

Application Number	Date of Appln	Committee Date	Ward
128864/OO/2020	11th Dec 2020	3rd Jun 2021	Gorton & Abbey Hey Ward

Proposal Outline application with all matters reserved except for access and layout for a residential development comprising 25 x 2 storey dwellinghouses (Class C3)

Location Land Opposite 83-87 Vine Street, Manchester, M18 8SR

Applicant Mr Hogarth , Kirkland Developments Ltd, 5a Woodford Road, Bramhall, Stockport, SK7 1JN

Agent Mr Michael Stewart, Michael Stewart Architecture Ltd, 75 Parsonage Road, Heaton Moor, Stockport, SK4 4JL

Executive Summary

Outline planning permission is sought for access and layout only, in connection with the development of 25 two storey houses accessed from Vine Street. All other matters are reserved. The main issues arising from the proposals are the delivery of 25 affordable 2,3 and 4 bedroom family houses , the location of the proposed access from Vine Street and associated retention of street trees , the potential for a pedestrian connection to Gorton Station, the potential of a culvert being present on the site and finalised ground levels in proximity to the southern boundary of the site. 86 neighbouring occupiers were notified of the application proposals. As a result of this process there has been a limited level of interest in the application, with 2 objections from local residents in regard to overdevelopment, traffic and parking, the location of the proposed access and public safety; an email supporting the principle of development, but seeking a pedestrian connection to Gorton Station; and 3 emails from a resident raising matters regarding drainage , site levels and biodiversity over the notification period.

Local ward members have also commented on the scheme.

A full report is attached for Members consideration.

Site Description

The site is bounded by the Manchester to Marple railway to the north , a recently built housing development comprising 46 dwellinghouses to the south (planning ref 104855/FO/2014/N2) , traditional terraced housing to the east , and the Enterprise Trading Estate to the west .With the exception of the small trading estate and a terrace of small local shops on Constable Street further to the west, the area is largely residential.

The topography of the developable area of the site is predominantly flat. The site is irregular in shape and is a brownfield site. The land has no buildings, and has been vacant since railway maintenance buildings have been removed and the branch railway line dismantled with the subsequent infilling of the cutting, in approx. 1999.

The previous use of the land was an electricity transformer and railway maintenance buildings used by British Rail/ Rail track until the 1990's.

The northern area of site comprises a steeply sloping embankment running from east to west (which falls away to the Manchester to Marple rail line), which cannot be developed. There is also a 10m no build zone required by Network Rail, which is measured from the fence line forming the boundary to Network Rail's land at the bottom of the embankment.

Access is currently provided from Vine Street directly to the south of the railway cutting. The site is not located within a Conservation Area, and there are no listed buildings in close proximity to the site.

The site has previously been granted planning approval for a part single part two storey specialist rehabilitation and recovery facility (Class C2) in July 2013 (ref: 102193/FO/2013/N2), but this development was not implemented.

Description

Outline planning approval is sought for layout and access in connection with developing the site for 25 dwellinghouses. All other matters including appearance, scale and landscaping are reserved. A variety of house types are proposed, comprising a mix of 15 two bedroom, 9 three bedroom and 1 four bedroom houses. All would meet the Council's approved space standards. A parameters plan has been submitted which indicates that the proposed properties would be two storeys in height.

Access would be taken from Vine Street at a location to the south of the existing access to the site, and the existing dropped cross over would be reinstated. The layout would be in the form of a spine road running east west from Vine Street through the centre of the site, which would terminate in a turning head at the western end of the site, with houses located to the north and south of the proposed road, orientated to face onto the street. Each house would have a front and rear garden.

The tenure for all the proposed houses would be affordable rent being delivered through a registered provider (Southway Housing).

Consultations

The application has been advertised on site on 17th December 2020, and in the press on 22nd December 2020.

Local Residents – Two objections have been received from local residents on the grounds of overdevelopment, traffic and parking, transport policy and public safety. One resident advises that generally they welcome the redevelopment of the site for housing. However, following the addition of 62 homes in a previous development on Vine Street within the last five years, they are concerned about a further 25 dwellings being proposed without addressing the lack of increase in amenities, road, or pavement infrastructure.

They state that the proposed development has been designed to accommodate households with cars, thus leading to 25 extra vehicles, and that as the recent housing development to the site has multi car households they are concerned that this proposal will lead to more than 25 vehicles at the site, which would lead to further pavement parking on Vine Street impeding pedestrians, particularly wheelchair users and those with prams. They suggest that the scheme could have been designed to improve access to Gorton Station. Residents will therefore have to take a circuitous and unlit route to a station which they could see from their windows.

In regard to public safety they advise that Vine Street includes a nursery and is a main thoroughfare for students to Wright Robinson College.

The road, as illustrated in the plans, would create a blind corner next to a railway bridge, endangering children, parents and drivers.

The second resident's comments can be summarised as follows:

- a comparison cannot be made with the previous application on this site for a specialist rehabilitation and recovery facility, as this would not have included levels of parking, such as those being proposed for 25 households. The scheme would increase the numbers of motor vehicles in the area, with the associated pedestrian safety issues to small children going to the local nursery, park and schools
- this is the second development that Southway have built on Vine Street, and while either development separately might not have made a major contribution to increasing the amount of traffic and congestion and lowering air quality in the area, together both developments will;
- areas of Multiple Deprivation in East Manchester are being treated differently to areas with richer middle class people who live in South Manchester;
- building another development with an entrance directly onto Vine Street would directly negatively impact public safety in the area. Cars already speed along Vine Street;
- street trees should be removed in order to move the vehicular entrance;
- residents have seen enough developments over the last several years to know that mature trees in areas of development tend to be lost, regardless of what developers say at the outset. In any case, it is the council's position that any trees lost have to be replaced on a better than two for one basis;
- they do not object in principle to an affordable housing offer on this site, but feel that the current road plan is neither sensible, nor safe and foisting it upon local people without adequate consultation is clearly against the spirit of Our Manchester;
- if the developer will not connect their new development through to Lees Street, the only alternative they can see is for a connection to the development at Grapevine Avenue. This would be the developer taking responsibility for their own actions and development decisions, rather than foisting them upon the pre-existing community.

Another resident has sent three emails

- there should be more trees in the gardens and the topsoil displaced by the development should be used by the neighbours to help biodiversity, keep the soil in the area, enable food growing in gardens, following through with their initial concerns and adapting the 'cost-benefit' towards recycling Natural Resources and to retain local natural assets.
- they have expressed concerns that the proposed new dwellings would be located on land which would be raised in level, and therefore could give rise to overlooking.

Water drainage may also come towards their fence and the drain beneath adjacent houses. They query where surface rainwater run off would be drained away, and query whether separate drainage systems for surface and foul water has been designed into the scheme any infilling of land to make the houses on a level plane can also cause surface runoff onto the gardens of adjacent Grapevine Ave properties.

- they question who would be responsible for the maintenance of the southern boundary treatment to the site.

they support the introduction of bird and bat boxes, and even if the immature trees are removed they hope that the trees chosen to green the area will be conducive to wildlife.

-they request that the proposed gardens have a couple of trees per garden. In regard to security they welcome the extra security the development would provide.

-they are pleased that the development has taken ecology into account, climate change and unpredictable surface water.

-they suggest that solar panels are installed in all new build ventures

A Salford resident has emailed their support for the principle of developing the site, but recommends that a pedestrian connection is established from this site to Gorton railway station to create a walkable development, instead of a cul-de-sac forcing residents to drive everywhere.

Local Business - Have advised that they have looked at the company that is intending to build on the land and are slightly concerned that this may end up being a project that cannot be finished due to financial reasons leading to vandalism and/or antisocial behaviour in our local area if left unfinished.

Ward Members - Response received from Councillor Reid on behalf of the ward members initially expressing concerns if a cul-de-sac was to be created, and stating that traffic issues are already a problem in the area. It was advised that there are three primary schools and a large high school locally, and the site is next to a railway bridge. Furthermore, that members would like to see the site developed so that there is access through to Lees Street, which would entail some land being purchased.

Further correspondence from Councillor Reid advises that Members have concerns about an entrance and exit on the edge of the bridge, and facing Burstead Street. Burstead Street has parked cars down one side of it and it is very narrow. The bridge also causes a blind spot and it will lead to collisions. The trees that are described as mature trees, are street trees that have become so big that their roots are tearing up the pavements. Taking down these trees will reduce the pavement issues, which are a DDA concern and allow an entrance and exit that will be offset towards Vine Street.

Environmental Health- recommend that conditions relating to a construction management plan, and that any external lighting scheme is designed to control glare and overspill to adjacent properties are attached to any approval . They have also confirmed the acceptability of the submitted desk study , but advise that a contaminated land condition will be required in regard to site investigations, remediation strategy and verification report.

Furthermore, they advise that the measures in the noise report in relation to acoustic insulation against noise from the nearby railway and commercial uses are implemented and a verification report submitted to demonstrate suitable noise levels within the proposed dwellinghouses have been achieved; and that the development is implemented in accordance with the submitted waste management strategy, and submitted air quality information

Design for Security - Recommend that a condition to reflect the physical security specifications set out in section four of the Crime Impact Statement should be added, if the application is to be approved.

Network Rail – requires that the applicant agree a number of matters with Network Rail as the proposal has an interface with the existing operational railway relating to .

