

Application Number	Date of Appln	Committee Date	Ward
119450/FO/2018	20th Mar 2018	20 th September 2018	Old Moat Ward

Proposal Erection of 12 no. four-bed, three-storey dwelling houses (Class C3) with associated parking, landscaping and boundary treatment following demolition of existing, vacant, public house

Location The Old House At Home, 73 Burton Road, Manchester, M20 1HB

Applicant Mr Ibrahim Jamil , 160-164 Wellington Road, Manchester, M20 3FU

Agent Miss Kathryn Valentine, OMI Architects, 31 Blackfriars Road, Salford, M3 7AQ

Background

This application was reported to the Committee on 23rd August 2018, as Committee resolved that it was minded to refuse the proposal, the application was deferred for the following reasons and asked that a report be brought back which addresses these concerns and provide for further consideration of potential reasons for refusal:

- Overdevelopment of the site
- Loss of privacy and impacts on residential amenity as a result

Overdevelopment of the site

The proposed development would result in a density of development of 76 dwellings per hectare. This density is high but reflects the character and context of the surrounding terraced properties to the east and south of the site which range between 69 and 83 dwellings per hectare as set out within the 'Density and Overdevelopment' section of this report. In addition Burton Road has also been subject of other developments since the construction of the Victorian terraced properties in the immediate area that are of a higher density than that proposed in this application and are of three and four storeys in height.

The apartments constructed on the southern side of the junction between Central Road and Burton Road 220 metres to the south of the application site approved in 2004 provided 15 apartments in a part 3 part 4 storey building. The density of this scheme is 200 dwellings per hectare.



Apartment Building on Central Road/Burton Road south side of junction

The apartments constructed on the northern side of the junction between Central Road and Burton Road 182 metres to the south of the application site (14 apartments) approved in 2001 provided 14 apartments in a 3 storey building. The density of this scheme is 186 dwellings per hectare.



Apartment Building on Central Road/Burton Road north side of junction

Loss of privacy and resultant impact on residential amenity

Committee expressed concern with regards to the impact on privacy from the proposals on the residential amenity of occupiers of properties on Newton Avenue.

The amended scheme had attempted to address privacy through the removal of external rear balconies and removal of some of the previously proposed second floor rear facing windows. The application proposals do retain a first floor rear facing bedroom window set behind an external area identified for residential occupiers to personalise and plant landscaping if they so wished. For clarification this external planting area was not identified as an area to introduce screening between existing and proposed windows and a condition was proposed to ensure that this area was not used as an external terrace by occupiers in the future. The issues section of this report assess the impacts of these windows on existing external areas and windows of the rear of properties on Newton Avenue.

It is acknowledged that the distance between the proposed and existing windows is constrained due to the relationship of existing Newton Avenue properties with the application site. Whilst a majority of terraced properties in the area do have similar relationships between the rear of properties, the proposed distances between rear elevations of the proposed and existing dwellinghouses whilst comparable would be closer.



View of the application site looking towards the rear of existing properties on Newton Avenue

Comments from the applicant

The applicant has provided further information to the Council responding to the discussion and issues raised at the Committee meeting held on the 23rd August 2018. The detailed information they have provided is summarised below:

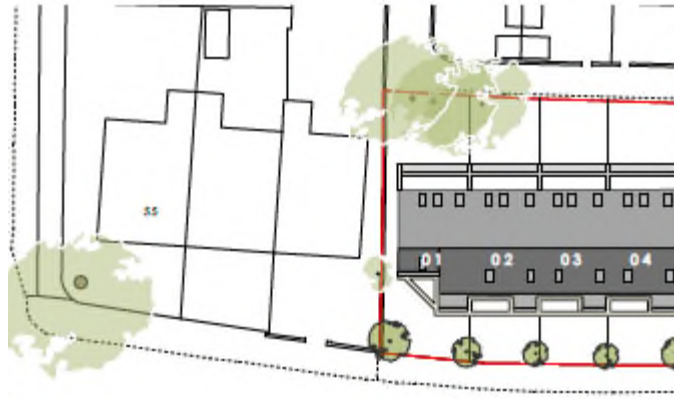
The applicant wishes to re-iterate that they have sought to fully engage with residents and interested parties affected by this scheme. They held a series of open one-to-one meetings with neighbours and resident groups.

The applicant does appreciate that the change from a pub and open car park to a terrace of houses would generate concerns. They clarify that the site did historically accommodate around 14 dwellings (see historic 1950's map below) and its current layout was only introduced in the 60s and 70s.



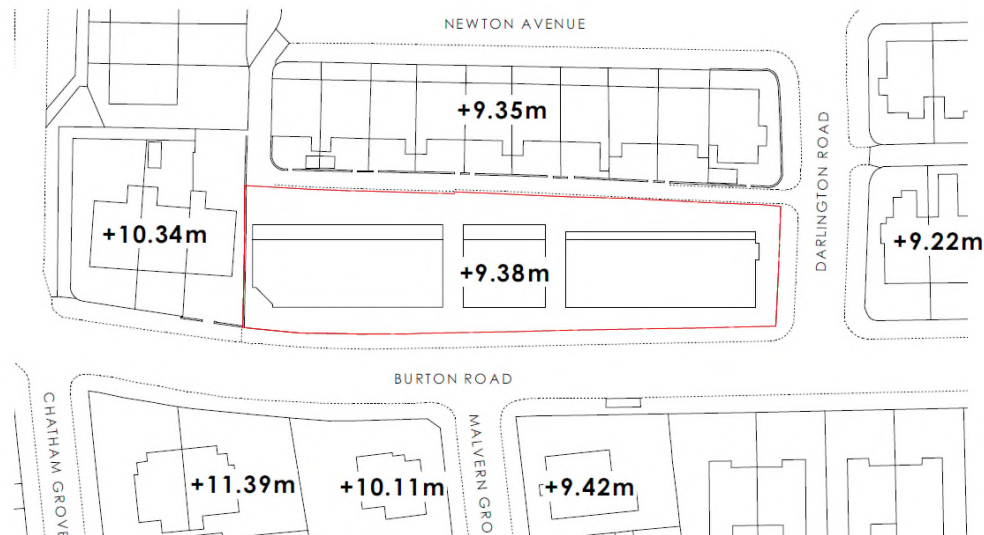
They wished to specifically clarify a number of matters raised at the Committee meeting:

- TPO Trees: As set out within the printed report the two recently TPO protected trees are to be retained and would be fully protected during construction works in accordance with the proposed conditions.
 - There was the suggestion that unapproved works had recently been undertaken to trees on the site. The applicant has clarified that prior to submission of the current application investigative trenches were dug in the car park on site to determine the precise location of tree roots and was carried out under supervision of an experienced arboriculturist. Separately the applicant undertook pruning works to existing non-protected trees backing on to the rear alleyway. These works were undertaken on request from neighbours on Newton Avenue and again was carried out under the supervision of an experienced tree surgeon.
 - Building Line: In terms of the building line the applicant has recognised the need to balance setting the buildings back from the pavement on Burton Road similar to other properties on the street and to maintain the privacy of existing properties on Newton Avenue. A set back to the building line has still been accommodated this does of course project beyond the line of Nos. 59 and 85 Burton Road, however, to address this, the plot adjacent to No.59 has been reconfigured to provide a suitable building line transition. A significant distance separates the end plot and the property at 85 Burton Road across the highway and there are also a number of mature trees in this location (retained TPO trees) that screen the proposed building line. Consequently the shift in building line at this location is barely perceptible. The applicant does also comment that the existing pub currently extends up to the back of pavement on Burton Road (as did the gable of an earlier adjacent house, located on the site, before it was demolished sometime after 1962). The existing building on site does therefore significantly disrupt the building line.



Site plan showing the transition between number 59 Burton Road and the first plot of development

- Building height: The properties surrounding the site are older Victorian houses that have much taller ceiling heights. The majority of properties also have habitable accommodation in the roof space. Consequently, the majority of the properties surrounding the site have accommodation on three floors (four if you count the basement). Most of these structures are higher than the proposal.
 - The height of the development is 9.38m above Ordnance Datum. The heights of adjacent properties are recorded from the applicants laser surveys as follows:
 - 55-59 Burton Road - 10.34m Above Ordnance Datum (higher than the proposals);
 - 1-10 Newton Avenue - 9.35m Above Ordnance Datum (11/2 inches lower than the proposals);
 - 1 Malvern Grove 9.42m - Above Ordnance Datum (higher than the proposals);
 - 2 Malvern Grove - 10.11m Above Ordnance Datum (higher than the proposals);
 - 85 Burton Road - 9.22m Above Ordnance Datum (3/4 inch lower than the proposals);
 - 72 Burton Road - 11.39m Above Ordnance Datum (higher than the proposals)



Plan showing heights of neighbouring buildings obtained from the applicants topographical survey

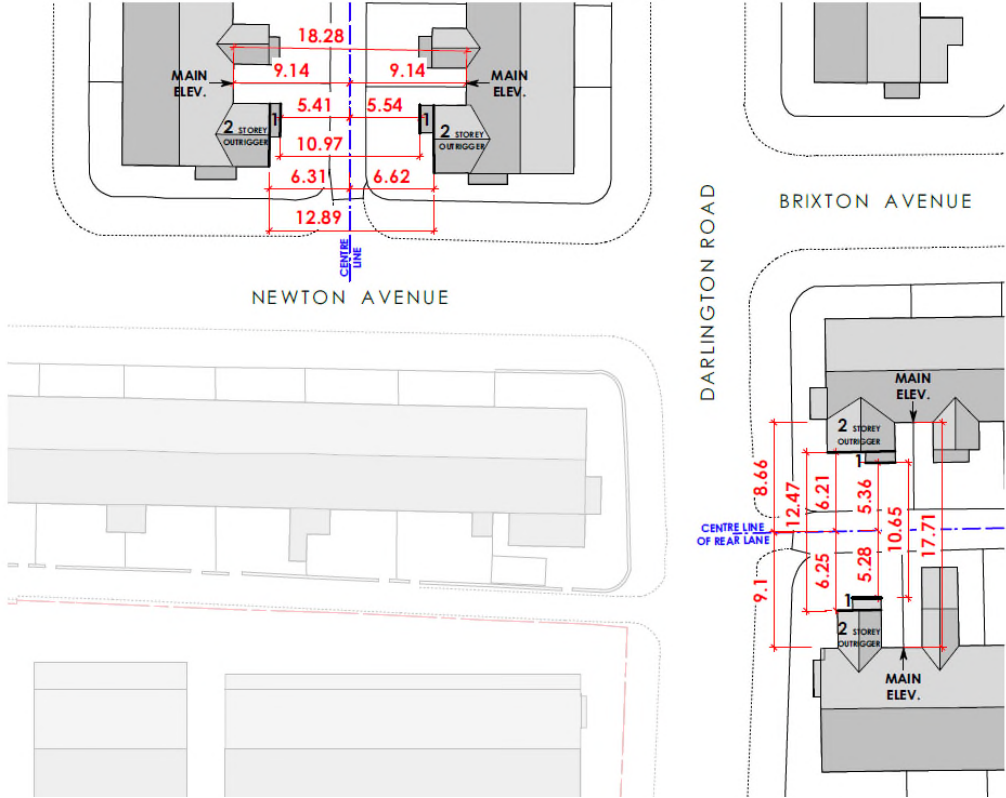
Density: The streets directly adjacent to the site were established as a single development around a century ago, creating a repetitive grid of large terraced properties that follow a strongly consistent layout and design. There are approximately 120 virtually identical houses in the cluster of streets made up from Darlington Road, Newton Avenue Brixton Avenue, Westbourne Grove, Brooklands Avenue and Rutland Avenue. The density is relatively high and this defines the attractive character of the street scene. This is a desirable area to live and there is a strong sense of place and community.

