

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
127241/FO/2020	23 Jun 2020	1 Jul 2021	Chorlton Park Ward

**Proposal** Change of use of 515 Barlow Moor Road from ground floor retail (Use Class A1) and 1no. self contained flat to form a single 2no. bedroom dwellinghouse (Use Class C3), elevational alterations to front and rear, landscaping, and, conversion of no.s 517 to 521 Barlow Moor Road from ground floor retail (Use Class A1) and 6no. self contained flats to form 11.no self-contained flats (Use Class C3) together with a three storey rear extension to no.s 517 and 519 Barlow Moor Road, 3no front dormers and 3no. rear dormers, associated elevation alterations to front and rear including creation of vehicular and pedestrian access, bicycle and bin stores and formation of 6 no. car parking spaces.

**Location** 515 To 521 Barlow Moor Road, Manchester, M21 8AQ

**Applicant** Mr David and Martin Woolf, C/o Agent

**Agent** Mr Simon James, Simon James Arq Ltd, Flat 1 , 346 Barlow Moor Road, Manchester, M21 8AY

## Executive Summary

This application seeks approval to the extension and conversion of a property currently in mixed commercial and residential use to wholly residential. The property is located within Chorlton District Shopping Centre although it is adjoined on all sides by residential properties. The scheme has been amended, including the relocation of the car parking from the rear garden to the forecourt, a reduction in the scale of the extensions and a reduction in the number of flats proposed.

Concern has been raised as to the scale of the proposed development and the impact on the ecology of the site.

Local residents have been notified on four occasions and in total 26 responses were received objecting to the proposal and one supporting it. Local Ward Members have also objected to the proposed development.

A full report is attached for Members consideration.

## Description

This application was placed before the Planning and Highways Committee on the 3rd June 2021 and at that meeting the Committee deferred deliberation in order to allow Members to undertake a site visit due to concerns relating to the impact of the proposed development on the ecology of the site and to have a greater appreciation of the impact of the works proposed

This application relates to a short parade comprising five commercial units with six self-contained flats above. The site is located on the west side of Barlow Moor Road

close to its junction with High Lane. The building is set behind a 4.2 metres deep forecourt used for parking, it is a two storey building constructed of red facing brick. There are two, two storey side extensions which sit significantly lower than the main body of the building. There is an ornate central parapet either side of which are, what appear to be original, small shed dormers. Whilst the first floor is of character the ground floor which projects forward of the upper floor comprises an eclectic collection of shop fronts and an entrance to the flats. The site falls away to the rear and the rear elevation of the building is effectively three stories, the additional floor being a basement.

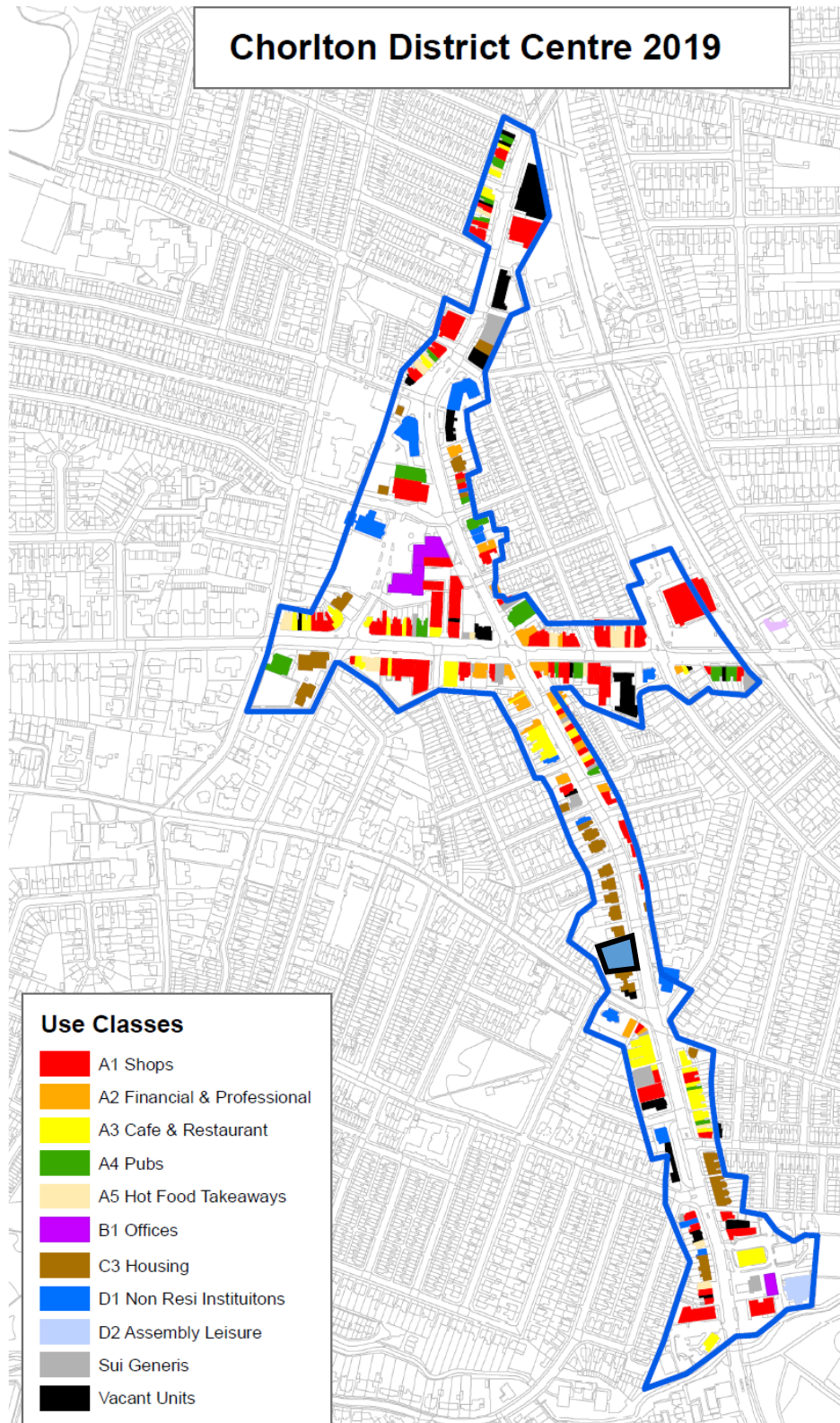


Front elevation from Barlow Moor Road

There are two, three storey outriggers on the rear of the main building. At the rear of the property is a garden. The submitted tree report identifies 9 trees and 4 groups of trees within the rear garden, two trees in adjacent properties and three trees in the public footpath in front of the property.

The site is situated within Chorlton District centre. This is a linear centre based on Barlow Moor Road/Manchester Road and Wilbraham Road. There are two main concentrations of commercial activity within the centre, based on Barlow Moor Road/Manchester Road Wilbraham Road junction in the north and south of High Lane. The areas in between are a mix of commercial and residential uses.

## Chorlton District Centre 2019



Chorlton District Centre, site is edged black

Adjoining the site to the north is a large double fronted two storey detached property that has been extensively extended and is in use as flats. There is a large car park to the rear. To the south are two semi detached, two storey properties. The adjacent property appears to be a single family dwelling. The more southerly property appears to be in bedsits. Adjoining the site to the west are the rear gardens of residential

properties on High Lane. Facing the site across Barlow Moor Road are a purpose built flat development and a large semi detached property converted to flats.