- the requirement for a condition regarding the submission of a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway;
- the installation of trespass proofing fencing to a height of 1.8m.
- the development must not affect the safety, operation or integrity of the operational railway;
- details of any scaffolding which is to be constructed within 10 metres of the railway;
- submission of a risk assessment and method statement prior to any vibro-impact works on site;
- site drainage and impacts to the railway, and seek a condition to require that the disposal of both surface water and foul water drainage is directed away from the railway;
- full details of ground levels, earthworks and excavations to be carried out near to the railway boundary to be submitted for consideration;
- a 3m gap is required between the buildings and structures on site and the railway boundary;
- recommend the developer engage in discussions to determine the most appropriate measures to mitigate noise and vibration from the existing operational railway to ensure that there will be no future issues for residents once they take up occupation of the dwellings;
- details to be applied to prevent long term damage to the health of trees on Network Rail land so that they do not become a risk to members of the public in the future;
- no trees shall be planted next to the boundary with the railway land and the operational railway to prevent long term issues with leaf fall impacting the operational railway;
- recommend that a condition to require the details of appropriate vehicle safety protection measures along the boundary with the railway to prevent vehicle incursion from the proposal area impacting upon the safe operation of the railway;
- advise that a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail.

The above comments have been shared with the planning agent.

The Coal Authority - The application site does not fall within the defined Development High Risk Area, there is no requirement for a Coal Mining Risk Assessment to be submitted.

Flood Risk Management – confirm the acceptance of a conditioned approach to surface water drainage and matters relating to the potential location of a culverted watercourse. Relevant conditions are suggested.

United Utilities - Request that conditions relating to surface water drainage based on the hierarchy of drainage options in the NPPF, including a restricted flow rate to the public sewer, together with the submission of a sustainable drainage management and maintenance plan for the development are attached to any approval. They have also advised that there are water mains in the vicinity of the proposed development site, and that whilst this infrastructure is located outside the site, the applicant must comply with their 'Standard Conditions for Works Adjacent to Pipelines'.

Highways Services – Have advised that the site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities including bus and train services.

Furthermore, that given the size of the development they anticipate that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.

In relation to the site access, the applicant has had to consider the position of existing mature trees on Vine Street as well as proximity to the junction opposite (Burstead Street). On balance, the position of the proposed vehicle access is acceptable since it provides retention for the greatest number of trees whilst also avoiding an unwanted crossroads arrangement with Burstead Street.

The junction geometry is also acceptable and sufficient visibility is provided. It is required that buff tactile paving is installed at the junction to assist pedestrian crossing movements and double yellow line parking restrictions (in the form of a traffic regulation order) are required at the junction. An off site highway condition is therefore recommended.

Regarding the site layout, the carriageway and footway width is acceptable (5.5m and 2m) and where these are provided, the road is adoptable.

Driveway parking and secure cycle storage is provided for each property which is acceptable to Highways. Each dwelling should have electric vehicle charging provision.

In relation to waste collection it has been verified through swept path submission that a large refuse vehicle can enter and exit the development in forward gear. The bin storage proposals are acceptable from a highway perspective.

Alterations to the existing western footway of Vine Street are required and it should also be resurfaced adjacent to the development.

The framework travel plan is acceptable and it is recommended that a full travel plan be conditioned as part of any planning approval.

As part of any approval a Construction Management Plan should also be conditioned which should also include a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site. The design of the turning head has been revised to incorporate 2m footways with in excess of a 5.5m wide carriageway and therefore meets the geometric requirements to be considered for highway adoption.

Additional comments have been received in relation to matters raised by a resident and ward councillor, which are outlined below.

Alternative access points

Highways understand that vehicular access to the site is only considered viable from Vine Street because the land between the plot and Lees Street is owned by third parties and a connection from the cul-de-sac end of Grapevine Street is also not feasible because of third party ownership.

Three access points from Vine Street have been considered by MCC Highways:

1) They have issues with an access directly opposite Burstead Street since this would create a crossroads and could adversely impact on highway safety.

2) An access opposite 87 Vine Street is acceptable to Highways, but in order to provide the required junction visibility it would be necessary to remove two trees from the west side of Vine Street.

3) An access opposite 83-85 Vine Street (as shown on proposed plans) would provide sufficient separation from Burstead Street and in order to provide the required junction visibility it would be necessary to remove only one tree from the west side of Vine Street (this being the smallest of the three trees).

Based on the need to avoid the creation of a crossroads in addition to a desire to remove the fewest number of trees, they would recommend a new vehicle access opposite 83-85 Vine Street.

They consider that the amount of traffic generated by the development can be accommodated on the highway network and that a site entrance off Vine Street can be suitably designed with pedestrian crossing points in the form of dropped crossings and tactile paving.

GMEU – Have advised they would not regard the trees to be removed to facilitate the scheme to have high potential to support bat roosts, but advised retained trees should be suitably and robustly protected, and new compensatory tree planting should be required for any trees lost to the scheme.

The site has potential to support small numbers of foraging bats and foraging and nesting birds, and badgers are known to forage along the adjacent railway corridor and may sometimes use the application site. They therefore recommend a pre-commencement precautionary survey of the site for Badgers should be required; that no vegetation clearance required to facilitate the scheme should take place during the bird nesting season (March to August inclusive). Furthermore, that a detailed Landscape Plan is required as part of any detailed planning application for the site, to include new tree and shrub planting, and provision for new bird nesting boxes on or close to the site

Arboricultural officers - Have reviewed the associated documents relating to this application and visited the site to assess the trees proposed for removal and have made the following comments:

They have confirmed there are no objections to the removal of tree T3 as indicated on the plan. However, retention of trees T1 and T2 is important given their quality, stature and visual amenity in this location. A number of street trees have been lost due to development in the vicinity and further loss must be prevented.

Conditions are recommended to be attached if planning permission is permitted to require :

1. An Arboricultural consultant is embedded into the development to oversee the work on or near root protection areas and ensure fencing is in place to protect trees.
2. The plans for utilities are available before permission is granted so there is no decision to bring them in through Vine Street across rooting areas of trees for retention.
3. Mitigation proposals are appropriate for the loss of a public asset i.e. Tree T3.

Policy Context

National Planning Policy Framework (2019)

The revised NPPF was adopted in early 2019. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below.

The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7).

In order to achieve sustainable development, the NPPF states that the planning system has three overarching objectives – economic, social and environmental (paragraph 8).

Section 5 'Delivering a sufficient supply of new homes' states that in order to support the Government's objective of significantly boosting the supply of homes, 'it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay' (paragraph 59).

With regards to affordable housing, paragraph 64 states that where major developments are proposed involving the provision of housing, planning policies and decisions should expect at least 10% of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

Section 8 'Promoting Healthy and Safe Communities' states that planning policies and decisions should aim to achieve healthy, inclusive and safe places (paragraph 91).

Section 9 'Promoting Sustainable Transport' states that 'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health'

(paragraph 103). Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109).

Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations (paragraph 110).

All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (paragraph 111).

Section 11 'Making effective use of land' states that 'planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions' (paragraph 117).

Decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places. (paragraph 122).

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

Paragraph 123 (c) states that Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this' (paragraph 124).

Planning decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The NPPF is clear that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). (paragraph 130).

In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings (paragraph 131).

Section 14 'Meeting the challenge of climate change, flooding and coastal change' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 148).

Section 15 'Conserving and Enhancing the natural environment' states that planning decision should contribute and enhance the natural and local environment by protecting valued landscapes, minimising impacts on and providing net gains for biodiversity, preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution or land instability and remediating contaminated land.

Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Planning Practice Guidance (PPG)

The relevant sections of the PPG are as follows:

Noise

This section states that Local Planning Authorities' should take account of the acoustic environment and in doing so consider:

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

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

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

Design

This section states that where appropriate the following should be considered:

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

Health and Well Being

This section states opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation);

Travel Plans, Transport Assessments in Decision Taking

This section states that applications can positively contribute to:

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;
- creating accessible, connected, inclusive communities;
- improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

The Development Plan

The Development Plan consists of:

- The Manchester Core Strategy (2012); and
- Saved policies of the Unitary Development Plan for the City of Manchester (1995)

The Core Strategy was adopted in July 2012 and is the key document in the Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) and sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved and accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents as directed by the National Planning Policy Framework (NPPF).

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

The relevant policies within the Core Strategy are as follows:

Policy SP1 'Spatial Principles' - one of the key spatial principles is the emphasis on the creation of neighbourhoods where people choose to live, providing high quality and diverse housing, in a distinct environment. New development should maximise the use of the City's transport infrastructure, in particular promoting walking, cycling and the use of public transport.

The proposal would contribute towards meeting housing growth in the City and creating a quality neighbourhood for residents to live in. Consideration has been given to minimising the impact on existing local residents along with promoting a sustainable development.

Policy T1 'Sustainable Transport' seeks to deliver a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking. The proposal is located in an area where there is access to a range of public transport modes, including regular bus and train services. This is an outline scheme, which at present does not include the finalised details regarding the provision of cycle storage and electric charging points, these aspects of the scheme would be conditioned. It is considered that the scheme would accord with the broadly aspirations set out in policy T1.

Policy T2 'Accessible areas of opportunity and needs'. It is considered that the proposed development is in a sustainable location and is close to forms of public transport including rail services at Constable Street, and bus services on Abbey Hey Lane and Ashton Old Road, and would have a minimal impact on the local highway network and encourage the use of other forms of transport.

Policy H1 'Overall Housing Provision' states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors, in particular, the need to diversify housing stock in mono tenure areas by increasing the availability of family housing. Policy H1 prioritises residential development on previously developed land, in particular through the re-use of vacant housing or other existing buildings. The redevelopment of this brownfield site would accord with policy H1.

The development will form a medium density residential scheme (41 dwellings per hectare) within an area of East Manchester that is expected to accommodate housing growth. Consideration has been given to the access and the layout of the housing along with prioritising the re-use of the previously developed site. In addition,

the proposal will also provide accommodation which will be attractive to a diverse range of housing needs through varying accommodation size. The proposed accommodation would comprise a mix of 2, 3 and 4 bed houses (25 in total). These have been designed to comply with the guidance within the Manchester Residential Quality Guidance in regard to floorspace.

