



Planning and Highways Committee

Date: Thursday, 19 October 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 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 21 September 2023. 5 - 8
5. **136314/JO/2023 - 60 Oldham Street, Manchester, M4 1LE - Piccadilly Ward**
The report of the Director of Planning, Building Control and Licensing is enclosed. 9 - 24
6. **135932/FO/2023 - East Manchester Academy, Grey Mare Lane, Manchester M11 3DS - Ancoats & Beswick Ward**
The report of the Director of Planning, Building Control and Licensing is enclosed. 25 - 46
7. **136878/FO/2023 - 4B Albany Road, Manchester M21 0AW - Chorlton Ward**
The report of the Director of Planning, Building Control and Licensing is enclosed. 47 - 88

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

Minutes of the meeting held on 21 September 2023

Present: Councillor Curley - In the Chair

Councillors: Shaukat Ali, Andrews, Chohan, Curley, Davies, Gartside, Hassan, Hewitson, Hughes, Johnson, Kamal and Lovecy

Apologies: Councillors, Ludford, Lyons and Riasat

Also present: Councillors Kilpatrick and Leech.

PH/23/72 Supplementary Information on Applications Being Considered

A copy of the late representations received had been circulated in advance of the meeting regarding application 137462/FO/2023.

Decision

To receive and note the late representations.

PH/23/73 Minutes

Decision

To approve the minutes of the meeting held on 31 August 2023 as a correct record.

PH/23/74 136444/FH/2023 - 1A Cavendish Road, Manchester, M20 1JG - Didsbury West Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding 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 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.

The applicant addressed the Committee and stated that parking was limited in their surrounding area and this had been raised by many residents and Ward Councillors. New developments were exacerbating this concern. The nearest parking place to the property was some 50 metres away. This scheme would provide an extra space for the community if approved. There are other identical schemes on the same road.

Visibility requirements are imposed on the alleyway which is used by other vehicles to access Cavendish Road. The report stated that the alleyway was not suitable for vehicular access but large vehicles are able to manoeuvre in and out. The report had also stated that the scheme was intrusive to neighbours but the corner shop and other neighbour feel that it is not detrimental. The Planning Team had not worked with the applicant and had used unsuitable documentation and the applicant felt there had been a lack of transparency. A freedom of information request had been refused. This was expressed as absurd as it did not allow the applicant to know how to follow the process.

Ward Councillor Kilpatrick addressed the Committee and stated that it was unusual for this size of application to come to the Committee. The Community was crying out for operational housing. Councillor Kilpatrick was surprised to see the officer's recommendation of Refuse for this application and expected more discussions to have taken place. The reasons for refusal were unusual. Councillor Kilpatrick wanted to see some consistency. Regarding conservation grounds, Councillor Kilpatrick was passionate about this in West Didsbury. Planning and Highways could have worked with the applicant. It was outrageous to refuse when there is already a garage down the alleyway. There was a need to address the main issue which was to build a suitable family house rather than lose one.

Ward Member, Councillor Leech addressed the Committee and stated that this was a complex application. There were some positive notes and he thanked the Planning and Highways team for presenting this application to the Committee rather than using delegated powers where it may have been refused without any hearing. Councillor Leech supported the application and he expressed his opinion that it had not been handled adequately by the Planning and Highways team. Councillor Leech referred to the report to address his considerations on why the application should be approved referring to MCC being responsible for making sure residents and businesses kept bins on their property, the entrance not impacting on the street scene, the wall height already increasing along the alleyway, neighbours at 1 and 1b being in support of the application, the current wall having been built without planning permission, that it was crazy for the dismantling of this wall to require permission, that the garage at the end of the alleyway was being used daily, that there was already a dropped kerb in place for the alleyway and referred to a nearby application at 4 Cavendish Road. This application would have no negative impact on the conservation area and Councillor Leech urged Members to approve this development and avoid an appeal which he would support.

The Planning Officer addressed key points raised, stating that there were many issues. The scheme had to be assessed on its own merits. Confirmation was provided that the alleyway wall was lawful and would require permission to demolish. The Highways impact on this side of the road was concerning as it was adjacent to a primary school with yellow road markings. The narrow aspect of the alleyway itself and extra usage if approved was a concern. The fence on the top of the boundary was not in keeping with the area. There were no objections to plans at the frontage of the application property but the rear plans were not permissible and was unacceptable to the street scene.

The Chair asked if all relevant information had been checked in the report and the Planning Officer stated that the scheme had been fully assessed.

The Chair invited the Committee members to make comments or ask questions.

Councillor Lovecy stated that she knew the area and was seeking clarity on the legal standing regarding the yellow marking associated with the adjacent primary school.

The Highways Officer confirmed that they were school keep clear markings which one could drive over for access purposes but drivers were not permitted to wait on them.

Councillor Lovecy expressed that safety for the pupils of the school was important.

Councillor Johnson noted that there were similar developments nearby and asked why there was an increased risk if the alleyway was already used for access for vehicles to a garage.

The Planning Officer stated that there were no powers to close the garage but any additional vehicular movements in the alleyway were of concern and added that this application had to be assessed on its own merits.

Councillor Lovecy addressed the area of the report showing the fencing that had been deemed unacceptable.

The Planning Officer concurred and stated that it was a visual intrusion.

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

Councillor Hughes seconded the proposal.

Decision

The Committee resolved to Refuse the application for the reasons set out in the report.

PH/23/75 137462/FO/2023 - Land Off Parkmount Road, Manchester, M9 4AJ - Harpurhey Ward

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.

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 Mosscafe 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.

The Planning Officer referred to an updated transport note which was dealt with by way of a Highways works condition.

The Chair gave comments referring to rentals and the Local Government Housing Allowance, noting that there were 16 affordable rentals and 8 to buy at affordable cost and confirmed that the local authority has an allowance.

The Planning Officer confirmed that this was correct and in accordance with the definitions of an Affordable Rental scheme.

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

Councillor Kamal seconded the proposal.

Councillor Johnson sought some clarity on the application, whilst not opposing it. She requested information on the off-street parking bays and whether they were retained for the use of residents or available to all. Also, Councillor Johnson had concerns around the loss of green space and asked the Planning Team were seeking to replace trees and enhance the area. She also requested information on the low-carbon heating and whether they would be better for the environment.

The Planning Officer confirmed that each dwelling had its own parking space and 5 more on-street parking spaces. The loss of green space had been balanced with the offer of affordable housing on the site. There would be biodiversity improvements and other green space nearby also helped to outweigh any detrimental effect of the loss of green space.

Decision

The Committee resolved to approve the Application for the reasons and subject to the conditions set out in the report.

Application Number	Date of Appln	Committee Date	Ward
136314/JO/2023	20 Mar 2023	19 Oct 2023	Piccadilly Ward

Proposal Variation of Condition 3 (Opening Hours) to planning permission 126960/JO/2020 (amended under 124836/NMC/2019) (as discharged under CDN/21/0969) to allow opening of premises the following hours: Sunday to Thursday – 11:00 to 02:30 (the next day); and Friday and Saturday – 11:00 to 03:30 (the next day).

Location 60 Oldham Street, Manchester, M4 1LE

Applicant Mr Nathan Appleby, 60 Oldham Street Limited

Agent None

Description of Site

60 Oldham Street has been converted into four apartments with the ground floor and basement changed to a restaurant and bar (126960/JO/2020 amended by 120878/FO/2018). The opening hours applied for and approved at the ground floor and basement were Tuesday 17.00-00.00, Wednesday to Saturday 12.00 to 13.30 and 17.00 to 00.00 (application ref no CDN/21/0969). A scheme of acoustic insulation was approved (CDN/21/0947).

The approval included the erection of a 7-storey building on an empty plot to the rear at 53 Spear Street to form five apartments. The consent has been fully implemented.

The site is in the Stevenson Square Conservation Area and on the edge of the Smithfield Conservation Area. It is in as the Northern Quarter which contains homes, hotels, commercial, places of worship, bars and restaurants.

Description of Development

The proposal seeks to vary the approved opening hours to: Sunday to Thursday – 11:00 to 02:30 (the next day); and Friday and Saturday – 11:00 to 03:30 (the next day). These hours reflect those permitted under the Premises Licence and have been reduced since the original submission.

A Noise Management Plan (NMP) and a Sound System Commissioning and Calibration Report have been submitted which verifies that the measures installed to prevent noise break out or noise transfer to the homes above have been effective.

Live music is not proposed.

The ground floor and basement have been completely refurbished with new walls and ceilings. The sound insulation measures have created a 'box within a box' to isolate the ground floor and basement from the homes above. This eliminates unacceptable impacts from structure borne and airborne noise to the homes.

The sound system involves speakers closer to the customers rather than larger speakers to achieve even sound coverage. All speakers are structurally isolated from the walls through anti-vibration mounts. The sound level of individual zones could be set independently. Bar staff cannot adjust the sound management device (other than a master fader with the maximum output fixed to the set limit) and only a sound engineer with access to the software and a password can change the settings.

The effectiveness of these measures including the sound system have been tested, including a cumulative test with all zones operating at the same time with representative music. During the test all amplifiers were set to maximum output.

The approved opening hours at adjacent premises in similar use are:

60A Oldham Street: Blockbusters (Bar) Monday to Wednesday 8.30-23.00 Thursday to Saturday: 8.30 to 2.30,

62 Oldham Street : Fress (Café) Latest 10.00pm Thursday to Saturday

64 Oldham Street : Bunny Jackson's / Juniors (Bars) Ground Sunday to Wednesday 12.00 to 00.00 and Saturday 12.00 to 03.00. Lower Level Monday to Sunday 17.00 to 03.00

93 Oldham Street: Behind Closed Doors (Cocktail Bar) 16.00 to 23.30 Monday to Thursday, 16.00 to 02.00 Friday and Saturday and 16.00 to 23.00 Sundays

101-103 Oldham Street : Kong's NQ (Take Away/ Diner) 07.30 to 20.00 Monday to Saturday, 10.00 to 18.00 Sunday and Bank Holidays

105 Oldham Street: Chakalaka (Bar / Restaurant) 12.00 to 02.00 Monday to Sunday

107 Oldham Street : The Mancunian Bar (Bar and Venue) 10.00 to 23.00 Monday to Sunday

109 Oldham Street : Gullivers (Bar and Venue) 11.00 to 02.00 Monday to Sunday (variation until 3 Bank Holiday weekends)

15 Hilton Street : Wilson's Social / Corner Boy (110953) (both operated in conjunction with Hatters Hostel)

08.00 to 00.30 Sunday to Thursday and 08.00 to 02.00 Friday and Saturday.

46-50 Oldham Street: Turtle Bay (Restaurant / Bar) 08.00 -00.30 Sunday to Thursday and 08.00 -01.30 Friday and Saturday

Publicity – The application was advertised as a public interest development and affecting a conservation area and a site notice was displayed. Occupiers of neighbouring properties were notified. 2 objections were received as follows:

- The extended hours would result in potential noise nuisance from music within the premises for residents trying to sleep;

- Experience of nuisance from other premises with late music is that noise testing is meaningless if the operator does not operate within permitted noise limits;
- There is potential for structure borne noise to transfer to adjacent homes;
- Blockbusters usually stops playing music between 2:30am and 3am, but this new bar wants to be even later, which is unacceptable;
- Noise levels are already extremely high during the week, and it would be unfair for those living on this street and there is no need to extend the hours.

Head of Environmental Health – No objections and agrees with the conclusions of the above Reports subject to a condition being attached to ensure that the premises operates in accordance with the submitted NMP to ensure that noise is adequately contained on an ongoing basis.

Issues

Core Strategy - The following policies are relevant:

Policy CC1 - Primary Economic Development Focus (City Centre and fringe) - retail, leisure, entertainment, cultural and tourism uses are encouraged in the City Centre, to support the development of a vibrant employment location attractive to businesses, employees and visitors. The extended hours would not be detrimental to residential amenity for the reasons discussed below and would support investment.

Policy SP1 (Spatial Principles) - guides strategic development and requires development and regeneration areas to have regard to the character and issues identified in the City Centre Strategic Plan and outlines the following core development principles: Development should make a positive contribution to neighbourhoods of choice including:-

- creating well designed places that enhance or create character;
- making a positive contribution to the health, safety and wellbeing of residents;
- considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income;
- protect and enhance the built and natural environment;
- minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- Improve access to jobs, services, education and open space by being located to reduce the need to travel; and
- Provide good access to sustainable transport provision

On the basis of the installed acoustic insulation and operation of the submitted Noise Management Plan, the extended hours would not adversely impact on the health, safety and wellbeing of residents.

Policy DM1 (Development Management) –requires development to address specific issues, the following of which are relevant to this application:-

- Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Community safety and crime prevention.
- Design for health.
- Refuse storage and collection.

On the basis of the installed acoustic insulation and operation of the submitted Noise Management Plan, the extended hours would not adversely impact on the amenity of adjacent residents.

The Unitary Development Plan for Manchester – Some UDP policies remain saved as there are no replacement policies in the Core Strategy. The relevant policies are detailed below:

DC26.1 Development and Noise - details how the impact of noise on people living and working in the City will be reduced and requires the impact that proposals which could generate noise will have to be considered. The impact from the increased hours is discussed below.

DC26.5 Development and Noise – states that the Council will control noise levels by requiring where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate. The impact of the increase in hours is discussed below.

Places for Everyone - The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester’s development plan.

To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council’s Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

Policy JP-Strat1: Core Growth Area and Policy JP-J1: Supporting Long-Term Economic Growth -The extended hours would support the operation of this new business and support jobs within the Core Growth Area (City Centre) supporting long term economic growth within the Regional Centre.

Residential Amenity / Hours of Operation

The information submitted in support of the application has demonstrated that the extended opening hours would not result in noise break out subject to the recommendations and noise management measures set out in the NMP being adhered to. This can be controlled through a condition. Environmental Health are satisfied that subject to adherence with these measures, the premises could operate over extended hours in a manner that would not cause disamenity to adjacent residents.

Whilst the principle of the proposed hours is considered to be acceptable, there are homes adjacent to the site. The impact on residents of people leaving the premises at 2.30 /3.30 am needs to be considered. This needs to recognise the mixed use nature of the City Centre, which can generally absorb a greater level of activity during the daytime and evening than other locations.

The mixed use nature of the Northern Quarter is an important part of Manchester's offer and evolved since the early 1990's. The residential community has increased with growth in creative industries such as fashion designers, art galleries and media related businesses and independent retailers, restaurants and bars. This has helped to regenerate the area and buildings have been refurbished and reused. The creation of this diverse mix of uses has resulted in people living next door to and above restaurants, bars, clubs and similar venues.

The original hours applied for were for a restaurant / cocktail bar, and a closing time of 00.00 is not typical and were specific to a previous operator. The previous approval of these hours does not mean that later opening hours cannot be supported.

The opening hours would be similar to those at some other nearby premises, and there would be an increase in comings and goings into the early morning which could disturb residents. This cannot be controlled through conditions but would be managed through obligations on the premises licence. This would include door staff reminding people leaving the premises to be considerate of noise affecting neighbours when they are leaving, the display of prominent and clear notices requesting customers to respect local residents and use local areas quietly and monitoring customers outside the premises on a regular basis to ensure that they do not cause a public noise nuisance.

Given the above the application is considered on balance to be consistent with policies SP1 and DM1 of the Adopted Core Strategy for the City of Manchester, saved UDP policy DC26 (Development and Noise) of the Unitary Development Plan for the City of Manchester and Policies JP- Strat 1 and JP-J1 of Places for Everyone.

Crime and Security The extended hours would increase footfall in the area later into the night which would improve levels of natural surveillance on Oldham Street. The proposal is consistent with policies SP1 and DM1 of the Core Strategy.

Conditions

Condition 5 which approved the scheme of acoustic insulation under the previous hours (application ref no CDN/21/0947) would also be updated as part of any consent granted to reflect the submitted NMP and submitted verification as approved documents to be complied with as a condition of the extended hours being permitted.

