place to live. It's not just about building on every piece of land. Green spaces are required too.
- More green spaces are required.
- The development would cause major disruption along Rochdale Road whilst being built.
- The plan for us to be carbon neutral by 2038, yet the council is putting up dwellings, with car parking in place of green space
- The loss of green space would lead to the loss of play space for young children.
- The proposed development sets to take away one of the few natural, green spaces we have aside from designated park areas.
- The proposal would exacerbate traffic congestion in the area.
- There is too much social housing in the area.

-The development would result in the loss of a visually pleasing green area with well-established trees.

Parkmount Residents' Association

It is questioned if a traffic impact survey has been undertaken. Parkmount Road/Hemsley Street/Hemsley Street South are rat runs in both directions diverting traffic from Rochdale Road and Moston lane. If the proposed development goes ahead this would bring more vehicles to the new estate.

Those who reside in Edward Grant Court which provides supportive elderly accommodation would have a loss of outlook as they presently face greenery.

The proposed access leads onto Shepherd Street which is very narrow and on one side is currently used as parking for some college staff. The proposed would add to increased traffic volume of traffic in the area.

Highways Services

Comments received can be summarised as follows:

It is noted that an adopted pedestrian route 'Kendrew Walk' runs along the northern portion of the site from Parkmount Road, continuing south as an unadopted (maintained) route to Shepherd Street. Additional maintained pedestrian routes also connect Rochdale Road to Clayhill Walk with a further route to the southern portion of the site connecting to Hemsley Street South.

Trip Generation and Junction Capacity

A multi-modal trip generation assessment has been provided within the submitted Highways Technical Note (TN) which demonstrates that the proposals would generate around 11 two-way vehicle trips during the AM and PM peak hour periods. Highways agree that the proposals are unlikely to generate a level of peak hour trips that would give rise to network capacity concerns.

Highway Safety

The Transport Note shows a total of 15 accidents recorded along Rochdale Road between (and including) the Parkmount Road and Shepherd Street junctions.

A number of accidents have been recorded in the vicinity of the Parkmount Road junction, including one of fatal severity. Highways request that a full assessment of these accidents is provided.

Site Accessibility

The site is located in an established residential area and is well accessed by bus with frequent services operating along Rochdale Road. The site is also located within walking distance of various facilities/services including Harpurhey Shopping Centre.

Parking Provision

Each dwelling will be supported by 1no. (100%) off-street car parking spaces with an electric vehicle (EV) charging point. Given the accessible location of the site, this level of parking provision is considered acceptable.

Parking bays are also proposed along the northern section of the new site access road.

Cycle Parking

Each dwelling will have a cycle store within the private garden area which will provide a space for a minimum of 2no. cycles per household. The apartments will also have 1 cycle space per apartment located in an integrated cycle store.

Boundary Treatment

New 900mm high boundary treatments are proposed in the vicinity of the Parkmount Road/Rochdale Road junction. Highways request submission of a visibility splay assessment junction to determine whether the proposed boundary treatment would affect visibility for vehicles egressing onto Rochdale Road.

No vehicle or pedestrian visibility splays have been provided for the driveways in consideration of any adjacent boundary treatments including the proposed bin enclosures.

The Transport Note demonstrates that appropriate visibility can be achieved from the proposed site access junctions at Parkmount Road and Shepherd Street. Given observed levels of on-street parking at Shepherd Street, it is requested that the proposed access junction and visibility splays are protected by a double-yellow Traffic Regulation order (TRO) in order to maintain safe levels of visibility, particularly to the east of the access junction. An extension of the existing double-yellow provision in the vicinity of the Parkmount Road/Rochdale Road junction would also maintain safe levels of visibility for vehicles emerging from the site onto Parkmount Road.

Off-site Highway Works

The proposal includes the construction of a new access at both Parkmount Road and Shepherd Road. Each access should be supported by dropped-kerbs and tactile paving provision. It is also requested that dropped-kerbs and tactile paving are provided at the south-eastern corner of the site across Shepherd Street. Highways are aware of queuing along Parkmount Road upon approach to the Rochdale Road junction. A further assessment is required as to whether 'Keep Clear' road markings are required along Parkmount Road, in order to ensure queuing traffic does not block access/egress for right-turning vehicles. The apartment driveways will be accessed via a 3no. double dropped-crossings at Shepherd Street. At least 1no. full-face kerb must be provided in-between each dropped crossing.

Highway Adoption

The proposals include provision of a new adopted highway providing vehicular and pedestrian access from Parkmount Road and Shepherd Road. Should the planning application be approved, the applicant will be required to enter into a S.38 agreement.

The Transport Note demonstrates that the proposed turning heads can accommodate a 11.5 metre long refuse vehicle.