The application site occupies a corner of this group of terraces and clearly should 'reflect the character and context of the area'. The design of the houses themselves should clearly be of their own time i.e. not a Victorian pastiche, however the use of traditional materials and detailing and vertically proportioned openings helps to relate the new with the old. Similarly, with density, there is a strong argument that new developments should be consistent with their context. A significantly less dense approach (say two-storey semis or detached properties) would be alien to this setting and contrary to the Council's design guidance. Density is the principal measure of potential overdevelopment. The density of the site is confirmed as 76 dwellings/hectare. The applicant has reviewed the directly adjacent 18 blocks of terraces. They indicate that the average density across all these adjacent blocks is 77.88 dwellings/hectare, higher than the proposal. The density of Newton Avenue is 83 dwellings/hectare, considerably higher than the proposed development. Consequently, the proposed density of 76 dwellings/hectare is entirely consistent with the character and context of the area and should not be deemed as 'overdevelopment'.

Proximity to Newton Avenue and privacy of existing residents - The privacy distance applied to most new development is generally 20.0m between habitable rooms. The existing conditions that prevail across the adjacent streets are less than these standards. These reduced standards have certainly not impacted upon the desirability of these homes and the area in general. The existing properties on the adjacent streets (Darlington Road, Newton Avenue, Brixton Avenue, Westbourne

Grove, Brooklands Avenue and Rutland Avenue) are two to three storeys (with accommodation in the roof space). With the exception of Newton Avenue, all properties have two storey gabled outriggers, the majority of which also have additional single storey extensions. A rear service lane separates the back yards of the properties. Using dimensional data from Ordnance Survey, the respective separating distances between the nearest existing properties on No.2 Brixton Avenue/No.85 Burton Road and No.1 Darlington Road/No.2 Westbourne Grove the applicant has provided the following calculations:

	Brixton/ Burton	Darlington/ Westbourne
Between single storey outriggers	10.65m	10.97m
Between two storey outriggers	12.47m	12.89m
Between rear main elevations	17.71m	18.28m
Between rear main elevation and centre line of lane	8.66m, 9.1m	9.14m, 9.14m
Between single storey outriggers and centre line of lane	5.28m, 5.36m	5.54m, 5.41m
Between two storey outriggers and centre line of lane	6.25m, 6.21m	6.31m, 6.62m



The existing properties on Newton Avenue occupy a much shallower block (15.58m-16.82m as opposed to 22.68m on Burton Road (across no.85) and 19.21m on Darlington Road (across no.1)). This places the rear elevations considerably closer to the boundary and rear lane. The distances are as follows:

- Single storey outriggers to centre line of lane – between 2.66m and 4.74m
- Main elevation to centre line of lane – between 6.26m and 7.34m

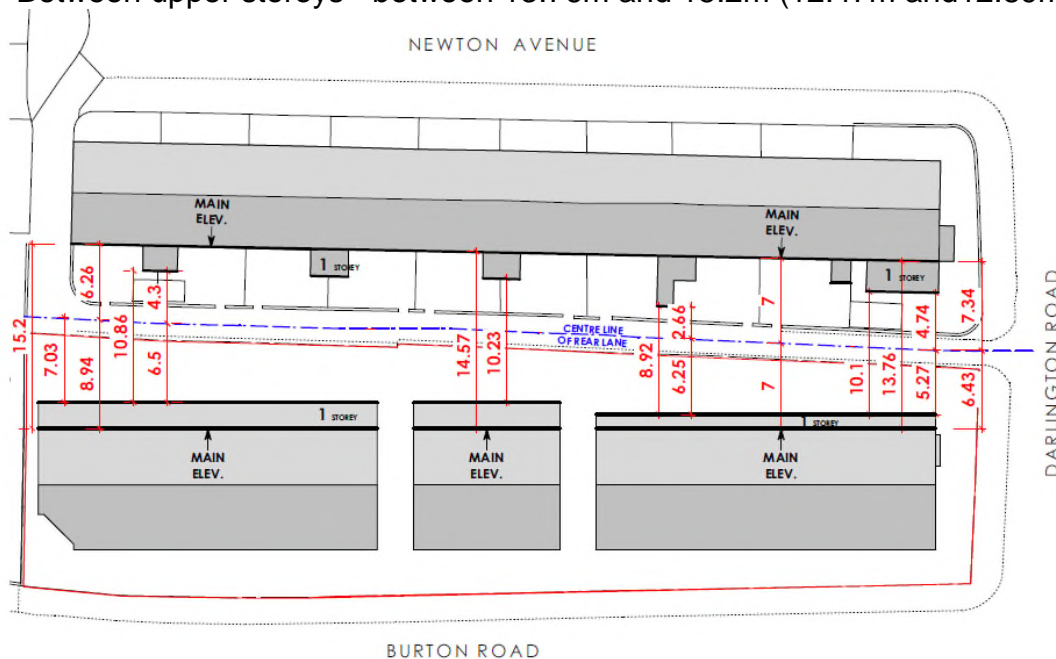
The corresponding distances for the new development to those stated above are as follows:

- Single storey outriggers to centre line of rear lane – between 5.27m and 7.03m
- Main elevation to centre line of lane – between 6.43m and 8.94m

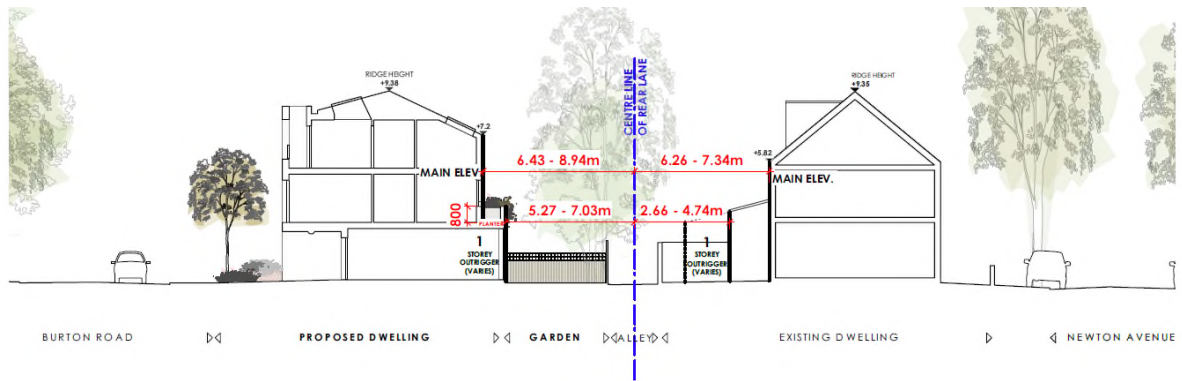
The applicant suggests that it is generally accepted that in dense urban areas (as this location is) new development is not required to build further away from its boundary than the current condition defined by existing properties i.e. if an existing property is only 5m away from a shared boundary, a new development would not be required to set back 15m to achieve a 20m privacy distance. The setback should be roughly equitable to both parties i.e. the proposed is the same as the existing condition. This is subject of course to daylight levels to existing properties not being materially affected. The daylight study submitted with the application confirms that there is no material impact to the properties on Newton Avenue.

The above figures confirm that the upper rear elevation of the proposal is on average actually further away from its rear boundary than the properties of Newton Avenue. Mindful of the need to protect the privacy and amenity of neighbours on Newton Avenue these increased distances were a fundamental component of the early design stage and helped define the section of the buildings. The distances between the development and the Newton Avenue houses are as follows (corresponding Darlington Road and Brixton Avenue figures in brackets):

- Ground floor to ground floor - between 8.92m and 10.86m (10.65m and 10.97m)
- Between upper storeys - between 13.76m and 15.2m (12.47m and 12.89m)



Plan to show proximity distance between the proposed development and Newton Avenue properties



Drawing showing distances between the rear of proposed and existing dwellinghouses to the centre line of the rear alleyway - existing terraced properties on Newton Avenue are shown on the right and the proposed dwellinghouses on the left

The applicant concludes that the distances confirm that the proposed privacy distances are entirely in keeping with the adjacent housing. They also wished to set out that the current arrangement on site has the two-storey gable and tall single storey extension of the pub building built right up to the rear lane boundary (only approximately 7.78m from the rear elevation of the houses on Newton Avenue). The removal of these structures will significantly improve the amenity of the dwellings on Newton Avenue. The pub's beer garden also backed directly onto the rear lane. Replacing this with a row of family gardens must also be recognised as a marked improvement to the amenity for existing residents on Newton Avenue.

Further observations from the Head of Planning

Committee requested that this application be brought back to committee and asked that a report be prepared which addresses the two concerns raised at the meeting held on the 23rd August 2018 and provide for further consideration of potential reasons for refusal consideration.

Following the assessment of the two issues as set out above the Head of Planning does not consider that the application proposals are grossly more dense than the terraced properties that surround it or other developments on Burton Road which have generally been for three and four storey buildings in height at a greater density. The proposed layout reflects the character and context of the area in accordance with the Guide to Development in Manchester supplementary planning document. Therefore given the context of the site and the character of the area in which the site is situated it is not considered that a reason for refusal based on **overdevelopment** of the site could be sustained.

The proposed relationship between existing and proposed dwellinghouses, whilst resulting in a change to the existing situation for occupiers of Newton Avenue, would not give rise to significant impacts on **privacy** and consequentially the **residential amenity** of those existing occupiers. However, if having considered the issues set out and addressed above, Committee remains concerned with the application proposals, they may wish to consider the following as a reason for refusing the application:

The first floor bedroom windows within the rear elevation of the proposed dwellinghouses would result in overlooking over a short distance to the rear windows and private garden areas of numbers 1-10 Newton Avenue to the detriment of the reasonable amenity and privacy of the occupiers. As such the proposal is contrary to the City Council's Planning Policies SP1 and DM1 of the Manchester Core Strategy.

Description of application site

The application site relates to a rectangular parcel of land approximately 0.15 hectares in size fronting Burton Road, with Darlington Road to the south; the rear of the terraced properties of 1-10 Newton Avenue to the south-east; and, a terrace of three properties to the north-east. The site is not located within a conservation area, and the building on site is not listed.

The land comprises the former Old House at Home public house located within the northern part of the site, associated car parking and external amenity areas associated with the previous use of the site lie to the south of the public house building. The main vehicular access into the site is currently taken opposite the junction of Malvern Grove and Burton Road a secondary servicing access point is located to the north of the building on site. An alleyway exists between the site and the rear boundary of numbers 1-10 Newton Avenue. Double yellow lines are present on Burton Road that the application site faces onto, these restrictions are not present on the opposite side of the carriageway or on Darlington Road to the south. According to the application information the public house on the site ceased trading in 2017.

This section of Burton Road and surrounding areas are residential in character with the application site being the only non-residential property in the immediate vicinity.