Other Legislative Requirements

Equality Act 2010

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

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation : Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the planning application. This has included on going discussions about the form and design of the developments and pre application advice about the information required to be submitted to support the application

Condition(s) to be attached to decision for approval

- 1) The development must be begun not later than 21.09.2021

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

(a) Site plans PR 101-01

(b) Dwgs PR 101 Rev A, 102, 103, 104, 105, 106, 107, 108, 109, 201 Rev B, 202 Rev A, 205 Rev B, 301, 302, 303, 304, 400, 401 and 402 Rev A;

(c) Servicing , Waste Management Strategy and dwgs PR101-02, 03, 04 and 05

(d) Extraction strategy set out in Dwg PR108 and 109 and Redmore Environmental's Odour Impact Assessment, 60 Oldham Street, Manchester reference: 2321-1r1, Date: 27th July 2018;

(e) Recommendations within Crime Impact Statement rev A dated 13-07-18;

(f) 60 Oldham St & 53 Spear St Apartment Schedule;

(g) Recommendations within Redmore Environmental Air Quality Assessment dated 27-07-18; and

(h) Recommendations within the Breeam Non Domestic Refurbishment and Fit Out Pre-Assessment Estimator Report Rev 1 (25-07-18), Commercial Energy Statement (26-07-18) and Energy Statement (27-07-18) all by Base Energy;

(g) Energy Efficiency measures as set out on P67 and P68 of submitted D& A Statement as amended by dwg 337 226 P A; and

Reason - To ensure that the development is carried out in accordance with the approved plans and pursuant to Core Strategy SP 1, CC3, H1, H8, CC5 , CC6 , CC7, CC9 , CC10, T1, T2 , EN1, EN2 , EN3 , EN6 , EN 8, EN9, EN11, EN14, EN15, EN 16 , EN17, EN18, EN19, DM 1 and PA1 saved Unitary Development Plan polices DC19.1 , DC20 and DC26.1.

- 3) The A3/A4 use shall operate in accordance with the following hours:

Sunday to Thursday 11:00 to 02:30

Friday & Saturday 11:00 to 03:30

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

4) The A3/A4 use shall operate in accordance with the following:

- *Grease Filtration System: Six cartridge filters installed within the kitchen canopy to capture any initial heavygrease loads;
- *Fine Dust Filtration: A HEPA filter has been installed before the exhaust fan;
- *Gaseous Phase: Activated carbon filter; and
- *High velocity jet cowl by Hydroponics to ensure fast, vertical dispersion.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

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

5) The A3/A4 use shall operate in accordance with the recommendations within the following:

NOISE MANAGEMENT PLAN dated 03-08-23 and verified by the TECHNICAL MEMO - SOUND SYSTEM COMMISSIONING AND CALIBRATION dated 25-09-23 both by F1 Acoustics

including that the venue will not operate any live music. All music will be recorded and be from a playlist or DJ

For the avoidance of doubt

Noise levels from external sources including from elsewhere within the building must not exceed the levels as set out below:

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

Any sound and vibration insulation scheme must be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands.

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

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

6) The development shall be implemented in accordance with the following:

Detailed schedule of repairs and specification for all of the repair works to the external elevations of the building comprising:

Details shown in Discharge Condition 6 Document on 15th Nov 2018;
 Email sent on the 24th of May 2019 showing two example of pointing for the front facade. Approval of pointing sample confirmed via email to Richard Frain from Paul Mason on 29th May 2019;
 Document 60 Oldham St_Lightwell Materials submitted on 2nd Jan 2019;
 Email received on 11th jan 2019 email approving light well cladding materials;
 Details and drawings of proposed shop front submitted on 14th and 25th Nov 2019;
 Pr-403_Proposed Shop Front Plan Section Detail:
 Sliding Sash Spiral Balance Details incl Bars and Horns:
 TA Door profiles;
 TA_Staffordshire_Window_Sections_14-09-2013; and
 Email received on 13th December of approval of submitted shop front details and paint samples

(b) Details including method statement of cleaning of external elevations;

Details shown in Discharge Condition 6 Document on 15th Nov 2018:
 Specialist Contractor Stone Mason Method Statement for facade cleaning submitted via email on the 21st March 2019:
 Sample area images submitted on 30th April 2019; and
 Email received on 3rd may 2019 email approving stone repairs and methodology;

(c) A specification of any works to windows including replacement (with a presumption that repairable windows to the Oldham Street; Facade should be retained), repair, painting, reinstatement and installation of ventilation;
 Details shown in Discharge Condition 6 Document on 15th Nov 2018, APPENDIX 1 Drawing Nr- Spec-402_Specification Drawing - Works to Windows and APPENDIX 2 Drawing Nr- Spec-402_Specification Drawing - Roof Lights;
 Revised window details and further info submitted on the 23rd of Jan 2019 for replacement sashes and casement windows:
 60 Oldham Street_Window Types, Pr-405_Sash Window Detail Drawings_Rev B, Pr-406_Casement Window Detail Drawings_Rev B;
 Comments received on 18th Dec 2018 on details submitted in Discharge Condition 6 Document on 15th Nov 2018- Response issued on the same day confirming that we would use clear glass for any replacement of broken panes and that we would be using conservation skylights with recessed flashings and Email received on 24th Jan 2019 of approval of replacement windows

(d) Locations and details (including any fixtures and fittings) of any external lighting, TV aerials and CCTV cameras;

Details shown in Discharge Condition 6 Document on 15th Nov 2018; and

On the basis of No CCTV camera, external lighting or TV aerial located or visible on the Oldham Street elevation

(e) Colour of any external painting including rainwater goods and window frames;

Details shown in Discharge Condition 6 Document on 15th Nov 2018 and External paint only applicable to window frames only (not rainwater goods). RAL colour 9005 agreed with approval of works to windows.

(f) Details including method statements of any repair / making good works to the roof;

Details shown in Discharge Condition 6 Document on 15th Nov 2018 and Site visit to review slate samples for roof repairs by Angela Leckie on 18th Jan 2019 with Agreement made on site to use reclaimed slates. Follow up email sent to confirm this on 18th Jan 2019.

All of the above shall be implemented in accordance with the approved details before the development is first occupied

Reason - In the interests of visual amenity and because the proposed works affect a building which is located within a conservation area and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies CC9 and EN3 of the Core Strategy and saved policy DC18.1 of the Unitary Development Plan for the City of Manchester.

7) The development shall be carried out in accordance with the following:

Surface Water Drainage, Strategy (SWDS) 4151, 60 Oldham Street, Manchester by Ambiantal Environmental Assessment (Phase 2 and 3 only not required for Phase 1)

The approved scheme shall be implemented in full before use of the residential premises first commences.

Reason - Pursuant to National Planning Policy Framework policies (PPS 1 (22) and PPS 25 (F8))

8) The development shall be implemented in accordance with the following:

Emma Lind's e-mail dated 21-02-19;
53 Spear Street Rainwater Attenuation Strategy Dwg dated 13-05-19; and
Project 53 Proposed Rainwater Planter Detail

(Phase 2 and 3 only not required for Phase 1)

The approved scheme shall be implemented in full before use of the residential premises first commences.

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 Core Strategy

9) Conditions 10, 11,12,13,15,16 and 19 of this planning permission shall apply separately to the different phasing zones of the site as defined on the submitted phasing strategy.

Reason - For the avoidance of doubt to allow the development to be carried out in a phased manner, pursuant to Policy DM1 of the Core Strategy.

10) All Phases

The submission of material samples shall be carried out in accordance with the following:

Materials Specification Programme - Phase 1 October 2018

60 Oldham Street/ 53 Spear Street Materials Specification Programme and Quality Control Management Statement by Lind Studio (Phase 2)

(b) All samples and specifications shall then be submitted and approved in writing by the City Council as local planning authority in accordance with the programmes as agreed above and the development implemented in accordance with the approved materials before the development is first occupied

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

11) All Phases

Development shall be carried out in accordance with the following:

reForm Developments Planning, Construction Management Plan, 60 Oldham Street & 53 Spear Street, Manchester (Phases 1,2 and 3)

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

12) All Phases

The development shall be carried out in accordance with the Compliance with the Recommendations within Phase I Environmental Desk Study, Earth Environmental & Geotechnical, Ref: A0707/15 Dated: July 2018 and the findings of the 7/18/2018 Asbestos Refurbishment Survey-849001, 53 Spear Street, Manchester Ground

Investigation Report by IGE; and Letter date 14 January 2022 from Reform Construction services ltd

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 Section 11 of the National Planning Policy Framework

13) The residential part of the development shall be implemented on the basis of the following:

1.(a) Specifications and recommendations within 60 Oldham Street / 53 Spear Street, Acoustic Insulation Scheme, October 2018 prepared by LIND Studio; and

(b) Emma Lindblom's e-mail in relation to Mechanical Ventilation dated 28-12-18 and the 60 Oldham Street, Post Completion Verification Report DATE: 09 February 2021

For the avoidance of doubt:

Noise levels from external sources including from elsewhere within the building must not exceed the levels as set out below:

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

Any sound and vibration insulation scheme must be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands.

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

14) The A3/A4 use shall be operated on the following basis:

Operation of plant including kitchen fan at noise levels and with mitigation set out within JPM Acoustic Report 01-3-22 and on the basis that the plant can only operate during daytime hours (07:00 to 23:00 hours)

The approved details shall be implemented and remain in place for as long as the unit is in use (and any subsequent permitted changes of use under Class E)

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

15) All Phases

The development shall be implemented in accordance with the following:

60 Oldham Street / 53 Spear Street Parking Management Plan April 2019

All works approved in discharge of this condition shall be fully completed before the development hereby approved is first occupied.

Reason - The development does not provide sufficient car parking facilities and in order to provide alternative arrangements (e.g. parking leases with car parking companies; car sharing; or car pool arrangement) for the needs of future residents whom may need to use a motorcar and Policies DM1 and T1.

16) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours:

07:30 to 20:00 Monday to Saturday
10:00 to 18:00 Sundays and Bank Holidays

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

17) The apartments hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1995, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval pursuant to Core Strategy policies SP1 and DM1 and to ensure the permanent retention of the accommodation for normal residential purposes.

18) Following commencement of construction of the hereby approved development, any interference complaint received by the Local Planning Authority shall be investigated to identify whether the reported television interference is caused by the Development hereby permitted. The Local Planning Authority will inform the developer of the television interference complaint received. Once notified, the developer shall instruct a suitably qualified person to investigate the interference complaint within 6 weeks and notify the Local Planning Authority of the results and the proposed mitigation solution. If the interference is deemed to have been caused by the Development, hereby permitted mitigation will be installed as soon as reasonably practicable but no later than 3 months from submission of the initial investigation to the Local Planning Authority. Television interference complaints are limited to 12 months from the completion of the Development hereby permitted.

Reason - To ensure terrestrial television services are maintained In the interest of residential amenity, as specified in Core Strategy Polices DM1 and SP1

19) The development shall be implemented in accordance with the:

PILING RISK ASSESSMENT FOR GROUNDWATER PROTECTION; 53 SPEAR STREET, MANCHESTER dated 26-04-19 by IGE Consulting; and

Emma Lindblom's e-mail dated 24-06-19

(Phases 2 and 3)

Reason

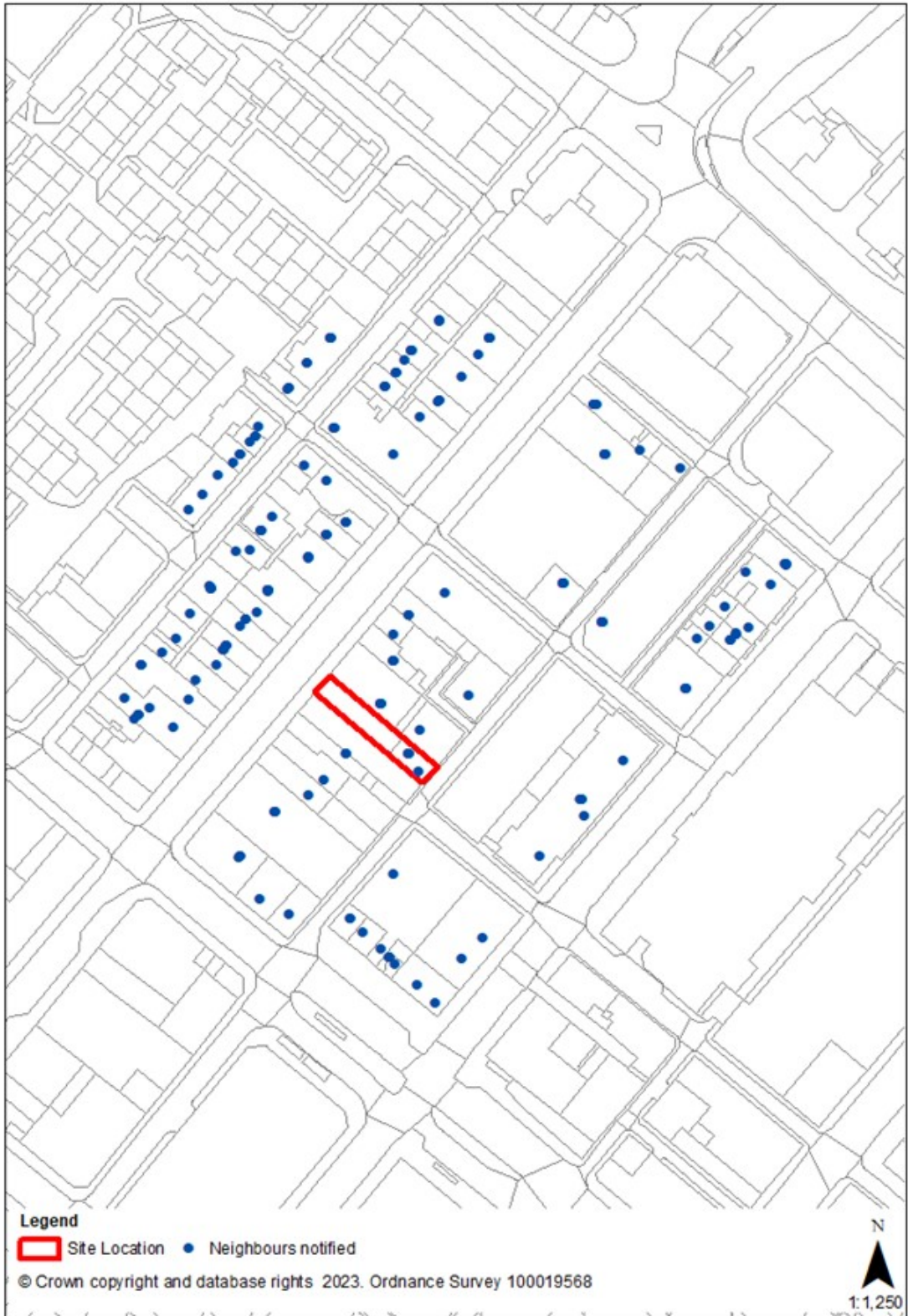
To ensure a safe form of development that poses no unacceptable risk of contamination to controlled waters pursuant to section 10 of the National Planning Policy Framework Core Strategy policy EN14 and EN17

Environmental Health

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 :	Angela Leckie
Telephone number :	0161 234 4651
Email :	angela.leckie@manchester.gov.uk



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Application Number	Date of Appln	Committee Date	Ward
135932/FO/2023	23 May 2023	19 Oct 2023	Ancoats & Beswick Ward

Proposal Installation of Multi Use Games Area (MUGA) together with the installation of 5 metre high boundary treatment and 3 metre high acoustic barrier

Location East Manchester Academy , Grey Mare Lane, Manchester, M11 3DS

Applicant The East Manchester Academy

Agent Lancaster Maloney Martin

EXECUTIVE SUMMARY

The proposal is for the creation of a Multi-Use Games Area (MUGA) together with the installation of boundary treatment.

The proposal would result in the loss of grass playfield. Sport England have objected on this basis. MCR Active support the proposals.