There are single yellow lines on Barlow Moor Road in front of the property and a cycle lane.

Consent is sought to remove the existing shop fronts and to replace them with a residential façade to extend the property and to convert the enlarged property into 1 dwelling and 11 self contained flats, with associated landscaping and car parking.



**Existing Front Elevation**



**Proposed front elevation**

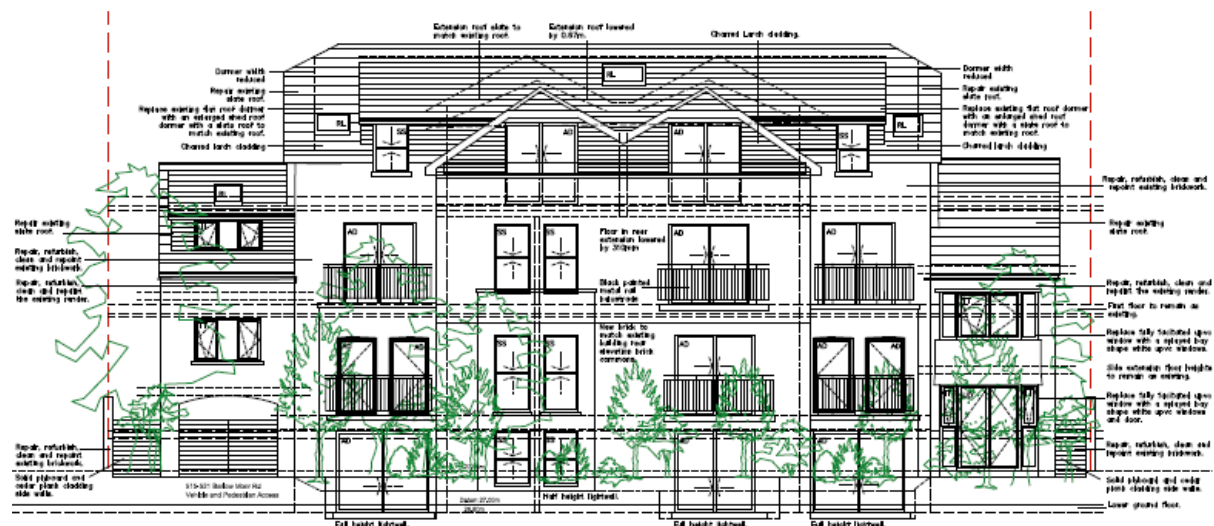
On the front elevation it is proposed to remove the existing shop fronts and to install a new basement and ground floor elevation. The design would be influenced by the original architecture of the building and contain a flat roofed bay window either side of a central entrance. The existing dormers on the front elevation would be replaced with a pair of larger dormers and a dormer would be added to the northern two storey side extension. The basement of the northern extension would be opened up



to allow access for refuse/recycling and cycles. In total 8 roof lights would be added to the front elevation.

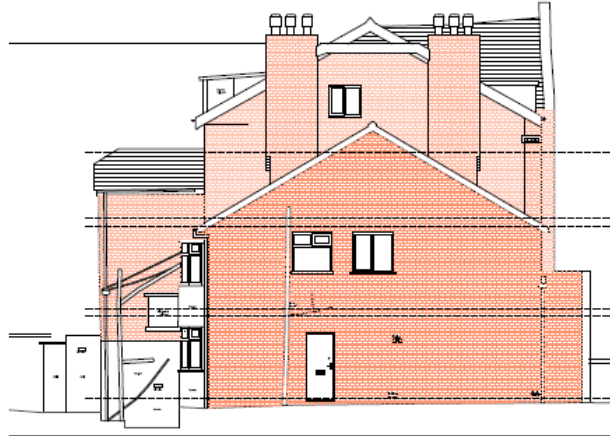


Existing Rear Elevation

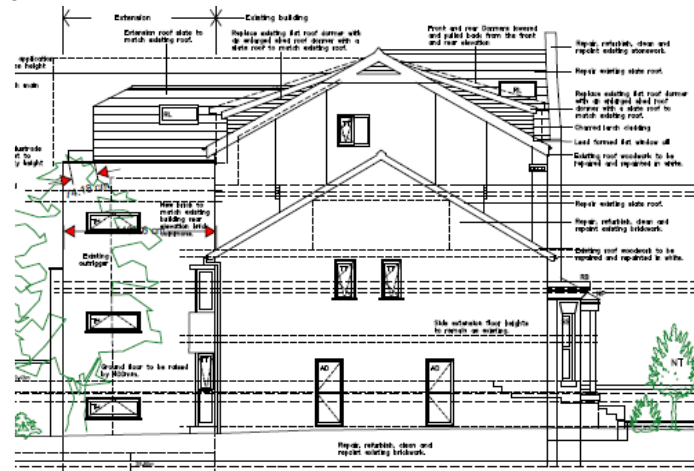


Proposed rear elevation

On the rear elevation the existing outriggers and bays would be demolished and replaced with a central three storey and basement extension projecting 4.5 metres and 10 metres wide. The second floor would be accommodated partially within the roof. On the main building there would be a new, 14 metre wide dormer and a dormer to the rear of the northern extension. The rear elevation would contain a number of French/patio doors and balconies and a 0.75 metre wide balcony at second floor level.