The residential properties to the east and south of the site (Newton Avenue, Westbourne Grove, Darlington Road, Brooklands Avenue, Brixton Avenue, the northern portion of Rutland Avenue) comprise two storey Victorian terraces with small front and rear yards set on a strong grid street pattern. On the western side of Burton Road, opposite the site, residential properties are of a more varied age and type and include semi-detached inter and post war properties and larger two and three storey properties on Malvern and Chatham Grove.



Picture showing existing building and rear of properties on Newton Avenue

Tree Preservation Order

There are a number of trees on the site and substantial street trees on the footpath to the south of the site on Darlington Road. Members may recall that at the June 28th meeting of the Planning and Highways Committee consideration was given to a report recommending a Tree Preservation Order (TPO) for two Lime trees within the application site. The Council's City arborists had assessed the trees on the application site and considered that the two mature Lime trees located in the south west corner of the site were of high visual amenity value making a valuable contribution to the character of the area and were worthy of a TPO. The Committee subsequently confirmed the TPO on the two mature lime trees, a plan locating these trees (T1 & T2) is shown below. Whilst there are other trees on the application site these were not considered to be worthy of being confirmed as TPO.



Description of proposal

The application proposal have been amended since original submission. In summary the changes made include:

- The reduction to 12 dwellings on the site from 13;
- Layout of the houses has been changed to provide two terraces of 5 dwellings and a central pair of semi-detached properties with private driveways, including a reconfiguration of the proposed dwelling adjacent no. 59 Burton Road;
- Amendments to the layout to retain further existing trees, and
- Alterations to the rear of proposed properties including a reduction in height and removal of rear first floor terraces.

The proposal now under consideration is for the erection of 12 four bedroom family three storey dwellinghouses with associated car parking, landscaping and boundary treatments following the demolition of the existing public house on site.

The proposed dwellinghouses are arranged in two terraces with a central pair of semi-detached properties, all of the proposed dwellings front Burton Road but are set back from the pavement. All properties have provision for car parking off-street, waste storage areas and rear private garden areas.

The dwellinghouses are of a contemporary design which are three storeys facing onto Burton Road but step down at the rear to two storey with living accommodation spread over three floors internally. The design incorporates front recessed areas for the off street ground floor car parking space and balconies above which face onto Burton Road. To the rear and following amendments there are ground floor glazed windows and doors providing access to the rear garden areas and at first floor set behind a deep planter are further rear bedroom windows.

The materials to be used in the construction would reflect those of the surrounding area comprising red textured facing brick work and dark grey fibre cement slates complemented with composite aluminium/timber windows, aluminium rainwater goods and cast reconstituted stonework.

Consultations

The application has been subject to a site notice, advertisement in the Manchester Evening News, and notification of residents and statutory consultees. A map showing the extent of residents and businesses notified of the application is set out at the end of this report.

The amendments made to the application following its original submission have also been subject to further periods of re-notification of neighbours and statutory consultees.

Councillors

Old Moat Ward Councillors - Are aware that several local residents have registered their opposition to these proposals, we share their concern, oppose the application as submitted and ask that the planning application be refused.

As the site is previously developed land in a residential area, there is no objection to the principle of new residential development. However, this site is very constrained by its shallowness and the proximity of existing dwellings, principally the ten houses at Newton Avenue that back onto it.

At three storeys, the proposed development is too high, forward of the building line between Nos. 59 and 85 Burton Road and still too close to the Newton Avenue properties to the rear. Its overbearing impact on these properties would be significant and the resulting overshadowing and loss of light would represent an unacceptable loss of amenity for the existing residents.

As the development consists of narrow houses, each with access to a parking space and provision off Burton Road, there will be little opportunity for visitors and delivery vehicles to park nearby, which could cause traffic problems, particularly for larger vehicles and buses.

It is unclear whether the two recently TPO protected trees will be fully retained within the revised scheme and we are concerned that any proposals will impact their significance on this site. They should be fully retained and protected.

In conclusion, it is the view of the Councillors that the applicant is still proposing to build too much, too high and too close to existing houses and, therefore, the application should be refused on the grounds of overdevelopment. The applicant should be asked to withdraw this proposal and consider a redesign to overcome the objections.

Mr Jeff Smith – MP (Manchester Withington)

Supports the objection lodged by the three local councillor, on the same grounds as they have submitted.

He agrees that there is no objection to the principle of new residential development. However, the site is constrained and the development is close to the ten houses at Newton Avenue.

The application is for erection of 12 four bedroom three storey dwelling houses, which he believes represents overdevelopment of the site. At three storeys, the proposed development is too high, is forward of the building line between Nos. 59 and 85 Burton Road and is still too close to the Newton Avenue properties to the rear. Its overbearing impact on these properties would be significant and the resulting overshadowing and loss of light would represent an unacceptable loss of amenity for the existing residents.

He also share the concerns of the councillors that it is unclear whether the two recently TPO protected trees will be fully retained within the revised scheme and any proposals will impact their significance on this site. The trees should be retained and protected.

The very large houses are too close to the existing houses and therefore the application should be rejected on the grounds of overdevelopment. I would encourage the committee to refuse this application and ask the applicant to consider a redesign to overcome these concerns.

Local residents

Following the three periods of notification of the proposals 85 responses were received in total (81 objections and 4 comments in support). 39 objections and 1 comment of support were received to the first notification; 32 objections were received to the second notification and 12 objections and 1 comment of support received to the final notification period. A summary of the comments received is set out below:

- *Density and overdevelopment:* Many objectors raised concerns both to the original proposals of 13 dwellinghouses and the revised scheme for 12 dwellinghouses relating to the scheme being an overdevelopment of the site particularly when compared to the 10 houses on Newton Avenue that back onto the site. The scale of development is out of keeping with the more generous, traditional plot layouts of surrounding properties.
- *Lack of car parking provision:* A common objection received related to the proposals having a lack of car parking for the proposed houses particularly given they are large houses for families where car ownership is likely to be more than one car. Many objectors identified that there are current issues with a lack of car parking for the existing terraced properties to the east of the site and other nearby streets, objectors indicate that the proposed development would increase the pressure on these streets both by occupiers of the proposed houses and visitors and delivery vehicles.
- *Impact on trees:* A number of comments were received about the proposals impacts and resultant loss of trees on the site.
- *Highway safety:* Concerns were expressed about the potential impacts on highway and pedestrian safety and particularly the proposed driveways onto Burton Road.
- *The design of the proposed dwellings:* A number of comments questioned the design approach and that this failed to reflect the character of the area and existing properties close by. In addition there were concerns raised about the scale and height of the proposed buildings and their relationship to the established building line on Burton Road which again impacted on nearby properties and fail to reflect the character of the area.
- *Loss of light and overshadowing to neighbouring properties:* Given the height of the properties at the rear and distances from existing properties on Newton Avenue and Burton Road, the proposals would give rise to significant light reduction to existing houses.
- *Loss of privacy and residential amenity:* The distances to existing houses and provision of windows and balconies on the proposed dwellings would give rise to a loss of privacy to existing houses and impacts from noise associated with activity of the proposed residential properties.
- *Lack of measures to enhance the biodiversity of the site.*
- *Lack of outside amenity space for the properties.*

- *The pub should be retained on the site as a community facility*
- *The pub buildings are historic being 200+ years old and it isn't sufficient justification to knock them down just because they are not listed.*
- *There should be a section 106 agreement for provision of traffic calming facilities on Burton Road and/or funding towards Old Moat Park due to the loss of a social facility.*
- *Inadequate provision for the storage and disposal of waste*
- *The houses are likely to become student HMOs*
- *Lack of affordable housing in the proposals*
- *Concern regarding the quality of the development*
- *Rights –to-Light:* The proposed development is too close to existing properties and would infringe rights to light which have certain protections under the law regarding access to light.
- *Inaccurate information within the application documents* – Concerns have been raised with regards to the accuracy of some of the information provided by the developer within the Design and Access statement in relation to distances between existing dwellings in the area and therefore does not accurately reflect the context between existing dwellings.
- *Criticisms of the extent of the notification undertaken by the Council*

In terms of other comments for the proposals these were in support of the redevelopment of the site for residential purposes but with the caveat of some of the concerns set out above. Other comments were supportive of the design of the proposed dwellings

Local groups

Withington Civic Society – The revised proposals are an improvement and the principle for housing on the site is supported. However, the Society does still have some concerns:

The number of houses proposed is still too great for the site. It is noteworthy that the row of houses on Newton Avenue immediately behind the site has only 10 houses. This density has consequences in terms of car parking; the building line is much closer to the highway than the normal building line for this section of road; the height of the proposed houses remains greater than the adjacent properties on Newton Avenue with an inevitable impact on privacy and light for the residents of those houses; the proposals do not provide an adequate level of car parking for the number and size of dwellings proposed; consideration should be given to a section 106 obligation towards traffic calming measures or Old Moat Park in the context of the loss of a community facility.

West Didsbury Residents Association - WDRA believe that there is a great likelihood that the proposed properties would have more than one vehicle per household giving rise to tangible increase in demand for additional kerbside parking. They believe both occupiers of the proposed properties along with delivery vehicles and those associated with visitors would all contribute to additional demand for parking in nearby streets that do not have parking restrictions in place. Vehicles would also be permitted to load and unload immediately outside the proposed houses and without

restriction of loading and unloading it seems most likely that this would further contribute to current peak hour Burton Rd congestion.

The height and rear profile of the houses are both materially reduced and this is likely to go some way towards a lessening of the previously overbearing rear aspect for Newton Ave residents.

The revised arrangements would serve to lessen the chance of bin gridlock outside the rear gate to 1 Newton Ave, and would reduce the distance some occupants would need to drag loaded and unloaded bins.

The proposed ornamental pear and apple trees along Burton Rd will do little to promote biodiversity. WDRA request that tree planting there includes native species to reflect present trees and benefit local bird life.

The arboricultural report provides a plan identifying where hard standing requires hand removal. However WDRA are concerned that no comprehensive Tree Protection Plan showing the location of protective fencing to be installed around retained trees has been provided.

Request that site and street trees backing Newton and on Darlington Ave be properly protected in full accordance with BS5837 fencing and that a fencing plan and full working method statement be provided.

WDRA feel that the present 12 house proposal is a definite improvement on the original 13 house scheme.

The central pair of semi-detached houses work well and the reconfiguration of roof lines and building height seek to lessen the negative impact for Newton Ave residents. The amended bin arrangements would seem to improve the lot of some although not all future occupants.

But notwithstanding the admittedly highly sustainable nature of this locality it continues to be apparent to WDRA that under-provision of off-road parking for the 10 large town houses will inescapably give rise to an unacceptable measure of additional demand for on street parking, with increasing obstruction of local roads.

Statutory and Non-statutory consultees

Greater Manchester Ecology Unit – The GMEU as the Councils specialist ecological advisers have reviewed the information provided by the applicant and subsequent information that was required in order to inform the ecological assessment of the site. The comments of GMEU are as follows:

The Preliminary Ecological Appraisal submitted by the applicant and day time external bat assessment of the building was undertaken by suitably qualified ecologists, and one surveyor holds a Natural England bat license. There is therefore no reason to doubt the findings of the report.

Following review of this information GMEU requested further information from the applicant due to the “building on the site having a moderate potential to support roosting bats and therefore further bat activity surveys were required”.