Key Issues

Principle of the proposal There is an identified need for a new MUGA at the East Manchester Academy. The Academy have identified an area of unused and poor-quality grass playing pitch to create a MUGA to meet demand for basketball and netball. It is acknowledged that the proposal would result in the loss of a grass playfield which are normally required to be protected. Policy EN10 of the Core Strategy and Paragraph 99 of the NPPF outline the circumstances where the loss of a playfield can be considered. The proposal would result in an enhanced sporting facility created at the Academy to expand the sporting curriculum as well as making the facility available for community use. This would satisfy the requirements of Policy EN10 (part (a)) and part (c) of the paragraph 99. There would be no loss of athletics provision in East Manchester with a throwing cage relocated off site to facilitate the MUGA.

Visual amenity The proposal is located within the curtilage of the Academy alongside other external sporting facilities. The proposal would not affect the openness of the site with the exception of boundary treatment to secure the MUGA and an acoustic fence to minimise any noise from the use of the facility. The boundary treatment is similar in appearance to others located at the Academy.

Residential amenity The proposal is not considered to have any greater residential amenity impacts than the current use of the site for sporting use. The introduction of

an acoustic barrier would further minimise the impact on surrounding residential properties, particularly those on Jobling Street to the north of the site.

A full report is attached below for Members consideration.

Description

The site is 0.2 ha and is a natural grass playing field at the East Manchester Academy, a co-educational secondary school. It is laid out for use as a football and rounders pitch but has not been in use for over five years due to drainage issues.



Location of the grass pitch and relationship with Jobling Street

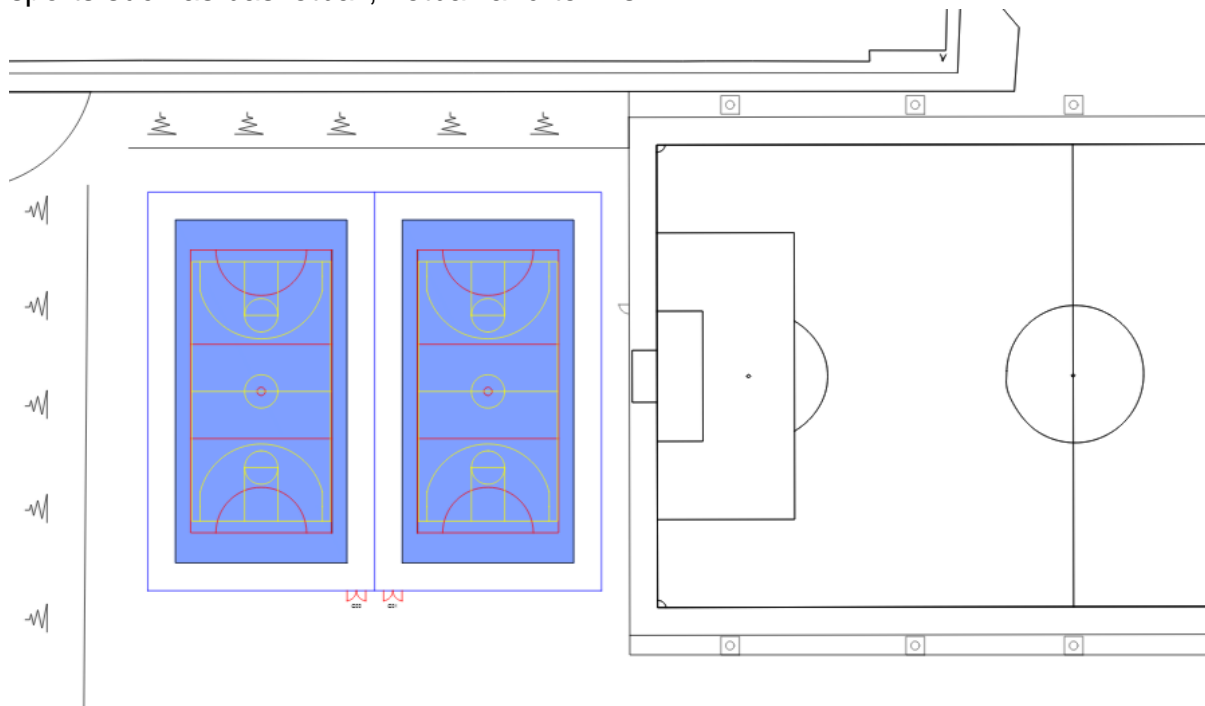
It is bounded by trees, a grass playing field and a Multi Use Games Area (MUGA). The trees are not protected. There is also a throwing cage to the northwest corner of the site. The surrounding area is mainly residential. Terraced housing is directly opposite on Jobling Street. To the west is a children's play area.

The site is in Flood Zone 1, where there is a low probability of flooding.

This is a highly sustainable area with access to bus and tram services on Ashton New Road. The Academy has 72 parking bays plus 10 for disabled people.

The proposal

The application proposes the installation of a two court MUGA and boundary treatment. The surface would be tarmac and could be used for a variety of sports such as basketball, netball and tennis.



The MUGA would have a 5-metre-high green weldmesh fence and a 3-metre acoustic fence would be installed to the northern part of the site. The MUGA would not be lit during the hours of darkness. However, cabling would be installed as part of the scheme to enable lighting to be installed at a later date, subject to permission being granted subsequently.

The MUGA would be open during school hours (9am-5pm) during the week for use by the school and 9am-4pm on the weekend for community use. To facilitate the installation of the MUGA, the existing throwing cage would have to be relocated off site.

Land Interest The City Council has an interest in the site as landowner and Members are reminded that they must disregard this and exercise their duty as Local Planning Authority only.

Publicity

A notice was displayed on site. Letters were sent to surrounding residential properties and businesses. No representations have been received.

Consultations

Highway Services the development would not impinge on the highway and would not affect parking provision, vehicle operations or pedestrian access routes.

Environmental Health a Noise Management Plan, Construction Management Plan, full and final details of acoustic fence and restriction of hours of use should form conditions.

Neighbourhood Services (Arboriculture) the proposal does not affect trees which should be protected during the works.

Flood Risk Management Team an appropriate drainage scheme is required.

United Utilities an appropriate drainage scheme is required.

Design for Security at Greater Manchester Police no comments.

The Coal Authority the site is in a low-risk area and the standing advice applies.

MCR Active support the proposal on the basis that there is a community use agreement, that the final pitch design is agreed and the throwing vague is relocated.

Sport England object on the grounds of the loss of the grass playing field and the Policy Exceptions has not been satisfied which is contrary to the provision of paragraph 99 of the National Planning Policy Framework.

Greater Manchester Ecology Unit have no comments.

Policy

The Development Plan

The Development Plan consists of the Core Strategy (2012); and saved Unitary Development Plan policies (1995). The Core Strategy is the key document in the Local Development Framework and sets out the long-term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy and saved UDP policies as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 unless material considerations indicate otherwise.

The relevant policies within the Core Strategy are as follows:

Strategic Spatial Objectives - The adopted Core Strategy contains Strategic Spatial Objectives that form the basis of its policies, as follows:

Manchester Core Strategy Development Plan Document (July 2012)

The relevant policies within the Core Strategy are as follows:

SO1. Spatial Principles –The proposal would enhance recreational provision at the Academy for the benefit of the students and the local community. The Academy is in a highly sustainable area and serves the local community.

Policy SP1 ‘Spatial Principles – The proposal would enhance the recreational and sporting provision at the Academy which would have a positive impact on the health and wellbeing of the students and local community. The MUGA would enable a wide variety of sports to be played at the Academy. The boundary treatment would not detract from the visual amenity of the area and would reduce impact from noise.

T2 (Accessible Areas of Opportunity and Need) – This is a highly accessible location which is well served by the bus and tram networks. There is sufficient parking for the intended use.

EN10 (Safeguarding Open Space, Sport and Recreation Facilities) – The proposal would provide an equivalent or better sport facility which would mitigate the loss of the existing playing field.

EN12 (Area priorities for Open Space, Sport and Recreation) - The proposal would enhance the sport facility provision at East Manchester Academy and provide a new facility in an accessible location.

EN14 (Flood Risk) – The proposal would make use of integrated drainage system and an existing culvert to manage surface water run-off to mitigate flood risk.

EN15 (Biodiversity and Geological Conservation) – The proposal would have no adverse ecological impacts. There are no trees or other elements of biodiversity at the site.

EN 17 (Water Quality) – The drainage strategy would ensure surface water run off is carried off to an existing culvert, rather than into the ground. It has been demonstrated that the site is sufficiently removed from any groundwater bodies.

Policy EN 18 (Contaminated Land and Ground Stability) – The proposal would have a low-medium risk due to ground conditions.

DM1 (Development Management) – The design of the boundary treatment would be appropriate, and the materials reflect those in use elsewhere in the Academy. The siting and scale would not be overly dominant. Noise would be mitigated by an acoustic barrier and a noise management plan. The development would be

accessible and have sufficient parking. There are no ecological concerns. Appropriate drainage would be installed.

For the reasons given above, and within the main body of this report, it is considered that the proposal is consistent with the policies contained within the Core Strategy.

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

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

Saved Policy EM11 (Sportcity) – The proposal would provide a new facility for community use, which is supported under part ii of this policy.

Saved Policy DC26 (Development and Noise) – The proposal would incorporate a noise barrier to control noise levels, as required by the DC26.5.

Other material policy considerations

Places for Everyone (2023)

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022.

Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

Policy JP-P7: Sport and Recreation – The proposal would provide enhanced sports facilities which respond to an identified demand.

Manchester's Playing Pitch and Outdoor Sport Strategy (2022)

The strategy identifies a city-wide shortfall of MUGAs and outdoor 3x3 basketball courts and recommends establishing new provision. The strategy goes on to state there is a need to protect or enhance the existing 3G pitch, cricket nets, rugby pitch and MUGA at the East Manchester Academy.

Manchester Green and Blue Infrastructure Strategy 2015

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

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

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

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

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

National Planning Policy Framework (September 2023)

The revised NPPF re-issued in September 2023 states that the '*purpose of the planning system is to contribute to the achievement of sustainable development*'. The document clarifies that the '*objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs*' (paragraph 7). In order to achieve sustainable development, the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 8 (Promoting healthy and safe communities)

Paragraph 92 (c) – *Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:*

(c) would enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

The proposal will create a community facility that would enable and support healthy lifestyles through exercise.

Paragraph 93 (a) – *To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*

a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments

The proposal would create a community facility accessible to the local community.

Paragraph 98 – *Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities;*

and;

Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed

The proposal is responding to an identified shortfall of 3x3 basketball courts in the *Manchester's Playing Pitch and Outdoor Sport Strategy (2022)*.

Paragraph 99 (b) – *Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use

The proposal would be built on a playing field that is not used due to poor ground conditions. The proposal would provide a flexible play area, usable year round, and would improve the current situation.

Planning Policy Guidance (PPG)

The relevant sections of the PPG are as follows:

Open space, sports and recreation facilities, public rights of way and local green space states that open space should be taken into account in planning for new development and considering proposals that may affect existing open space. It is advised that Sport England are consulted where the loss of major sporting facilities is proposed.

Noise states that 'Local planning authorities' should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other
- form – the shape of buildings
- scale – the size of buildings
- detailing – the important smaller elements of building and spaces
- materials – what a building is made from

Health and well being states opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to

healthier food, high quality open spaces and opportunities for play, sport and recreation);

Other legislative requirements

S149 (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

Principle of the development and loss of the grass playfield

The Academy has a 3G (artificial grass) pitch and three full grass football pitches, including the grass playfield subject to this application, which can facilitate rounders and a rugby pitch.

The Academy has identified a deficiency in hard surface play space. There is a city wide deficiency in outdoor basketball court provision, identified in the Manchester's Playing Pitch and Outdoor Sport Strategy. The current outdoor basketball court at the Academy is not fit for use as there is no internal fencing and is close to and could damage the Academy buildings. The Academy has been identified as a site to locate enhanced provision to support its curriculum and allow the community to use it.

The Academy is looking to increase the number of students to 1150 and there is a critical requirement to ensure sufficient play space is available to allow them to deliver the curriculum.

This grass pitch has been identified as the preferred location for a two court MUGA as it is not currently usable during autumn and winter due to poor drainage. Improving the drainage would cost between £127,482 and £278,988. The MUGA would cost £120,452.

Two full size grass playfields would be retained for football and rounders with the grass rugby pitch and cricket green. The MUGA would provide a secure and usable play space for outdoor netball and basketball plus other activities including structured play, supervised sporting activities, holiday club use and community use.

The Academy cannot offer community use of the grass playfield due to its condition. The MUGA could be used at evening and weekends, on both a subsidised and chargeable rate, specifically in relation to the netball and basketball which are currently limited in East Manchester. Up to 28 hours per month of all year-round community use would become available as result of this proposal.

The importance of promoting and conserving open space for access by local communities is outlined within policy SP1 'Spatial Principles' of the Core Strategy which states that '*the City's network of open spaces will provide all residents with access to recreation opportunities*'. This policy also outlines core development principles that all development in the City should adhere to. This includes making a positive contribution to health, safety and wellbeing of residents together with the protection and enhancement of the built and natural environment (consistent with paragraph 98 of the NPPF).

The proposal would result in the loss of a grass playfield. Where a development would result in the loss of a use which contributes to these spatial objectives, it is necessary to robustly consider whether development proposals are acceptable. The NPPF and the Core Strategy provide the circumstances that must be considered where the loss of a sporting facility is proposed.

Paragraph 99 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- (a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- (b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- (c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Policy EN10 of the Core Strategy is consistent with the assessment criteria within the NPPF and states that existing open spaces should not be built upon unless a specific criteria can be satisfied, namely that:

- Equivalent or better replacement open space, sport or recreation facilities will be provided in the local area;

or

- The site has been demonstrated to be surplus for its current open space, sport or recreation function and the City wide standards are maintained, and
 - o it could not fulfil other unsatisfied open space, sport or recreation needs, and
 - o a proposed replacement will remedy a deficiency in another type of open space, sport or recreation facility in the local area;

or

- The development will be ancillary to the open space, sport or recreation facility and complement use or character.

Policy EN12 of the Manchester Core Strategy states that development in East Manchester that would *enhance existing facilities and provide new spaces and facilities in accessible locations* will be supported. Manchester's Playing Pitch and Outdoor Sport Strategy has identified a specific need for enhanced hard surface provision in Manchester. The existing grass play field is not usable.

The installation of a hard surface MUGA would create an all year, weathers hard surface pitch and enhance and diversify the sporting offer at the Academy. The MUGA would be an improvement on the current grass pitch which is not usable.

MCR Active support the proposals.

Sport England have objected on the grounds that the proposal does not meet their Exceptions Test and paragraph 99 of the NPPF. They recognise that sporting provision is proposed but a football pitch and the athletics throwing facility would be lost. No alternative playing field would be provided to accord with Sport England's Playing Field Policy, and the MUGA would not outweigh the resulting harm.

The grass playfield that would be lost has not been for some time. There is unmet demand for hard surface play in Manchester, and the MUGA would enable the Academy to offer secure and safe outdoor netball and basketball which are in demand and are not currently catered for. The MUGA would offer an enhanced sporting facility in comparison to the poor quality grass playfield. This would accord with part (a) of EN10 and part (c) of paragraph 99 of the NPPF. Community use would be secured by planning condition along with the MUGA specification.

MCR Active have agreed to re-locate the throwing cage elsewhere in East Manchester ensuring there is no loss of athletics provision. The exact location would be agreed by planning condition.

Sport England have stated in the event that the Local Planning Authority is minded to approve this application contrary to their advice, the application should be referred to the Secretary of State in line with The Town and Country Planning (Consultation) (England) Direction 2021.