Existing south elevation

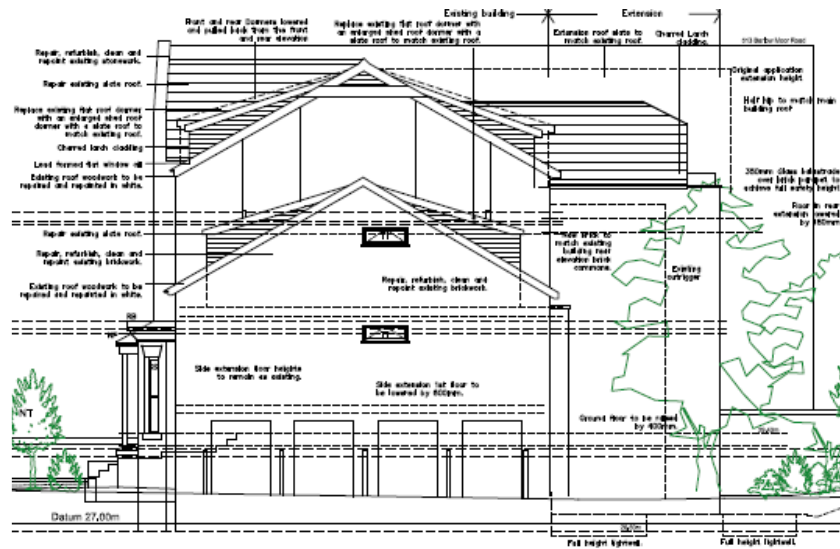


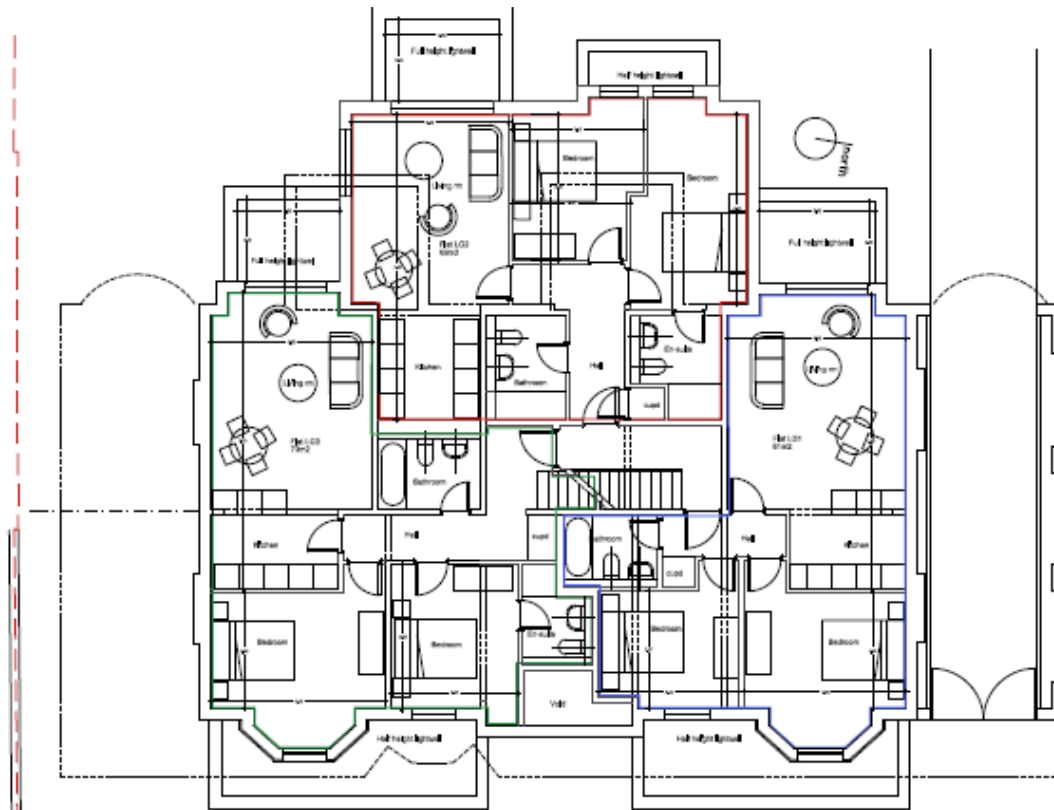
Proposed south elevation

There would be high level windows in the south side of the proposed extension.



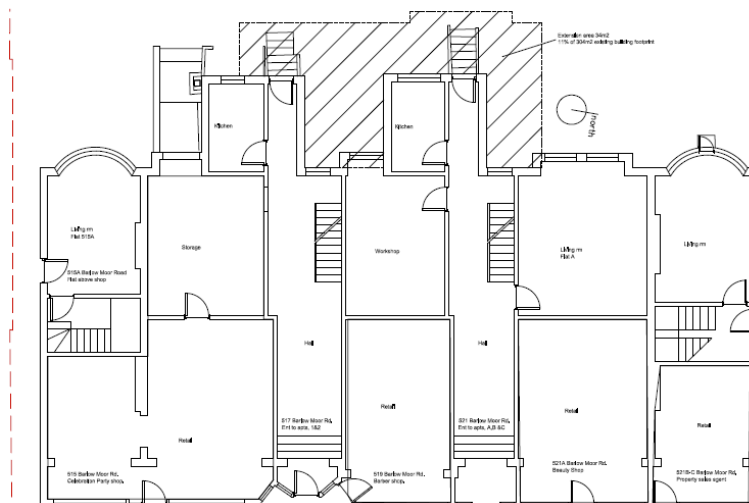
Existing north elevation





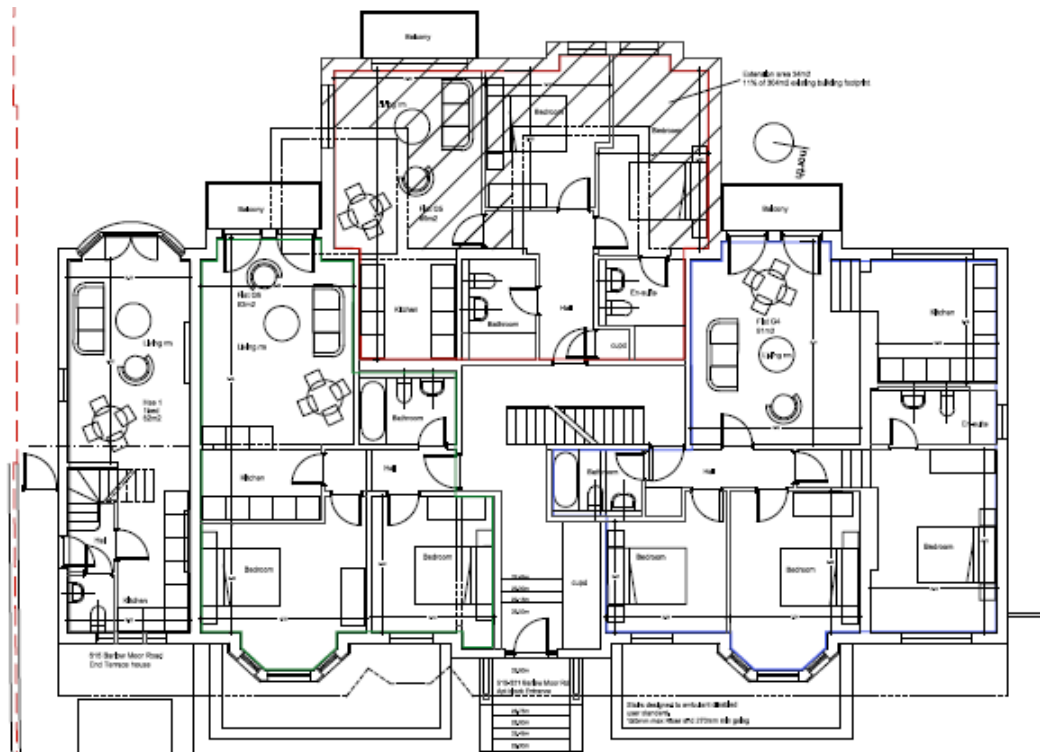
Proposed lower ground floor level.

On the lower ground level there would be three two bedroom flats each with an open plan living area. Each flat would have a sunken terrace at the rear and two of the flats would have half height lightwells at the front. The flats would be accessed from a central core.