Policy H2 'Strategic Housing Location' states that the key location for new residential development throughout the plan period will be within the area to the east and north of Manchester City Centre, identified as a strategic location for new housing. Land assembly will be supported in this area to encourage the creation of large development sites or clusters of sites providing the potential for significant regeneration benefits. This site is a strategic housing location and the delivery of development will help the delivery of the adopted core strategy objective.

Policy H4 'East Manchester' will be the focus for 30% of new residential development over the plan period, with priority given to high quality development and provision of family housing. Higher density housing will be permitted in certain areas of East Manchester, including Gorton district centre when part of a mixed-use scheme. The proposed development would accord with policy H4 by facilitating the delivery of a wide range of new affordable accommodation consisting of 2,3 and 4 bedroom family houses in the Gorton and Abbey Hey ward.

Policy H8 'Affordable Housing' states affordable housing contributions will be considered of 0.3 hectares and 15 units or more. The proposed housing will be of an affordable tenure, providing 25 houses (100% provision) for affordable rent increasing access to new affordable homes in the East Manchester area. Further details will be provided in the main body of the report in this regard.

Policy EN1 'Design principles and strategic character areas'. Consent is only sought for access and layout with all other matters reserved, including appearance. This aspect of the proposed development will be dealt with at the Reserved Matters stage of the process.

Policy EN4 'Reducing CO2 emissions by enabling low and zero carbon development' the Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO 2 emissions and rising fossil fuel prices. All development must follow the principles of the energy hierarchy being designed to reduce the need for energy through design and the use of energy efficient features and through the use of low or zero carbon energy generating technologies.

Policy EN5 'Strategic areas for low and zero carbon decentralised energy infrastructure' the regional centre has a major role to play in achieving an increase in the level of decentralised, low and zero carbon energy supplies.

Policy EN6 'Target framework for CO 2 reductions from low or zero carbon energy supplies' states that developments over 1000 sqm will be expected to meet targets shown with the policy unless this can be shown not to be viable. This is an outline application with approval only sought for layout and access , however , the application has been submitted with information confirming that the dwellings would be built to a high sustainable standard all in accordance with current

building regulations Part L1A and sustainable environmental planning policies. Furthermore, the Dwelling Emission Rate would have a betterment over the Target Emission Rate, Building Regulations Part L 2012 by 9.92% in relation to Domestic CO2 emissions reduction targets.

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

Policy EN9 'Green Infrastructure' states that development should maintain green infrastructure in terms of its quantity, quality and function. Developers should enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Due to the brownfield nature of the site and current vacant use, there are self-seeded trees, and areas of unkempt grass currently present on the site. The proposed development would involve the remediation of the site, and enable opportunities to create improved areas of green infrastructure as part of the development proposals in the form of well-sized amenity spaces, and landscaping.

Policy EN14 'Flood Risk' development should minimise surface water runoff, and a Flood Risk Assessment (FRA) is required for proposals on sites greater than 0.5ha within critical drainage areas. Consideration has been given to the surface water runoff and a scheme will be agreed which minimises the impact from surface water runoff.

Policy EN15, 'Biodiversity and Geological Conservation', requires developers to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on site or adjacent to the site contributing to linkages between valuable or potentially valuable habitat areas where appropriate. The application site is not considered to be of high value in ecology terms and appropriately worded conditions have been recommended to protect any nesting birds, to explore the potential use of the site by badgers, and provide ecological enhancement through the development.

Policy EN16 'Air Quality' The proposal would not compromise air quality and would incorporate measures to minimise dust from the construction process and car usage during the operational phases.

Policy EN18 'Contaminated Land' states that the Council will prioritise remediation of contaminated land. The applicant has provided details relating to ground conditions and further investigative work would be needed to confirm the findings of the provisional details and determine the levels of mitigation required.

EN19 'Waste' states proposals must be consistent with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). The applicant has a clear waste management strategy for the site which will ensure that residents adhered to recycling principles. Compliance with this strategy will form part of the conditions of the planning approval.

Policy DM1 'Development Management' all development should have regard the following specific issues:-

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as proposals which would be sensitive to existing environmental conditions, such as noise;
- Community safety and crime prevention;
- Design for health;
- Adequacy of internal accommodation and external amenity space;
- Refuse storage and collection;
- Vehicular access and car parking;
- Effect on biodiversity, archaeological or built heritage;
- Green infrastructure;
- Flood risk and drainage.

The applicant has given consideration to access to the site, together with the layout of the development along with providing solutions to prevent noise ingress, crime, refuse and car and cycle parking. The proposal also meets the City Council's space standards.

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 DC7 'New Housing Development' states that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, including those who use wheelchairs, wherever this is practicable. All new developments containing family homes will be expected to be designed so as to be safe areas within which children can play and, where appropriate, the Council will also expect play facilities to be provided.

The proposal meets City Council spaces standards and will be accessible for all residents of Manchester.

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 on future residents from existing noise sources, including traffic, and the railway and Trading Estate adjacent to the application site. Further mitigation would be secured by planning condition.

Saved UDP policy GO5b identifies sites that are allocated for new residential development and will contribute to the regeneration of Gorton North and South and the Plan's overall housing land availability. The site at Vine Street is identified on this list and on the proposals map, as an allocated housing site.

For the reasons given below, it is considered that the proposal is consistent with the policies contained within the UDP.

Other material policy considerations

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

This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people (in accordance with Design for Access 2), pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures and environmental sustainability. Sections of relevance are:

Chapter 2 'Design' – outlines the City Council's expectations that all new developments should have a high standard of design making a positive contribution to the City's environment;

Paragraph 2.7 states that encouragement for "the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified form which blends in with, and links to, adjacent areas.

Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contribute to the creation of a positive identity.

Paragraph 2.14 advises that new development should have an appropriate height having regard to the location, character of the area and specific site circumstances. Although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations.

Paragraph 2.17 states that vistas enable people to locate key buildings and to move confidently between different parts of the neighbourhood or from one area to another. The primary face of buildings should lead the eye along important vistas. Views to important buildings, spaces and landmarks, should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises.

Chapter 8 'Community Safety and Crime Prevention' – The aim of this chapter is to ensure that developments design out crime and adopt the standards of Secured by Design;

Chapter 11 'The City's Character Areas' – the aim of this chapter is to ensure that new developments fit comfortably into, and enhance the character of an area of the City, particularly adding to and enhancing the sense of place.

Manchester Residential Quality Guidance (2016)

This is a material planning consideration in the determination of planning applications and weight should be given to this document in decision making. The purpose of the document is to outline the consideration, qualities and opportunities that will help to

deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a City of high quality residential neighbourhood and a place for everyone to live.

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

Make it Manchester;

Make it bring people together;

Make it animate street and spaces;

Make it easy to get around;

Make it work with the landscape;

Make it practical;

Make it future proof;

Make it a home; and

Make it happen.

Providing for Housing Choice - Supplementary Planning Document & Planning Guidance

This document provides guidance about the mix of new housing required in Manchester, and seeks to deliver affordable housing provision. Paragraph 5.58 outlines where there may be exceptions to providing affordable housing within a proposed development. This criteria includes where the financial impact of the provision of affordable housing, combined with other planning obligations would affect scheme viability. The applicant has submitted an affordable housing statement which commits to the delivery of 100% affordable housing, which would be delivered through a registered provider (housing association).

Manchester's Great Outdoors – a Green and Blue Infrastructure Strategy for Manchester (2015)

Adopted in 2015, the vision for the strategy is that 'by 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. There are four objectives in order to achieve this vision:

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.

East Manchester Strategic Regeneration Framework (2008 – 2018)

The SRF sets out a number of strategic objectives and frameworks for East Manchester. The document advocates the need for a greater range of housing types, a need to develop a wider choice for local residents, to support new mechanisms that

help people to gain a stake in the housing market and for an increase in larger housing types that are suitable for families.

Eastlands Regeneration Framework (March 2019)

The framework builds on the East Manchester SRF. It is envisaged that the ERF area will accommodate a significant number of new homes over the next 15 years, for existing and future residents, to provide a range and mix of residential accommodation which includes both affordable and higher value homes to attract and retain residents at this end of the market.

In respect of the issue of affordability of homes for East Manchester residents and the residential strategy for the ERF area must ensure that the nature and form of new housing provision takes account of this situation – delivering a balanced range of housing types and tenures that operate at all price points and meet the needs of Manchester and its residents in the short, medium and long term.

Other legislative requirements

Section 149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic.

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

Issues

Publicity

The proposal, by virtue of the number of residential units, has been classified as a small scale major development. As such, the proposal has been advertised in the local press (Manchester Evening News), and site notices were displayed at locations around the application site. In addition, notification letters have been sent to local residents and businesses in the local area on 15th December 2020.

Climate Change

Climate change is a key factor in the consideration of the proposed development, and key issues, including air quality, flooding and environment standards are considered in detail in the following sections.

Principle of Development

The application site is located within the Gorton & Abbey Hey ward of the City. Policy SP1 states that the emphasis should be placed on the creation of neighbourhoods where people choose to live, providing high quality and diverse housing, in a distinct environment. New development should maximise the use of the City's transport infrastructure, in particular promoting walking, cycling and the use of public transport. This area of the City is a focus for the provision of new residential accommodation on areas of previously developed land.

It is considered that the most important policies for determining this planning application relate to the delivery of affordable housing, the creation of a safe access to the site, and the safeguarding of mature street trees, The provision of an additional 25 units of accommodation, including 100% affordable housing, would further boost the supply of much needed new homes in the City in a location, where new housing remains a priority for the City Council. The application site comprises a vacant brownfield site, and as such, the development accord with the principles of Policies SP1, H1 and H4.