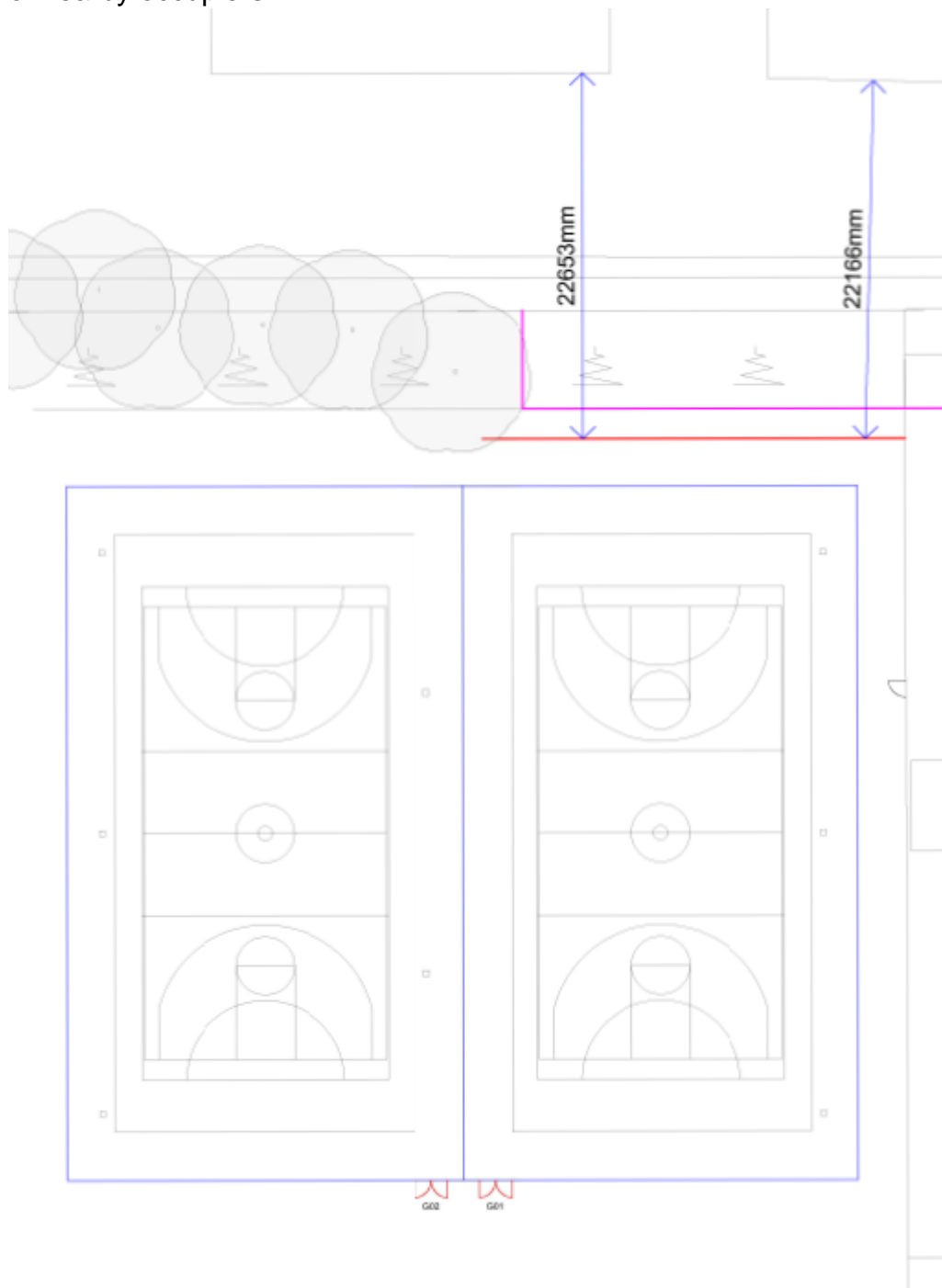
Residential amenity

The proposal site is bounded to the north by Jobling Street, a residential street. These homes overlook the grass pitches and other sporting facilities at the Academy.

The MUGA would be in use during the opening hours of the Academy 09:00 to 17:00 and from 09:00 to 16:00 at weekends for community use. An acoustic report had identified that noise generated at the MUGA could be noticeable at nearby homes.

The activities during the Academy opening hours would be commensurate with the current grass playfield and the existing Saturday community use for football of the adjacent 3G pitch. The MUGA would be used on Sunday. The daytime opening hours, acoustic attenuation barrier and the noise management plan would ensure that the impact on residents would be minimised.

It is proposed to install a three-metre-high acoustic barrier between the existing boundary treatment and the MUGA to minimise the impact on these properties. Environmental Health concur that the acoustic fence would ensure that noise levels are not unduly harmful and have requested a noise management plan (NMP) be agreed through a condition. The NMP would require an assessment of the noise generated by the different types of activity that would take place on the MUGA, to ensure the MUGA is not employed for uses that would negatively impact the amenity of nearby occupiers.

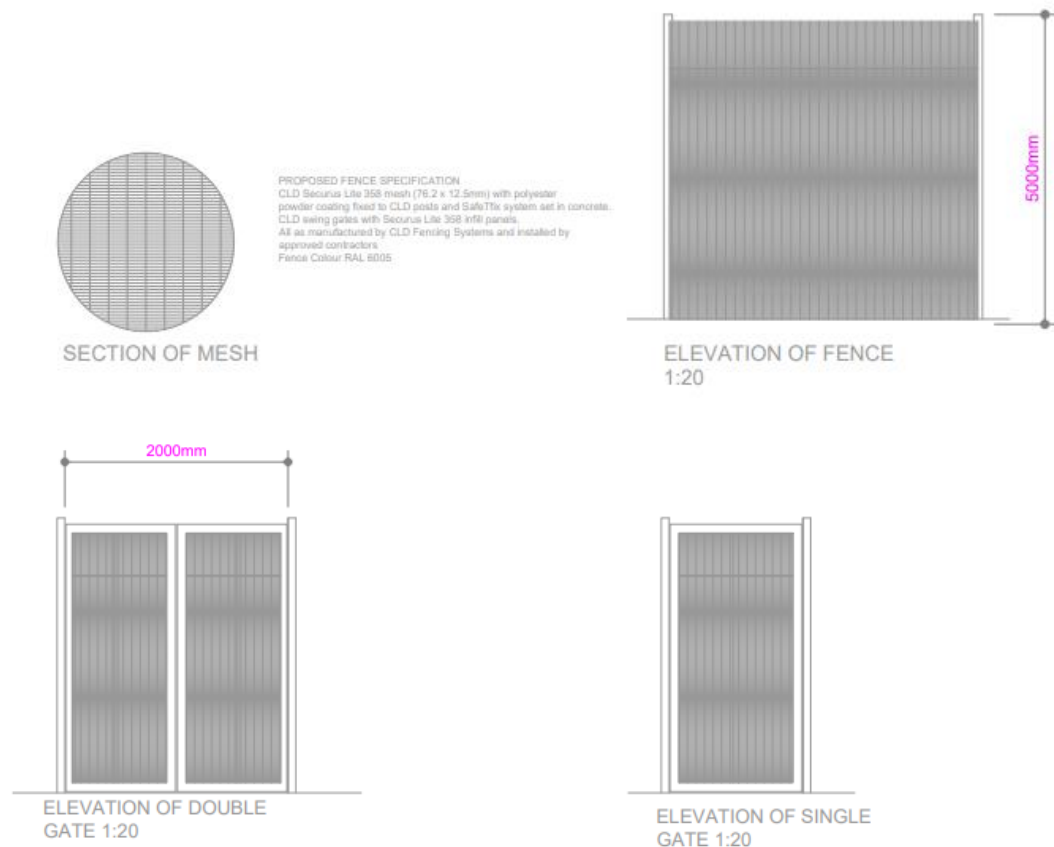


Distance of the acoustic fence (in red) to the residential properties along Jobling Close

Visual Amenity

The acoustic barrier would be 3 metres in height and would be positioned approximately 22.5 metres from the terrace on Jobling Street. The distance to the properties, combined with the height, would ensure that the fence is not overly dominant and there would be no overbearing impact and it would not be incongruous.

The proposal also includes the installation of a 5m high weldmesh around the MUGA which will be powder coated dark green. The weldmesh is similar in appearance to other boundary treatment found at the Academy.



Specification of the boundary treatment

Impact on the local highway network

The development would not impact on the local highway network during both construction and when the development is in operation. The construction activities would be undertaken within the curtilage of the site and vehicular access would be through the existing access point. The existing 72 space car park (together with 10 disabled access spaces) would ensure there is sufficient car parking available when the development is available for community use.

Accessibility

There is level access to the site which would be maintained as part of this development. The gates into the MUGA would be 2000mm in width.

Crime and safety

The enhanced boundary treatment would ensure that the MUGA is safe and secure. Access to the MUGA would be from within the site. Design for Security at Greater Manchester Police have raised no concerns about the proposal.

Ground conditions

A preliminary risk assessment identified a low to medium risk associated with the ground conditions. Environmental Health have raised no concerns regarding the ground conditions. The Coal Authority stated that the site falls within a low-risk area and so had no objection to the proposal.

Drainage

The MUGA would have an enhanced drainage scheme using a culvert which drains the existing MUGA. Land drainage would beneath the playing surface would carry water to the culvert, which has sufficient capacity to accept the additional run off. The drainage strategy has been considered by the Flood Risk Management Team who require further details on the final scheme. This would be secured by planning condition in order to satisfy policy EN14.

Impact on Trees

An arboricultural survey has identified that there are no trees within the development site. There are trees within the wider Academy site which should be protected during the works. This should be a condition.

Impact on Ecology

Greater Manchester Ecology Unit do not believe that the loss of the grass play field, would cause ecological concerns.

Conclusion

The proposal conforms to the development plan taken as a whole as directed by section 38 (6) of the Planning and Compulsory Purchase Act 2004 and there are no material considerations which would indicate otherwise.

The application would provide a hard surface multi-use games area available for use by the pupils of the East Manchester Academy as well as the local community. Policy EN12 of the Manchester Core Strategy supports development that will enhance the provision of sports facilities in East Manchester.

The development would enhance an existing unused facility and transform it into viable space. Whilst this would result in the loss of a grass playfield, this is not used and is in a poor condition due to drainage.

It would address an identified need at the Academy and the community use would bring public health benefits to the wider community.

The MUGA would be an improvement of the existing sport's facilities and is consistent with the requirements of policy EN10 and paragraph 99 of the NPPF.

The development would not result in any unduly harmful impact on residential and visual amenity.

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 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

Minded to approve subject to the referral to the Secretary of State in line with The Town and Country Planning (Consultation) (England) Direction 2021

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:

-Drawing - Proposed P04 LINE MARKING LAYOUT

-Drawing - Site Plan P03

received by the City Council, as Local Planning Authority, 10/01/2023

-Drawing - Proposed P08 PROPOSED SITE LAYOUT received by the City Council, as Local Planning Authority, 26/09/2023

-Drawing - Proposed P05 TYPICAL GATE ELEVATION AND FENCE PROFILE received by the City Council, as Local Planning Authority, 03/10/2023

-Flood Risk Assessment or Drainage P06 DRAINAGE PLAN received by the City Council, as Local Planning Authority, 25/05/2023

-Supporting Information COVERING LETTER

-Noise assessment or information RSA418/2023 THE EAST MANCHESTER ACADEMY PROPOSED MUGA NOISE -ASSESSMENT REPORT

-Tree survey or information TREE CONDITION REPORT WITH A RECOMMENDED SCHEDULE OF WORKS

received by the City Council, as Local Planning Authority, 25/05/2023

-Supporting Information SPORTING BENEFITS STATEMENT received by the City Council, as Local Planning Authority on 10/08/2023

-Correspondence ACOUSTICIAN NOTE received by the City Council, as Local Planning Authority, 26/09/2023

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

3) Prior to the commencement of development, a construction management plan outlining working practices shall be submitted to and approved in writing by the City Council as Local Planning authority, which for the avoidance of doubt shall include as a minimum:

-Measures to control noise and vibration;

- Dust suppression measures;
- Compound locations where relevant;
- Details of an emergency contact telephone number;
- A community consultation plan; and
- Sheeting of construction vehicles.

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

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

4) Prior to commencement of any sporting activities a Noise Management Plan (NMP) shall be submitted to and approved in writing by the City Council as local planning authority. The NMP shall include an assessment of noise from all activities associated with the use and shall not give rise to any significant adverse impacts on the occupants of nearby residential properties.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policy DM1 of the MCS.

5) Prior to the first use of the MUGA hereby approved, full design and materials specifications for the three metre high acoustic barrier, shall be submitted to and approved in writing with the Local Planning Authority. The development shall then be completed in strict accordance with the approved design, shall be fully installed prior to the first occupation of the dwellings and shall be retained in situ for as long as the MUGA is being used.

Reason - In order to protect the future occupants of the residential accommodation from existing noise sources in the vicinity of the application site pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

6) No activity on the MUGA shall be permitted outside the hours of:

Monday to Friday 09:00 to 17:00
 Saturday/Sunday 09:00 to 16:00 (daylight permitting)

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation.

7) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work" and BS5837 "Trees in relation to design, demolition and construction".

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

8) Prior to first use of the Multi Use Games Area a community use agreement, prepared in consultation with Manchester Active and Sport England shall be submitted for approval in writing by the City Council, as Local Planning Authority. The agreement shall apply to the Multi Use Games Area and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The agreement shall be implemented upon the first use of the development and remain in place for as long as the development remains in use.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with policies EN10, EN11 and EN12 of the Manchester Core Strategy.

9) Prior to the commencement of the development, a scheme for the relocation of the throwing cage shall be submitted for approval in writing by the City Council, as Local Planning Authority. The scheme must set out the location and arrangements for access. The scheme must include a timetable for the relocation of the Throws Cage. The approved scheme shall be implemented in line with the timescale agreed

Reason: To ensure the development is fit for purpose and sustainable and to accord with policies DM1, EN10, EN11 and EN12 of the Manchester Core Strategy.

10) Notwithstanding the details contained in the approved drawings (Drawing - Proposed P04 LINE MARKING LAYOUT; Drawing - Site Plan P03 received by the City Council, as Local Planning Authority, 10/01/2023; Drawing - Proposed P08 PROPOSED SITE LAYOUT received by the City Council, as Local Planning Authority, 26/09/2023; Drawing - Proposed P05 TYPICAL GATE ELEVATION AND FENCE PROFILE received by the City Council, as Local Planning Authority, 03/10/2023; Flood Risk Assessment or Drainage P06 DRAINAGE PLAN received by the City Council, as Local Planning Authority, 25/05/2023), prior to the commencement of the development, details of the design and layout of the Multi Use Games Area shall be submitted for approval in writing by the City Council, as Local Planning Authority. The details shall include scale plans with dimensions and cross sections of the materials and depths of each sub layer along with details of the cabling and ducting routes. The Multi Use Games Area shall be constructed in accordance with the approved details.

Reason: To protect the MUGA from damage, loss or availability of use during the construction of the development and to accord with policy DM1 of the Manchester Core Strategy.

11) Notwithstanding the details in the approved drawing (Flood Risk Assessment or Drainage P06 DRAINAGE PLAN received by the City Council, as Local Planning Authority, 25/05/2023) Prior to the commencement of the development hereby approved, a surface water drainage scheme for the site, based on sustainable drainage principles shall be submitted to and approved in writing by the City Council, as local planning authority. The development shall be constructed and completed in accordance with the approved details.

The scheme shall include:

- Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes is required.
- Surface water drainage layout including all components, levels, connectivity and proposed overland flow routes for extreme events.
- Where surface water is connected to the ordinary watercourse, agreement in principle from Manchester City Council as Lead Local Flood Authority is required. Please note that all new connections to the watercourses shall comply with reduction of flows to Greenfield runoff rates. An email of acceptance of proposed flows and/or new connection will suffice.
- Where surface water is connected to ordinary watercourse, any works within or adjacent to the watercourse that would affect it would require consent from Manchester City Council as Lead Local Flood Authority. Consent applications can be arranged by contacting the Lead Local Flood Authority.
- For sites where proposed development would cause pollution risk to surface water, evidence of pollution control measures (preferably through SuDS) is required.
- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.
- 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;
- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment. Provide at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area.
- Hydraulic calculations to support the drainage proposal.
- Details of how the scheme shall be maintained and managed after completion.