Servicing

Refuse will be stored within the curtilage of each dwelling within dedicated refuse storage areas. A shared bin store is also provided for the apartments. Bins associated with the townhouses would be presented for collection on the internal access road and bins associated with the apartments will be serviced directly from the bin store, which is located in close proximity to the internal access road. These arrangements are considered acceptable

It is unclear whether a refuse vehicle could comfortably access the southern portion of the site from Shepherd Road given the observed levels of on-street parking. Highways therefore request that the submitted refuse swept-path assessment is revisited to take into account on-street parking in order to determine whether waiting restrictions are required along both sides of Shepherd Street.

Construction Management

A Construction Management Plan should be provided by the applicant prior to any construction works beginning.

Environmental Health

Conditions are advised in relation to construction management, waste management, air quality, noise impact and ground conditions.

Arboriculture

Any comments received will be reported to Committee.

Greater Manchester Ecology Unit (GMEU)

The grassland on the site is of low ecological value, but as there are mature trees present on site, a condition is required to prevent works affecting trees during the peak bird nesting season.

The Biodiversity Net Gain Assessment states that the proposals will result in a net loss for biodiversity.

The Assessment states that 'an additional 1.23 Biodiversity Units would need to be provided on land off-site' but no details of any off-site compensation have been provided.

Flood Risk Management

Finished Floor Levels (FFL) must be set no lower than existing ground levels, to avoid exacerbating existing surface water risk to the proposed properties. Specifically, properties directly adjacent to the existing pluvial risk within Rochdale and Shepherd Road, as outlined within the Flood Risk Assessment.

A condition is requested in relation to the need for a surface water drainage scheme and for its subsequent maintenance.

United Utilities

A condition is requested requiring details of a sustainable surface water drainage scheme and a foul water drainage scheme.

Greater Manchester Police (Design for Security)

It is highly recommended that the proposed dwellings are built to 'Secured by Design' standards.

Consultation & Publicity

The proposal by virtue of the number of units created the development has been classified as a small-scale major development. The proposed development also affects a public right of way. As such, the proposal has been advertised in the local press (Manchester Evening News). 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 H2 (Strategic Housing Location) states that the key location for new residential development throughout the plan period will be within the area to the east and north of Manchester City Centre identified as a strategic location for new housing. Land assembly will be supported in this area to encourage the creation of large development sites or clusters of sites providing the potential for significant regeneration benefits.

Developers should take advantage of these opportunities by:-

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

The proposal will comply with the densities identified within this policy and bring about significant regeneration in an area identified for change.

Policy H3 (North Manchester) – relates to new housing in north Manchester and states that over the lifetime of the Core Strategy, north Manchester will accommodate around 20% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within or adjacent to the parts of North Manchester that fall within the Regional Centre (Strangeways and Collyhurst area) and within Cheetham Hill and Harpurhey district centres as part of mixed-use schemes, as well as along high frequency public transport routes.

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 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 EN10 (Safeguarding Open Space and Recreation Facilities) - The Council will seek to retain and improve existing open spaces, sport and recreation facilities to the standards set out above and provide a network of diverse, multi-functional open spaces. Proposals will be supported that: improve the quality and quantity of

accessible open space, sport and recreation in the local area provide innovative solutions to improving the network of existing open spaces, increase accessibility to green corridors, and enhance biodiversity improve access to open space for disabled people Proposals on existing open spaces and sport and recreation facilities will only be permitted where: Equivalent or better replacement open space, sport or recreation facilities will be provided in the local area; or The site has been demonstrated to be surplus for its current open space, sport or recreation function and the City wide standards set out above are maintained, and it could not fulfil other unsatisfied open space, sport or recreation needs, and a proposed replacement will remedy a deficiency in another type of open space, sport or recreation facility in the local area; or The development will be ancillary to the open space, sport or recreation facility and complement the use or character

Policy 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.

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 DC7.1 (New Housing Development) state that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disable people, including those that use wheelchairs wherever this is practicable.

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.

Policy DC19.1 (Listed Buildings) seeks to preserve and enhance the setting of listed buildings by appropriate control over the design of new development in their vicinity.

The Guide to Development in Manchester (SPD)

This document 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 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.

The Greater Manchester Strategic Housing Market Assessment (SHMA) (April 2021)

This document forms part of the evidence base for PfE and provides the most up-to-date published evidence with regard to housing needs across Greater Manchester.

In terms of affordable housing, the SHMA identifies a net annual affordable housing need of 1,810 dwelling in Manchester.

Regarding homes for older persons, it is referenced that for the period 2016 to 2036 the population for all age groups over the age of 55 is projected to significantly increase across Greater Manchester with 65-74 age group increasing by 28%, 75-84 by 44% and the eldest group of over 85 expected to increase by 79%.