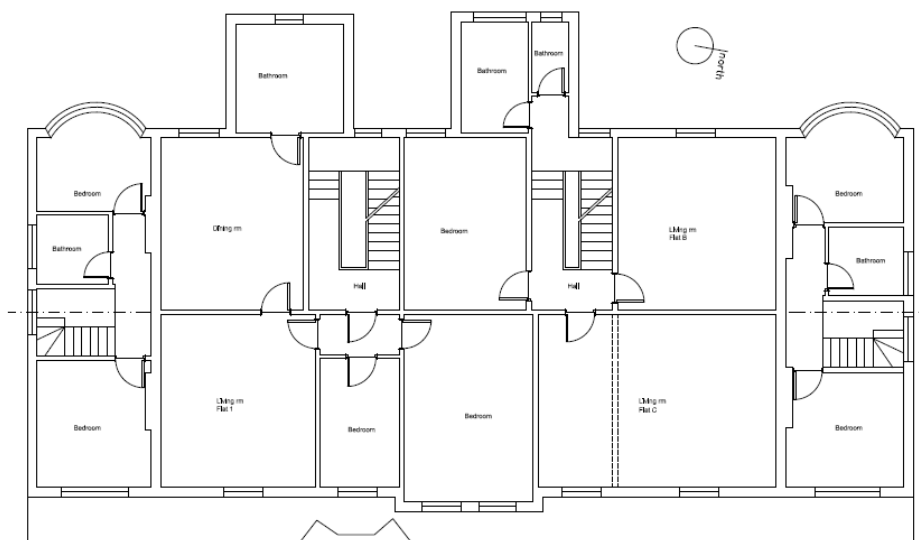
Existing ground floor



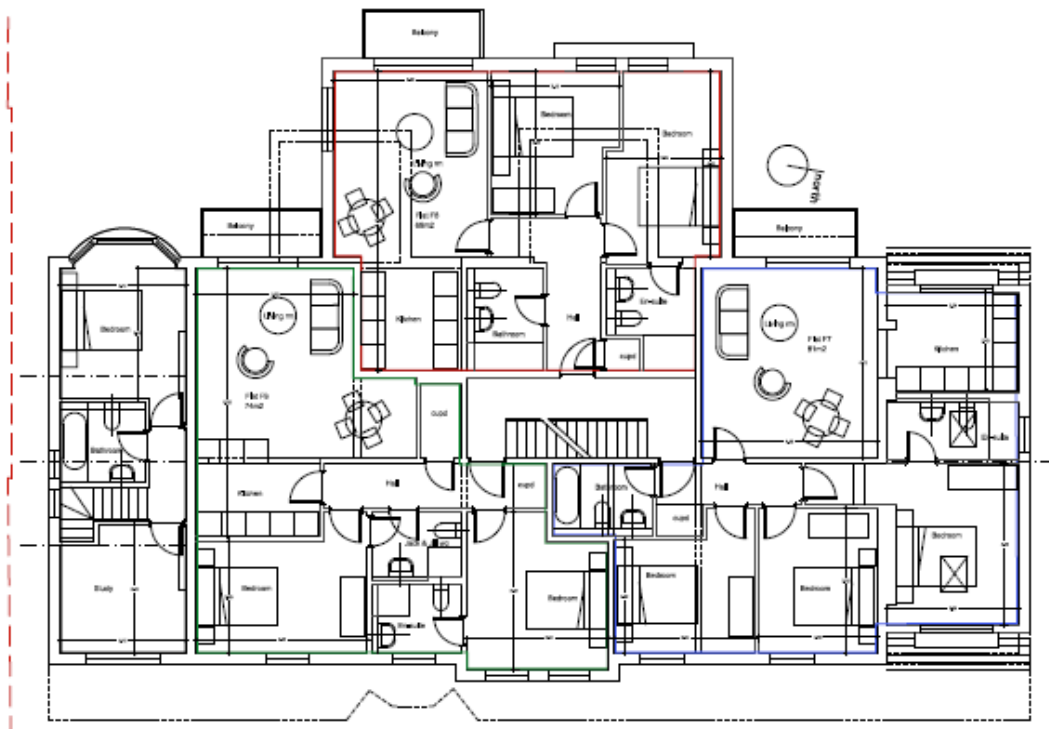


Proposed ground floor plans

On the ground floor in what was the original southern extension would be the lower floor of the proposed house and two, two bed and one three bed apartments again with open plan living areas. Each flat would have a balcony measuring approximately 3 metres wide and 1.2 metres deep on the rear elevation. The main entrance into the building would be at this level leading into a central core. The entrance to the house would be on the side elevation.

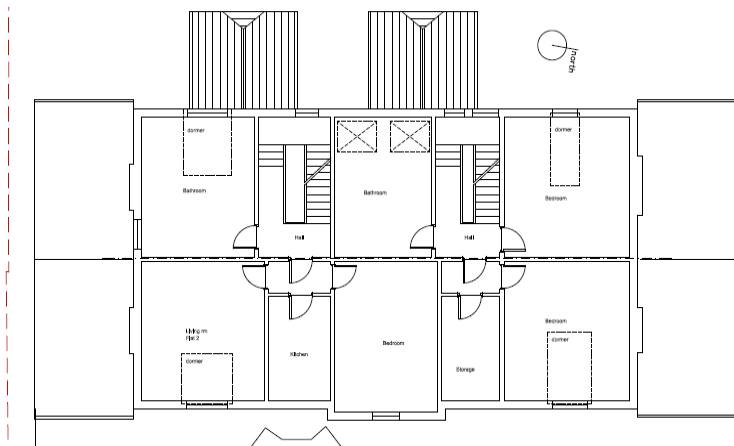


Existing first floor

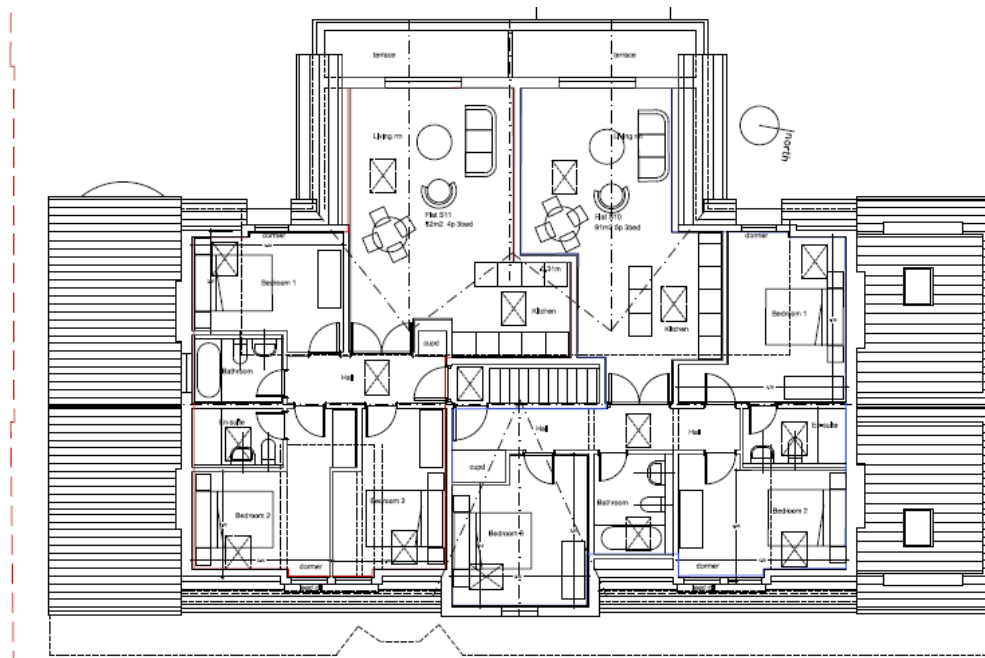


Proposed first floor

The first floor would contain a bedroom, study and bathroom to the proposed house, two, two bedrooms flats, each with an open plan living area and a three bedroom flat with separate lounge and kitchen. Each flat would have a similar sized balcony on the rear elevation to those on the floor below.