Furthermore, the site is allocated for housing under saved UDP Policy GO5 which was carried over on adoption of the Core Strategy in 2012 and forms part of the Development Plan. Whilst the site is identified in the Council's Open Space and Recreational Needs Assessment 2009 as natural open space, this is private land which does not have public access and is a brownfield site. It is therefore considered on balance that the principle of the development is consistent with the planning policy framework.

However, there are detailed matters that require particular attention. This report will therefore consider the relevant specific policies and material considerations and determine whether any undue harm would arise as a consequence of the development.

Proposed Residential Accommodation

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

The proposal includes a mix of house sizes and would comprise 100% affordable rent properties, which would support the Councils residential growth strategy in addition to meeting the NPPF requirements.

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

Affordable Housing

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

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

The application has been accompanied by an Affordable Housing Statement, which outlines that the viability of the scheme has been considered in line with best practice. The applicant has been able to agree the provision of affordable housing with Southway Housing Trust who are a registered provider. This would deliver 25 (100%) affordable housing units (15 two bed roomed , 9 three bed roomed and 1 four bed roomed house) to comprise 25 Affordable Rent properties.

Following handover of the completed units the registered provider will, in respect of the affordable rent, own and manage the units and be responsible for their future lettings and maintenance. In terms of affordability the following applies;

- Rent levels for the affordable rent units will be set at up to 80% of market rent, but no higher than local housing allowance.
- The disposal of the affordable rented properties to an affordable housing provider will ensure that those units remain affordable in perpetuity, unless disposed of under an affordable housing provider's statutory obligation of right to buy or acquire and subject to mortgagee exemptions.

The occupancy criteria for the affordable tenure will be as follows;

The council will have 100% nominations on first lettings, and also subsequent lets through the agreed common allocations framework, for the affordable rented units. Lettings will be through the [Manchester Move] system and allocated as per the allocations policy; or any approach agreed locally between the Council and the registered provider. This is likely to focus on achieving a mix of residents in the scheme to create a balanced and sustainable community. Tenancy sustainment actions will be undertaken by the Registered Provider.

The applicant would deliver the homes on behalf of Southway Housing Trust . The delivery of new homes, the tenure and the partnership with Southway Housing Trust is welcomed.

Siting / Layout

Policies EN1 and DM1 of the Core Strategy, along with the Guide to Development in Manchester, requires that consideration be given to layout of new developments ensuring that they respond to the surrounding context and maximise frontages with the street scene and other important features of sites.



This outline application seeks approval for siting. Each of the properties would have a street frontage, which would maintain active frontages and surveillance along the proposed spine road and Vine Street. For the most part the proposed development comprises semi-detached houses, but includes a terrace of three units fronting onto Vine Street, a further terrace of three units and a detached house at the western end of the proposed spine road.

In line with the Residential Quality Guidance and the Guide to Development in Manchester, the new buildings along with the indicative landscaping (which is a reserved matter) dominate the street scene. There would also be the provision of off street parking in the form of driveways.

Existing housing is located to the east of the site on Vine Street and to the south on Grapevine Avenue. The potential impacts on residential amenity are discussed in more detail below, however in relation to the siting and layout of these properties, the positioning and orientation of the new properties are considered to be acceptable. The siting and layout of the development is in keeping with recent developments in the area.

Scale / Massing

Whilst approval has not been sought in regard to scale. A parameters plan has been provided for consideration which shows that the proposed houses would be two storeys in the height to compliment the scale of the existing houses around the application site. Overall, the scale of the development responds appropriately to the scale of the existing developments in the area and is considered to be acceptable in this location.

Appearance

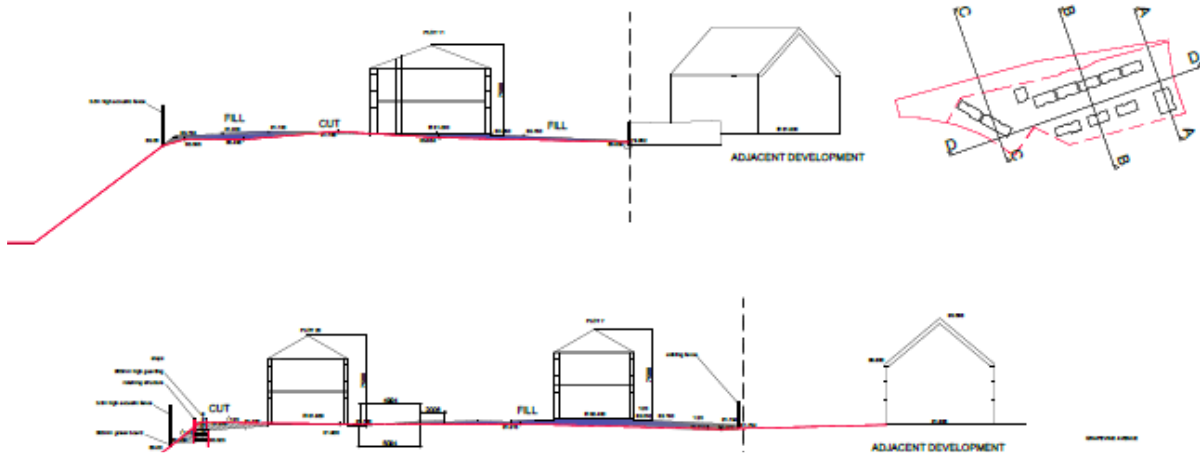
Appearance is a matter which would be dealt with at the reserved matters stage of the process.

Residential Amenity

The site lies within an established residential area and consideration has been given to any potential impacts. It is inevitable given the current nature of the site there would be a demonstrable change, however, it is not considered this would be such to cause any unacceptable harm.

The overlooking distance within the site between front habitable rooms would be 17m. The distance from the rear elevation of the proposed dwellings and the existing housing to the south is 20.8m. In two instances the distance would be reduced to 14m (in one instance this relates to a unit where habitable rooms are not directly facing but are angled from each other). In these instances a commitment has been given that the new dwellings would have no bedrooms in the rear elevation to ensure no significant loss of privacy would occur.

Some concern has been raised about final site levels and positioning of the properties in relation to the southern boundary. The relationship between the proposed and existing development is such that the maximum increase in ground level at the southern boundary shown on the submitted cross section plans would be 345mm. The use of conditions in regard to boundary treatments and consideration of the appearance of the houses at the reserved matters stage of the process would enable this matter to be appropriately managed.



It is acknowledged that there would be some increase in traffic, but again this would not be such that it would cause undue harm. Furthermore, it is possible there would be some impact from decontamination of the site and through construction. These phases would be managed and would be short term.

Traffic Generation

A Transport Statement has been prepared to consider the highways and transport issues. The transport conditions in the vicinity of the site have been reviewed through on-site observations and accident records. The report concludes that there no known highway design features that contribute to the occurrence of accidents and no specific safety issues that need to be addressed as part of the development proposal.

The submitted Transport Statement indicates that the proposed development could result in a net traffic impact of 9 additional vehicle trips during the morning peak hour and 13 additional vehicle trips during the evening peak hour. Whilst this level of additional trip attraction would have some impact on existing highway conditions in the vicinity of the site, this is not considered to be significant, and is likely to fall within daily fluctuations of traffic flow. It is therefore considered that the proposed development would not give rise to conditions which would give significantly adverse traffic conditions locally. Furthermore, Highway Services consider that the amount of traffic generated by the development could be accommodated on the highway network. It is also the case that space for cycle parking would be provided within each dwelling and a residential travel plan would be implemented in order to promote other means of transport other than the car.

Access

Vine Street has a 7.3m wide carriageway, which narrows to a width of approximately 6.0m as it passes over the railway bridge to the north. Vine Street is traffic calmed with speed bumps to help control traffic speeds.

There is an existing vehicle entrance with dropped kerbs off Vine Street in the north eastern extent of the site, in proximity to the junction with Burstead Street.

Primary access to the proposed development is to be provided from Vine Street slightly further south of the existing access point from Vine Street, which lies directly adjacent to the southern slope forming the railway. A road would be constructed to run through the centre of the site in an east -west direction terminating in a turning head at the western end of the site. The estate layout has been designed to accommodate the larger refuse vehicles used in Manchester.

Consideration was given to using the existing entrance to the site, but this was regarded by Highways officers as being too close to Burstead Street, thereby creating a cross roads arrangement with Burstead Street, which could adversely impact on highway safety. As an alternative, consideration was given to locating the access to a central point on the site frontage to Vine Street (opposite to no.87 Vine Street). Whilst this access was acceptable from a highways perspective, this would mean the removal of two of the three mature street trees within the frontage of the site. To minimise the level of tree removal to the smallest of the three street trees, the access has been situated to the south of the existing access, which would reduce the removal of trees, whilst not giving rise to a cross road arrangement. Highways Services have advised that an access opposite nos.83-85 Vine Street would provide sufficient separation from Burstead Street, noting the requirement to remove only one tree from the west side of Vine Street to provide the required junction visibility.

Furthermore, the traffic accident data within the submitted Transport Statement indicates no accidents were recorded on the Ashton Old Road/Vine Street priority T-junction. Nor were any experienced at the Burstead Street/Vine Street junction, which is close to the proposed site access. Due to the levels of the proposed projected vehicular trips detailed above in connection with the proposed development, it is considered that the access in the location proposed is acceptable and would enable the retention of two mature street trees. Furthermore, it is considered that a site entrance from Vine Street could be suitably designed with pedestrian crossing points in the form of dropped crossings and tactile paving which could be delivered as part of the proposed off site highway works condition.

Whilst the concerns of two local residents and Ward Members in regard to vehicular and pedestrian safety have been noted, Highway Services have not raised any objections on highway safety ground to the proposed arrangement. Based on the need to avoid the creation of a crossroads in addition to a desire to remove the fewest number of trees, Highway Services have recommended a new vehicle access opposite 83-85 Vine Street.