Further ecological information was subsequently submitted by the applicant, this included the results of 2 bat activity surveys. GMEU made the following comments on this further information:

2 bat activity surveys have now been undertaken in May 2018 which were carried out by experience ecologists and supervised by licenced bat workers following best practice methodology. A single pipistrelle bat was seen to emerge from the building during the first bat survey. The report concludes the presence of a non-maternity day roost which will be permanently lost as a result of the development, and therefore the requirement to apply for a Natural England licence.

GMEU have advised the City Council as local planning authority of the following. All species of bats are European Protected Species (EPS) under the Conservation of Habitats and Species Regulations, 2017, which protects individual bats from killing, injury or disturbance and also protects their habitats, in this case their roosts. Additionally the presence or otherwise of protected species is a material consideration when determining a planning application.

If an EPS is known to be present on site and impacted upon, a European Protected Species licence may be required, and under the EC Habitats Directive, 1992 a degradation licence may be applied for if:

- it is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment and provided that there is;
- no satisfactory alternative and;
- no detriment to the maintenance of the species population at favourable conservation status in their natural range.

The converse of this guidance is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

GMEU have confirmed that the first two of these tests (public interest and no satisfactory alternative) are planning tests requiring assessment by the City Council as local planning authority. GMEU confirm that the mitigation proposed within the ecology report should ensure that the third test of no detriment to the population is satisfied. A condition should be used to ensure no development takes place until a mitigation strategy for roosting bats has been submitted for approval. Consideration of the proposals against the three tests of The Conservation of Habitats and Species Regulations 2017 is set out within the issues section of this report.

In addition to the above GMEU have recommended conditions be attached to any approval that no vegetation clearance or building demolition takes place in the main bird nesting season, March - August inclusive, unless it can be otherwise demonstrated that no active birds' nests are present; that pre-start checks of the

shrubbery in relation to hedgehogs; and opportunities to enhance the site for biodiversity should be encouraged in line with national and local planning policy. Guidance on this is provided within the ecology report.

Environmental Health – Have reviewed the information provided alongside the application. They are satisfied with the waste management strategy provided for the development and have confirmed that the measures for acoustic insulation of the proposed properties set out within the submitted acoustic report should be implemented in the development. They have requested conditions be attached to any approval relating to further information of the ground conditions at the site, and construction management plan.

The applicant has submitted an Air Quality Assessment alongside the application. Consideration of this matter is set out within the issues section of this report.

Greater Manchester Police (Design for Security) – A Crime Impact Statement has been submitted to accompany the application. The proposals were generally found to be acceptable subject to further consideration of front boundaries, recesses around front doors and the unsecured under-croft parking areas. The applicant has responded to the matters raised including installation of full height glazed windows facing the recessed parking bays and of security lighting, in addition front doors to properties although within recesses can be viewed from Burton Road due to the relatively short distances involved.

United Utilities – Recommend that conditions be attached to any planning approval relating to the drainage of the site.

MCC Flood Risk Management Team – The submitted drainage strategy has been assessed. They recommend a drainage condition be attached to any approval.

MCC Neighbourhood Services (Arborists) – Following an assessment of the revised proposals the arborists raise no objections to the proposals from an arboricultural point of view. They have recommended a condition be attached to any approval for British Standard 5837 'Trees in relation to Construction' being adhered to.

Greater Manchester Archaeological Advisory Service – Have assessed the proposals and the submitted Heritage Statement prepared by Wardell Armstrong. GMAAS has also recently received from Wardell Armstrong two further reports: a desk based assessment and a level 3 historic building survey. The desk based assessment shows that the site contains considerable potential for below-ground archaeological remains relating to buildings depicted on the site from at least 1820, whilst the historic building survey has made a comprehensive archive record of the Old House at Home which appears to have started off as a set of workers' cottages in the early 19th century. A copy of these reports have now been lodged with the Greater Manchester Historic Environment Record for archive and research purposes.

In terms of further mitigation for this scheme, Wardell Armstrong's historic building survey concluded that it is unlikely that an archaeological watching brief during demolition would provide any more useful information; however, the site clearly has below-ground archaeological interest and this should be assessed through evaluation

trenching to define the character, extent, date, function and relative significance of buried remains. Where archaeological remains are identified that will be impacted on by development ground works then a further more extensive programme of archaeological excavation and recording should be undertaken.

It is recommended that the archaeological interests should be secured through an appropriately worded planning condition.

MCC Highway Services - The adopted highway extends to the back of the footway on Burton Road. This site is currently bounded by no waiting at any time traffic regulation orders (TROs). The rear alleyway is also adopted by Manchester City Council.

This site is deemed to be highly accessible by means of public transport. It is recommended that as part of the resident's welcome pack of documentation that a leaflet or similar material is included detailing public transport options in the vicinity of the site.

It is understood from the latest accident data available that there have been three slight incidents over a 5 year period on Burton Road within the immediate vicinity of the site. Therefore the Highways Team does not anticipate that there is an existing road safety issue.

This development will benefit from 14 driveway spaces for 12 dwellings which is acceptable to the Highways Team.

Given the parking pressures in the local area the Highways Team are of the opinion that the provision of driveways are acceptable in this location as the precedent has already been set with surrounding properties accessing driveways from Burton Road. Driveways should limit unnecessary on street parking from occurring.

The site is fronted by no waiting at any time TROs which will provide parking protection for the proposed driveways. It is the recommendation of the highways team that the TROs are refreshed with paint once the development is completed.

Regarding the dropped kerbs, there should be sufficient vehicle upstand space between each series of dropped kerb in order to avoid a long period of dropped footway which will require an increased amount of maintenance.

It is also recommended that redundant vehicle crossings are reinstated as footway and resurfacing to acceptable standards is undertaken on the footway surrounding the site including Darlington Road. These works can be facilitated through a Section 278 agreement.

The applicant has provided a waste management pro-forma and supporting drawing. The details of which are acceptable to the Highways.

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

assessment) of satisfactory routeing both within the site and on the adjacent highway. The document should also consider ongoing construction works and contractor parking in the locality.

It is also requested the applicant provides a dilapidation survey as part of the Construction Management Plan document. The survey should include photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site. It is recommended that the above is conditioned and attached to any planning permission that may be granted.

Policy

Manchester Core Strategy

The adopted Core Strategy contains a number of planning policies relevant to the consideration of the application proposals. These are set out below:

Policy H1 – Housing Provision

This policy identifies that approximately 60,000 new dwellings will be provided in Manchester between March 2009 and March 2027 equating to an average of 3,333 units per year although this rate will vary across the identified period. The policy identifies that the emphasis outside of the City Centre and the City's Inner areas is to increase the availability of family housing. It is expected that 90% of residential development will take place on previously developed land and sites in close proximity to centres and high frequency public transport routes.

The application proposals would contribute to the overall provision of new residential units in the City on previously developed land in a sustainable location close to services and public transport routes including Metrolink and Bus network. The proposals incorporate dwellinghouses. On this basis the proposals are considered to accord with the policy H1 of the Core Strategy subject to consideration of matters set out within the issues section of this report.

Policy H6 - Housing in South Manchester

This policy indicates that 5% of new residential development will take place in South Manchester over the lifetime of the Core Strategy. High density development will generally only be appropriate within district centres. Outside the district centres priorities will be for housing meeting identified shortfalls, including family housing and provision that meets the needs of elderly people with schemes adding to the stock of affordable housing.

The application proposals would provide residential accommodation across the site including larger family housing which is identified as required in South Manchester. On this basis the proposals are considered to be in general accordance with policy H6.

Policy H8 – Affordable Housing

Sets out the Council's approach to assessing applications of greater than 15 residential units and provision of affordable housing or an equivalent financial contribution.

The application does not meet the threshold requiring consideration against Policy H8.

Policy T1 – Sustainable transport

This policy embeds the delivery of a high quality integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking. It indicates support for proposals that: improve choice by delivering alternatives to the car; promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services; improve access to transport services and facilities for all; improve pedestrian routes and the pedestrian environment; facilitate modes of transport that reduce carbon emissions; reduce the negative impacts of road traffic.

Policy T2 – Accessible areas of opportunity and need

This policy indicates that the Council will actively manage the pattern of development to ensure that new development is located to ensure access to the City's main economic drivers; is easily accessible by walking, cycling and public transport; have regard to the need for disabled and cycle parking and the maximum car parking standards set out in the Core Strategy; and, includes proportionate traffic impact assessments and travel plans for all major applications.

The application site is located within a sustainable location close to Burton Road local centre, and the Metrolink and bus networks. It is also accessible by bicycle and on foot enabling future residents to access areas of economic activity in the city by a full range of sustainable transport modes. The level of car parking is considered to be adequate for the sites location and the needs of future residents whilst also providing cycle parking to broaden the range of sustainable transport modes available to future residents. The application is supported by a Transport Statement. It is considered that the proposals accord with policies T1 and T2 of the Core Strategy.

Policy EN1 – Design Principles and Strategic Character Areas

Developments in Manchester are expected to follow the seven principles of urban design and have regard to the strategic character area in which the development is located. The application site is located in the southern character area where development is expected to retain the identity and focus of activity associated with the historic district centres and along the radial routes should be commensurate in scale with the prominence of its location.

The application proposals have been designed to reflect the context and residential character of the area. Consideration of this matter is set out in more detail within the issues section of this report.

EN3 – Heritage

Developments that complement and take advantage of the distinct historic and heritage features of its districts and neighbourhoods will be encouraged. New developments must be designed to support the Council in preserving or where possible enhancing the historic environment.

The applicant has prepared a heritage statement in support of the application which provides a detailed assessment of the historic background and significance of the

building on the site. This matter is discussed in more detail within the issues section of this report.

Policy EN 4 - Reducing CO2 Emissions by Enabling Low and Zero Carbon Development

The Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO2 emissions, and rising fossil fuel prices, through the following actions: All development must follow the principle of the Energy Hierarchy, being designed to reduce the need for energy through design features that provide passive heating, natural lighting and cooling to reduce the need for energy through energy efficient features such as improved insulation and glazing to meet residual energy requirements through the use of low or zero carbon energy generating technologies. Wherever possible new development and retrofit projects, including energy generation plant, must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies.

Where possible new development and retrofit projects will be used as a mechanism to help improve energy efficiency and provide low and zero carbon energy supplies to existing buildings.

Where appropriate new development and retrofit projects will be required to connect to and/or make contributions to low or zero carbon energy schemes and/or to incorporate provision to enable future connection to any existing / potential decentralised energy schemes.

Policy EN6 – Target Framework for CO2 reductions from low or zero carbon energy supplies.

This policy sets out that major developments are expected to meet the targets set out in the policy which are to be demonstrated through an energy statement.

The applicant has prepared an Environmental Standards Statement which sets out the energy strategy for the development based upon a 'Be Lean, Be Clean, & Be Green' approach including building fabric first approach. The ESS recommends that a photovoltaic array is used to reduce grid-electricity usage. There is confirmation that the development would achieve a 10.9% improvement over 2016 Building Regulations.

The development is considered to comply with policies EN4 – EN6 in that clear consideration has been given to how the buildings functions and through a building fabric first approach to reduce overall energy demands.

Policy EN9 – Green infrastructure

This policy indicates that new development will be expected to maintain existing green infrastructure in terms of quantity, quality and function. Opportunities to encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure.

The application site contains existing trees and the revised development proposals would result in the loss of 3 trees on site. The scheme has been amended to retain the trees of greatest value on the site, namely the two Limes recently subject of a Tree Preservation Order. In addition the applicant has submitted a landscaping scheme to mitigate the loss of trees and enhance the green infrastructure and ecology on site.