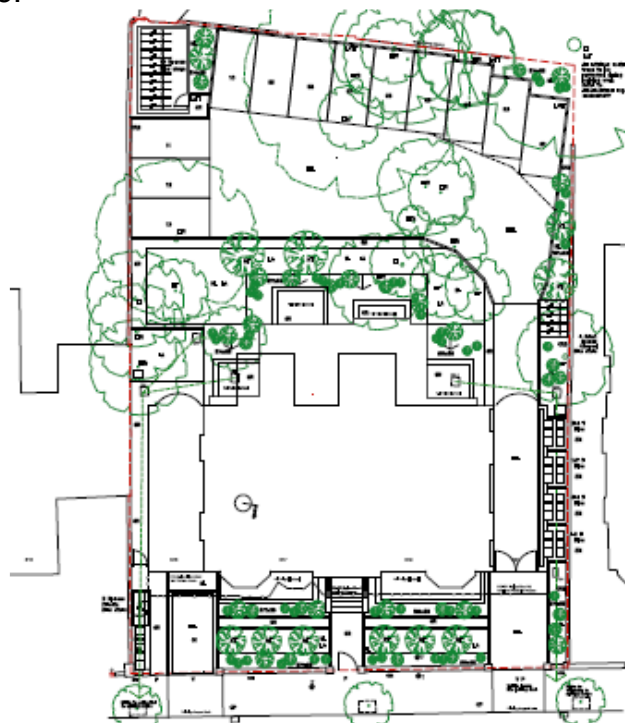
Existing second floor



Proposed second floor

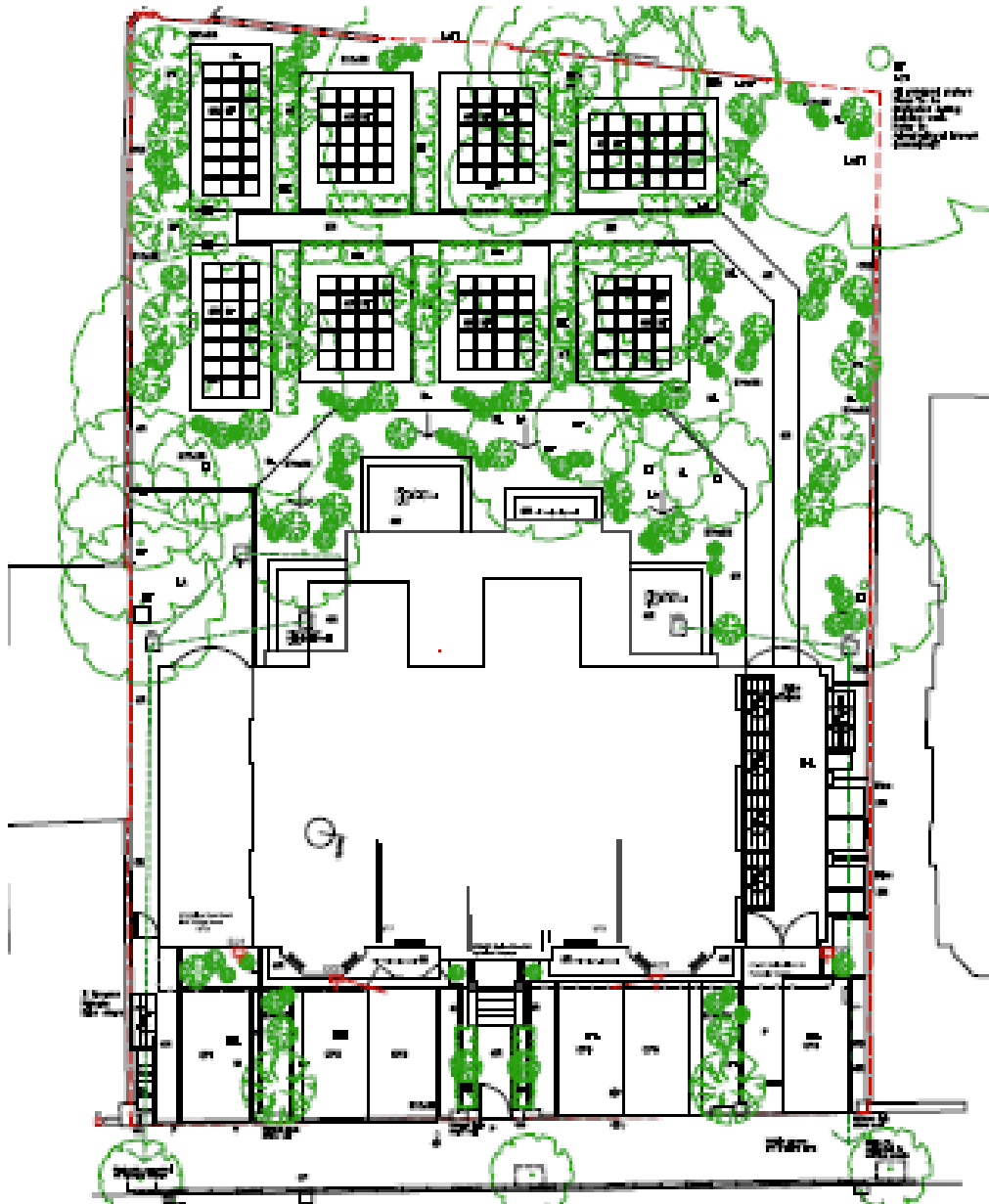
The proposed second floor would contain two three bed apartments with a terrace above the second floor of the proposed extension.

As originally submitted the proposed development sought to landscape the front forecourt with one parking space for the house, and to create a 12 space car park accessed beneath the existing norther extension from Barlow Moor Road in what is currently the rear garden. To facilitate the revised development 2 groups and 4 individual trees are proposed to be removed. A further 3 trees are proposed to be removed due to their condition. 9 new trees are included in the submitted landscaping scheme.



#### Site Layout as submitted

The site layout has been significantly amended and the car parking in the rear garden has been removed from the scheme and in its place eight flag and gravel patios enclosed by hedging created to provide semi private areas for the future residents of the development to use.



Parking would be relocated to the forecourt (similar to the existing situation), with six spaces provided broken up with areas of planting. Secure cycle and refuse storage for the flats would be located at the side of the property in what is in effect the basement of the northern original two storey side extension. A refuse and cycle store for the house would be located adjacent to the southern boundary of the site. In this revised scheme nine of the existing trees would be retained, four would be removed

and in addition to the hedging 6 new trees would be planted. All of the parking spaces would be provided with electric vehicle charging points.

An ecology report was submitted in support of the application. The application concludes:

- The building is considered to offer negligible bat roost suitability.
- No evidence of protected species was found on the wider site, and there are no protected species constraints. The habitats present are of limited ecological value. The vegetation on the site does offer suitable habitat for nesting birds. If any vegetation is to be removed, this should be done outside of the nesting bird season.
- Himalayan Balsam is present on the site. This is listed under Schedule 9 of the Wildlife & Countryside Act 1981 (as amended), making it an offence to allow the plant to spread into the wild. It is therefore recommended this be removed prior to work commencing, using a suitable methodology.

A second bat survey was conducted on 2 June 2021 which states that no bats were observed emerging from the building. Common Pipistrelle bats were recorded and observed foraging during the survey. Further the survey was undertaken during optimum weather conditions.