Concerns raised in regard to the condition of the surface of existing footway on the western side of Vine Street adjacent to the site has been noted , and it is proposed that a condition be attached to any approval to require the submission a repaving strategy for the public footpaths and redundant vehicular crossings on Vine Street adjoining the site, before occupation of the dwellings , and that the approved scheme be carried out in accordance with an implementation programme to be submitted for approval.

The matter raised by residents regarding a connection to Gorton Station on Constable Street to improve connectivity has been considered. However, this would

involve the creation of a route across land outside of the planning application site.. Highways Services have also advised that they understand that vehicular access to the site is only considered viable from Vine Street because the land between the plot and Lees Street is owned by third parties and a connection from the cul-de-sac end of Grapevine Street is also not feasible because of third party ownership.

Furthermore, a route to the west would effectively need to go through the Enterprise Trading Estate, with the associated issues from a commercial site with servicing areas, and although reference has been made to making a new route through the recently built housing development to the south, this development adjoins either the Trading Estate referred to above, or the rear of existing interwar houses on Annable Road and Franklyn Road. There is, however an existing pedestrian and vehicular route from Vine Street via Gatehurst Street, Long Street and Lees Street to Gorton Station.

Highway Related Matters and Car Parking

The development includes the provision of 25 off street car parking spaces (100% provision, in the form of driveways. The level of parking proposed is considered to be acceptable particularly given the access to public transport and the site's sustainable location.

Although the submitted layout plans has annotations to indicate that each house would have an electric charging point for vehicles, no finalised details relating electric charging points have been provided for consideration at this time. It is therefore proposed to attach a condition relating to the delivery of electric charging points.

The submitted documentation indicates that 100% cycle storage space would be provided, on the basis of one space per property. However, as no finalised details have been provided in terms of location and design of the storage of cycles it is recommended that this aspect of the scheme is also conditioned.

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

Overall, it is considered that the development would have adequate car and cycle provision to serve the needs of the development. Travel planning would help take advantage of the sustainable location of the application site in order to further reduce the reliance on the car to the site. Servicing and construction requirements can also adequately met at the site. The proposal therefore accords with policies SP1, T1, T2 and DM1 of the Core Strategy.

Ground Conditions

A Phase 1 Desk Study Report has been submitted in support of the planning application, which details various recommendations, including ground investigation with trial pits, boreholes, further ground gas monitoring and the testing of chemicals and groundwater samples

Historical investigations have identified possible sources of contamination, including lead and hydrocarbons which would have to be verified, and would require

remediation prior to the site being suitable for its intended use. A remediation strategy and site investigation is required to be submitted for approval before the commencement of any remedial works on site. The remediation strategy also needs to consider the control of dust from the remediation works as the site is bordered by some sensitive receptors (dwellinghouses).

Before any above ground works can commence on this site, a supplementary Site Investigation and Risk Assessment Report, together with a detailed Remediation Strategy, and Gas monitoring data needs to be submitted for consideration. After completion of site works, a verification report would also be required to validate that the work undertaken conforms to the remediation proposals received. These matters need to be conditioned.

It is therefore recommended that a detailed planning condition is attached to any approval to require further works to be undertaken in regard ground conditions before the commencement of any house building on the site, and the submission of final verification assessments, in order to comply with policy EN18 of the Core Strategy

Landscaping

Whilst landscaping is one of the matters which has been reserved for consideration, the site layout indicates how the scheme would provide compensatory planting and an overall net gain in the number of trees on the site, and includes soft landscaping to front and rear gardens areas. Where possible, the existing mature trees along Vine Street would be retained to create a buffer from the busy road;

It is therefore recommended that all soft and hard landscaping treatment proposed for the development are subject to conditions, requiring their submission for consideration.

Trees

There are immature trees and vegetation within the site and along the north and east boundaries. The site survey identified 5 trees (including 3 street trees), and three groups of trees with the potential to be affected by the development proposals. These include two Category B trees (2 of the 3 street trees), and three category C trees and three Category C groups. The development proposals would necessitate the removal of a Category C street tree and a category C Ash tree within the site close to the boundary of Vine Street, and the removal of two Category C groups of trees within the site which are comprised of young birch and goat willow trees. The area of trees on the slope of the cutting would also need to be subject to some thinning works, but consideration will be given to retention of trees along the railway embankment to enhance biodiversity, together with the retention of (with any necessary treatment), two mature Ash trees within the footway of Vine Street. Indicative planting shown on the proposed layout plan suggests that 49 new trees could be planted within the proposed development, with provision shown in front and rear gardens to mitigate for the trees to be lost.

It is recommended that works follow an Arboricultural Method Statement to ensure that retained trees are not adversely impacted by the proposed development works, including the installation of temporary tree protection fencing during development works and use of cellular confinement systems, and that this aspect of the scheme is

conditioned. Furthermore, there is an opportunity to mitigate visual amenity in the loss of the two category C trees at the entrance of the site, by the provision of extra-heavy standards at the site as part of the landscaping scheme, which would be dealt with at the reserved matters stage of the process.

Concerns in regard to the potential impacts to tree roots, in relation to the provision of utilities for plot nos. 1 and 2 have been noted. The planning agent has forwarded a document which outlines three methodologies to facilitate the provision of utilities, whilst safeguarding the roots of the existing street trees. A condition is therefore proposed to require that prior to the installation of any utility connections to the dwellinghouses fronting onto Vine Street, finalised details of the excavation methodology to be used in conjunction with the installation of utilities, taken from the options set out with the Excavation Strategies report revision V0 is submitted for approval.

Habitat Regulations and Ecology

The ecological survey accompanying the application makes a number of recommendations which include the promotion of tree and hedgerow planting using native species where possible; ensuring any trees to be removed are removed outside of bird nesting season; consideration of lighting impacts regard to foraging bats; the improvement of biodiversity at the site by the introduction of bat and bird boxes and that the site be re-surveyed for badgers immediately before the commencement of any work on site.

At present there are no buildings, or other structures on the site, and no mature trees with hollows that could accommodate bats. It is therefore considered unlikely that there are any bat roosts at the site. However, habitats within the site provide moderate habitat for foraging and commuting bats. A lighting condition relating to the wider development is proposed, and the issue of impacts to any foraging bats would be considered in connection with the future discharge of that condition.

It is understood that the presence of badgers has been noted in proximity to the site, and it is therefore proposed to attach a condition to the site be resurveyed for badgers immediately before the commencement of any work on site. A condition to ensure that trees are not removed during bird nesting season is also proposed.

Furthermore, the development presents an opportunity to enhance the habitats available to wildlife on site and provide a betterment to the low ecological value of the existing site through a net gain. It is therefore also proposed to attach a condition to improve biodiversity at the site.

Noise

In relation to the potential impact of the development on the surrounding existing residential properties, it is acknowledged that there are existing residents living within neighbouring buildings adjacent to the application site, and there would be an increase in the amount of built development and occupation on the site compared to the existing vacant site. However, any noise generated would only be from the comings and goings from occupants. It is therefore considered that the proposed development should not have any significant effect on the residential amenity currently enjoyed by the surrounding occupants.

In relation to the impact of existing noise sources within this area on the new residential accommodation being proposed, there are three main sources of noise that needed to be assessed and mitigated. These are traffic noise from the nearby main roads, the noise generated by the railway in the cutting directly to the north of the site, and the Trading Estate which lies directly to the west of the site.

In relation to the proposed development, it is considered that the internal noise level requirements can be achieved with appropriate noise mitigation measures, and that this aspect of the scheme be conditioned. Mitigation measures include the erection of acoustic fencing to the boundary with the railway and the Trading Estate, acoustic glazing and trickle ventilators.

Vibration levels have also been measured in the northern section of the site adjacent to the railway lines. The assessment determined that vibration levels due to train movements are at a low level and would not affect the development.

It is therefore proposed that a condition be attached to any approval to require that the mitigation measures detailed in the Noise and Vibration are implemented completed before any of the dwelling units are occupied, and that a verification report is submitted upon completion of the development and before first occupation of the residential units, to validate that the work undertaken conforms to the recommendations and requirements in the approved report.

Flood Risk / Surface Water Drainage

The site is not known to flood historically, but the surrounding streets may experience localised surface water flooding in areas along Vine Street, and the site lies in an area potentially at risk from reservoir flooding.

The proposed development is located in Flood Zone 1, i.e. land defined as having less than a 1 in 1000-year annual probability of flooding in any one year. The site is also at low risk of flooding from all sources. The development has been assessed against the NPPF 'Sequential Test'. Taking into consideration that the application is for a residential development in Flood Zone 1, NPPF confirms that the development is 'Appropriate'. The 'Exception Test' is consequently not required.

Information from the 'Hidden Manchester' map shows a historic watercourse potentially running beneath the eastern section of the site. However, the submitted Flood Risk Assessment report suggests the presence of this is not shown on any other records and no evidence of its existence has been found on site, and that the culvert may flow beneath the railway line to the north of the site and set in cutting with approximately 10m lower ground levels.

In light of the above and following concerns raised by Flood Risk Management officers, the developer proposes to carry out a 6m deep strip trench at the position of the culvert shown on the historic Council records to ascertain if a culvert is present and record the precise location.

Following in depth discussions with Flood Risk Management officers it has been agreed that a conditioned approach can be taken in this instance. It is therefore proposed to attach a condition to ensure no development takes place until culvert investigation has been undertaken in accordance with the proposed trial trench detailed above, including the submission of verification photographs. Conditions

relating to the details of surface water drainage and that the system that is put in place is managed and maintained thereafter are also proposed.

Sustainability and Energy Efficiency

The application is accompanied by an Energy and Sustainability Statement within which it is advised to meet the challenging demands associated with sustainable development a “fabric first” approach is considered the most cost effective and efficient way of delivering an energy saving development that can meet housing needs, and reduce CO2 emissions during the life cycle of each dwelling.