Policy EN14 – Flood Risk

The policy reflects national planning policy to direct development away from sites at greatest risk of flooding, and towards sites with little or no risk of flooding. Site specific flood risk assessments are required for all development proposals on sites greater than 0.5 hectares.

The site falls within Flood Zone 1 and is at low risk of flooding, the applicant has provided a drainage strategy to accompany the application. Following receipt of this strategy the Councils Flood Risk Management Team raise no objections to the proposals and have recommended a number of conditions be attached to any approval. The application proposals are therefore considered to accord with policy EN14 of the Core Strategy.

Policy EN15 – Biodiversity and Geological Conservation

This policy indicates that the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the city. Developers are expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on site, contributing to linkages between valuable or potentially valuable habitat areas where appropriate.

The applicant has provided an ecological impact assessment alongside the application and further bat activity assessments. The conclusion of these reports identifies the presence of bats on existing buildings on the site. Consideration of this matter is set out in more detail within the issues section of the report..

Policy EN16 – Air Quality

This policy indicates that the Council will seek to improve the air quality within Manchester and particularly Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport. Developers are expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself. When assessing the appropriateness of locations for new development the Council will consider the impacts on air quality this includes cumulative impacts, particularly in AQMAs.

The applicant has provided an Air Quality Assessment of the air quality impact of the proposed development and the potential to expose future users to elevated pollution levels. This matter is considered in more detail within the issues section of this report.

Policy EN18 – Contaminated Land

The policy outlines that the Council gives priority for the remediation of contaminated land to strategic locations. Proposals for development of contaminated land must be accompanied by a health risk assessment.

The application is accompanied by a ground conditions report that has been assessed by Environmental Health and it is recommended that a suitably worded condition be attached to any approval.

Policy PA1 – Developer Contributions

Where needs arise as a result of development, the Council will seek to secure planning obligations in line with Circular 5/2005, Community Infrastructure Levy regulations or successor regulations/guidance.

Where development has a significant impact on the Strategic Road Network developer contributions would be sought through section 278 agreements.

The nature and scale of any planning obligations sought will be related to the form of development and its potential impact upon the surrounding area.

In this instance works are required to the highway and a section 278 agreement will be required to deliver the dropped kerbs and associated redundant crossings within the pavements. Consideration of other matters raised by objectors is set out within the issues section of this report.

Policy DM1 – Development Management

All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

Appropriate siting, layout, scale, form, massing, materials and detail.

Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.

- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of

energy targets this policy should be read alongside policy EN6 and the higher target will apply):-

- a. For new residential development meet as a minimum the following Code for Sustainable Homes standards. This will apply until a higher national standard is required:
 - a. Year 2010 – Code Level 3;
 - b. Year 2013 - Code Level 4;
 - c. Year 2016 - Code Level 6; and
- b. For new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment Environmental Assessment Method) standards. By 2019 provisions similar to the Code for Sustainable Homes will also apply to all new non-domestic buildings.

The applicant has given careful consideration to the design, scale and layout of the development along with providing solutions to prevent overlooking, retain important trees on site, refuse and car cycle parking. Consideration of these matters and others is set out within the issues section of this report.

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

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. 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 DC26, Development and Noise, states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise. Conditions will be used to control the impacts of developments. The proposal has been designed to minimise the impact from noise sources.

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

National Planning Policy Framework

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

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

- an economic objective, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is

available in the right places and at the right time to support growth, innovation; and improved productivity ; and by identifying and coordinating the provision of infrastructure;

- a social objective, supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective, contributing to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, use natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy.

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

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

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

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

Paragraph 127 confirms that planning decisions should ensure that developments: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create

attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 181 indicates that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clear Air Zones, and the cumulative impacts from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas and Clear Air Zones is consistent with the local air quality action plan.

Paragraph 185 of the Framework stipulates that local planning authorities should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.

Paragraph 189, requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 190 states Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal.

Paragraph 192 states that in determining planning applications, local planning authorities should take account of:

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

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

and therefore accord with the main principles and expectations of the revised National Planning Policy Framework.

Other Material Considerations

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

In the City of Manchester, the relevant design tool is the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance. The Guide states the importance of creating a sense of place, high quality designs, and respecting the character and context of an area. The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance provides a framework for all development in the City and requires that the design of new development incorporates a cohesive relationship with the street scene, aids natural surveillance through the demarcation of public and private spaces and the retention of strong building lines and appropriate elevational detailing and strong design particularly to corner plots.

The proposals are considered to have been designed to reflect the sites context and relationships with the surrounding area provide strong built form and high quality of elevational detailing. More detailed consideration of these matters is set out within the issues section of this report.

Residential Quality Guide

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

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

South Manchester Regeneration Framework

South Manchester is identified as an area with a rich and diverse group of neighbourhoods, with a wide range of issues and needs. Some areas are already

successful, so the SRF is needed to help continue and build on this success. Other areas, in contrast, have particular issues that the SRF will help to tackle, such as poor housing and high levels of deprivation and worklessness.

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

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

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

The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:
By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

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

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

Issues

Principle

The application site is previously developed land, located within a sustainable location characterised by a range of types and sizes of residential accommodation. Therefore subject to consideration of the detailed matters set out below the principle for the redevelopment of previously developed land for residential dwellinghouses is considered to be acceptable.

Density and overdevelopment

The application proposals have been amended since submission, this includes the reduction of the number of proposed dwellings from 13 to 12.

During the notifications for the application and the amendments made, the majority of concerns from residents raised relate to the amount of development proposed on the site particularly when assessed against the prevailing character of residential properties in the area. Many comments referred to the disparity between the existing 10 terraced properties on Newton Avenue (nos 1-10) and the application proposals given their relative similarity in size and extent.

An assessment has been undertaken of the density of the application site and other terraced properties which characterise the residential areas on the eastern side of Burton Road closest to the application site. The table below compares site areas, number of properties, and dwelling per hectare figures for each to compare the relative densities of properties within the immediate area.

Site	Site Area (m ²)	Number of houses	Dwellings per hectare
Application site	1,586	12	76
Nos 1-10 Newton Avenue	1,200	10	83
Nos 2-24 Brixton Avenue	1,577	12	76
Nos 1-29 Darlington Avenue	2,046	15	73
Nos 85-113 Burton Road	2,177	15	69

The application site sits mid-way between the most dense (1-10 Newton Avenue) and least dense (85-113 Burton Road) areas of housing within the local area.

In addition to this assessment a plot analysis has been undertaken of those properties on Newton Avenue and the application site. This indicates approximate average plot sizes on the application site of 129 sqm and nos 1-10 Newton Avenue of 118 sqm.

Having regard to the above it is not considered that the density of the proposals are significantly at variance with the prevailing residential areas closest to the application site.

Lack of car parking provision

The proposal includes off street car parking for each of the proposed properties. Following amendments the centrally located pair of semi-detached properties are laid out with driveways to the side, this allows car parking space for two cars to each of these houses. The provision of off street parking is important particularly given the existence of prohibition of waiting on this section and side of Burton Road. Highway Services have confirmed that they accept this level of car parking provision (14 spaces for 12 dwellinghouses) for the development.

It is also important the proposal can cater for on-site car parking to avoid reliance for this to be on street; this is particularly as other terraced properties in the area notably to the east of the application site have no off street parking provision. Further it is acknowledged that there is a high demand for on-street parking in the area.

A number of comments have suggested that the proposed dwellings would result in high car parking demands as they are likely to be occupied by families or young professionals where more than one car is owned. The most recent information available with regards to car ownership in the Old Moat Ward is that from the 2011 Census. At that time this indicated that 40.9% of the Old Moat households did not own a car; 41% own one car; and 13.6% own two cars. It is recognised this data is now 7 years old and the situation is likely to have changed. Notwithstanding this the proposal would an on-site provision with 10 properties having 1 parking space (83%) and 2 properties with 2 (17%).

Generally the Council expects development proposals to balance the expectation for off street car parking provision with the need to reflect the Council's commitment to sustainable transport, reducing emissions and congestion. It is not considered that the level of off street car parking provision proposed would warrant refusal of the application proposals.

Impact on Trees

The amended application proposals retain the two important Lime trees to the south west corner of the site recently confirmed with a Tree Preservation Order. Whilst other trees on the site were not considered worthy of protection the applicant has indicated on the submitted drawing and tree information that only three trees are proposed to be removed as a result of the development. In addition a landscaping scheme has been provided alongside the application which details further trees (8 no. to be planted), hedge and shrub planting.

The applicant has submitted an Arboricultural Impact Assessment and details of tree protection during construction works. The Council's arborist raises no objection to the proposals with regards to trees, suitably worded conditions are proposed in relation to the landscaping scheme and tree protection measures to be in situ during construction works.

Highway Safety

The application proposals including the provision of driveways onto Burton Road have been considered by the Council's Highway Services. They have reviewed the

highway safety data available to them and assessed the prevalence of other driveways along Burton Road in close proximity to the site and raise no objection to the proposals on highway or pedestrian safety grounds.

Highways Services have confirmed that given parking pressures in the area the provision of driveways are acceptable in this location as surrounding properties have driveways on to Burton Road. Driveways would limit unnecessary on street parking occurring.

Comments have been made with regards to servicing of the dwellinghouses. It is acknowledged that due to the presence of parking restrictions to the front of the site the ability to service the properties is limited. However, this situation is similar to other residential properties on Burton Road and is considered to be acceptable from a highway and pedestrian safety point of view.

The design, quality and layout of the proposed dwellings

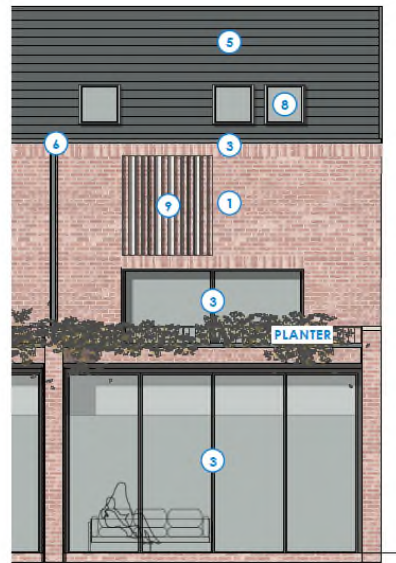
The applicant has prepared a Design and Access Statement to accompany the revised proposal; this sets out the approach undertaken in analysing the site context and character of the area to inform the submitted proposals. The level of detail provided and analysis undertaken is proportionate to the application proposals and sets out a rationale for the siting of the proposed residential properties and the response to the site constraints including relationships to the residential properties to the rear.

The design approach is a contemporary one using a traditional terraced form of dwellinghouse broken up with a central pair of semi-detached properties. The drawings below show two of the proposed house types which indicate the overall design approach including the use of traditional materials including brick detailing throughout the elevations to reflect the use of a variety of techniques used on the existing terraces in the area and which add further visual interest. All of the proposed dwellinghouses have level access from the front door and accessible ground floor toilet.