Table 6.2 of the SHMA sets out the percentage of one-person households in Manchester by age band. The table demonstrates that, on average, approximately half of the over 55's population in Manchester live alone. However, new one bedroom properties tend to be marketed towards young professionals within the private rented sector. As such, older people in Manchester are occupying larger homes due a lack of a suitable supply.

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 Climate Change Framework 2020 - 2025

The Manchester Climate Change Framework (2020-2025) was published in February 2020 and sets out the Council high level strategy for Manchester to be a thriving, zero carbon, climate resilient city.

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.

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

The principle of the proposed development is considered acceptable and would comply with relevant planning policy and guidance.

The proposed development would make efficient use of previously developed land, whilst contributing to local and national residential growth objectives.

The proposed development is situated within a highly sustainable location close and within walking distance to all necessary local amenities associated with Harpurhey District Centre and within easy access by public transport to the city centre. Access to public open space is located a short distance away, including David Lewis Recreation Ground, Charlestown Park and Boggart Hole Clough to the north of the site.

The proposed design is of a high quality and the development would deliver significant economic, social and environmental benefits, including affordable

accommodation, job creation during construction, spending in the local economy, provide a catalyst for further regeneration in the area and upgrade the appearance of a main arterial route in the city.

Whilst the loss of open space and trees is regrettable, the site was once occupied by terraced housing prior to the 1970s. The re-provision of much needed affordable housing is considered to outweigh concerns surrounding the loss of this green space and can be off set through the incorporation of a quality landscaping scheme and replacement tree planting.

Specific planning issues are set out below.

Loss of Open Space

As the proposal would result in the loss of open space, the application includes an Open Space Assessment as required by policy.

The application site comprises maintained, mowed grassland, interspersed with a small number of trees of varying sizes and quality. The space arose following demolition of terraced housing in the 1970s's and was intended to form a visually pleasing, interim, meanwhile land use.

The City-Wide Open Spaces, Sport & Recreation Study (CWOSSRS) designates the site as an 'amenity green space,' Such space is commonly found in residential areas and fulfils a primary purpose of providing opportunities for informal activities close to home or work.

On analysis, the Council concur with the assessment that the site does not perform a vital function as amenity green space and has deficiencies against the quality standards set out within policy documents.

The assessment undertaken demonstrates that the site has several deficiencies when considering what makes a successful open space. Notably, the site is affected by littering and dog fouling, probably as a consequence of its open nature adjacent to a main road. The presence of uneven terrain can also pose difficulties for individuals with mobility issues, whilst a lack of surveillance measures and low levels of lighting cause safety and security concerns for users. The lack of fencing raises concerns regarding the safety of children and animals who may use the site, particularly in the context of the site's position adjacent to a busy arterial route.

Whilst it is acknowledged that the space is used by local residents to some degree and forms an aesthetically pleasing backdrop, the space cannot be defined a quality open space and does not form a vital function in the area. There is no shortage of open space in the area and alternative space is located close by and which form a more important role

The site is proximal to more useable, open space within the vicinity of the site. Notably, David Lewis Recreational Ground, which is situated less than 200 metres to the north and offers facilities such as sports pitches, tennis, open grass spaces, play areas and a network of footpaths. Boggart Hole Clough and Charlestown Parks are

also located less than 600 meters from the site and again provide ample open space for various outdoor activities.

The City-Wide Open Spaces, Sport & Recreation Study (CWOSSRS) highlights that North Manchester benefits from an oversupply of amenity green space when considered against the quantity standards set out in planning policy. The proposed loss of open space in this instance would not result in a qualitative shortfall in such space.

As identified, the site has several limitations to be classed as quality open space and when balanced against the provision of affordable homes, it is considered that there is adequate provision of sufficient, quality open space nearby and the loss of space in this case would not be detrimental to the overall supply. On this basis, the loss of open space can be sustained and would not be significantly harmful to the overall supply of open space in north Manchester.

Heritage Impact

The application site is not located within a designated conservation area and there are no buildings on site which are listed. There is however a Grade II listed building (Harpurhey Baths) building which neighbours the site to the south, at the corner of Shepherd Street and Rochdale Road. It is therefore necessary to assess the impact on the setting of this listed building.

Policies EN3 and DC19.1 of the Core Strategy, along with Section 16 of the NPPF, underline the need for due consideration to be given to the impact of new developments on heritage assets, including the setting of listed buildings.

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'

With reference to the aforementioned policy and guidance, the application is supported by a Heritage Statement. This acknowledges that the site has been historically occupied by high density terraced housing.

Historic maps of the area indicate that in the Victorian period, the area was densely packed with 2 storey terraced housing, with the building line having non or a marginal set back to the pavement edge.

On analysing the past occupancy of the site which still contained housing up to the 1970's, redeveloping the site for housing is considered to represent an appropriate land use for the site.