The survey recommends that the development can proceed without the need for further survey work due to the negligible potential of the building to support bats. However, if the work is delayed by longer than two years from the date of this survey, a further bat survey will be required to update the findings.

It is further recommended that bat boxes be installed on the rear of the building to enhance bat roosting habitat on the site.

## **Consultations**

### **Ward Members**

The ward members objected to the scheme as it was originally submitted. Their comments are summarised below.

- They can see that given the present day context there would be merit in reducing the amount of retail space, and by and large the plans and specification for the building look very impressive.
- They are unhappy about the way this proposal has been approached, which has misrepresented the site and the situation.
- They are also unhappy about the way in which such long standing tenants of the flats and commercial leaseholders have been treated. This proposal, if approved will lead to their eviction. They understand that this does not form part of the planning process but do sincerely hope that by highlighting this at this stage the developer will reassess their approach and treat the residents, the commercial leaseholders and the environment with more care.
- Lack of environmental impact assessment;
- Overdevelopment
- Impact on neighbours



-Members request a site visit.

In response to the current scheme Councillor Mandie Shilton-Godwin has raised the following objections to the proposed development on behalf of herself and Councillors Dave Rawson and Joanna Midgely.

- They remain very concerned about the proposal which they feel constitutes a significant overdevelopment, even though they recognise that the number of homes has been reduced since the previous iteration
- They recognise that objections raised to the tarmacking of the rear garden originally proposed to be used as a car park and they maintain that objection. They also acknowledge that they have been told that this space cannot be used for a car park. However if only six spaces are created at the front of the house then the development will not supply the number of car parking spaces that normally would be required for a such a development and this will create intolerable pressure on car parking spaces in the neighbourhood where there are already really significant problems and where there is a segregated cycleway planned and due to be built in the next year right across the front of the property.
- They are concerned about the plans for hardstanding in the back garden and we really do worry that this is intended to be a car park by any other name and that is how it will be used once the focus on this goes away, after the work is done.
- There are inaccuracies in the report, there is a pond in the garden. They have stood beside it and cannot understand how an ecologist has missed this and it is very concerning for the accurate charting of the potential for wildlife loss that would be entailed by these plans.

#### Local Residents/businesses

Local residents and businesses have been notified on four occasions in respect of the development and the subsequent changes to it.

In response to the initial notification 15 letters were received objecting to the proposed development. The issues raised are summarised below.

- The proposed accommodation only meets the minimum space standards.
- The poor space standards will give rise to health and social problems.
- The development destroys open space
- The proposal goes against the ethos of creating a cycle route in Chorlton
- The development will contribute to a lack of visual amenity for neighbouring residents.
- It will destroy wildlife habitat - (bats, hedgehogs, insects.) and will impact on biodiversity & nature conservation
- There will be a loss of mature trees
- It contravenes MCC's declaration of a climate emergency as biodiversity and rewilding help to prevent and mitigate climate change. A car park means more reliance on cars which is in direct opposition to Chorlton's plans for the district centre to be an exemplar for cycling and walking.
- Residents have questioned the validity and findings of the Ecology report produced by the applicant. Bats have been seen in the evening, not during the day, there are nesting birds and the site contains a pond.
- The existing tenants have been in residence for in excess of 20 years and are a part of the community

- The proposal represents an overdevelopment of the site.
- Residents were given insufficient time to comment on the application.
- There are already countless flats and apartments for sale in and around this part of Chorlton; although perhaps not so many good quality 2 or 3 bedroom rental properties.
- The additional residents will overburden local services and facilities.
- There are a great many for sale or to let signs outside of existing flats in the area. Therefore, is there the demand for the flats.
- The development will increase noise and pollution.
- Doing away with the shops which are currently trading at the property would be yet another blow to Chorlton residents and visitors alike.
- Concern was expressed about the plotting of the trees on the plans.
- The car park in the rear garden will impact on residents in terms of noise and pollution.
- Loss of privacy.
- The development will affect trees outside of the site.

One letter was received supporting the proposed development. The writer made the following points.

- They are supportive of this proposal, dependent on the quality of finish.
- The current situation has a disjointed appearance and feels run down.
- The parking to the front of the shops is inappropriate and anti-social parking in the bike lane and onto the pavement occurs because of the placement of the shops.

The second and third notifications nine responses were received objecting to the proposed development. The issues raised are summarised below.

- The bike shed is no longer close to adjoining house wall
- The removal of one car parking space and additional planting in that corner would somewhat mitigate concerns about privacy, and directly overlooking the car park.
- The plans still involve felling of 26 mature trees, and loss of a pond, with resultant impacts on biodiversity.
- Concerned about the removal of an outbuilding which forms a boundary wall.
- Concerned about a loss of privacy and overlooking.
- The proposed flats just meet the minimum space standards and do not provide the spacious accommodation required for people's wellbeing.
- The development will destroy habitat and trees.
- There will be a loss of visual amenity to the surrounding residents
- Residents have seen bats in the garden.

One letter was received supporting the proposal for the following reasons

- The current situation has a disjointed appearance and feels run down.
- The parking to the front of the shops is currently inappropriate and anti social parking in the bike lane and onto the pavement occurs because of the placement of the shops.

In response to the most recent notification Three letters were received. The issues raised are summarised below. Two of the representations is on behalf of the six residents in the existing property.

- There appear to be a number of unresolved issues and the information provided is vague.

- There are no dimensions on the drawings, yet it is evident that this is an overdevelopment of the site.
- There are 8 parking spaces shown on the drawings but no access to them.
- The latest plans show one parking space and 2 electric vehicle charging points for what could be up to 50 people.
- "Reinstate the 600mm stonework wall, gateposts and copings to match height and materials to 523 Barlow Moor Road". This is at the front of the building – in the car parking / bin collection area. In the available space between the wall and the railings in the front garden area of 523 Barlow Moor Road there is no space left for the smallest car.
- The existing drains in the road outside the property have been flooding for over 20 years. There are constant puddles in the road, particularly when it has been raining heavily.
- Consideration should be given to the ecological value of the site.
- It is questioned if there is sufficient secure cycle storage.
- Who will put out the bins which will be very heavy.
- The cycle and refuse storage will interfere with cars seeking to access the parking at the rear of the property.
- The apartments are undersized.
- There is no visitor parking spaces or service vehicles.
- There are insufficient electric vehicle charging points.
- Will electric gates slow down emergency services.
- Loss of independent shops that will impact on the areas economy.
- The bins will be an eyesore.
- No covered facilities for motorcycles.
- The extensions will result in the overlooking of adjacent residential properties.
- There will be an increase in noise.
- The building works will disturb neighbours.
- There is insufficient greenery in the proposed development for the wellbeing of the future residents.
- There are three commercial units in the parade, what was the fourth is used as living accommodation.
- There are no trees in such bad condition as to require removal.
- The layout leaves open the possibility of the rear garden becoming additional parking.
- The shops are only open normal trading hours and therefore there is no antisocial parking in the evening.
- Without parking the area will become seriously congested.
- The parade is not isolated.