Provided the dwellings are built in accordance with the fabric first approach detailed within the submitted statement with high levels of fabric performance and efficiency, the dwellings would be to a high sustainable standard in accordance with current building regulations Part L1A and sustainable environmental planning policies. A SAP calculation has been provided for plot 1 which indicates the Dwelling Emission Rate has a betterment over the Target Emission Rate, Building Regulations Part L 2012 by 9.92%.

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

Designing out Crime

The application is accompanied by a Crime Impact Statement by GMP Design for Security officers. The report suggests that the proposed scheme is generally acceptable in terms of layout but includes a set of recommendations to be implemented where feasible to enhance the security of the development against potential threats.

The proposed development would, however, help to provide natural surveillance along Vine Street, and along the proposed estate road which provides the opportunity to include security features to reduce the fear of crime. Whilst the submitted Design and Access Statement provides an indication of the height and design of the future boundary treatment at the site, as this is an outline application there are no detailed design specifications for the dwellinghouses, such as finalised designs of the boundary treatment, or window and doors specifications. Given the comments made by Design for Security officers, it is proposed that this aspect of the scheme is recommended to be conditioned, and that the development is required to achieve Secure by Design Accreditation.

Waste

Four bins are proposed to be stored in the curtilage of each dwellinghouse, with one bin for general waste, one bin for pulpable recycling and one bin for mixed recycling, and one bin for green waste. The refuse capacity has been calculated to comply with Council guidance. The proposal therefore accords with policies DM1 and EN19 of the Core Strategy in this regard. A condition is proposed to be attached to any approval in regard to the implementation of a refuse storage arrangements within the scheme.

Air Quality

This site is not located within an Air Quality Management Area, and the site is not close to major sources of pollutants. Furthermore, local monitoring results indicate annual mean NO₂ concentrations are below the relevant Air Quality objectives (AQO).

In relation to the construction and operations phases of the development there is the potential to impact on the air quality. With the implementation of the appropriate measures significant impacts are not anticipated during the construction phase. Such measures would form part of an agreed construction management plan that would be subject to a condition of the planning approval. It is considered that the impacts on air quality during construction would be temporary and predictable and could be appropriately mitigated through the measures identified above.

The main potential for air quality impact once the proposed development is occupied is likely to be emissions from road traffic associated with the proposed development. The conclusions of the submitted Air Quality Assessment are that due to the low number of anticipated vehicle trips associated with the proposals, road traffic impacts are predicted to be negligible.

Environmental Health officers concur with the conclusions of the Air Quality report, and have requested that the mitigation, and best practice measures set out in the Air Quality Assessment to safeguard local air quality are implemented. It is recommended that this aspect of the development is conditioned to ensure there are no detrimental impacts to existing air quality conditions as a result of the development.

Broadband

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

Archaeology

This site has been the subject of an archaeological desk based assessment in relation to a previous scheme in 2013. This study found that the site contains no heritage assets and has a very low potential for archaeological remains.

Permitted Development

The National Planning Policy Guidance states that only in exceptional circumstances should conditions be imposed which restrict permitted development rights otherwise such conditions are deemed to be unreasonable. In order to protect the nature of the accommodation being proposed it is considered there is a case for ensuring the dwellings are not converted into multiple occupation without proper consideration. It is recommended that a condition should therefore clearly define the approved residential units under the C3(a) use and to remove the permitted development rights that would normally allow the change of use of a property to a House of Multiple Occupation (HMO) without the requirement for formal planning permission.

Furthermore, it is considered that there is a case for ensuring that dwellinghouses hereby approved shall be used only as private dwellings and not as serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by

the same person for less than ninety consecutive nights).An appropriate condition is therefore proposed.

Inclusive Access

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

Legal Agreement

A legal agreement is proposed in order to ensure that 20% of the properties are affordable and would remain so in perpetuity.

Community Engagement

A public consultation strategy was undertaken by the developer. Due to the COVID-19 outbreak, this was undertaken via a leaflet drop within the local community with an opportunity for residents to provide feedback by email. The leaflet advised on the consultation process and details on the proposals, with the catchment area defined as the local community within the immediate surrounding area of the application site. The public consultation ran between 2nd December and 9th December 2020, with a dedicated email address available during this time. The leaflet made clear that comments would continue to be monitored and duly considered through the determination of the application.

Key feedback points related to concerns over any proposed tree removal along the railway line for the following reasons:

- Reduced screening from noise and vibration caused by adjacent train movements;
- The contribution these trees bring to local wildlife and habitats;
- Increased risk of flooding and land instability;
- The contribution the trees bring to enhancing the local streetscene and area and the positive wellbeing benefits arising from this.

Conclusion

The proposed scheme would bring forward a sustainable development of family housing and affordable homes with the associated redevelopment of a brownfield site. All issues have been set out in the report and addressed and this includes where necessary mitigation to ensure the delivery of a proposal for new homes.

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land

that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation Minded to Approve - subject to a section 106 legal agreement is proposed in order to ensure that 20% of the properties are affordable and would remain so in perpetuity.

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice were sought in respect of this development where early discussions took place regarding the layout, and scale of the development, accommodation type and mix along with highway impacts. Further work and discussions have taken place with the applicant through the course of the application, particularly in respect of site levels, matters associated with the potential location of a culverted watercourse ,highway impacts, and affordable housing along with other matters arising from the consultation and notification process. The proposal is now considered to be acceptable and been conditioned accordingly.

Conditions

1.Applications for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission. The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2.Approval of the details of the scale, design and external appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Plans and particulars of the reserved matters shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason - To ensure the satisfactory development of the site and because this application is in outline only.

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

Drawing ref: 18.13 PL01 (Location Plan); 1813 SA 01 (Site Analysis Plan);18.13 PL05 (Layout Strategy) received 11th December 2021; as revised by layout shown on 18.13.PL02 rev.G;

Site Analysis photographs 1 of 4; 2 of 4, 3 of 4 and 4 of 4:

Plan ref: 18-442 rev.C (Topographical Land Study);

Planning Statement from NJL Consulting. Ref. December 2020 2020-040;
Design and Access Statement dated December 2020;
Mapping information in regard to utilities;
Letter from GMAAS to the developer dated 26th November 2020 confirming the site contains no heritage assets and has a very low potential for archaeological remains;
Air Quality Assessment ref: 4039 r2 dated 4th December 2020;
Preliminary Ecological Appraisal 7th December 2020 (including plan ref: SE0920-01_ECOP01);
Crime Impact Statement VERSION B: 10th December 2020 Ref: 2020/0631/CIS/01;
Outdoor Lighting Report dated 3rd December 2020 (including plan ref: 22050-D-01(Section 38 Proposed Lighting and Installation Design Layout));
Structural Design Philosophy by Scott Hughes;
Broadband Connectivity Assessment Issue 01:Noise and Vibration Assessment for Planning Purposes dated 7th December 2020
Ref: AEC REPORT: P4238/R1c/RDC;
Arboricultural Impact Assessment 10th December 2020;
Flood Risk Assessment and Drainage Strategy; revision 2 December 2020;
Desk Top Report in relation to ground conditions (including coal mining report)ref: AG3211-20-AL43 Issue 2 dated December 2020;
Waste Management Strategy;
Transport Statement ref: VN 201796 Issue 2 10th December 2020 (including swept path and sightline plans);
Energy and Sustainability Statement dated 1st December 2020;
Received 11th December 2020

Drawing ref: 18.13 SX01A (Site Cross Sections).; and 18.13 SX02A (Site Long Section) received 17th December 2020;
Land ownership plan ref: 7790160 dated 22nd December 2020 to show no land within the site edged red is in Network Rail ownership received 23rd December 2020;

Southway Affordable Housing Mix Statement dated 3rd December 2020 received 18th January 2021;

Plan ref: S18-442 rev.A (Topographical Land Survey showing Trial trench for culverted watercourse) received 18.03.2021;
Affordable Housing Statement dated 25th March 2021 ;

Plan ref: 18.13 PL02 rev.G (site plan for outline planning) and plan ref: 18.13 PL05 rev.A (Layout Strategy)received 21st May 2021;

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.

4. No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period.

The plan/statement shall provide for:

- A construction programme including phasing of works;
- 24 hour emergency contact number;

- Hours of operation;
- Expected number and type of vehicles accessing the site: o Deliveries, waste, cranes, equipment, plant, works, visitors; o Size of construction vehicles; o The use of a consolidation operation or scheme for the delivery of materials and goods; o Phasing of works;
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction): Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

Reason- In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy (2012).

5. Prior to any above ground works, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason -To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

6. The development hereby approved shall be implemented in accordance with Crime Impact Statement VERSION B: 10th December 2020 Ref: 2020/0631/CIS/01, in particular sections 3.3 and 4. 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 for the development.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and to reflect the guidance contained in the National Planning Policy Framework.

7. Prior to commencement of development, full detailed designs (including specifications) of all on site and off site highways works (including any Traffic Regulation Orders, dropped crossings, tactile paving and traffic calming measures) shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, and all the agreed works shall be completed prior to the proposed dwellinghouses being occupied, and thereafter retained and maintained in situ.

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

8. The car parking indicated on the approved plans development be surfaced, demarcated and made available for use prior to the new dwellings hereby approved being occupied. The car parking shall then be available at all times in perpetuity.

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

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

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies SP1, T1, T2, EN8 and DM1 of the Manchester Core Strategy (2012) and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

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

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

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

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

12. Before the development hereby approved is first occupied a full Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by residents and those [attending or] employed in the development
- ii) a commitment to surveying the travel patterns of residents during the first three months of use of the development and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

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

13. Prior to the occupation of the development, finalised details of a strategy for all external lighting, including lighting on the buildings, within the building's curtilage, shall be submitted to, and approved in writing by, the City Council as local planning authority. The development shall be implemented in accordance with the approved details.