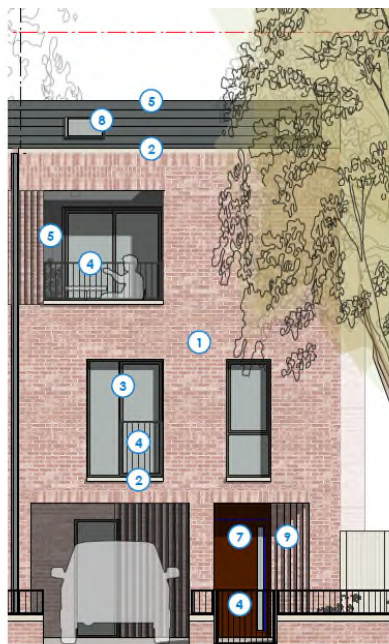
The application proposals are for 4 bedroom 7 person dwellinghouses spread over three floors. All of the property types proposed would exceed the nationally described space standards for this size of property (which is 121 sqm) ranging from 133 -162 sqm floorspace. The proposals are therefore considered to reflect the Residential Quality Design Guide adopted by the Council.



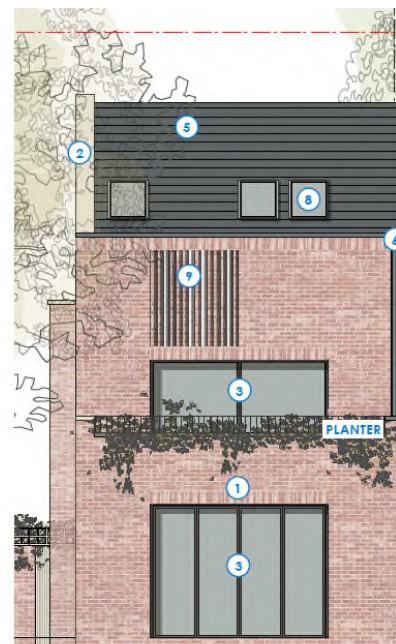
PROPOSED FRONT ELEVATION
1:100 @ A3



PROPOSED REAR ELEVATION
1:100 @ A3



PROPOSED FRONT ELEVATION
1:100 @ A3



PROPOSED REAR ELEVATION
1:100 @ A3

Typical elevations of the proposed dwellinghouses

The front elevations of the dwellinghouses are three storeys and would be set higher than the other terraced properties on this eastern section of Burton Road. The applicant has provided a street context drawing that reflects this relationship (see below). Whilst the front face of the building would be higher than the corresponding eaves line than neighbouring existing properties the overall lower ridge level of the proposed properties would assist the assimilation of the proposals into the street scene. It should be noted that Burton Road does have a variety of two and three

storey buildings both older and newer properties including those facing the site on the corner of Malvern Grove. The proposed heights would therefore not be a significant variance from that found elsewhere on Burton Road.



Streetscene section drawing showing relationship of proposed properties to existing properties on the northern and southern extents of the site.

Concerns have been raised with regards to the impacts the proposals have on the established building line on Burton Road particularly that which exists to the north and south of the site. The current building on the site reflects the historical development of the site with the public house once forming a series of cottages facing north, as a result the gable wall of the building sits on the back of pavement breaking the building line evident to either side of the site.

The applicant has amended the design of the dwellinghouse closest to number 59 Burton Road by introducing a step back on its north eastern corner as a visual reference to this difference in building line. The site layout plan below shows the building line of the proposed dwellinghouses in relation to those properties either side which is approximately 4 metres forward of number 59 Burton Road and 3 metres forward of 85 Burton Road.

Each proposed property would have access to outside private amenity space, whilst these areas are constrained they reflect the nature of rear yards on existing terraced properties in the area. The proposals do incorporate a landscaping scheme for these areas and the provision for bin and cycle storage.

The proposed dwellinghouses have been sited to reflect the relationships with the existing properties on Newton Avenue to allow sufficient space between the rear elevations of both proposed and existing properties and also in order to ensure that each property has off road car parking space. These constraints have resulted in the front elevation of the dwellinghouses being forward of the building line set by existing terraced properties on Burton Road to the north (nos 55-59) and to the south across Darlington Road which forms a natural break between the proposed terraced properties and those located to the south of Darlington Road. It is considered that the

proposed development would form its own strong linear building line reflecting that found along Burton Road.



Site layout drawing showing building line relationships between the proposed site and existing properties

It is considered that the design, siting, scale and heights of the proposals have been informed by the context of the site and the prevailing character of the area.

Loss of light and overshadowing to neighbouring properties:

Given the constrained nature of the site particularly in its depth a number of comments have been received with regards to impacts on light and overshadowing of adjacent existing residential dwellings including those to the north on Burton Road and to the rear of the site along Newton Avenue. A specific concern has been raised with regards to rights to light.

As a result of those concerns the applicant was requested to undertake an assessment of the impacts on daylight to neighbouring properties. Following receipt of this document neighbours and consultees were re-notified.

The submitted report assesses the potential reduction in daylight to surrounding properties as a result of the proposed development. The report considered the impacts on 1-10 Newton Avenue, 57-59 & 74-80 Burton Road and 1-2 Malvern Grove. The report has been reviewed against the Building Research Establishments (BRE) daylighting and sun lighting standards, this is recognised good practice. The BRE guidelines provide two principal measures of daylight for assessing the impact of a proposal on neighbouring properties – namely Vertical Sky Component (VSC) and No-Sky Line (NSL).

VSC is a measure of the skylight reaching a point from an overcast sky. For existing buildings, the BRE guideline is based on the loss of VSC at a point at the centre of a window, on the outer plane of the wall.

No-Sky Line (NSL) is a measure of the distribution of daylight within a room. As it maps out the region within a room where light can penetrate directly from the sky, it therefore accounts for the size of and number of windows by simple geometry.

The analysis of the proposed development has resulted in only two areas of difficulty in meeting the BRE criteria; these relate to two windows in 59 Burton Road. No other non-conformities for windows in other dwellings (a total of 2 out of 61) have been identified. In respect of the windows impacts at 59 Burton Road the report concludes that:

- The impact to the majority of the windows is minimal and fully accords with the BRE VSC criteria

The two ground floor windows to the side elevation of number 59 Burton Road appear to be to a dining room and lounge window and it is these that would be impacted by the proposed development. The submitted assessment indicates that both of the rooms have other primary windows facing away from the proposed development which would themselves not be affected by the proposal.

The windows referred to above would be approximately 2.8 metres away from the proposal, this is similar to other gable to gable relationships between terraced properties in the area. It is considered that the impact of the development proposed on these windows is acceptable in this instance due to their being other windows serving the same rooms which are not impacted by the proposals.

It is acknowledged that the proposed development would have a close relationship to the rear of properties on Newton Avenue.

The distances between the ground floor of the proposed dwellinghouses and the ground floor rear of the existing houses on Newton Avenue ranges between 10 metres at the southern end of the site and approximately 13 metres at the northern extent.

The distances between the first floor of the proposed dwellinghouses and the ground floor of existing properties is 11.4 metres at the southern end of the site and approximately 15.1 metres at the northern extent.

The distances between the first floor of the proposed dwellinghouses and the first floor rear of the existing houses on Newton Avenue ranges between 13.6 metres at the southern end of the site and approximately 15.1 metres at the northern extent (due to the existence of a single storey ground floor rear outrigger at number 1 Newton Avenue).

These distances are similar to the prevailing character of the area but it is acknowledged that due to the constraints of the site the distances between the proposed dwellings and those on Newton are less in many cases than existing terraced properties.

The applicant has attempted to address these issues through amending the design of the properties at the rear to reduce their overall height to two storeys and remove windows from the upper floor and replacing these with roof lights. In addition they have removed a balcony at first floor but have retained an external planter. Some concerns have been raised by residents with regards to the future potential use of these planters as external balconies. Although the plans indicate sliding windows to serve these balconies, these windows would not be full height windows restricting access to the planter.

If minded to approve it is recommended an appropriately worded condition would be necessary to ensure that windows to these areas are not altered in the future and that the external area is only used for planting landscaping and not for external amenity space. In addition to this the reduction in the number of proposed dwellings in the revised proposals has allowed the introduction of a central pair of semi-detached properties which form as a visual break between the two sets of 5 terraced dwellinghouses to the north and south of the site. These visual breaks together with the other amendments made by the applicant to further assist in reducing the overall impact in terms of overshadowing and loss of light to the existing properties on Newton Avenue

On the basis of the information provided it is recognised that there would be some loss of light to windows at number 59 Burton Road, however, for the reason set out above it is not considered the impact would be such to warrant a refusal of consent

Loss of privacy and residential amenity

As set out in the previous section the applicant has amended the proposals; this has not only reduced the impacts of loss of light and overshadowing but has also reduced impacts on privacy particularly on the existing properties on Newton Avenue.

It is considered that whilst distances between properties are limited, the reduction in the number of windows and the arrangement of first floor windows set back behind external planters would reduce overlooking of private garden areas and existing windows and dormer window of the properties on Newton Avenue.

The front elevations of the proposed dwellinghouses incorporate balconies and windows overlooking Burton Road. This would increase the natural surveillance of the street but given the distances across a busy road are not anticipated to give rise to overlooking or loss of privacy to residential properties on the western side of Burton Road. The end property to the south of the application site incorporates side bay windows overlooking Darlington Road, this reflects a similar bay window arrangement of the existing end terrace on Newton Avenue, again given distances to number 85 Burton Road across Darlington Road the proposed bay window is not considered to give rise to unacceptable impacts in terms of overlooking or loss of privacy and would provide further natural surveillance of the road.

Concerns have been raised with regards to the impacts of the proposed dwellinghouses on the residential amenity of properties on Newton Avenue. It is inevitable the development would give rise to a change in the general environment given the sites past use as a public house and car park to residential properties. However, such a change is not considered to be one that would lead to undue noise and disturbance.

In itself the public house and car parking area would have provided the potential to generate late night noise and associated comings and goings and activity. It is therefore considered that the proposed dwellinghouses would not give rise to unacceptable impacts on residential amenity.

Ecology

The application is accompanied by a Preliminary Ecological Appraisal and a subsequent Ecological Assessment due to the identification of the existing public house building on site having a moderate potential for roosting bats. The ecology reports and the survey work undertaken was by experienced ecologists and supervised by licenced bat workers following best practice methodology which has been confirmed by the Councils specialist ecological advisors at the Greater Manchester Ecology Unit (GMEU).

The assessment identified the presence of one small common pipistrelle roost on the north-eastern aspect of the roof of the site building. As works to the building would result in the permanent loss of a non-maternity day roosts of a common pipistrelle bat, it is necessary to apply to Natural England for a licence before commencing works on site.

GMEU have confirmed that all species of bats are European Protected Species (EPS) under the Conservation of Habitats and Species Regulations, 2017, which protects individual bats from killing, injury or disturbance and also protects their habitats, in this case their roosts. Additionally the presence or otherwise of protected species is a material consideration when determining a planning application.

GMEU advise that a EPS licence may be required, and under the EC Habitats Directive 1992 a licence may be applied for if:

- i. It is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment, and provided that there is
- ii. No satisfactory alternative and,
- iii. No detriment to the maintenance of the species population at favourable conservation status in their natural range.

It is further advised that if the three tests above are satisfied then there is no impediment to planning permission arising under the Directive and regulations referenced above.

The bat roost is located within a building proposed to be demolished as part of the redevelopment of the site. The proposals would enable the sustainable redevelopment of a previously developed site that is now vacant, to provide family type residential accommodation. The need for additional residential accommodation within the City is set out within the adopted Core Strategy and particular policies H1 and H6. It is therefore in the overriding public interest that the existing building be removed in order to deliver against the planning objectives and policies of the area contained within the adopted Core Strategy development plan document.