## Chorlton Voice

In response to the application as originally submitted -

- They support the principle of converting surplus retail floorspace to residential use in fringe shopping locations such as this, helping maintain the viability of the core shopping areas. However, in this case, all but one of the shop premises are currently in use, and there has never been any difficulty in finding tenants.
- It is understood that the applicant has not engaged with any of the tenants prior to submission of the application and there is no evidence that there has been any attempt to find alternative accommodation. It is likely that the proposed conversion

will lead to the loss of viable local businesses, detracting from the vitality of the local centre.

- They consider that the number of dwellings proposed for the site is excessive for the size of the site.

- The replacement of the existing rear gardens with car parking would detract from the amenity of the area. While the trees may not individually be of great quality, the garden area overall represents valuable green space and habitat.

- Given the highly accessible location, it is considered that it is not necessary to provide on-site parking, particularly if the number of dwellings were reduced.

- They are disappointed that the opportunity has not been taken to provide disabled access to the proposed properties.

- They consider that the threshold for providing affordable homes is too low and should be lowered at the next opportunity for review.

### Greater Manchester Ecology Unit

The developer's ecological consultant identified no significant ecological issues. However, the residents of the building disagree. Whilst the likelihood of great crested newts being present is very low, the tenants information on bats is such that it is recommend further information on bats is provided prior to determination. Issues relating nesting birds and Himalayan balsam could be resolved via condition.

In respect of the revised bat survey the Ecology Unit say "Whilst the development has been assessed as low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed."

### Environmental Health

No objection in principle, however, conditions have been requested in respect of refuse storage, noise insulation and contaminated land.

### Highways

Should parking to the rear be deemed inappropriate then highways consider it feasible to increase the forecourt parking to the front of the development. The provision of parking spaces to the front looks possible whilst maintaining clear pedestrian access to the development. They would recommend that the number of proposed secure cycle spaces is maintained and, given that less than 100% car parking would be provided Highways would require a travel plan to be conditioned as part of any approval. As they stand the Chorlton Cycleway proposals would not impact on any plans to introduce additional parking to the forecourt. A condition requiring the submission of a Construction Management Plan is also requested.

### Neighbourhood Officer (Arboriculture)

In response to the original scheme said "The trees on this site would not support TPO status due to lack of visual amenity value and limited growing space.

The applicant has proposed to use a cellular confinement system in order to protect the root systems of the offsite trees.

Judging from the proposals there would be no scope within this site for mitigation planting.

In response to a specific question about putting a Tree Preservation Order on the trees The following comments were made.

-What is a large tree is subjective. 2 to 4 metres is not large particularly when referring to an Ash, Oak or Sycamore.

-None of the trees on the site meet are worthy of being made the subject of a Tree Preservation Order.

-When considering a tree for a preservation order consideration need to be given to its long term future, as it matures and what pruning pressure the tree may come under from neighbouring properties.

United Utilities

Have requested conditions in respect of drainage of surface and foul water. Information was also provided in respect of water management and United Utilities infrastructure which have been passed to the applicant.

## **Policies**

### **Core Strategy**

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Relevant policies in the Core Strategy are detailed below:

Policy SP1, Spatial Principles – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

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

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.



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

Policy C2 District Centres – says that Housing will also be considered an appropriate use within District Centres, providing it supports the vitality and viability of the centre.

Policy EN9 Green Infrastructure - Where the opportunity arises and in accordance with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure.

Policy EN16 Air quality – says that the Council will seek to improve air quality in the City.

### **Unitary Development Plan for the City of Manchester (1995)**

The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant and are relevant to consideration to the proposed extension and conversion of the property into flats. Policy DC1 of the Unitary Development Plan seeks to accommodate the demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. It relates specifically to residential extensions and the relevant criteria from this policy include:

DC1.1 The Council will have regard to:

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

Policy DC1.2 states extensions will be allowed subject to:

a. They are not excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings)

b. They do not create a loss of sunlight/daylight or privacy

c. They are not out of character with the style of development in the area

d. They would not result in the loss of off-street parking

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

a. rearward extensions greater than 3.65m (12 ft) in length;

b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;

c. 2-storey extensions to terraced properties which occupy the full width of the house;

d. flat roofed extensions to bungalows;

e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

Policy DC5 FLAT CONVERSIONS – Sets down the Council's approach to the conversion of properties into flats.

DC5.1 In determining planning applications to convert property to flats, the Council will have regard to:

a. the standard of accommodation for the intended occupiers of the premises;

b. effects on adjoining houses as a result of noise from flats passing through party walls and affecting adjoining houses;

c. adequacy of car parking, off-street car parking being normally required where practicable, and essential where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created;

d. general effects on the character of the neighbourhood, including the extent to which flat conversion schemes are a new or an established feature of the immediate area, avoiding the loss of front gardens and the retention of existing trees and shrubs;

e. adequate private outdoor amenity space;

f. the desirability of achieving easy access for all, including disabled people (as a minimum,

access for disabled people will normally be required in conversions of ground floor accommodation);

g. the satisfactory provision of refuse storage and collection facilities.

DC5.2 There will be a general presumption in favour of flat conversions within residential areas, on the upper floors of businesses within commercial areas and in properties on main road frontages, subject to other relevant policies of the Plan.

They will be particularly welcome where large, old, difficult to re-use properties are involved, and where proposed schemes provide investment enabling the retention and improvement of housing stock.

DC5.3 Notwithstanding policy DC5.2, the Council will normally refuse permission for any developments in this category which:

a. do not provide accommodation to the Council's current approved standards;

b. are in tightly-packed residential streets where there is no scope for off-street car parking and where there is already an acknowledged problem of on-street congestion;

c. involve conversion schemes without adequate private external amenity space;

d. are schemes without satisfactory refuse storage and collection facilities.

## **Green Blue Infrastructure**

The strategy lays the foundations for the preservation and improvement of green and blue infrastructure within the City. It is considered that gardens form an important part of this infrastructure. The Strategy advised that gardens play an important part in defining the character and attractiveness of an area.

## **Guide to Development In Manchester**

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

## **National Planning Policy Framework**

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

## **Quality Design Standards**

The Manchester Residential Quality Guidance was adopted as a policy of the Council in March 2017. The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all ensures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

## **Issues**

## Principle

The proposed development involves the conversion of a short parade of retail units with living accommodation over into a wholly flatted development. Whilst the site is located within Chorlton District Shopping Centre it is flanked to either side and to the rear by residential properties. Core Strategy policy C2 says that residential uses are acceptable in District Centre locations and amid concerns about the decline in the high street the Government is bringing forward proposals which make the conversion of retail to residential easier. On balance it is considered that the proposed development is therefore acceptable in principle subject to the satisfactory resolution of the issues outlined in the following sections.

## Loss of retail

Chorlton is a linear shopping centre based on Barlow Moor Road/Manchester Road and Wilbraham Road. There are two distinct commercial areas at the northern end at the Barlow Moor Road/Manchester Road Wilbraham Road junction and on Barlow Moor Road to the south of High Lane/Sandy Lane. In between the centre comprises a mix of commercial and residential uses. The Council's 2019/20 District Centre Survey identifies 279 businesses in the centre with 29 vacant units, thus the vacancy rate is approximately 10%. This would suggest that prior to the pandemic Chorlton was a vibrant centre. This application relates to a small parade comprising five commercial units, two of which at the time of the above survey were listed as vacant. The parade is outside of the two main commercial centres identified above and is adjoined on three sides by residential properties, and there are further residential properties facing the site across Barlow Moor Road.