To guide the proposed development, principles have been embedded into the design to ensure sightlines of the prominent corner of Harpurhey Baths where the significant elevations are located on the approach along Rochdale Road are not encroached, that the design of the facades is restrained to not be over-elaborate in detail so as not to compete or detract from façade of Harpurhey Baths, that the scale is appropriate and the external materials being complementary and in-keeping

In this case the scale of the dwellings are 2 to 2 ½ storeys. The houses are of a simple design, utilising external materials that reflect the local context.

Given the incorporation of a greater set-back from the road frontage than was historically the case, views of the listed building would not be impinged and together with the scale, architectural design and use of materials, the proposed development would be far from intrusive and would not harm the appearance or setting of the listed building. Principal views of the building's key features would be maintained to ensure the listed building remains the key presence in the street-scene.

On balance, it is considered that the proposed development would have a less than substantial impact upon the setting of the neighbouring Grade II listed building and any impact arising from the proposed development is outweighed by the public benefits that would be delivered. Namely, meeting housing growth aspirations for the area, provide affordable residential accommodation, increased vibrancy in the area, uplifting the appearance of radial route and the creation of direct and indirect employment through the construction of the development.

Site Layout

The proposed development is linear, responding to the L shaped nature of the site.

Dual aspect properties are proposed to provide a strong frontage to Rochdale Road and Shepherd Street, as well as a new internal access road to the rear.

4 terraced blocks of townhouses are proposed to front Rochdale Road, with a single block of apartments fronting Shepherd Street, at the south-eastern corner of the site.



Indicative site layout (extract from AEW Design and Access Statement)

An access road serves the rear of the properties, providing access to individual, off-road car parking spaces for the townhouses. Parking for the apartment block is provided with a forecourt area accessed directly off Shepherd Street.

The layout is interspersed with tree planting, landscaping and private garden areas for each dwellinghouse and a communal area to the rear of the apartment block. The submitted drawings show that the proposed layout includes a small area of shared space at the terminus of the access road to provide a transitional, pedestrian friendly link to the retained footpath that dissects the site. A condition is recommended in order to agree details of the layout in order to demonstrate that the pedestrian environment contains safe areas away from traffic for all users including those with mobility issues and those who are visually impaired.

It is believed that the proposed arrangement maximises the development potential of the site and would provide a high-quality environment that responds sympathetically to the character and appearance of the area and adjoining buildings.

Design, Scale and Appearance

The proposed development comprises 4 terraced, two storey blocks of townhouses fronting Rochdale Road with accommodation in the roof-space, to be read as a cohesive row of properties, together with a single 2 storey block fronting Shepherd Street, following the 'L' shaped configuration of the layout.

The townhouses feature steep gables to give a more pronounced appearance and a sense of scale and rhythm to the main Rochdale Road frontage. Given the variation

in building heights and architecture along this section of Rochdale Road, it is believed the properties would effectively assimilate into the street-scene and appear in keeping with the scale of neighbouring buildings.

The properties have been designed to be visually interesting, whilst being sympathetic to the local setting, including that of the neighbouring listed building. The elevations are of a simple composition, incorporating brick feature panels and brick detailing to provide interest and texture.

External material choices are in keeping with the streetscape and comprise red facing brick elevations, grey concrete roof tiles and light grey coloured doors and window frames.

The elevations of the buildings are characterised by detailing within the brickwork to emphasise positions. The main entrance to each townhouse is set beneath a recessed shelter and include entrances to their front/western facing elevations, accessed via a series of external red brick faced steps off Rochdale Road.

It is considered that on balance, the appearance of the proposed development would result in a cohesive, high-quality design which maintains the character of the street-scene and would integrate effectively and sympathetically into its surroundings.

The series of images set out below aim to demonstrate how the development would appear from several vantage points.



Image showing view looking north along Rochdale Rd (extract from AEW Design and Access statement)



Image showing view looking north from Rochdale Rd/Shepherd St junction (extract from AEW Design and Access statement)



Image showing view of apartment block from Shepherd St/Hemsley St junction (extract from AEW Design and Access statement)



Image showing view looking west and retained pedestrian route (extract from AEW Design and Access statement)

Density/Balance of Accommodation

The proposed residential accommodation consists of 24 units, comprising 18 townhouses and 6 apartments

The 18 townhouses are split into two different house types to include 9 x 4 bedroom and 9 x 3 bedroom units. The 6 apartments comprise 3 x 1 bedroom, ground floor units and 3 x 1 bedroom first floor units.

It is considered that the split represents an appropriate and diverse choice of housing types to serve a wide range of prospective occupiers, including families and individuals.

All properties would meet with the City Council's internal space standards.