Information provided by the applicant has indicated that the existing building on the site is unable to be retained as part of the proposals for the site. The building is unsuitable for conversion to a residential use and its retention would reduce the number of suitable dwellings that could be accommodated on the site. This would

affect the ability of any proposals to be delivered on the site and the consequential public benefits that would arise.

GMEU have confirmed that the mitigation proposed in section 5.2.1 of the submitted Ecology report would ensure that the third test of no detriment to the population is satisfied. A condition should be used to ensure no development takes place until a mitigation strategy for roosting bats has been submitted to the Council for approval (this could take the form of the Natural England licence application). Once approved in writing by the Council, the mitigation strategy must be carried out in full.

On the basis of the above it is considered that the three tests of the Habitat Directive would be satisfied and there is no impediment to the granting of planning permission in relation to the impacts on a European Protected Species.

GMEU have also provided further recommendations in relation to ensuring vegetation and tree clearance is undertaken outside of bird nesting season, that pre-construction checks are undertaken for hedgehogs and that biodiversity enhancements detailed within the submitted landscaping scheme and ecology report are implemented. Conditions to deal with these matters are proposed to be attached to any approval of the proposals.

Loss of the former Public House building

A Heritage Statement has been produced by the applicant and submitted to accompany the planning application for the proposed development. This statement has been prepared following the standards and guidance of the Chartered Institute of Archaeologists, Historic England guidance on the setting of heritage assets has also been considered. The level of information provided is considered to be proportionate to the application proposals and the building on the site.

This Heritage Statement sets out the historic background of the building and confirms that it is not within a conservation area, is not a designated heritage asset, a locally listed building, or a non-designated heritage asset recorded in the Greater Manchester Historic Environment Record (HER). The building also does not feature within MCC's 'List of Assets of Community Value'.

The Heritage statement includes a number of historic maps which identified buildings on the site from 1818 onwards, including a line of terraced properties on the southern portion of the site which now form part of the car park on the site. These properties were present on the 1957 Ordnance Survey plan but no longer appear on the 1992 map. The building was likely constructed as worker's housing, and originally stood as one of two terraced cottages, which by 1888, was known as Filbert Place. From the evidence available the buildings on the site were converted to a public house in the 20th century and were subject to extensions and alterations up to the present day.

The Heritage statement considered the building which it considers to contain very limited evidential, aesthetic, historic and communal values. Whilst historic fabric of the building remains, as a consequence of the remodelling and additions, the assessment concludes that the building does not demonstrate worthy evidential, historic or architectural value that would warrant its retention.

In order to mitigate the loss of the building the applicant has proposed an appropriate level of historic building recording. The building recording comprises an internal and external observation of the building, and the production of a written and photographic record. The provision of such a historic building record is supported by the Council's advisors at the Greater Manchester Archaeological Advisory Service which has already been provided with this building record from the applicant and lodged it within the Greater Manchester Historic Environment Record. GMAAS have confirmed that no further survey work or watching brief during demolition is required, however, GMAAS have indicated that the site has below ground archaeological interest which should be assessed through evaluation trenching to define the character, extent, date, function and relative significance of below ground remains. Such work would be secured through an appropriately worded condition.

The loss of an old building within the area would clearly have an impact on its character. However, the setting of the building has altered greatly since it was built through the addition of other residential properties in the area including that which now forms the car park. The building itself has also been greatly altered being originally constructed as workers cottages and subsequently being converted to a public house at some point in the 20th Century. As such the mitigation proposed through the historic building record and other assessment of below ground archaeology prior to the redevelopment of the site is considered appropriate in this instance.

Security

The applicant has supplied a Crime Impact Statement prepared by GMP Design for Security alongside the application. A number of comments were made relating to the recessed car parking area and doorway to the front of the properties. The applicant has responded to these through the inclusion of additional non-opening windows and lighting to recessed areas. The front doorways can be viewed from the public footpath alongside Burton Road and the design of the building within this recess prevents areas of concealment. An appropriately worded condition is proposed to be attached for the development to achieve secure by design accreditation.

Section 106

A number of responses have indicated the development should be subject of a section 106 in respect of traffic calming measures and/or funding towards Old Moat Park due to the loss of the public house as a community facility.

Section 106 agreements assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Section 106 agreements may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out in national legislation.

In this instance the Highway Authority has raised no objection to the proposals on highway safety grounds or have identified a requirement for traffic calming as a result

of the development. The former use of the site as a public house would have generated traffic movements associated with the car park. The proposed residential development is not anticipated to generate significantly greater traffic movements than could have previously taken place on the site. It is not considered therefore that the requirement for traffic calming is necessary to make the proposed development acceptable.

The former use of the site as a public house would not result in the loss of public open space or facilities as the site was privately operated as a business. There is therefore no basis for the development to provide improved facilities in Old Moat Park would and this could not be considered to be fairly or reasonably related in scale and kind or necessary to make the development acceptable in planning terms.

As such the requirement for a section 106 agreement for the development is not considered to meet the test required under planning legislation and could not be reasonably requested in this instance.

Waste management

The amended application proposals incorporate adequate external space for the storage of waste receptacles in the rear gardens of each of the properties. As a result of changes to the proposals 8 no. properties are proposed to have bins collected on Darlington Road, accessed via the rear alleyway and 4no. properties would have bins collected on Burton Road. These arrangements Highway Services and Environmental Health have confirmed that these arrangements are acceptable.

Construction Management

Due to the location and position of the site it is considered necessary that details of a construction management plan are submitted for approval via an appropriately worded condition to ensure matters raised by Highway Services are addressed and that appropriate mitigation is in place to reduce disamenity to nearby residents.

Use of the dwellinghouses as HMOs

A concern has been raised that the proposed dwellinghouses could be used as Houses in Multiple Occupation in the future and that this would be unacceptable in this area.

The application proposals are for C3 dwellinghouses. Due to the existence of the Article 4 direction the change of use of any C3 residential property to a C4 House in Multiple Occupation in Manchester would require planning permission. In order to reflect the nature of the proposals submitted it is recommended that a condition be attached to any approval that the dwellinghouses are retained for C3 residential use.

Affordable Housing

The application proposals are for market housing. The planning policies currently in place in the City are set out within the Core Strategy development plan document

policy H8. This sets out the criteria for assessing applications and the thresholds for when affordable housing should be considered.

In this instance as the proposals are for 12 dwellinghouses and are on a site that is less than 0.3 hectares in size policy H8 is not applicable in this instance.

Air Quality

The applicant has prepared and submitted an Air Quality Assessment alongside the application. The assessment considers the effects of construction and traffic generation and concludes that the construction and operational phase of the proposed development are expected to have an overall 'not-significant impact' on the surrounding area following the application of the mitigation measures including best practice during construction and demolition works and through the choice of tree species that would aid absorption pollutants. The proposed tree species for the site reflect the recommendations of the AQA.

The AQA confirms that the site is suitable for residential use with regards to air quality.

Other Matters

Accuracy of submitted information

There have been criticisms from residents with regards to the accuracy of some of the information contained within the planning submission. In particular concerns have been raised with regards to the measurements contained in the submitted documents relating to the distances between existing various terraced properties in the area. The concern raised is that this inaccuracy would unduly impact on the assessments made in terms of the prevailing context and character of the area and relationships between properties.

As set out in the previous sections an assessment has been undertaken on the proposed development and impacts on the existing properties and the character of the area. This assessment acknowledges the general character of the area and prevailing relationships between existing terraced properties. Differences of relationships between existing and proposed dwellinghouses is acknowledged in the assessments above. This assessment has not solely relied upon measurements in the applicant's submission and has utilised the Council's own geographic information system to undertake measurements. It is acknowledged in the assessment that there are similarities in the characteristics between existing and proposed properties but also that they do differ.

Criticisms of the extent of the notification undertaken by the Council

The application proposals have been subject to site notice, advertisement in the Manchester Evening News and notification to neighbours, the extent of which is set out at the end of this report. In addition the applicant carried out its own consultation exercise with residents prior to the submission of the application proposals. The number and extent of residents notified of the application is considered to be proportionate to the application proposals and do go further than that required within the planning legislation.

Conclusion

It is acknowledged that the application site poses some challenges given its configuration. It is also recognised that given its past use as a public house which comprised a single building and car park, any development will have a noticeable impact.

Concerns have been raised with the applicant and amendments have been made to the proposal since first submitted. These amendments seek to address these concerns and have resulted in: the reduction of the number of dwellinghouses proposed from 13 to 12; reduction in height of the rear of the dwellinghouses by 1.4m; omission of rear balconies and second floor windows to overcome issues of overlooking and loss of privacy; site layout changes to retain TPO trees and provide two terraces of 5 dwellings and a central pair of semi-detached properties with private driveways; the end property adjacent to No. 59 Burton Road has been reconfigured to improve the transition between the building line of the two properties; the overall height of the proposed houses has been reduced by 1.32m; and additional non-opening windows overlooking the recessed parking spaces.

The report has set out to address the issues for consideration and for the reasons set out it is considered, on balance, that the proposals are acceptable and accord with national and local planning policies.

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

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

Recommendation APPROVE

Article 35 Declaration

The application has been determined in a positive and proactive manner as required by Article 35 of the Town and Country Planning (Development Management Procedure) Order. In this instance concerns were raised with the applicant and

further information requested to support the application in terms of impacts on daylight to neighbouring properties. The applicant amended the proposals in response to specific issues and the application has been determined in accordance with the development plan and appropriate conditions are proposed.

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: 119450/FO/2018 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division

Conditions to be attached to any approval

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

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

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

Drawings:

L1105A 'Proposed Ground Floor Plan'; L1006 A Proposed First Floor Plan'; L1007A Proposed Second Floor Plan'; L1010A 'Proposed Boundary Treatments'; L1020 A 'Waste Management Strategy'; L1100 A 'House Type A Plans and elevations'; L1101A 'House Type A variant plans and elevations'; L1110A 'House type B plans and elevations'; L1120A 'House type C Plans and elevations'; L1130 House type D plans and elevations'; L1500 A 'site section'; L1600A 'elevation –Burton Road'; L1605A 'elevation – Darlington Road'; L1610A 'elevation –from footpath'; L1620 A 'context elevation Burton Road' All prepared by OMI Architects received by the City Council as local planning authority on the on 22nd June 2018

Contaminated Land report prepared by Argyll Environmental reference AEL-0082-TSC-923437; Crime Impact Statement prepared by GMP Design for Security Version A dated 9th March 2018; Preliminary Ecological Appraisal Rev 1 prepared by Urban Green; Heritage Statement January 2018 prepared by Wardell Armstrong; all received by the City Council as local planning authority on the 20th March 2018

Design and Access Statement Revision A prepared by OMI architects received by the City Council as local planning authority on the 25th June 2018

Air Quality Assessment prepared by REC ref: AQ105603R2; Arboricultural Impact Assessment Rev 3 June 2018 and Arboricultural Monitoring Schedule both prepared by Urban Green; Planting Plan Rev A; Noise Impact Assessment prepared by The Energy Council Ref Z21365A; Transport Statement prepared by SCP 18069/TS/1/VAL; Archaeological Desk Based Assessment March 2018 prepared by Wardell Armstrong; Daylight Analysis prepared by The Energy Council Ref:

Z21365.1A; Drainage Strategy plan L1030 Rev A; Drainage Strategy Report Rev 1 prepared by Scott Hughes; Ecological Assessment Rev 1 prepared by Urban Green; Environmental Standards Statement - Ref: Z21365.1 Rev.2 prepared by Energy Council all received by the City Council as local planning authority on the on 22nd June 2018

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

3) No development (including demolition of the building on site) shall take place until a mitigation strategy for roosting bats has been submitted to and approved in writing by the City Council as local planning authority. The demolition and development shall be undertaken in accordance with the agreed details.