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 Core Strategy.

12) Notwithstanding the details contained in the approved drawings (Drawing - Proposed P08 PROPOSED SITE LAYOUT received by the City Council, as Local Planning Authority, 26/09/2023; Drawing - Proposed P05 TYPICAL GATE ELEVATION AND FENCE PROFILE received by the City Council, as Local Planning Authority, 03/10/2023), prior to the commencement of the development hereby approved, full and final details of the siting, scale and appearance of the boundary treatment shall be submitted to and approved in writing by the City Council, as local planning authority. The approved details shall be implemented as part of the development and be in place prior to the first occupation of the development.

The boundary treatments for each phase of development shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and

Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

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

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 135932/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)
MCC Flood Risk Management
Greater Manchester Police
The Coal Authority
Greater Manchester Ecology Unit
MCR Active
United Utilities Water PLC
Sport England**

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

Representations were received from the following third parties:

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
The Coal Authority
MCR Active
United Utilities Water PLC

Relevant Contact Officer : Max Gibson
Telephone number : 0161 219 6359
Email : maximillian.gibson@manchester.gov.uk



Application Number	Date of Appln	Committee Date	Ward
136878/FO/2023	3 May 2023	19 October 2023	Chorlton Ward

Proposal Erection of a 4 storey building to form 40 no. residential apartments, together with cycle and car parking, bin store, landscaping, and boundary treatments following demolition of existing buildings.

Location 4B Albany Road, Manchester, M21 0AW

Applicant Bowsall Developments Ltd and Southway Housing Trust

Agent Mrs Beverley Moss, Hourigan Planning

Executive Summary

The application relates to the erection of a 4-storey residential development comprising 40 affordable apartments, following demolition of an existing business premises together with the provision of car parking, cycle parking and landscaping.

Following notification of the application 15 representations have been received, including 13 objections, 2 in support and 1 neutral response with comments.

Key Issues

- Impact to the character and appearance of the street-scene;
- Loss of employment space;
- Provision of affordable accommodation.
- Impact of the development on adjacent residents and premises.

Description

The application site currently comprises a single storey industrial unit currently occupied by Autometers Systems Limited, and car parking. The building forms part of the Albany Road Trading estate which extend to the south of the site. The site is bound to the east by a Metrolink line and to the north is the Quadrangle, a three and four storey apartment block. To the west of the site are three storey residential terraces which face Albany Road. The site is generally flat but is approximately 1.5m below the existing pavement /highway level, bounded by a chain link fence and a grass bank. The site has limited vegetation, however there are existing trees that share the boundary with the Metrolink line. The Chorlton District Centre boundary lies a short distance to the north, south and west of the application site.



Application site together with single storey building to be demolished and Quadrangle residential apartment in the background, the access road into Albany Road Trading Estate is in the foreground

The existing building forms one of many industrial units on the Albany Road Trading Estate which contains a variety of businesses including building and plumbing suppliers, MOT testing centres, car services and repairs and a recording studio. There are limited hours of use restrictions on the units within the trading estate and the unit on the application site has no such restrictions on its hours of operation.

Application proposals

The application proposals are for the demolition of the existing industrial building on the site and the redevelopment of the site to provide a 4-storey building comprising 40no. self-contained apartments which would all be provided as affordable housing through a Shared Ownership model that would be operated by an affordable housing registered provider. The scheme would provide car parking spaces for 20 vehicles accessed via a ramp leading down from Albany Road underneath the building, whilst an internal covered and secure bicycle store is provided for 40 no. bike spaces. The proposals incorporate landscaping and installation of boundary treatments around the site and provision of waste bin store.

The proposed building provides 40 no. self-contained apartments (21no. 1 bedroom and 19no. 2-bedroom apartments) which are to be managed as shared ownership properties. Access to the building will be level and internal lifts provide level access to all floors.

The building has been sited to provide a street frontage to Albany Road, with car parking provided to the northern side of the site behind the building frontage accessed via a ramp that descends beneath the building. Landscaped areas and garden spaces for ground floor apartments are arranged around the eastern, southern and northern edges of the building. The southern facing elevation has been designed to have east/west angled windows that do not directly face towards the Albany Road Trading Estate. The proposals incorporate balconies and roof terraces to provide external amenity space with the top floor of the building set back behind parapets to reduce the visual appearance and to reflect the adjoining building lines at the adjacent Quadrangle.



Proposed site layout and context of the site

Relevant Planning History

124848/FO/2019 - Rooftop extension to form 3 two-bedroom apartments and provision of an additional 3 car parking spaces – The Quadrangle, 6 Albany Road – Approved 5.11.2020

066236/FO/SOUTH1/02 - Erection of part 3 storey/part 4 storey block of 25 self-contained flats with basement parking following demolition of existing building – 6 Albany Road - Approved 14.11.2002

019749 - Erection of six single-storey light industrial or warehouse units, site at Albany Road – Approved 05.10.1983

Consultations

The application has been subject to notification of nearby properties and a site notice was posted at the site and an advertisement was placed in the Manchester Evening News notifying of the proposals.

Following provision of revised drawings, a further period of notification was undertaken, the below represents the combined responses to both notification periods.

In addition, the applicant undertook their own pre-application consultation with ward members and local residents, a statement of community involvement outlining this and responses received to that process have been submitted alongside the application.

Local Residents/Occupiers

13 objections, 2 comments in support and 1 neutral comment were received following the notification of nearby residents and businesses a summary of comments is set out below:

- We would like to raise our Serious concerns and objections to this project due to the impact the construction will have on the neighbouring business which is based at a Unit on Albany Road Trading Estate which is stated is as close to the proposed site as possible. The business is a recording studio and whilst it is heavily sound insulated the proposed construction of these apartments (including demolition of previous buildings) will create a level of noise and vibration that will render the business unable to work.
- Sites for new developments should be chosen so that it is not at the expense of local established businesses being able to trade, and this proposal seriously risks jeopardising the viability of the recording studio, potentially resulting in its closure.
- The kind of construction and groundworks required for this project will definitely cause noise and vibrations too great for the studio to make audio recordings.
- This design is dull and unattractive, with little architectural merit.
- This will block light into adjacent apartments and communal areas
- The proposal will overlook adjacent residential properties
- This will cause the already too busy to drive down road to be made even worse on Albany Road
- All current residents rely on on-street parking, with residents usually having to park two or three streets away

- There are no parking restrictions on Sundays, leading to the already narrow street double-lined with cars, creating a single lane and exacerbating the congestion
- The proposals have one cycle parking space per dwelling, how will this be future proofed if uptake is greater in the future.
- There needs to be opportunities for residents to work locally and the loss of this site would compromise the availability of suitable site.
- The density on the site proposed is too high since it does not leave adequate space for decent landscaping.
- This proposed design will make it the highest building on Albany Road and is not in keeping with any other properties on the road.
- Residents of the fourth floor of the new development will have unrestricted views into every single property on the other side of the road, on all floors.
- Support the proposal because housing of the size and type proposed is much needed in Chorlton (and Manchester generally). The loss of a source of employment is regrettable but is outweighed by the benefits of the proposed housing.
- The proposed design is sympathetic to the surroundings and the size of the block is proportionate. It will be an asset to the street scene
- We are in need of affordable housing and shared ownership schemes in Chorlton. Those of us who have strong ties in the area but are yet to have been able to buy their property in the area, are forced to rent overpriced housing with substandard quality of living.
- The new flats would offer an opportunity for first time buyers to be able to stay and live as members of the community, and not to be overpriced out of here

Statutory and non-statutory consultees

MCC Highway Services – Requested further information in relation to on-site car parking management; visibility splays; extent of double yellow waiting restrictions; and, gradient of pedestrian access ramp. Following receipt of these details they raise no objections to the proposals on pedestrian and highway safety or capacity grounds and are satisfied with the level of car parking and bicycle parking proposed.

Conditions are recommended to deal with: highway works to ensure adequate TROs are in place to protect visibility splays and for the making good of the pavement to the Albany Road frontage; the provision of a Travel Plan, car parking management plan, construction management plan; and height restriction signage in relation to the oversailing element of the building over the access ramp.

MCC Environmental Health – Requested further noise information relating to the site and adjacent businesses and in particular in relation to the recording studio. Following receipt of further information appropriately worded conditions are proposed to be attached to any approval relating to: Contaminated Land; Acoustic Insulation of the development; Installation of Acoustic barrier to the site boundary; Acoustic treatment of any external plant and equipment; Construction and Demolition Management Plan; lighting scheme for external areas; final details of waste bins; and provision of proposed electric vehicle charging points.

MCC Flood Risk Management – Recommend conditions be attached to any approval for: the submission of further surface water drainage details that take account of

updated peak rainfall climate change allowances of 45%; and full assessment of existing and proposed surface water discharge rates at detailed design stage: maintenance and management scheme for the proposed drainage.

United Utilities – Raise no objection to the proposals but request an appropriately worded surface water drainage condition be attached to any approval.

Greater Manchester Police – Following submission of further details relating to vehicle access gates, and the height of boundary treatment to the southern side of the site, raise no objections to the proposals. A condition is proposed to be attached to any approval that the development is constructed to secured by design standards.

Transport for Greater Manchester (Metrolink) – Raise no objections to the proposals but given the proximity to the operational Metrolink line request conditions are attached to any approval relating to: safe working method statements; vehicle restraint measures; track and structure monitoring during construction works.

Greater Manchester Ecology Unit – Raise no objections to the proposals in terms of impacts on protected species but recommend conditions to cover the following: external lighting designed in line with best practice to avoid impacts on nocturnal animals such as bats; vegetation clearance and demolition to take place outside of bird nesting season; a method statement for the treatment and removal of invasive species; biodiversity enhancements in accordance with the submitted details; and an informative relating to legal protection of certain species.

MCC Neighbourhood Services (Arborists) – Raise no objections to the proposals from an arboriculture perspective, the proposed mitigation planting is accepted.

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. The proposals seek to provide additional diversity in terms of type of housing within the area and towards the creation of neighbourhoods of choice.

Policy EC 2 (Existing Employment Space) sets out the approach the Council will take to seek to retain and enhance existing employment space and sites. In this instance information has been provided regarding the existing viability of the commercial unit on the site and its relationship to existing residential properties. On balance, proposals are considered to offer greater benefits in terms of the Core Strategy's vision and spatial objectives than the existing use.

Policy EC9 indicates that South Manchester is not expected to make a significant contribution to employment provision within the City. As set out above the proposals are considered to deliver affordable housing in a sustainable location and these benefits are considered to outweigh the loss of the existing industrial unit.

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) Identifies the requirements for provision of new residential development across the City and indicates that new housing will be predominantly in the North, East, City Centre and Central Manchester. High density development (over 75 units per hectare) is identified as being appropriate in the City Centre and parts of the Regional Centre. Within the Inner Areas in North, East and Central Manchester densities are identified as being lower but generally around 40 units per hectare. Outside the Inner Areas (where the application site is located) the emphasis will be on increasing the availability of family housing therefore lower densities may be appropriate. The policy clarifies that the proportionate distribution of new housing, and the mix within each area, will depend on amongst other things: - The number of available sites identified as potential housing sites in the SHLAA; - Land values and financial viability; - The need to diversify housing stock in mono-tenure areas by increasing the availability of family housing, including for larger families; and the availability of other tenures to meet the identified needs of people wishing to move to or within Manchester. The proposals seek the redevelopment of the site for 40 shared ownership residential properties and would meet a need for affordable housing in Chorlton. The site is identified as a housing capacity site within the most recent Strategic Housing Land Availability Assessment (2023) to meet the requirements of housing delivery in the city with a figure of the potential of 40 residential units.

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

needs of elderly people, with schemes adding to the stock of affordable housing. The proposals are outside of the district centre, it is considered that as the scheme would deliver affordable housing it is considered to comply with the requirements of H6 and that the proposals would assist in meeting identified shortfalls of housing types within South Manchester.

Policy H8 (Affordable Housing) states affordable housing contributions will be considered of 0.3 hectares and 15 units or more. The applicant has indicated that all of the proposed residential units (40 no.) would be for affordable housing through the provision of all of the units on a shared ownership basis. This provision and delivery of affordable housing in this scheme would be subject to an appropriately worded planning condition.

Policy EN1 (Design Principles and Strategic Character Areas) - The southern character area in which the site is located is indicated as appropriate for development along the radial routes that are commensurate in scale with the prominence of its location.

Policy EN4 Reducing CO2 Emissions by Enabling Low and Zero Carbon & Policy EN6 Target Framework for CO2 reductions from low or zero carbon energy supplies. The Proposed Development takes an enhanced building fabric led approach to minimising energy demand by minimising heat loss from the building envelope and building systems.

Policy EN9 (Green Infrastructure) - New development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. The proposals incorporate areas of landscaping and tree and hedge planting to enhance the setting of the residential units and building.

Policy EN 15 relates to Biodiversity and Geological Conservation. The policy indicates that the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City. The applicant has undertaken Ecological Appraisal of the site which is set out within the documents accompanying the Application.

Policy EN 16 Air Quality – The site is not located within an Air Quality Management Area but would incorporate electric vehicle charging; cycle parking for residents, and be subject of a travel plan to promote active travel measures whilst the construction phase would incorporate dust control measures.

Policy EN 17 Water Quality - The development would not have an adverse impact on water quality. Surface water run-off and grounds water contamination would be minimised.

Policy EN 18 Contaminated Land and Ground Stability – Given the previous use of the site there are contaminated land risks associated with the sites redevelopment. The site has been subject to desk study and site investigations. If the proposals are granted approval further site investigations would be required, and this would be secured via an appropriately worded condition.

Policy EN19 Waste – The proposals incorporate an internal bin store which provides direct access to Albany Road for collection by refuse vehicles.

Policy T1 Sustainable Transport – The development would provide less than one car parking space per residential unit, would provide covered and secure cycle parking facilities and is located in close proximity to a range of public transport modes.

Policy T2 Accessible Areas of Opportunity and Need – The application site is highly accessible by foot, cycle and public transport networks.

Saved Unitary Development Plan Policies DC26.1, DC26.2 and DC26.5

Development and Noise – A noise assessment has been prepared to accompany the application together with further noise technical notes to review construction impacts and potential noise outbreak from adjacent uses. These assessments make recommendations in terms of mitigating noise from nearby noise generating activities such as road traffic and Metrolink. The submitted assessments include recommendations for glazing and ventilation specifications for the proposals which are considered to be acceptable. A condition to ensure internal noise criteria are met on completion of the development is required.

Relevant National Policy

The National Planning Policy Framework (September 2023) sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role. The NPPF outlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted.

Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. The following specific policies are considered to be particularly relevant to the proposed development:

Section 5 (Delivering a sufficient supply of homes) – The proposals would provide 40 affordable residential units on a previously developed site.

Section 6 – (Building a strong and competitive economy) - The proposal would create jobs during construction that would support commercial premises within the local area.

Section 8 (Promoting healthy and safe communities) – The proposals are accompanied by a Crime Impact Statement which indicates measures to be included into the development to reduce the opportunities for crime and the fear of crime.

Section 9 (Promoting Sustainable Transport) – The proposal is in a location accessible to a variety of public transport modes.

Section 11 (Making Effective Use of Land) – The proposal would re-use previously developed land for the provision of residential properties.

Section 12 (Achieving Well-Designed Places) – The proposals are supported by a Design and Access statement that sets out the context of the site and the design process undertaken.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) – The proposal has been designed to reduce energy demands. The site is within Zone 1 of the Environment Agency flood maps and has a low probability of flooding.

Section 15 (Conserving and enhancing the natural environment) – The documents submitted with this application have considered issues such as ground conditions, noise and the impact on ecology and demonstrate that the proposal would not have a significant adverse impact in respect of the natural environment.