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

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

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

15. Before the development hereby approved commences, a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) in accordance with the potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site identified in the Desk Top report ref: AG3211-20-AL43 Issue 2 dated December 2020, shall be 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.

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

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

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

16. The waste management strategy for the storage and disposal of refuse shall be implemented prior to first occupancy of the development and shall remain operational thereafter.

Reason - To protect the amenity of the occupants of the residential and commercial accommodation once the development hereby approved is occupied, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

17. The mitigation and best practice measures set out in the Air Quality Assessment dated 4th December 2020 to safeguard local air quality, shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

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

18.a) The proposed residential accommodation shall be acoustically insulated against noise from the nearby railway, traffic, and industrial /commercial uses in the vicinity, in accordance with the mitigation measures detailed in the Noise and Vibration report for Planning Purposes dated 7th December 2020 by Kirkland Developments Limited. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

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

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

19. No development shall take place until culvert investigation has been undertaken in accordance with the proposal received via email from Paul Graveney (Sent: 05 February 2021 17:10; Subject: RE: call summary - 128864/OO/2020) including attachment 'Vine Street - Culvert Trial Trench.pdf'. This should include verification photos for evidence of investigation as-proposed. If the culvert is proven present, the precise route, condition, capacity and connectivity of the culvert should be determined across the whole site. Results of the investigation shall be submitted to and approved in writing by the Local Planning Authority.

Reason- To reduce the risk of flooding, and to reduce the associated flood risk and danger of collapse of culverts pursuant to policy EN14 of the Manchester Core Strategy (2012).

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

Planning Authority. The development shall be implemented in accordance with the approved details.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant national policies within the NPPF and NPPG and policies EN08 and EN14 of the Manchester Core Strategy (2012).

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

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

Reason- To manage flooding and pollution and ensure future maintenance of the surface water drainage system pursuant to policies EN8, EN14, EN17 and DM1 of the Manchester Core Strategy (2012).

22. Prior to commencement of development, a survey to identify whether badgers are present on the site shall be submitted to, and approved in writing by, the City Council as local planning authority, together with any mitigation measures required. Any mitigation measures which are approved shall be implemented within a timeframe to be agreed with the City Council as local planning authority.

Reason - To safeguard a European Protected Species (Habitats Regulations 1994) to comply with policy EN15 of the Manchester Core Strategy (2012).

23. No removal of or works to any trees or shrubs shall take place during the main bird breeding season (March to August inclusive), unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - In order to provide protection to nesting birds, pursuant to policy EN15 of the Manchester Core Strategy (2012).

24. Prior to any above ground works in connection with the development hereby approved, a scheme for delivering biodiversity enhancement at the site, shall be submitted to and approved in writing by the City Council as the local planning authority. The biodiversity enhancement measures approved, shall be implemented in accordance with the approved scheme, prior to the occupation of the dwellinghouses.

Reason - In order to improve biodiversity within the site, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

25. If no ground works are commenced on site within 12 months of the date of the permission hereby approved, a survey to identify whether bats are present on the site shall be submitted to, and approved in writing by, the City Council as local planning authority, together with mitigation measures prior to commencement of development. Any mitigation measures which are approved shall be implemented within a timeframe to be agreed with the City Council as local planning authority.

Reason - To safeguard a European Protected Species (Habitats Regulations 1994) to comply with policy EN15 of the Manchester Core Strategy (2012).

26. Prior to the any above ground works, a hard and soft landscaping treatment scheme (including a replacement tree strategy), shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings within that phase are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective in that phase of development, another tree or shrub of the same species and size as that originally planted shall be planted at the same place within that phase of development

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).

27. In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans within the Arboricultural Impact Assessment dated 10th December 2020; and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

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

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

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those

areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

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

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

29. Prior to the installation of any utility connections to the dwellinghouses hereby approved fronting onto Vine Street (plot nos. 1-3), finalised details of the excavation methodology to be used in conjunction with the installation of utilities , taken from the options set out with the Excavation Strategies report revision V0 received 21st May 2021; shall be submitted to and approved in writing by the City Council as local planning authority . The development shall be implemented in accordance with the approved details.

Reason - In order avoid damage to trees adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

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

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

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

Reason - In the 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 Manchester Core Strategy (2012) and the guidance contained within the National Planning Policy Framework.

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

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced accommodation does not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Manchester Core Strategy (2012) and the guidance contained within the National Planning Policy Framework.

33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages, extensions, porches, roof alterations or outbuildings shall be erected onto the new build properties within the development hereby approved other than those expressly authorised by this permission.

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

34. Prior to any above ground works, the finalised details of the positions, heights, and type of boundary treatment (including gates, and a suitable trespass proof fence adjacent to the boundary with the railway), shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented in full before any property is first occupied and retained as such thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, and to prevent unauthorised access to the adjacent railway, in order to comply with Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

35. Prior to any above ground works, the finalised details of the positions, heights, and type of acoustic fencing within the development hereby approved, shall be submitted to and approved in writing by the City Council as local planning authority.

The approved scheme shall be implemented in full before any property is first occupied and retained as such thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

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

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

37. Prior to the commencement of development, a method statement and risk assessment in relation to works in proximity to the boundary with the railway shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved method statement and risk assessment .

Reason - To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway, pursuant to policies T1 and DM1 of the Manchester Core Strategy (2012).

38. Any scaffolding works to be undertaken within 10m of the railway boundary, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved scaffolding works.

Reason - In the interests of protecting the railway and its boundary from over-sailing scaffolding, pursuant to policies T1 and DM1 of the Manchester Core Strategy (2012).

39. Prior to any vibro-impact works on site, a risk assessment and method statement shall be submitted to ,and approved in writing by City Council as Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason - To prevent any piling works and vibration from de-stabilising or impacting the railway, pursuant to policies T1 and DM1 of the Manchester Core Strategy for Manchester (2012).

40. Prior to any above ground works, details of a scheme to direct both the disposal of surface water and foul water drainage, away from the railway shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason- To protect the adjacent railway from the risk of flooding, soil slippage and pollution, pursuant to policies EN14, T1 and DM1 of the Manchester Core Strategy (2012).

41. Prior to the commencement of the development, full details of proposed ground levels, earthworks and excavations to be carried out near to the northern boundary with the railway shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason - To prevent any of the resulting ground levels, earthworks and excavations, from de-stabilising or impacting the railway, pursuant to policies T1 and DM1 of the Manchester Core Strategy for Manchester (2012).

42. Prior to any above ground works details of appropriate vehicle safety protection measures along the boundary with the railway shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason- To prevent the design and layout of the road and parking spaces from impacting the adjacent operational railway with accidental vehicle incursion, pursuant to policies T1 and DM1 of the Manchester Core Strategy for Manchester (2012).

Informatives

1, Highways

The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

2. Network Rail

1. Measurements to railway tracks and railway boundary

When designing proposals, the developer is advised, that any measurements must be taken from the operational railway / Network Rail boundary and not from the railway tracks themselves. From the existing railway tracks to the Network Rail boundary, the land will include critical infrastructure (e.g. cables, signals, overhead lines, communication equipment etc) and boundary treatments (including support zones) which might be adversely impacted by outside party proposals unless the necessary asset protection measures are undertaken. No proposal should increase Network Rail's liability.

2. The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. The Builder is to ensure that no dust or debris is allowed to contaminate Network Rail land as the outside party would be liable for any clean-up costs. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer. The applicant /developer should submit the RAMs directly to: AssetProtectionLNWNorth@networkrail.co.uk

3. Fencing

The applicant will provide at their own expense (if not already in place):

- A suitable trespass proof steel palisade fence of a minimum height of 1.8m adjacent to the boundary with the railway/railway land.
- The fence must be wholly constructed and maintained within the applicant's land ownership footprint.
- All foundations must be wholly constructed and maintained within the applicant's land ownership footprint without over-sailing or encroaching onto Network Rail's boundary.
- The fence must be set back at least 1m from the railway boundary to ensure that Network Rail can maintain and renew its boundary treatments.
- Existing Network Rail fencing, and boundary treatments, must not be damaged or removed in any way.
- Network Rail will not allow any maintenance works for proposal fencing or proposal boundary treatments to take place on its land.
- Proposal fencing must not be placed on the boundary with the railway.
- Any fencing over 1.8m in height will require agreement from Network Rail with details of foundations and wind loading calculations submitted for review.
- The fence should be maintained by the developer and that no responsibility is passed to Network Rail.

4. Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail land and its infrastructure or undermine or damage or adversely affect any railway land and structures.

There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land or under the Network Rail boundary.

All buildings and structures on site including all foundations / fencing foundations must be constructed wholly within the applicant's land ownership footprint.

Buildings and structures must not over-sail Network Rail air-space.

Any future maintenance must be conducted solely within the applicant's land ownership.

Rainwater goods must not discharge towards or over the railway boundary

Should the applicant require access to Network Rail land to facilitate their proposal they would need to approach the Network Rail Asset Protection Team at least 20

weeks before any works are due to commence on site. The applicant would be liable for all costs incurred in facilitating the proposal and an asset protection agreement may be necessary to undertake works. Network Rail reserves the right to refuse any works by an outside party that may adversely impact its land and infrastructure. Any unauthorised access to Network Rail air-space or land will be deemed an act of trespass.

5. Scaffolding

Scaffolding which is to be constructed within 10 metres of the Network Rail / railway boundary must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffolding must be installed. The applicant / applicant's contractor must consider if they can undertake the works and associated scaffolding / access for working at height within the footprint of their land ownership boundary. The applicant is reminded that when pole(s) are erected for construction or maintenance works, they must have a minimum 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.

This is to ensure that the safety of the railway is preserved, and that scaffolding does not:

Fall into the path of on-coming trains

Fall onto and damage critical and safety related lineside equipment and infrastructure

Fall onto overhead lines bringing them down, resulting in serious safety issues (this is applicable if the proposal is above the railway and where the line is electrified).