Reason – In order to mitigate the loss of a bat roost on the site pursuant to the Conservation of Habitats and Species Regulations 2017 and to enhance the biodiversity of the site pursuant to policy EN9 of the Core Strategy.

4) No development shall take place until the full details of a surface water drainage scheme has been submitted to and approved in writing by the City Council as local planning authority.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

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

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

6) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained within the approved drawings, documents and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the use or occupation of the phase of development within which the retained tree is located 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. Evidence of the installation of fencing shall be supplied in writing to the City Council as local planning authority prior to any works commencing on 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 SP1 and DM1 of the Core Strategy

7) No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with Written Schemes of Investigation (WSI) submitted to and approved in writing by the City Council as local planning authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
 - a. archaeological evaluation through trial trenching
 - b. dependent on the above, targeted more detailed area excavation and recording
 - c. A programme for post investigation assessment to include:
 - d. production of a final report on the significance of the below-ground archaeological interest.
2. Deposition of the final report with the Greater Manchester Historic Environment Record.
3. Dissemination of the results of the archaeological investigations commensurate with their significance.
4. Provision for archive deposition of the report and records of the site investigation.
5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: In accordance with NPPF, to record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible.

8) No demolition of the building on site or removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is

cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended and to comply with policy EN15 of the Core Strategy.

9) No removal or works to any hedgerows and shrubs on site shall be undertaken until a pre-commencement check for hedgehogs in accordance with the recommendations contained within paragraph 5.2.3 of the Ecological Assessment prepared by Urban Green has been carried out.

Reason – To avoid harming the species during works pursuant to The Wildlife and Countryside Act 1981 as subsequently amended and to comply with policy EN15 of the Core Strategy.

10) Prior to the commencement of any development a Construction Management Plan shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the agreed Construction Management Plan and shall include:

- The routing of construction traffic;
- Detail the quantification/classification of vehicular activity associated with the construction including commentary on types and frequency of vehicular demands together with evidence (appropriate swept-path assessment);
- Details of the location and arrangements for contractor parking;
- The identification of the vehicular access points into the site for all construction traffic, staff vehicles and Heavy Goods Vehicles;
- 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;
- Specify the working hours for the site;
- The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete
- Identify advisory routes to and from the site for staff and HGVs;
- A highway dilapidation survey including photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

Reason - In the interest of pedestrian and highway safety, and to ensure that the proposed development is not prejudicial or a nuisance to adjacent dwellings pursuant to policy DM1 of the Core Strategy. Details are required prior to works commencing on site as the impacts of construction works to deliver the development require mitigation.

11) Prior to the commencement of development 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.

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

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

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

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

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

13) Within one month of the commencement of development full details of all highway works required to facilitate the development and the timescales for their implementation shall be submitted to and approved in writing by the City Council as local planning authority. The details shall include:

- Dropped kerbs to Burton Road
- Renew road markings on Burton Road
- Removal of existing guardrails
- Making good of redundant vehicular crossovers
- Details of street lighting

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

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

14) Within one month of the commencement of development a scheme detailing the type and location of nest and bat boxes to be provided on site and a timescale for their installation shall be submitted to and approved in writing by the City Council as local planning authority. The measures shall be subsequently undertaken in accordance with the approved details.

Reason – To enhance the biodiversity of the site pursuant to policy EN9 of the Core Strategy

15) Notwithstanding the approved plans, prior to the installation of any lighting to the building and external areas full details of type and location of the lighting to be installed shall be submitted to and approved in writing by the City Council as local planning authority.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved details and these shall be maintained thereafter.

Reason – In the interests of crime safety and prevention pursuant to policy DM1 of the Core Strategy.

16) The details of the hard and soft landscaping treatment scheme as set out within the approved drawing references: 'Planting Plan' 01 Rev A prepared by DEP landscape and L1005 Rev A 'ground floor plan' shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

17) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a. Verification report providing photographic evidence of construction as per design drawings;
- b. As built construction drawings if different from design construction drawings;
- c. Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

18) The dwellinghouses hereby approved shall incorporate the scheme for acoustically insulating the development against noise from Burton Road as set out within the approved Noise Impact Assessment prepared by the Energy Council ref Z21365 dated 12 March 2018. A post completion report shall be submitted and approved in writing by the City Council indicating that the approved mechanical ventilation system has been installed and has not given rise to an increase in internal noise levels within the residential properties.

Reason – To secure a reduction in noise from traffic and other sources in order to protect future residents from noise disturbance pursuant to policy DM1 of the Core Strategy and saved UDP policy DC26.

19) The storage and disposal of waste shall be undertaken in accordance with the approved Waste Management Strategy and drawings submitted with the application and shall remain in situ whilst the development is in operation.

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

20) Prior to the first occupation of the development hereby approved the cycle parking provision as detailed within the approved drawings and documents shall be installed.

Reason – To assist promoting the use of sustainable forms of travel to the development pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD

21) The boundary treatment details as set out on drawing reference L1010 Rev A shall be carried out in accordance with the agreed details and the boundary treatment to each residential unit shall be completed prior to their first occupation.

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 development is located in order to comply with policy DM1 of the Core Strategy.

22) The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.

Reason - To reduce the risk of crime, pursuant to policy DM1 in the Core Strategy Development Plan Document for the City of Manchester.

23) The external 'planter' areas identified on the first floor rear elevation of plots 1 to 12 on approved drawing references L1100 A 'House Type A Plans and elevations'; L1101A 'House Type A variant plans and elevations' ; L1110A 'House type B plans and elevations'; L1120A 'House type C Plans and elevations'; L1130 House type D plans and elevations' shall be submitted to and approved in writing by the City Council as local planning authority shall not at any time be used as terraces or balconies or for any other external amenity use by occupiers of the hereby approved dwellinghouses.

Reasons – In the interests of residential amenity and to reduce overlooking or loss of privacy to nearby residential occupiers pursuant to policy DM1 of the Core Strategy.

24) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) none of the dwellinghouses shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

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

25) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extensions or additional development other than those hereby approved shall be erected under Part 1, Classes A (extensions), B (alterations to the roof) and E (outbuildings) of the Order without the prior written express consent of the City Council as Local Planning Authority.

Reason - Alterations to the proposed development could have an adverse impact on the visual amenity of the area and the privacy of adjoining properties contrary to the provisions of Core Strategy policy DM1 and saved Unitary Development Plan policy DC1.

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

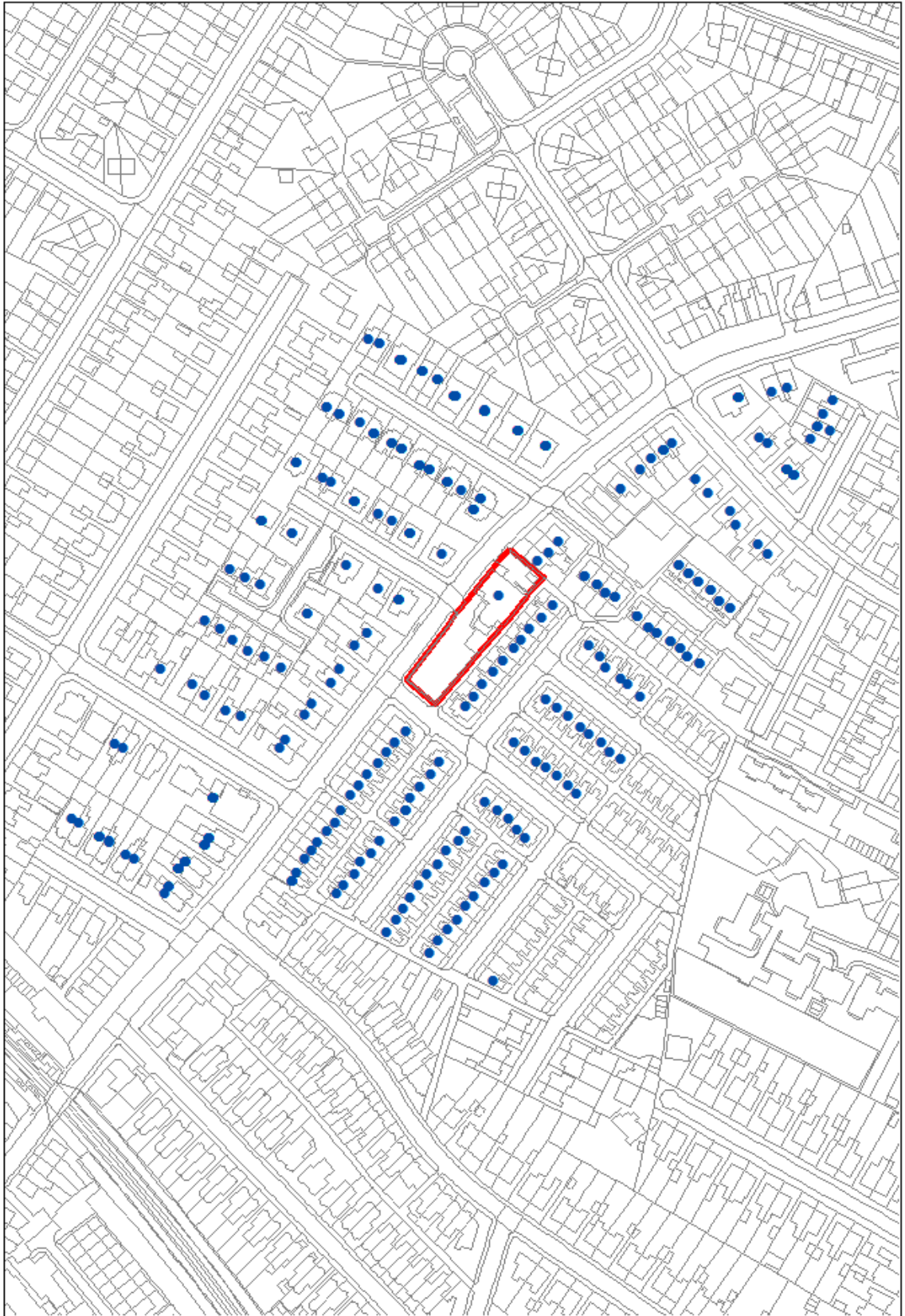
Corporate Property
Environmental Health
MCC Flood Risk Management
Highway Services
South Neighbourhood Team
Neighbourhood Team Leader (Arboriculture)

Greater Manchester Police
Greater Manchester Archaeological Advisory Service
Greater Manchester Ecology Unit
Withington Civic Society
West Didsbury Residents Association

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

Representations were received from the following third parties:

Relevant Contact Officer :	Robert Griffin
Telephone number :	0161 234 4527
Email :	r.griffin@manchester.gov.uk



 Application site boundary  Neighbour notification
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