Other Material Considerations

Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation to the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will become the subject of further public consultation.

The City Council's Executive committee at its meeting on the 4 October 2023, agreed the Main Modification and endorsed an 8 week period of public consultation on the proposed modifications began on the 11 October 2023.

Once the consultation has been complete, the representations received will be forwarded to the Examination team managing the Plan. The Inspectors will consider all the representations made on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies are now a material planning consideration in the determination of planning applications in Manchester. The Plan and its policies must therefore be given significant weight in the planning balance. The strategic objectives of the plan include:

Objective 1 – Meet our housing need by increasing net additional dwellings, increasing the number of affordable homes, a providing a diverse mix of housing.

Objective 2 – Create neighbourhoods of choice through prioritising brownfield land, focus new homes in the Core Growth Area, focus homes within 800m of public transport hubs, prioritise sustainable modes of transport to reduce the impact of vehicles on communities.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007) - This Supplementary Planning Document supplements guidance within the Adopted Core Strategy with advice on development principles including on design, accessibility, design for health and promotion of a

safer environment. The design, scale and siting of the proposed development is considered in more detail within the issues section of this report.

The South Manchester Strategic Regeneration Framework (2007) - The South Manchester SRF was adopted prior to the preparation of the Core Strategy policies, however, it formed an important document in the formulation of the priorities for South Manchester that were subsequently contained in a number of the subsequently adopted policies particularly in relation to housing priorities. The SRF set out that the key characteristics of South Manchester that shaped the vision and objectives for the SRF are based on a number of key facts one of which relates to the pressure for development and densification which threatens the inherent urban character of the area that makes it attractive in the first place. The SRF also commented that there had been a trend for large villa/family housing conversions for flats and offices placing a further restriction on the supply of larger accommodation. One of the key issues identified in the SRF was to provide a wider choice of housing for attracting and retaining residents and that future housing developments need to focus on providing high-quality family accommodation.

Manchester Green and Blue Infrastructure Strategy 2015 - The Manchester Green and Blue Infrastructure Strategy (MGBIS) sets out objectives for environmental improvements within the City within the context of objectives for growth and development.

Manchester Residential Quality Guidance (July 2016) (MRQG) – This document provides specific guidance on what is required to deliver sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester.

Residential Growth Strategy (2016) – This recognises the critical relationship between housing and economic growth. There is an urgent need to build more new homes for sale and rent to meet future demands from the growing population. Housing is one of the key Spatial Objectives of the Core Strategy and the Council aims to provide for a significant increase in high quality housing at sustainable locations and the creation of high quality neighbourhoods with a strong sense of place as confirmed within other policies of the Core Strategy.

Manchester Housing Strategy 2022 to 2032 - A report prepared for the Executive Committee meeting on the 22nd July 2022 indicates that the Manchester Housing Strategy (2022-2032) sets out a long-term vision which considers how best to deliver the city's housing priorities and objectives, building on progress already made, whilst tackling head on the scale and complexity of the challenges ahead. The priorities for the new Housing Strategy are:

1. Increase affordable housing supply & build more new homes for all residents
2. Work to end homelessness and ensure housing is affordable & accessible to all
3. Address inequalities and create neighbourhoods & homes where people want to live
4. Address the sustainability & zero carbon challenges in new and existing housing stock

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.

Planning Policy Guidance (PPG)

The relevant sections of the PPG are as follows:

Air Quality provides guidance on how this should be considered for new developments. Paragraph 8 states that mitigation options where necessary will be locationally specific, will depend on the proposed development and should be proportionate to the likely impact. It is important therefore that local planning authorities work with applicants to consider appropriate mitigation so as to ensure the new development is appropriate for its location and unacceptable risks are prevented. Planning conditions and obligations can be used to secure mitigation where the relevant tests are met.

Examples of mitigation include:

- the design and layout of development to increase separation distances from sources of air pollution;
- using green infrastructure, in particular trees, to absorb dust and other pollutants;
- means of ventilation;
- promoting infrastructure to promote modes of transport with low impact on air quality;
- controlling dust and emissions from construction, operation and demolition; and
- contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development.

Noise states that Local planning authorities' should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- o engineering: reducing the noise generated at source and/or containing the noise generated;

- layout: where possible, optimising the distance between the source and noise sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose-built barriers, or other buildings;

- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;

- mitigating the impact on areas likely to be affected by noise including through

noise insulation when the impact is on a building.

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.

Section 17 of the Crime and Disorder Act 1998 provides that in the exercise of its planning functions, the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

Issues

Principle – The principle of the redevelopment of previously developed brownfield land for new homes in the City is long established and prioritised within the adopted development plan policies of the Core Strategy, the NPPF, and the emerging Places for Everyone GM plan.

Re-using this site for residential use in a predominantly residential area is therefore acceptable in principle. The site has also been identified within the Council's Strategic Housing Land Availability Assessment (SHLAA - 2023) as a site capable of contributing towards the City's housing land supply with an indicative figure of 50 no. residential units on the site being brought forward in the next 5 years.

However, further consideration is required of impacts on residential and visual amenity; the character of the area; highway and car parking implications, the loss of existing employment space and the relationship of the site to adjacent uses that can generate noise.

Residential development type (including Affordable Housing provision) – The application seeks approval for a high-density development to provide 40 no. Apartments. Adopted Core Strategy policy H6 sets out the framework for determining residential developments in this part of the City and indicates that "High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes". It suggests that outside of these areas the priorities for housing will be to meet identified shortfalls "including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing".

Whilst the general planning policy approach is to direct high density residential proposals to district centres in South Manchester, this does not preclude development of this nature elsewhere. Inevitably, there will be sites which can accommodate higher density due to location and character. In this instance the site sits amongst adjacent buildings of varying heights and the site is located in close proximity to Chorlton District Centre and public transport hubs. The proposal would

provide 100% affordable housing in the form of residential units for shared ownership sale. One of the joint applicants is a registered social landlord who would manage the development on completion if approved. The supporting statement notes that home ownership is beyond the reach of many particularly in high value areas such as Chorlton. Shared ownership properties would provide the opportunity for would-be purchasers to afford a home which would otherwise be beyond reach. The supporting affordable housing assessment does conclude that there is an acute need for affordable housing within Manchester and the provision of 100% shared ownership properties within the proposals would enable provision and access to affordable homes and also as a stepping stone to owner occupation.

The proposals would exceed the affordable housing requirement of 20% set out in Core Strategy policy H8 and allow a broader range of affordable housing types to be provided in the local area. This would assist in providing a mix of housing types within this area and would meet a priority in delivering an identified shortfall for affordable housing in South Manchester contained in policy H6. As such it is considered that the proposal complies with the strategy set out in the adopted housing policies of the Core Strategy. To secure this provision of affordable housing an appropriately worded planning condition is recommended.

Redevelopment of the Site and Contribution to Regeneration -The proposal would redevelop a site which is understood to soon become vacant and occupies a site adjacent other flat development to the north and Victorian terraced properties to the west. The site is located close to Chorlton district centre and the services provided within the centre and is also a short walk from Chorlton Metrolink, bus services and new on and off street cycle network.

The existing business premises provide employment for 3 full time and 1 part time members of staff. The application documents indicate that the current owners are retiring, with equipment being sold to other businesses and that the site and business has been marketed with efforts in this regard being unsuccessful for a number of reasons including: that the premises are outdated; and, a manufacturing/commercial use is no longer attractive in this particular location. It is acknowledged that the proposals would result in the loss of an existing commercial use, however, other commercial properties would remain to the south of the site in the wider Trading estate providing local employment opportunities. In addition, it is proposed to append a local labour agreement condition to any approval to ensure opportunities are available in the construction phase.

The existing premises are immediately adjacent existing residential properties and the sites planning history suggests that there are few controls over the type of businesses that could operate from the building, numbers of HGV movements and other comings and goings from the premises or its hours of operation and whether the operations carried out would be compatible with the residential characteristics of the immediate area. Given this and its relationship to residential uses the redevelopment of the site does offer the opportunity (subject to assessment of potential noise impacts on future occupiers as considered below) to remove a potential non-conforming use.

The loss of the existing building would support a viable redevelopment to provide much needed affordable provision to Chorlton. It is considered that any perceived harm arising from the loss of existing employment space is in this instance outweighed by bringing the site into a residential use including through diversification of housing choice, job creation and benefits to the local economy via increased expenditure at local businesses.

On balance, the proposal would have a positive and beneficial effect to the area. It has been sympathetically designed and would enhance the character and appearance of the area.

There is a strong link between economic growth, regeneration, and the provision of a range of residential accommodation and it is believed that the proposed development would fulfil that objective without any material harm to the character and function of the area.

Noise and vibration

The application is accompanied by a Noise and Vibration assessment and two further technical notes to consider impacts of construction activities and potential noise breakout from an adjacent business on the proposed residential units. In addition, the applicant has submitted a draft Construction Management Plan that sets out the applicant's approach to construction and measures to minimise impacts from noise and vibration associated with these activities. This submitted information has been fully assessed.

Impacts of construction works – Specific concerns have been raised by a nearby business in relation to potential impacts on their recording studio operations which are noise sensitive activities and lie approximately 13 metres to the south of the application site separated by an access road into the Trading estate. It is acknowledged that work would take place close to homes and existing businesses and comings and goings and other construction related activities are likely to be noticeable, these impacts would be short and temporary in duration and nature.

The submitted Noise and Vibration information notes that noise levels would be higher than existing which is to be expected with a construction site and that in terms of vibration whilst the closest receptor to the site is not residential in nature it is considered as sensitive but the impact of vibration on this receptor is considered low. The applicant's information including within the draft Construction Management Plan has set out measures to minimise any potential adverse noise and vibration impacts these include the following of Best Practicable Means and also confirm:

- the site would operate under the Considerate Constructors Scheme
- activities and deliveries would be undertaken between normal working hours
- noise levels would be measured and monitored regularly by the use of a noise meter at boundary points and recorded
- noisy operations would be eliminated where practicable and use of alternative measures where possible
- site plant for the purpose of the works would be fitted with effective exhaust silencers

- machines/plant in intermittent use will be shut down in intervening periods between work
- have a proactive approach to keeping site neighbours informed
- Site contact details would be issued and displayed around the site

It is noted that the existing noise sensitive recording studio business adjacent the site is a heavily sound insulated property, as confirmed through their objection to the proposals. It is also of note that the business currently operates within a busy Trading Estate comprising some noise generating businesses such as MOT testing, car repairs and is also in close proximity to Albany Road and the Metrolink line. The existing premises on the application site could be operated more intensively than currently and could operate longer hours and generate greater traffic movements, none of which would be capable of being controlled through planning legislation. As such whilst it is recognised that there would be noise and vibration impacts arising from construction activity, mitigation as set out above to deal with these impacts is considered to be an appropriate, necessary and reasonable response in this instance to the concerns raised. A condition is proposed that requires a construction management plan to be agreed and this would need to clearly set out how construction noise and vibration would be managed, with engagement with local businesses, and residents, being strongly encouraged to inform them of noisy work. It is acknowledged that there would be some short term, temporary impacts from the construction process but these impacts can be managed and mitigated.

Impacts on the proposed residential development - As a result of background noise from adjacent roads and Metrolink line the proposed development would require upgraded glazing and inclusion of mechanical ventilation, the submitted noise impact assessment sets out the required levels of enhanced glazing requirements required for each elevation of the building together with mechanical measures. With the incorporation of this mitigation the internal noise levels experienced within the residential accommodation is considered to be acceptable and within accepted criteria. An appropriately worded condition would be required to be attached to any approval relating to the submission and approval of the final details of the acoustic insulation scheme for the development. This would also be subject to a verification stage to ensure the agreed measures perform in line with the submitted assessment prior to first occupation of the development.

In addition to this assessment the applicant was requested to consider the 'agent of change' principle, in this instance the applicant has had to consider the likelihood of potential impacts from existing business on future occupiers of the residential accommodation. The applicant has undertaken further acoustic testing when the adjacent businesses at the industrial estate to the south were indicated as being in operation. These surveys did not give rise to greater impacts than those set out within the original submitted Noise and Vibration Impact Assessment. Therefore, the conclusions of that assessment in terms of acoustic insulation as set out above remain relevant and would mitigate future residential occupiers from noise associated with Albany Road, the Metrolink Line and adjacent businesses. The Council is not aware of complaints arising from noisy activities associated with the adjacent businesses or specifically the adjacent recording studio and as set out earlier it is noted that that particular business operates from a heavily sound insulated property. Final details of the mechanical ventilation system to be installed within the

development are still required and would be secured via an appropriately worded condition.

There would be no unduly harmful impacts on future residential amenity provided appropriate acoustic measures are implemented.

Provided that construction activities are managed, and the proposed residential accommodation are appropriately insulated the proposal would be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF.

Residential Amenity

Concerns have been raised by objectors to the impacts of the proposed building in terms of loss of privacy, overlooking, loss of daylight and sunlight.

Privacy/Overlooking – The proposed building would contain windows to habitable rooms on its front and rear elevations, windows to the southern elevation have been designed to face away from the trading estate whilst proposed windows to the northern elevation facing towards the Quadrangle apartment building have differing relationships to the existing Quadrangle building.

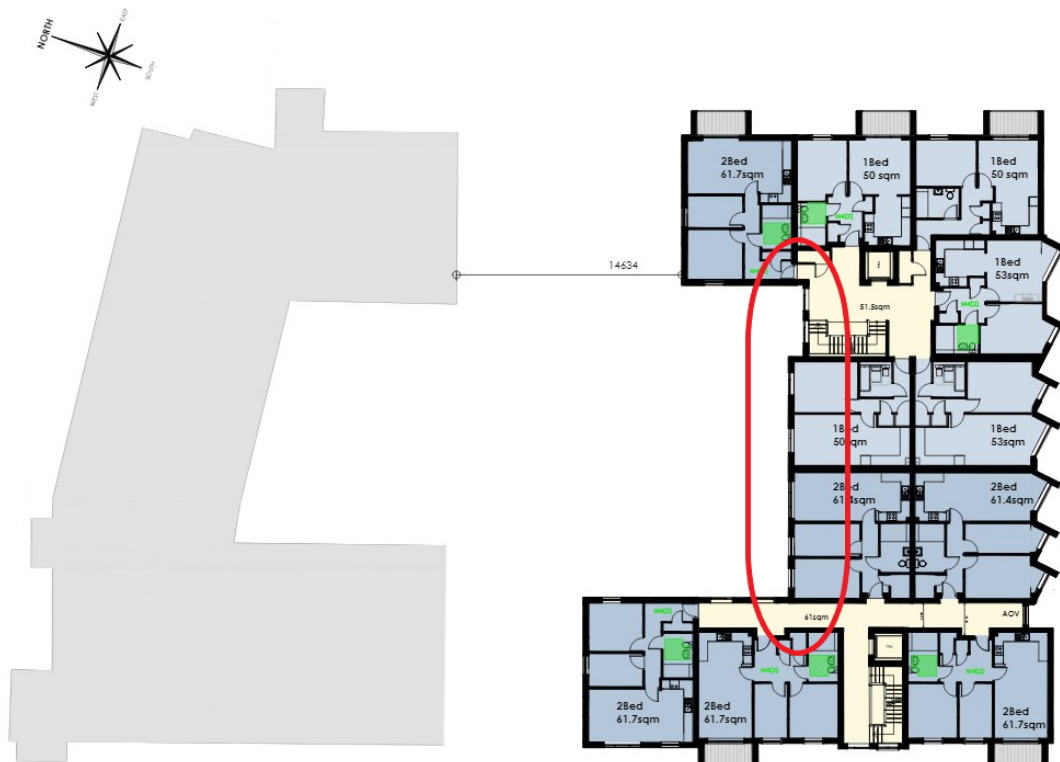


Aerial view looking across the application site (edged red) towards the Quadrangle

Overlooking and loss of privacy to the Quadrangle building - Those proposed windows and roof terraces closest to the Quadrangle (9m) face towards a generally blank gable wall of that building although it is noted that the existing building does have a series of forward and rearward facing windows set in a projecting bay on each floor (edged in yellow on the above image towards the Albany Road frontage) but these do not provide direct views to the application site. There is a proposed fourth floor roof terrace on the Albany Road frontage that does face towards this gable wall of the Quadrangle again there would not be direct views into apartments from this terrace space although the Quadrangle is subject to a planning approval for a further roof top extension to form 3 additional apartments together with external roof terraces

on its southern extent. These flats have yet to be constructed but as outdoor amenity space in the form of a rooftop terrace is shown on the approved drawings (approximately position is marked by a blue edge on the above image) as such given this relationship the addition of a privacy screen is recommended for the roof terrace subject of this application to minimise intervisibility between these external areas by way of an appropriately worded condition. It is considered that this relationship is acceptable.