Residential Amenity

Given the mixture of uses locally, the edge of centre location of the site, and the busy nature of the surroundings, including the busy thoroughfare of Rochdale Road, the introduction of a residential use and the number of units proposed is whilst noticeable, unlikely to have any significant, detrimental impact to the nearest residential occupiers in terms of levels of activity, noise or disturbance.

Due to the scale of the proposed buildings, their relationship and interface distance with neighbouring buildings, there are no residential properties that would be unduly impacted in terms of the physical presence of the buildings in terms of overlooking, over-dominance or overshadowing.

The proposal provides sufficient spacing between neighbouring buildings to maintain a reasonable interface distance, with a gap ranging from 22-28 metres between the rear of the proposed townhouses and those of facing residential properties. The distance between the proposed apartment block and the nearest residential building reduces to 12 metres, but at this point the apartments would face onto a blank gable. It is not therefore considered that the distance between habitable windows would give rise to harmful overlooking or any subsequent loss of privacy. The impact is further lessened given there is an existing public footpath that separates the application site from the existing properties to the east.

With reference to any undue noise impact, the submitted noise assessment demonstrates that road traffic noise in external amenity space would meet with the Council's relevant noise criteria. The existing noise climate around the site is sufficiently low enough which enable noise levels in external and internal habitable areas to have 'no observed effect Level'. Environmental Health do however require further assessment to consider the proposed air source heat pumps for assessment to include night-time measurements. This impact is not however anticipated to be unduly harmful and would be assessed as part of an updated noise survey, as required by an attached planning condition.

Impact to the Highway

The application site is located within a highly sustainable location, situated adjacent to a high frequency bus route along Rochdale Road and within a short walking distance of Harpurhey district centre.

A Transport Note has been prepared in respect of the application which assesses trip generation, parking demand and highway safety, whilst acknowledging the highly sustainable and accessible location of the application site.

In terms of trip generation, the traffic assessment undertaken shows that the proposed development would generate around 11 two-way vehicle trips during the AM and PM peak hour periods. Highways considered this level of movement unlikely to generate a level of peak hour trips that would give rise to network capacity concerns.

The proposed development includes a single car parking spaces for each property comprising a driveway for each town house and a forecourt of 6 spaces for the apartments, representing 100% provision. A further 5 visitor space are proposed along the internal access road. All spaces are to include electric vehicle charging provision.

The off-road parking is to be supplemented by cycle parking provision. Each dwelling would have a cycle store within the private garden area to provide a space for a minimum of 2no. cycle spaces per household. The apartments would also have 1 cycle space per apartment, located in an integrated cycle store.

Vehicular access into the site would be provided at two points. To the south an access road from Shepherd Street would serve 10 of the dwellings, with parking for

the apartments directly served off Shepherd Street via a new dropped kerb of the existing road.

To the north, a new access road is proposed off Parkmount Road to serve the northern section of the site and 8 dwellings at this part of the site. The new access road includes a turning head for refuse vehicles, lay-by parking for the 5 visitor spaces and 2-metre-wide footpaths for pedestrians. As the site is dissected by a retained footpath crosses the site centrally, the access road does not provide a continuous north-south connection to Shepherd Street.

Further assessment is required by Highways in terms of visibility splays and a safety assessment relating to the Parkmount Road/Rochdale Road junction, particularly whether there is a need for 'keep clear' marking along a section of Parkmount Road, in order to ensure queuing traffic does not block access/egress for right-turning vehicles. This detail is to be included as part of an updated Transport Note. The requirement for off-site highway works to include any such road markings, any necessary traffic regulation orders (TROs), dropped kerbs and tactile paving to the south-eastern corner of the site across Shepherd Street is required by way of an attached planning condition.

In light of the above and on balance, the impact upon the operation of the highway and to highway safety is considered satisfactory.

Accessibility

Due to the topography of the site which slopes steeply west to the east and the narrow nature of the site, an access strategy has been formulated to ensure level access can be achieved as a principal point of entry for each property.

Level access is achieved to the rear of the buildings where most people would enter, due the position of the driveway parking spaces. The site constraints would not allow for level access off the Rochdale Road frontage, as ramped access to the front would render the development unviable due to the length of ramps required to access the houses which would require a large set-back of the building line and necessitate a considerably lesser number of dwellings on the site. Instead, to the frontage, low-rise access steps have been incorporated. The applicant, MSV, have measures in place to retrofit houses for residents who may benefit from additional access requirements, including grab rails and stair lifts.

The proposed buildings would comply with Part M of the Building Regulations. The units themselves are of a good size, adhere to the Council's Approved Space Standards and offer a good level of circulation space.

Waste Management

The application has been accompanied by a waste management strategy which indicates that an appropriate number of receptacles and recycling arrangements would be provided, together with details of on-site management and collection.