6. Vibro-Impact Machinery

If vibro-compaction machinery / piling machinery or piling and ground treatment works are to be undertaken as part of the development, details of the use of such machinery and a method statement must be submitted to the Network Rail for agreement.

All works shall only be carried out in accordance with the method statement and the works will be reviewed by Network Rail. The Network Rail Asset Protection Engineer will need to review such works in order to determine the type of soil (e.g. sand, rock) that the works are being carried out upon and also to determine the level of vibration that will occur as a result of the piling.

The impact upon the railway is dependent upon the distance from the railway boundary of the piling equipment, the type of soil the development is being constructed upon and the level of vibration. Each proposal is therefore different and thence the need for Network Rail to review the piling details / method statement.

Maximum allowable levels of vibration - CFA piling is preferred as this tends to give rise to less vibration. Excessive vibration caused by piling can damage railway structures and cause movement to the railway track as a result of the consolidation of track ballast. The developer must demonstrate that the vibration does not exceed a peak particle velocity of 5mm/s at any structure or with respect to the rail track.

7. Drainage proposals and Network Rail land

In order to comply with the NPPF, the applicant must ensure that the proposal drainage does not increase Network Rail's liability, or cause flooding pollution or soil slippage, vegetation or boundary issues on railway land. Therefore, the proposed drainage on site will include the following:

All surface waters and foul waters must drain away from the direction of the railway boundary.

Soakaways for the proposal must be placed at least 30m from the railway boundary. Any drainage proposals for less than 30m from the railway boundary must ensure that surface and foul waters are carried from site in closed sealed pipe systems. Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail's land and infrastructure. Proper provision must be made to accept and continue drainage discharging from Network Rail's property.

Drainage works must not impact upon culverts, including culverts/brooks etc that drain under the railway. The applicant will not be permitted to direct surface or foul waters into culverts which run under the railway – any discharge of surface water under the railway via a culvert will require review and agreement from Network Rail who reserve the right to refuse use of any culverts.

The developer must ensure that there is no surface or sub-surface flow of water towards the operational railway.

Rainwater goods must not discharge in the direction of the railway or onto or over the railway boundary.

NB: Soakaways can materially affect the strength of soil leading to stability issues. A large mass of water wetting the environment can soften the ground, and a build-up of water can lead to issues with the stability of Network Rail retaining walls/structures and the railway boundary. Network Rail does not accept the installation of soakaways behind any retaining structures as this significantly increases the risk of failure and subsequent risk to the travelling public.

If the developer and the council insists upon a sustainable drainage and flooding system then the issue and responsibility of flooding, water saturation and stability issues should not be passed onto Network Rail. They recognise that councils are looking to proposals that are sustainable, however, they would remind the applicant that flooding, drainage, surface and foul water management risk as well as stability issues should not be passed 'elsewhere', i.e. on to Network Rail land.

The drainage proposals are to be agreed with Network Rail and surface water drainage on the site should be removed by a closed sealed pipe system.

The HSE identifies railways as a Major Hazard Industry. An earthwork failure within a high-hazard area has the potential to result in a catastrophic accident with multiple fatalities or long-lasting environmental issues. It should be noted that where the actions of an adjacent landowner have caused a landslip on the railway the loss adjusters are likely to advise recovery of Network Rail costs from the 3rd party, which would include costs of remediation and recovery of costs to train operators. Many railway earthworks were constructed in the Victorian period and are susceptible to failure by water saturation. Water saturation leads to an increase in pore water pressure within the earthwork material. Please also note that railways, and former railway land adjacent to it, is considered as contaminated land due to historic use of railways, which can affect the suitability of infiltration drainage.

8. Excavation and Earthworks and Network Rail land:

The NPPF states:

“178. Planning policies and decisions should ensure that:

a. A site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability.”

In order to comply with the NPPF, the applicant will agree all excavation and earthworks within 10m of the railway boundary with Network Rail. Network Rail will need to review and agree the works to determine if they impact upon the support

zone of our land and infrastructure as well as determining relative levels in relation to the railway.

Network Rail would need to agree the following:

Alterations to ground levels

De-watering works

Ground stabilisation works

Works to retaining walls

Construction and temporary works

Maintenance of retaining walls

Ground investigation works must not be undertaken unless agreed with Network Rail.

Confirmation of retaining wall works (either Network Rail and/or the applicant).

Alterations in loading within 15m of the railway boundary must be agreed with Network Rail.

For works next to a cutting or at the toe of an embankment the developer / applicant would be required to undertake a slope stability review.

Network Rail would need to review and agree the methods of construction works on site to ensure that there is no impact upon critical railway infrastructure. No excavation works are to commence without agreement from Network Rail. The council are advised that the impact of outside party excavation and earthworks can be different depending on the geography and soil in the area. The developer is also advised that support zones for railway infrastructure may extend beyond the railway boundary and into the proposal area. Therefore, consultation with Network Rail is requested. Any right of support must be maintained by the developer.

9. 3m Gap

Network Rail requires that the developer includes a minimum 3 metres gap between the buildings and structures on site and the railway boundary. Less than 3m from the railway boundary to the edge of structures could result in construction and future maintenance works being undertaken on Network Rail land, and close to the railway boundary potentially impacting support zones or lineside cabling. All the works undertaken to facilitate the design and layout of the proposal should be undertaken wholly within the applicant's land ownership footprint including all foundation works. Network Rail requires a minimum 3m easement between structures on site and the railway boundary to ensure that they can maintain and renew their boundary treatments.

10. Noise

The developer (along with their chosen acoustic contractor) are recommended to engage in discussions to determine the most appropriate measures to mitigate noise and vibration from the existing operational railway to ensure that there will be no future issues for residents once they take up occupation of the dwellings. The NPPF states, "*182. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use), in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.*"

Network Rail is aware that residents of developments adjacent to or in close proximity to, or near to the existing operational railway have in the past discovered issues upon occupation of dwellings with noise and vibration. It is therefore a matter for the developer and the council via mitigation measures and conditions to ensure

that any existing noise and vibration, and the potential for any future noise and vibration are mitigated appropriately prior to construction.

To note are:

The current level of railway usage may be subject to change at any time without prior notification including increased frequency of trains, night time train running, heavy freight trains, trains run at weekends /bank holidays.

Maintenance works to trains could be undertaken at night and may mean leaving the trains' motors running which can lead to increased levels of noise and vibration.

Network Rail carry out works at night on the operational railway when normal rail traffic is suspended and these works can be noisy and cause vibration.

Network Rail may need to conduct emergency works on the existing operational railway line which may not be notified to residents in advance due to their safety critical nature, and may occur at any time of the day or night, during bank holidays and at weekends.

Works to the existing operational railway may include the presence of plant and machinery as well as vehicles and personnel for works.

The proposal should not prevent Network Rail from its statutory undertaking. Network Rail is a track authority. It may authorise the use of the track by train operating companies or independent railway operators and may be compelled to give such authorisation. Its ability to respond to any enquiries regarding intended future use is therefore limited.

The scope and duration of any Noise and Vibration Assessments may only reflect the levels of railway usage at the time of the survey.

Any assessments required as part of CDM (Construction Design Management) or local planning authority planning applications validations process are between the developer and their appointed contractor.

Network Rail cannot advise third parties on specific noise and vibration mitigation measures. Such measures will need to be agreed between the developer, their approved acoustic contractor and the local planning authority.

Design and layout of proposals should take into consideration and mitigate against existing usage of the operational railway and any future increase in usage of the said existing operational railway.

Noise and Vibration Assessments should take into account any railway depots, freight depots, light maintenance depots in the area. If a Noise and Vibration Assessment does not take into account any depots in the area then the applicant will be requested to reconsider the findings of the report.

Railway land which is owned by Network Rail but which may be deemed to be 'disused ' or 'mothballed', may be brought back into use. Any proposals for residential

development should include mitigation measures agreed between the developer, their acoustic contractor and the LPA to mitigate against future impacts of noise and vibration, based on the premise that the railway line may be brought back into use.

Works may be carried out to electrify railway lines and this could create noise and vibration for the time works are in progress. Electrification works can also result in loss of lineside vegetation to facilitate the erection of stanchions and equipment.

11.Trees

Proposals for the site should take into account the recommendations of, 'BS 5837:2012 Trees in Relation to Design, Demolition and Construction', which needs to

be applied to prevent long term damage to the health of trees on Network Rail land so that they do not become a risk to members of the public in the future. No trees shall be planted next to the boundary with the railway land and the operational railway, except for evergreen shrubs which shall be planted a minimum distance from the Network Rail boundary that is equal to their expected mature growth height. The vegetation planting must be in line with the attached matrix which has been agreed with the Tree Council. This is to prevent long term issues with leaf fall impacting the operational railway.

12. Parking / Hard Standing Area

Where a proposal calls for the following adjacent to the boundary with the operational railway, running parallel to the operational railway or where the existing operational railway is below the height of the proposal site:

- hard standing areas
- turning circles
- roads, public highways to facilitate access and egress from developments

Network Rail requests the installation of suitable high kerbs or crash barriers (e.g. Armco Safety Barriers).

This is to prevent vehicle incursion from the proposal area impacting upon the safe operation of the railway.

13. BAPA (Basic Asset Protection Agreement)

As the proposal includes works which could impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches.

The BAPA will be in addition to any planning consent.

The applicant / developer should liaise directly with Asset Protection to set up the BAPA.

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: 128864/OO/2020 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

**Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC**

**The Coal Authority
Network Rail
Greater Manchester Ecology Unit**

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

Representations were received from the following third parties:

Relevant Contact Officer :	Sue Wills
Telephone number :	0161 234 4524
Email :	sue.wills@manchester.gov.uk