The design of the building means that the central element of the building is set back further from the boundary to the Quadrangle than those elements at the front and rear of the site. The part of the building set in from the northern boundary is where a majority of habitable windows to apartments are proposed (see floor plan below windows are edged in red). These windows are approximately 19 metres from the boundary with the outdoor amenity space of the Quadrangle which is set at a first floor podium level and is protect by a high timber fence screening it from the application site. This relationship is considered acceptable and would not give rise to unacceptable impacts in terms of loss of privacy or overlooking to this private outdoor amenity space.



Proposed 2nd floor plan showing relationship of central north facing windows on the proposed building (edged in red) and the Quadrangle building (shaded grey)

The rear section of the northern elevation of the proposed building does have centrally located windows to one room on each floor. This window would look towards the rear gable wall of the Quadrangle building which contains two rows of windows (yellow edged windows on the above aerial view towards the Metrolink line). Given the positioning of the proposed window and that this is set 14.6m from the gable wall of the Quadrangle building this relationship is considered to be acceptable and would not give rise to significant impacts in terms of overlooking or loss of

privacy to those existing residential properties. There is another proposed roof terrace towards the rear of the proposed building on the top floor. Whilst the relationship between this terrace and windows is considered acceptable as with the roof terrace towards the front of the proposed building it is recommended that a privacy screen is installed to the north facing elevation of this terrace to restrict views to outdoor private amenity spaces and terraces on the Quadrangle building.

Overlooking and loss of privacy to existing properties on Albany Road – The proposed building would have a similar building line to Albany Road to the existing Quadrangle building. The Quadrangle has a relationship across Albany Road to existing Victorian terraced properties with separation across the road ranging between 22 metres and 20 metres where the projecting balconies are located. The proposed 4 storey building would have a similar relationship to these existing Victorian terraced properties across Albany Road and whilst the proposed building is a floor taller than the Quadrangle building the fourth floor is set back from the main building frontage in a similar manner to the approved proposed roof top extension to the Quadrangle building. As such the proposals are considered to be acceptable and would not give rise to unacceptable impacts in terms of loss of privacy or overlooking to existing properties on Albany Road.

Overlooking and loss of privacy to existing properties on Buckingham Road – To the east of the application site is the Metrolink line and beyond this are the rear gardens to properties on Buckingham Road with their rear garden boundaries lying approximately 16 metres from the rear boundary of the application site. The rear of the residential properties on Buckingham Road are between 23 and 28 metres from the rear boundary of the application site with the proposed building being set between 4 and 6 metres away from this boundary. As such given the distance from the rear gardens and rear windows to those properties, and the intervening Metrolink line it is not considered that the proposed development would give rise to unacceptable impacts in terms of overlooking or loss of privacy to these properties.

Daylight and Sunlight Impact – The application submission is accompanied by a Daylight and Sunlight Impact Assessment which has been undertaken in accordance with the 2011 Building Research Establishment Guidance 'Site layout planning for Daylight and Sunlight – A guide to good practice'. The assessment has reviewed the adjacent Quadrangle Building, numbers 83-89 Buckingham Road and 51-71 Albany Road.

Where a detailed analysis is required in respect of impacts on daylight the BRE recommend that the Vertical Sky Component ("VSC") test is used when considering the impact that a new development or obstruction will have on the daylight amenity of an existing neighbouring building. The VSC is a unit of measurement that represents the amount of visible sky that is capable of being received at the external face of a window. Daylight is derived directly from the sky. On that basis, the more unobstructed sky or sky visibility available to a window, the potential daylighting capability of the room served by it will increase. The unit is expressed as a percentage, as it is the ratio between the amount of visible sky available to the window being tested, compared to that available from a totally unobstructed sky.

The other methodology for daylight assessment for surrounding properties is the No Sky Line (NSL) where a room may be adversely affected if the daylight distribution is reduced beyond 0.8 times its existing area. The submitted assessment confirms that based upon the BRE guidance the following conclusions arise from the proposed development:

51-57 Albany Road – In terms of daylight all assessed 42 windows will either continue to achieve the BREs VSC target or retain VSC figures of at least 0.8xbaseline values. Overall 12 rooms of 14 assessed (86%) would pass the BREs NSL test, experiencing negligible reductions in daylight that are unlikely to be noticed by room occupants. 2 rooms (basements rooms within 51 and 55 Albany Road) experience reductions that could be noticed by room occupants. The assessment indicates that basement rooms are inherently limited in their capacity for daylight amenity, given their sunken position and limited outlook from their windows. The report also adds that these rooms would continue to receive direct daylight to at least half of their area.



Door to basement of number 51 Albany Road (to the left) and basement window to 55 Albany Road as referenced in the assessment

The sunlight assessment indicates that all assessed rooms would continue to achieve the BREs sunlight targets for both annual and winter sunlight or retain sunlight values that are at least 0.8x baseline values.

The conclusion in terms of daylight and sunlight amenity on these properties is that the impacts on the majority of these buildings is not significant.

59-71 Albany Road – In terms of daylight amenity 85 windows (98%) will either continue to achieve the BREs VSC target or retain VSC figures of at least 0.8xbaseline values. The two windows that did not meet the values were two panes to a larger bay window comprising several panes that do achieve the BRE target.

Overall, 22 rooms of 23 assessed (96%) would pass the BREs NSL test, experiencing negligible reductions in daylight that are unlikely to be noticed by room occupants. A single room within the basement of 61 Albany Road would experience reductions that could be noticed by room occupants. The assessment indicates that basement rooms are inherently limited in their capacity for daylight amenity, given their sunken position and limited outlook from their windows. The report also adds that these rooms would continue to receive direct daylight to at least half of their area. The overall assessment is that windows and rooms within this terrace of buildings will remain adequately daylight or experience impacts that are negligible and unlikely to be noticed by room occupants.

In relation to sunlight all rooms assessed would continue to achieve the BREs sunlight targets for both annual and winter sunlight or retain sunlight values that are at least 0.8x baseline values.

The conclusion in terms of daylight and sunlight amenity on these properties is that the impacts on the majority of these buildings is not significant.



61 Albany Road – position of basement window is edged red

The Quadrangle building - In terms of daylight amenity 68 windows (79%) will either continue to achieve the BREs VSC target or retain VSC figures of at least 0.8xbaseline values.

18 windows (21 %) would not achieve the VSC target and would experience a reduction that could be noticed by the room occupant. However, in this instance all the windows are inherently limited in their capacity to receive daylight amenity failing to achieve the target in the baseline condition (i.e without the proposed development) due to design features of the Quadrangle building itself such as being arranged around a courtyard, presence of external walkways on each floor, are recessed or set between projecting parts. Whilst these windows do not meet the VSC target they would pass the NSL test experiencing negligible reductions in daylight distribution;

and the assessment indicates the windows that fail are serving bedrooms within multiroom apartments and are considered to be of lesser daylight sensitivity.

Overall all, 41 habitable windows pass the BREs NSL test, experiencing negligible reductions in daylight distribution.

In relation to sunlight 25 rooms (86%) assessed would continue to achieve the BREs sunlight targets for both annual and winter sunlight or retain sunlight values that are at least 0.8x baseline values. 2 bedrooms would achieve the BRE target for winter sunlight but not annual sunlight (classed as a low magnitude of change) and 2 further bedrooms would achieve neither the annual or winter target. The assessment concludes that these impacts are appropriate as they relate to a small minority of rooms and as bedrooms they have a low sensitivity.

83-89 Buckingham Road - In terms of daylight amenity all 25 windows surveyed will either continue to achieve the BREs VSC target or retain VSC figures of at least 0.8xbaseline values.

Overall, 16 rooms of 17 assessed (86%) would pass the BREs NSL test, experiencing negligible reductions in daylight that are unlikely to be noticed by room occupants. 1 Room within 89 Buckingham Road would experience a reduction in NSL that could be noticeable to the room occupant. This room would continue to receive direct daylight to more than 70% of its area.

In relation to sunlight 16 of 17 rooms assessed would continue to achieve the BREs sunlight targets for both annual and winter sunlight or retain sunlight values that are at least 0.8x baseline values. 1 room at 89 Buckingham Road would not achieve the winter sunlight target but would exceed the annual sunlight target.

In terms of sunlight to garden areas of these properties, all gardens would continue to achieve 2 hours of direct sunlight to more than 50% of their area on 21st March with reductions being negligible.

The conclusion in terms of daylight and sunlight amenity on these properties is that the impacts on these buildings is not significant.

Whilst there are acknowledged impacts these are considered acceptable in this instance within the highly urban context of the site and would not give rise to significant impacts in terms of loss of daylight or sunlight to warrant refusal in this instance.

Transport – The application is accompanied by a Transport Statement and draft Travel Plan which have been fully assessed by the Council's Highway Services. A number of comments received in response to the notification raised concerns around transport and in particular the level of car parking proposed for the development and the current highway issues in the area including on-street parking demands.

The site is located in an area where there is a Greater Manchester Accessibility Level (GMAL) calculation available for the site. This is used in assessing the accessibility by non-car modes of a development site and provides a score between 1 and 8,

where 1 is a low level of accessibility and 8 is the highest level of accessibility. The application site has a GMAL of 7 indicating a high level of accessibility by public transport.

The proposal includes for the provision of a dedicated pedestrian access including steps and a ramp whilst cyclists would be able to use the vehicular access from Albany Road to access the cycle store. The proposals incorporate a secured, covered cycle store for 40 bicycles plus space for 2 cargo type bicycles. This level of provision for the development is considered acceptable.

The proposal also includes provision of a dedicated vehicular access from Albany Road which would ramp down from road level to serve the car park providing 20 no. spaces with the provision of dropped kerbs and tactile paving. This access has been designed to have appropriate visibility splays that would require amendments to Traffic Regulation Orders (double yellow lines) on Albany Road either side of the access to protect these visibility splays. An appropriately worded condition is required to cover the amendments to the highway and corresponding TRO amendments.

Of the 20 car parking spaces, 2 would be accessible spaces and 4 spaces (including 1 of the accessible spaces) would be provided with access to electric vehicle points. This level of car parking provision is acceptable.

The transport statement sets out the rationale for the level of provision of off-street parking for the residential apartments, which includes that the site is in a highly accessible location close to a range of services within Chorlton District Centre which can be accessed on foot; that other developments within Chorlton have been approved with lower levels of car parking than is proposed in this submission; and, that the site is in a sustainable location where access to other centres of employment, neighbouring residential areas are within recognised acceptable walking and cycling distances and close to public transport modes.

It is fully acknowledged that there are concerns about the level of car parking provided, congestion that would be generated by the development, and existing road and pedestrian safety issues in the area. The proposals seek to balance the needs for on-site car parking for residents and broadening access by active travel modes. As set out above the application is supported by a draft travel plan which would provide an ongoing commitment to ensuring that the development plays an active part in reducing dependency on car travel which is prevalent in this area of the city despite it being in a highly sustainable location. Subject to appropriately worded conditions it is considered that the level of car parking provided on site is on balance acceptable.

Highway Services raise no objections to the proposals on highway capacity grounds, and the applicant has provided relevant road accident data which does not indicate a particular pattern within the data available or issues in terms of road safety in the area.

Accessibility - The proposals have been designed to be accessible, with level access into the building from both the street and car parking. Lift access is provided within

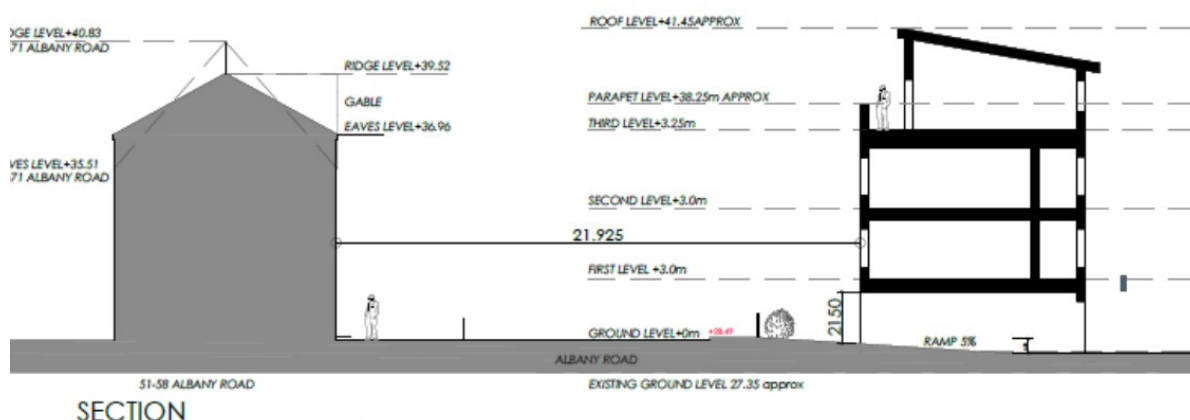
the building and the proposals incorporate 2 no. accessible parking bays provided within the car parking area.

Access to the buildings will be via a covered entrance with automatic opening doors with a minimum clearance of 1000mm and flush threshold. Within the building level access is provided by lifts to all floors with access corridors in excess of 1500mm to allow wheelchair turning. Level access to the apartments will be via recessed doors providing a clear turning width of 2000mm. Provision has been made for 50% of the apartments to be wheelchair adaptable to meet building regulations standards M4(2).

Design – The applicant has submitted a design and access statement to accompany the application. This sets out the design rationale and approach to the site and its surroundings to deliver a viable scheme considering opportunities and constraints of the site. The proposed elevational treatment has been altered since first submission to simplify the design and materials proposed, these amendments were subject of a further notification to residents and adjoining premises.

The building is sited to provide a strong street frontage to Albany Road providing opportunities for natural surveillance of the street and also providing a screen to more private spaces and the car parking to the rear. Landscaped edges to the development will assist in softening the boundary of the site to both the Trading estate to the south and the Albany Road frontage.

The scale of the building is over four storeys with the fourth floor being set back from the main street frontage to reduce the visual appearance. Whilst taller than existing residential properties opposite, the proposed building would have similar height to the Quadrangle to the north which has consent for a roof top extension to the Albany Road frontage to make 4 storeys and would match its current height along its Brantingham Road frontage. The scale of the proposals is considered to be acceptable given the context of the site.



East - west section through the proposed building (on the right) and relationship to existing Victorian terraced properties on Albany Road

The proposed building incorporates projecting balconies and roof terraces and would be constructed using a simplified palette of materials with a brick external finish incorporating a contrasting brick banding detail at ground floor. The approach to design is considered suitable for the site and the context of surrounding buildings.



FRONT ELEVATION (Albany Road)



SIDE ELEVATION (courtyard)



REAR ELEVATION (Rail line Side)

Landscaping and Biodiversity – The application is accompanied by a landscaping and planting scheme, tree surveys, Extended Phase 1 habitat survey and Daytime bat survey, and a biodiversity enhancement scheme for the development. The site is dominated by hardstanding and the single storey building proposed to be demolished. There is limited vegetation with the presence of two areas of poor vegetation along the northern and eastern boundary and 1no. sycamore tree on the site falling within category C (tree of low quality). The submitted landscaping scheme proposes the retention of the one tree with improvements to its setting, and the

planting of a further 5 trees on the site and additional hedge, shrub and lawn planting around the proposed building and car park. This approach is considered acceptable and the submitted landscaping proposals are to be subject of condition for its implementation as part of the development.