Each dwellinghouse is to include a naturally ventilated waste store for all waste streams, accessed via the new internal access road. Similarly, a communal waste store of an appropriate size is proposed for the apartments. Each unit is to also include a waste caddy for transportation to the main waste store.

All refuse collection will take place from the new access road. A proposed turning head along the access road would allow refuse vehicles to safely enter and leave the site in forward gear. Environmental Health and Highways have confirmed that the proposed arrangement is satisfactory. A condition to ensure the submitted strategy is adhered to is included.

Landscaping and Trees

The application has been accompanied by an Arboricultural Impact Assessment and Method Statement. The assessment identifies that 3 individual Lime trees and 2 groups of trees (4 x London Plane and 6 x Lime) totalling 13 category B trees are proposed to be removed in order to facilitate the development.

1 tree (Maple) and 2 groups (5 Cherry and 3 Rowan) category B/C trees immediately adjacent to the site at the rear of the proposed apartment block are proposed to be retained.

Whilst the tree loss and associated green open space is regrettable, it is believed that through the replacement and supplementary tree planting proposed along with general soft landscaping throughout the development, will serve to mitigate the loss to an appropriate degree. The indicative layout shows the provision of 28 new trees along with around 28 ornamental species.

At present the Council are not satisfied with the landscaping provision offered and the applicant is aware that further planting is required. As such, a revised landscaping scheme is to be submitted to counter concerns and an appropriate condition has been included to ensure a satisfactory level of planting.

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, it is anticipated that the scheme would reach the right balance between planting and built form in order to be in character with the context in which it is set. Moreover, the provision of much needed affordable homes in the area would outweigh any harm in this instance.

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

Ecology and Bio-diversity

The site does not have any nature conservation designations.

The accompanying Ecological Appraisal recognises that the majority of habitats at the site are considered to be of negligible biodiversity value, comprising areas of highly modified habitats with hardstanding and closely mown amenity grassland.

Greater Manchester Ecology Unit concur with the findings of the appraisal. The grassland on site is considered to be of low ecological value, but as there are mature trees present on site which may be used by nesting birds, a condition is advised to ensure works are not carried out during the peak bird nesting season.

The applicant also recognises that in its present form, the development would not be able to achieve a sufficient level of bio-diversity net gain and as such, as part of the updated landscaping strategy required, it is anticipated that an acceptable bio-diversity impact will be achieved..

The submitted Ecological Appraisal also makes recommendations for biodiversity enhancements at the site in line with the requirements of the NPPF such as bat and bird boxes and pollinating plant species. A condition is included which requires bio-diversity enhancement as part of the proposal, as part of the updated landscaping strategy. This would in turn represent an improvement beyond existing conditions.

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 and Sustainability Statement which sets out how proposed scheme complies with the energy efficiency requirements and carbon dioxide emission reduction targets prescribed within the development plan and how the proposal would exceed the national standards set out in Part L1A of the Building Regulations.

The statement outlines that the proposed development has been designed in accordance with 'passivhaus' principles and utilises a fabric first approach to sustainability, with a focus on reducing energy demands in line with the energy hierarchy.

The proposed dwellings would benefit from low carbon heating through the use of air source heat pumps and is designed to be solar PV ready and suitable for retrofitting of such technology. The proposed improvements in energy efficiency result in a 54%-69% reduction in carbon emissions.

Further measures to ensure the development is adaptable to climate change include rain gardens and permeable paving, whilst overheating measures incorporate fixed shading and natural ventilation of dwellings.

A condition has been included which would require the submission and agreement of a Verification Report to ensure the measures outlined within the submitted statement are implemented.

Climate Change

As the proposal would result in a modest number of additional of residential units within the context of a mixed-use environment, the impact upon climate change is considered less than substantial.

The proposed development would result in an appropriate density for this location and given the surrounding context, the impact upon climate change is considered less than significant.

The site is located adjacent to 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. Due to the low number of anticipated vehicle trips associated with the proposal, road traffic exhaust emission impacts were predicted to be not significant with the Air Quality Assessment that accompanies the application.

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 development would require the provision of a number of electric car charging points, cycle storage. Such measures will serve to limit the impact the upon climate change. The development will also incorporate energy efficient measures as part of the development, as outlined within the submitted Energy and Sustainability Statement.

On the basis, the impact to climate change should not form a barrier to redevelopment of the site for the proposed use.

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, as well as a scheme for its subsequent maintenance. Appropriate conditions are therefore included to ensure a robust surface water drainage strategy and its subsequent maintenance is achieved.

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

Ground Conditions

The applicant has been accompanied by Phase I and II Geo Environmental Studies assessed by Environmental Health as acceptable.

It is advised that remediation should be completed in accordance with the recommendations and subsequent verification provided. An appropriate condition has been included.

Construction/Demolition 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.