The building was considered to have negligible potential to support roosting bats and no signs of bats were found during the ecology surveys of the site and building. There are proposals as part of the scheme to enhance the biodiversity of the site through provision of bat and bird boxes together with the proposed landscaping scheme and appropriate conditions are proposed for these details to be implemented as part of the development.

Drainage - The application is supported by a drainage strategy this has been fully assessed. The site is in a low-risk zone in terms of flooding, the installation of a modern surface water drainage system that considers an appropriate allowance for climate change is acceptable. Suitably worded conditions are proposed for a final drainage scheme to deal with surface water from the site to be submitted for approval.

Ground conditions – The site has been previously developed and as such the application is accompanied by a desk study to assess the potential contamination of the site. This study has been assessed and is acceptable in order to inform a decision for the final use of the site for residential development. It is noted that further information with regards to site investigations and the preparation of a remediation strategy for the site are required and would be subject to a planning condition.

Environmental Standards– The applicant has provided an Energy Strategy to accompany the submission. This confirms that the intention is to adopt an enhanced building fabric approach to minimise the energy demand of the building and a ‘full electric’ servicing provision. It is proposed to incorporate mechanical ventilation with heat recovery, all heating would be electric with electric panel heaters and hot water delivered via the kitchen and mechanical ventilation heat recovery systems. The approach set out is to deliver a scheme which meets the Council’s adopted policies and aspirations which is welcomed, and a suitably worded condition is proposed.

Waste Management – The proposals incorporate a bin store which is large enough to store all required recycling bins for all generated waste and which is positioned to allow bins to be presented to Albany Road for collection. These arrangements are acceptable.

Crime and Safety – The application is accompanied by a Crime Impact Statement prepared by Greater Manchester Police Design for Security team. The report sets out to consider the sites location and the proposed layout and design of the building in relation to designing out crime principles. Following amendments to the proposed boundary treatments GMP have confirmed that they support the proposals subject to a suitably worded condition being attached to any approval for the scheme to achieve Secured by Design accreditation.

Construction phase- The applicant has provided a Construction Management Plan which is in general acceptable and provides details on methods to minimise dust and

noise impacts. The construction activity on this site would inevitably give rise to some disruption in the local area through general noise and construction activity together with requirements for parking for site operatives. This disruption, whilst unavoidable would be for a temporary period until construction works are completed. The construction management plan indicates that the site would be registered with the Considerate Constructors Scheme. To ensure this process is managed in the most appropriate way at the time when construction is due to begin and given the sites location and context close to residential properties and other noise and vibration sensitive adjacent uses, an appropriately worded condition to manage the construction phase is proposed to be appended to any decision.

Conclusion - The application relates to a previously developed brownfield site and one which has been identified to provide new homes in this part of the city. The proposal itself would provide 40 no. affordable apartments (shared ownership), a tenure of housing that has been identified as being required due to a shortfall in the city generally and South Manchester specifically.

The provision of affordable housing in this location would assist in broadening the mix of house tenures within this sustainable urban location. Therefore, as a principle, a development of this type and nature is acceptable and accords with the planning framework and wider strategies for the city.

Concerns about details relating to the scheme are acknowledged. In particular, the key objection is around the level of car parking and potential impact on the local area. This has been considered in the context of the proposals which offer an appropriate balance of off-street car parking and measures to encourage the use of more active travel modes, in addition to the sites links to public transport and in the ongoing co-ordination of the travel planning measures for the development. It is also important to balance this with the nature of the application and the recognised need to meet a housing offer lacking in this part of the city.

As set out in this report the form and design of the development is considered acceptable for the site given its specific context and character. Careful consideration has been given to the siting, scale and appearance of the development together with potential impacts through the construction phase on nearby residents and businesses to ensure it is high quality, sustainable and minimises any impacts. With above in mind, the proposal accords with all national and local planning policies and guidance.

Other Legislative Requirements

Equality Act 2010

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

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the 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

The application has been determined in a positive and proactive manner. In this instance issues that have arisen during consideration of the application have been discussed with the applicant's agent and appropriately worded conditions are proposed.

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:
Affordable Housing Statement by BVA;; Flood Risk Assessment FRA-001 Rev A; Transport Statement1; Framework Travel Plan; Energy Statement 2023.004 ; Noise and Vibration Impact Assessment 50-780-R1-2; Daylight and Sunlight Amenity Impact Assessment Rev 01; Phase 1 Ground Investigation 15-843-R1-1. ; Preliminary Explosive Ordnance Risk Assessment PRA.10096.23 ; Waste Proforma; Extended Phase 1 Habitat Survey Rev A; Biodiversity Enhancement Scheme Rev A; Crime Impact Assessment; Design and Access Statement 2210 D&A V4; Location Plan Drawing No.2210-P-09A; Refuse Strategy Details Drawing No.2210-P-11; Cycle Store Details Drawing No.2210-P-12; Proposed Landscaping Drawing No 7115.03 Rev A; Tree Survey and Root Protection Area Drawing No.7115.01; Tree Protection Plan Drawing No.7115.02 Rev A; Arboricultural Impact Assessment and Method Statement MG/7115/REVA/AIA&AMS/MAR23 ;Tree Survey Report

MG/7115/TSR/FEB23; Proposed Levels Drawing No.0600 Rev P1; Proposed Earthworks Drawing No.0601 Rev P1; Topographical Survey Drawing No.40602MCLS-01 As received by the City Council as local planning authority on the 3rd May 2023

Noise and Vibration Technical Note; Phase II Ground Investigation (Reference ARC-PPC-00-XX-RP-G-0002); Proposed Site Layout Drawing No.2210-P-01 Rev I ; All as received by the City Council as local planning authority on the 27th July 2023

Ground Floor Plan Drawing No.2210-P-02 Rev J; First Floor Plan Drawing No.2210-P-03 Rev F; Second Floor Plan Drawing No.2210-P-04 Rev F; Third Floor Plan Drawing No.2210-P-05 Rev F; Proposed Roof Plan Drawing No.2210-P-06 Rev D; Proposed Elevations 1 of 2 Drawing No.2210-P-07 Rev E; Proposed Elevations 2 of 2 Drawing No.2210-P-10 Rev B; Proposed Street Scene and Sections Drawing No.2210-P-08 Rev E; Fence and Railing Details Drawing No.2210-P-14_Rev A; Proposed Access Strategy P22058-001_Rev C; All as received by the City Council as local planning authority on the 9th August 2023

Proposed Elevations 1 of 2 Drawing No.2210-P-07 Rev E; Black and white - Proposed Elevations 2 of 2 Drawing No.2210-P-10 Rev B. Black and white - Proposed Street Scene and Sections Drawing No.2210-P-08 Rev E; Typical Window Details Drawing No. 2210-P-15_Rev A All as received by the City Council as local planning authority on the 30th August 2023

Additional Noise Survey Technical Note - 50-780-TN1-2 as received by the City Council as local planning authority on the 28th 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 Core Strategy.

3) Prior to the commencement of demolition/development, a construction management and demolition 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;
- Safe methods of working adjacent the Metrolink boundary;
- A Dust Management Plan;
- Identify measures to control dust and mud, including on the surrounding public highway including details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- The routing of construction traffic;
- Detail the vehicular activity associated with the construction including appropriate swept path assessment;
- Compound locations where relevant;
- Details of the location and arrangements for contractor parking;
- Detail of an emergency contact telephone number to be displayed at the site;
- Loading and unloading of plant and materials;
- Storage of plant and materials;

- Construction methods to be used; including the use of cranes if intended (which must not over-sail the tramway);
- Site hoarding; scaffolding and acoustic fencing;
- Timescales for the completion and scope of a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site;
- Site working hours;
- A community consultation plan.

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 and ensure safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

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

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

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

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

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

5) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

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

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

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

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

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

6) No site clearance or vegetation removal shall be undertaken until a method statement for the control and prevention of spread of invasive species has been submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason - To control the spread of invasive species, pursuant to policy EN15 of the Manchester Core Strategy

7) Prior to the commencement of development (excluding demolition work) details of a surface water drainage scheme prepared in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include:

- A finalised drainage layout showing all components, outfalls, levels and connectivity;
- Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;
- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk

Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates with the aim of reducing to the Greenfield runoff rates, as the site is located within Conurbation Core Critical Drainage Area;

- An existing and proposed impermeable areas drawing to accompany all discharge rate calculations;
- Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 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.
- Progression through the drainage hierarchy shall be evidence based and supported by site investigation. Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required.
- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice;
- CCTV survey and routing plan of existing drainage system to understand condition, capacity, connectivity;
- Hydraulic calculation of the proposed drainage system, including all parameters;
- Construction details of flow control and SuDS elements.

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

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution details of which are required prior to the commencement of development. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

8) No development (excluding demolition works) shall take place until the scope and specification of vehicle restraint measures to be installed along that part of the boundary of the development which is shared with Metrolink and has potential to be used by vehicles, has been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed measures.

Reason - To protect Metrolink infrastructure, to protect amenity and in the interests of public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

9) No excavations are to be carried out greater than 1 metre deep within 1 metre of the Metrolink operational boundary or any piling works within the zone of influence without notifying Metrolink in advance and obtaining approval via the City Council as Local Planning Authority. Any such works may require track, retaining wall or slope monitoring to be carried out as agreed with Metrolink and at the cost to the developer.

Reason - To ensure that the development does not adversely affect the supporting structures or track alignment and therefore the operation of Metrolink.

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

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

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

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

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

11) No demolition 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.

12) 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. The approved materials shall then be implemented as part of the development.

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

13) a) Before the use hereby approved commences external lighting shall be designed and installed in accordance with a scheme approved in writing by the City Council as local planning authority so as to control glare and overspill onto nearby residential properties and in line with best practices to avoid impacts on nocturnal animals.

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

Reason - To safeguard the amenities of the occupiers of nearby properties and protected species pursuant to policies EN15 and DM1 of the Core Strategy.

14) a) Prior to the commencement of above ground works a scheme for acoustically insulating the proposed development against noise from Albany Road the Metrolink Line and nearby commercial/industrial premises shall be submitted to and approved in writing by local planning authority.

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

Due to the proximity of the development to a Metrolink line it shall be necessary for vibration criteria to apply which can be found in BS 6472: 2008 "Guide to evaluation of human exposure to vibration in buildings". Groundborne noise/re-radiated noise shall also be factored into the assessment and design.

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

recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenity of nearby residential properties and to insulate the proposed residential accommodation against noise from Albany Road the neighbouring Metrolink Line and adjacent commercial/industrial premises pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and Policies DM1 and SP1 of the Manchester Core Strategy and national policy contained within the NPPF.

15) Prior to the first occupation of the dwellings hereby approved, full design and materials specifications for the acoustic barrier adjacent the tram line and Albany Road trading estate, together with the boundary treatments to the Albany Road frontage shall be submitted to and approved in writing with the Local Planning Authority. The development shall then be completed in strict accordance with the approved design, shall be fully installed prior to the first occupation of the dwellings and shall be retained in situ for as long as the dwellings are occupied.

Reason - In order to protect the future occupants of the residential accommodation from existing noise sources in the vicinity of the application site and in the interests of the visual amenity and character of the area pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

16) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to commencement of the use hereby approved the scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

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

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

17) a) Within three months of the commencement of development a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

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

Reason - In the interests of amenity and public health pursuant to policy DM1 of the Core Strategy.

18) 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.

19) 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.

20) The landscaping scheme approved by the City Council as local planning authority shown on drawing reference 7115.03 Rev A 'Landscape Proposal' as received by the City Council as local planning authority on the 3rd May 2023, shall be implemented within 12 months from the completion of development. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

21) The development hereby approved shall be carried out in accordance with details contained with the Energy Statement (Ref: 2023.004 March 2023 received by the City Council as Local Planning Authority on 3rd May 2023. A post construction verification report that proposed measures have been incorporated into the

development 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.

22) The development shall be carried out in accordance with the Biodiversity Enhancement Scheme prepared by Rachel Hacking Ecology and as received by the City Council as local planning authority on the 3rd May 2023. Prior to the first occupation of the development a verification report and supporting evidence confirming the inclusion of the enhancement scheme shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To secure the biodiversity enhancements divulged within the application submission pursuant to policy EN15 of the Core Strategy.

23) Prior to occupation, full details of all necessary off-site highway works to be implemented via a S.278 agreement together with details of the car parking surfacing materials 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:

- Required amendments to TRO's to protect visibility splays
- Details of all proposed vehicular and pedestrian accesses, associated tactile paving, dropped kerbs etc
- Resurfacing of adjacent footway on Albany Road and reinstatement of redundant accesses

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.

24) A detailed Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority prior to first occupancy of the residential units hereby approved. In this condition a Travel Plan means a document which includes:

- (1) The measures proposed to be taken to reduce dependency on the private car by those attending or employed in the development;
- (2) A commitment to surveying the travel patterns of staff and customers during the first three months of the development and thereafter from time to time;
- (3) Mechanisms for the implementation of the measures to reduce dependency on the private car; and
- (4) Measures for the delivery of specified travel plan services; and measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car.

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (2) above shall be submitted to the City Council as local planning authority for approval.

Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To reduce dependency on the car travel and to promote alternative means of transport, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

25) 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.

26) No part of the development hereby approved shall be occupied until the space and facilities for bicycle parking have been provided in accordance with the details shown on drawings referenced 2210- P-12 'Proposed Cycle Store' received by the City Council as Local Planning Authority on 3rd May 2023. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy.

27) The car parking area indicated on drawing numbered 2210 - P- 02J 'Site layout/ground floor plan' received by the City Council as Local Planning Authority on 9 August 2023 shall be surfaced, demarcated and made available for use prior to any of the residential units hereby approved being occupied. The parking areas shall be for the sole use of residential occupants of the development and their visitors and shall be available for use at all times whilst the apartments are occupied.

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

28) Prior to the first occupation of the development hereby approved a management plan for the car parking within and associated with the development shall be submitted to and approved in writing by the City Council as local planning authority. The plan shall include the following and shall be informed by a survey of on street parking within the wider area:

1) Measures to discourage car use and on-street car parking in the area associated with the development ;

- 2) Identification of the measures to monitor and review the effectiveness of the Car Parking Management Plan whilst the development is in use;
- 3) Mechanisms for the implementation of the identified measures in 1) and 2) above;

Within 12 months of the first use of the development, a revised Car Parking Management Plan that takes into account the information pursuant to item (2) above shall be submitted to and approved in writing by the City Council as local planning authority.

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

Reason - In the interests of pedestrian and highway safety pursuant to policy DM1 of the Core Strategy.

29) Prior to the first occupation of the development hereby approved, appropriate signage shall be installed at the development advising drivers of vehicles accessing the development of the restricted height available to access the car parking area. The installed signage shall be retained and maintained in situ whilst the development is occupied.

Reason – In the interests of highway safety pursuant to policy DM1 of the Core Strategy.

30) Prior to the first occupation of the development hereby approved details of a glazed privacy screen to be installed to the northern elevation of the roof terraces facing towards the adjacent 'Quadrangle building' as indicated on the approved third floor plan drawing reference 2210-P-05 F shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be installed prior to first occupation and shall be retained thereafter whilst the development is occupied.

Reason – In the interests of residential amenity and to avoid the overlooking and loss of privacy to adjacent properties and their external spaces pursuant to policy DM1 of the Core Strategy.

31) 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.

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

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as 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.

33)) Prior to the commencement of above ground works 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.

34) 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: 136878/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)
 MCC Flood Risk Management
 Greater Manchester Police
 Transport For Greater Manchester
 Greater Manchester Ecology Unit
 Chorlton Voice**

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

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