Crime and Disorder

The application has been accompanied by a Crime Impact Statement produced by Greater Manchester Police. The design takes account of natural surveillance, lighting, access controls, avoidance of concealed areas, security boundary treatment and external fittings. The proposed design is supported subject to a series of physical security enhancements being incorporated and provided that the development achieves 'Secured by Design' accreditation. An appropriate condition has been included.

Affordable Housing

Policy H8 of the Core Strategy requires that consideration be given to the provision of affordable housing within all new residential developments on sites of 0.3 hectares and above or where 15 or more units are proposed for development to contribute to the City-wide target for 20% of new housing provision to be affordable. In this case all units are to be offered on an affordable basis. 16 for affordable rent and 8 for rent to buy.

The council will have 100% nominations on first lettings, and also subsequent lets through the agreed common allocations framework, for the Affordable Rent units.

Lettings will be through the Manchester Move system and allocated as per the allocations policy; or any approach agreed locally between the Council and Mosscore St Vincent's as the registered provider. This is likely to focus on achieving a mix of residents in the scheme to create a balanced and sustainable community.

On this basis, the proposed development accords with the Council's affordable housing policy and will enable the development to contribute to the diversification of the Council's housing supply. A condition is recommended in order to ensure that these details are implemented in full.

Conclusion

The proposed development would make effective use of the site and provide high quality, affordable residential accommodation, adding to the diversity of housing in the city within a highly accessible, sustainable location and would contribute to local

and national residential growth objectives. The proposed development is in line with the aspirations of national and local planning policies which seek to boost the supply of housing and is entirely consistent with relevant, overarching planning policy. On this basis, the proposed development is considered acceptable.

The loss of the trees and open space is unfortunate. It is considered however that the loss of such provision can be successfully mitigated through quality landscaping and replacement tree planting and any impact is outweighed by the delivery of much needed affordable residential accommodation.

Whilst in recent decades the site has been occupied as informal open space, it is believed this was only ever intended to represent an aesthetically pleasing meanwhile use until the site was brought forward for redevelopment following the demolition of high density, terraced dwellinghouses in the 1970s.

It is felt that given the site history, the surrounding environmental context, coupled with the design, scale and appearance of the buildings involved, the proposed development would make the most efficient use of the land adjacent to a main radial route and would assimilate effectively into its surroundings to offer substantial social, environmental and economic improvements.

It is further believed that the proposed development has been designed to a good standard, would have a sympathetic relationship with neighbouring buildings and would provide a high-quality frontage to Rochdale, without any significant impact to either residential amenity, the environment, or the operation of the highway. The proposed development is therefore considered acceptable.

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 12191-AEW-XX-XX-DR-A-0500-S2-P02-Location Plan, 12191-AEW-XX-XX-DR-A-0503-S2-P07-Proposed Site Layout, 12191-AEW-XX-XX-DR-A-0504-S2-P04-Boundary Treatment, 12191-AEW-XX-XX-DR-A-0505-S2-P03-Boundary Treatments, 12191-AEW-XX-XX-DR-A-0505-S2-P03-Street Elevations, 12191-AEW-XX-XX-DR-A-0506-S2-P06-Ground Floor, 12191-AEW-XX-XX-DR-A-0507-S2-P02-Waste Management Strategy, 12191-AEW-XX-XX-DR-A-0510-S2-P03-House Type 1, 12191-AEW-XX-XX-DR-A-0511-S2-P03-House Type 2, 12191-AEW-XX-XX-DR-A-0512-S2-P03-House Type 3 and 12191-AEW-XX-XX-PP-A-007-Design and Access Statement, received by the City Council as Local Planning Authority on 12 September 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 above ground development, all materials to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. 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.

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

4) Notwithstanding the details submitted, prior to the commencement of development, a construction 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.
- Loading and unloading of plant and materials;
- Storage of plant and materials;
- Site hoarding; scaffolding and acoustic fencing.

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) The development hereby approved shall be carried out in accordance with details contained with the Energy and Environmental Standards Statement (Ref: 12191B-AEW-XX-XX-RP-T4-0001-P01-EESS) received by the City Council as Local Planning Authority on 3 July 2023. 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.

6) Prior to the commencement of the development and notwithstanding details submitted, a scheme for the provision of affordable housing as part of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The scheme shall include:

- i. the numbers, type, tenure (such tenures being consistent with the definition of affordable housing in Annex 2 of the NPPF or any definition of affordable housing

that replaces it) and location on the site of the affordable housing provision to be made which shall consist of a minimum 20% of the dwelling houses;

ii. confirmation that the affordable dwellings will be made available on affordable housing terms for both first and subsequent occupiers of the affordable housing dwellings (subject to any exclusions and exemptions from this requirement that may apply);and

iii. the eligibility criteria to be used for determining who may occupy the affordable housing dwellings (which shall not be required to include any local connection criteria in the case of shared ownership housing).

The approved affordable housing scheme shall be implemented as part of the development and thereafter observed in perpetuity subject to the exclusions and exemptions set out in the approved affordable housing scheme.

Reason - To contribute to the delivery of affordable housing, pursuant to policy H8 of the Manchester Core Strategy.

7) The development hereby approved shall be implemented in accordance with the waste management details provided with the submitted waste management plan and drawing referenced 12191-AEW-XX-XX-DR-A-0503 P07 and AEW response received by the City Council, as Local Planning Authority on 3 July 2023 and 5 September 2023 respectively. 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 development other than on the day of collection.

Reason - In the interests of amenity and public health, pursuant to policies EN19, DM1 and SP1 of the Manchester Core Strategy.

8) 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.

9) 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.

10) 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.

11) (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 Arboricultural Impact Assessment produced by Mulberry (Ref. TRE/PMR) dated 29 January 2022, received by the City Council, as Local Planning Authority on 3 July 2023.

(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.

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

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

13) No construction works or vegetation clearance shall take place during the optimum period for bird nesting (1st March - 31st August 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.

14) Notwithstanding details submitted, prior to above ground works for 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).

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

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

16) The development hereby approved shall be implemented in accordance with the boundary treatment shown on drawing referenced 12191-AEW-XX-XX-DR-A-0505-S2-P03-Boundary Treatments, received by the City Council as Local Planning Authority on 12 September 2023. 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.

17) 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.

18) 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 SP1 and DM1 of the Manchester Core Strategy.

19) 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.

20) Notwithstanding details submitted, no part of the development hereby approved shall be occupied until full details of the space and facilities for bicycle parking have submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed cycling parking space and facilities shall the implemented as part of the development and retained thereafter.

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.

21) a) Notwithstanding the details contained within the submitted Noise Impact Assessment received by the City Council as Local Planning Authority 6 September 2023, the residential accommodation hereby approved shall be acoustically insulated and treated to limit the break-out of noise and for acoustically insulating the proposed residential accommodation against noise from Rochdale Road in accordance with a updated noise study 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 dwellings are occupied.

b) Upon completion of the development and within 3 months of first occupation, 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 has 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 – In order to safeguard the amenity of existing and future occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1, H1 and DM1 of the Core Strategy.

22) The development hereby approved shall be implemented in accordance with the details contained with the approved Phase I and Phase II Geo Environmental Studies prepared by Sladen Associates and Brownfield Solutions Ltd respectively, received by the City Council as Local Planning Authority on 3 July 2023. Notwithstanding these details, a report outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to the commencement of development. The development shall only be implemented in accordance with the agreed details.

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.

23) 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.

24) Prior to first occupation of the development hereby approved, 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 creation of the vehicular access off Parkmount Road and Shepherd Street, the making good of any associated footway and the provision of tactile paving to junctions.
- Dropped-crossings at Shepherd Street, including at least 1no. full-face kerb in-between each dropped crossing.
- Any required TRO's or 'keep clear markings'
- 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.

25) Notwithstanding the layout details shown on drawing referenced 12191-AEW-XX-XX-DR-A-0503 P07 received by the City Council, as Local Planning Authority on 5 September 2023, no development shall commence until a revised drawing showing a revised parking arrangement to the apartments fronting Shepherd Street, has been submitted to and approved in writing by the Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed layout details.

Reason – To break-up the expanse of forecourt parking, in the interests of visual amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

26) Notwithstanding the layout details shown on drawing referenced 12191-AEW-XX-XX-DR-A-0503 P07 received by the City Council, as Local Planning Authority on 5 September 2023, no above ground works shall take place until full details of the internal access road shared surface/home zone, shall be submitted to and agreed in

writing by the City Council as Local Planning Authority. Details shall include material, colouration and texture of the surface, pedestrian safety measures and details of kerb upstands. The development shall only take place in accordance with the agreed details.

Reason - In the interests of amenity and highway safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy and National Planning Policy Framework (NPPF).

27) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) none of the residential units hereby approved shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

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

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

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as short-term lets, 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 Manchester Core Strategy and the guidance contained within the National Planning Policy Framework.

29) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no building or roof extensions shall be erected to the proposed dwellinghouses without the prior consent of the City Council.

Reason – To prevent over development and to protect the amenity of nearby residential occupiers, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

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

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

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: 137462/FO/2023 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

Highway Services
 Environmental Health
 Neighbourhood Team Leader (Arboriculture)
 Corporate Property
 MCC Flood Risk Management
 Greater Manchester Police
 United Utilities Water PLC
 Greater Manchester Ecology Unit
 Work & Skills Team

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

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