It is the case that the loss of the retail units at this location would allow the further consolidation of the centre which would help with the continued viability and vitality of this important busy centre. The commercial uses are somewhat fragmented at this location within the wider centre with this small parade being somewhat isolated.

It must also be noted that commercial uses falling within Use Class E can change to residential through permitted development rights under the Prior Approval process without the need for the submission of an application for planning permission.

Planning permission is required in this instance as the proposed development involves the extension of the original building.

On balance it is therefore considered that the loss of the commercial element of the parade which is outside of the two main commercial cores of the centre would not significantly impact on the retail offer or the viability and vitality of the centre.

## Amount of accommodation

The proposed development has been reduced in scale in terms of the amount of accommodation proposed from 13 flats to one house and 11 flats. This equates to less than three dwellings per property across the parade and it is considered that in the context of flat conversions this would not be excessive, subject to meeting the other criteria identified in the Council's policies. The development comprises a range

of property sizes, one, two and three bed thus meeting the Council's requirements to provide a range of accommodation to meet differing needs.

## Scale

The proposed rear extension would be 10 metres wide and project 4.5 metres, which replaces two outriggers each projecting 3 metres and 3.5 metres wide. The eaves level of the extension would match that of the existing property and the ridge would be approximately 1.5 metres lower than that of the main body of the house and tying into the proposed shed dormer on the rear roof slope. All of the shed dormers proposed for the front and rear elevations have been reduced in scale so that they now sit in the roof slope in the form of a true dormer rather than being a second floor extension. Having regard to the size of the existing property it is considered that the proposed extensions are subservient to the host property and that in scale terms they are on balance acceptable.

## Standard of accommodation

The proposed development would result in there being seven, two bedroom apartments ranging in size from 61 to 74 square metres, four, three bed apartments ranging in size from 81 to 91 square metres and a two storey one bedroom house of 62 square metres. All of the units meet or exceed the relevant minimum floorspace figures of 61 square metres for a one bedroom flat, 74 square metres for a three bedroom flat and 58 Square metres for a one bedroom two storey house. On balance it is considered that the proposed that the standard of accommodation meets the Council's current requirements.

## Design

The design of the proposed alterations to the property is heavily influenced by how the original property would have looked. The existing shop fronts which sit forward of the upper floors would be removed and replaced with a new ground floor elevation in the same plane as the upper floor. The new front would result in the property having a double fronted appearance with a central entrance, two new ground floor bays would be created, and all new windows would have the large vertical proportions of the existing first floor windows. The shed dormers are an existing feature of the property and whilst larger and not considered to be excessively so. At the rear of the property the proposed extension is simpler in its design but will tidy up the current unsightly rear elevation. On balance it is considered that the design of the proposed alterations will enhance the appearance of the property.

## Parking

As submitted it was proposed to create a car park using the majority of the green space at the rear of the property. In response to concerns regarding the unacceptable impact that the loss of the garden would have on the amenities of neighbouring occupiers and on the landscape character of the area in general, the scheme has been amended and now provides 6 spaces on the forecourt of the property. This is marginally in excess of 50 % provision, and below the Council's normal requirement of one space per dwelling. However, this is a sustainable



location within one of the City's largest district centres, it is well served by buses and is within easy walk of two Metrolink stations and there are plans to improve cycle facilities within the area. On balance therefore it is considered that the provision of 50% parking is in this location acceptable.

In order to soften the impact of the parking in the street scene, the proposed development intersperses the parking bays with soft landscaping including trees. Hedging and shrubs. On balance it is considered that these works together with the improvements to the fenestration of the building would improve the appearance of the building in the street scene.

## Cycles

The proposed development includes the provision of 5 secure cycle storage lockers each capable of accommodating three cycles and the lower ground level beneath the existing extension at the north end of the building. The storage lockers are behind a gate and are covered making them more attractive to use. A separate locker for two cycles would also be provided for the proposed house. It would be located adjacent to the house for ease of use. On balance the proposed cycle provision is considered to be acceptable.

## Green infrastructure

The proposed development has been extensively revised in response to concerns about the loss of the rear garden. In the revised scheme the rear garden is retained and divided into 8 patios with a flat and gravel surface enclosed by a hedge to create semi private areas for use by the future residents.



The patios would be set within an enhanced landscaped setting which would incorporate new shrub and tree planting.

The submitted tree survey identifies 5 groups of trees and 11 individual trees within and adjacent to the site. The Council's Agriculturalist has identified that none of the trees are worthy of Tree Preservation Order status. The proposed development involves the removal of two groups of trees (one comprising 8 privets and the other five trees, namely Holly, Elm, Ash, Rowan and apple) and seven individual trees, three of which need to be removed due to their condition. All of the retained trees are Category B and represent the best specimens on the site. The retained trees include Horse Chestnut, Willow, Sycamore, Ash, Maple and Pear. The proposed development includes the provision of nine replacements, which given the limited size of the site and the need for trees to have space in which to develop is considered to be acceptable. In addition to the retention of the rear garden, albeit in a more formalised manner, it is proposed to introduce areas of soft landscaping to the forecourt of the premises in order to soften the setting of the proposed development. In that the existing forecourt is devoid of planting this is considered to be a positive step both in terms of the provision of green infrastructure and the appearance of the development in the street scene. A condition is proposed that requires the implementation of the landscaping and its initial maintenance.

On balance it is considered that the proposed development will not adversely impact on Blue Green Infrastructure, whilst providing adequate usable amenity space for the future residents.

#### Air Quality

The proposed development is in a very sustainable location with good access to local services, public transport and the cycle network. By providing 50% parking residents of the development would be encouraged to use alternative means of transport and a condition is proposed requiring the approval of a Travel Plan. As part of the development all of the proposed parking spaces would be provided with charging points, whilst the scheme also includes secure storage for cycles. It is therefore considered that the proposed development would make a positive contribution to improving air quality.

#### Ecology

Concern has been expressed about the impact of the development of the site on its ecology. In response the applicants commissioned an Ecology Report and this has been assessed by the Greater Manchester Ecology Unit. The unit concluded that "The developer's ecological consultant identified no significant ecological issues. However, the residents of the building disagree. Whilst the likelihood of great crested newts being present is very low, the tenant's information on bats is such that the Ecology Unit recommend further information on bats is provided.

The second bat survey concluded that whilst there were bats foraging in the area there is no evidence that they are roosting in the property and therefore there is no reason why the development should not proceed. It does however, recommend the provision of bat boxes and an appropriate condition is proposed. Greater Manchester Ecology Unit have raised no issues with the revised report and an informative is proposed relating to developers obligations.

Issues relating nesting birds and Himalayan balsam could be resolved via condition". Nesting birds are protected by separate legislation however, it is considered appropriate to attached conditions in respect of the protection of nesting birds and also the treatment of Himalayan Balsam which is present on the site.

The Greater Manchester Ecology Unit has indicated that it is unlikely that the pond would support Crested Newts and as such is of limited ecological value. As a pond in a private garden there are no requirements in respect of its retention unless it is home to a protected species.

On balance it is considered that the proposed development will not have a significant impact on the ecology of the area.

### Refuse Storage

The proposed dwelling has its own refuse storage area adjacent to the southern boundary of the site. The refuse storage for the flats is located beneath the existing two storey extension at the northern end of the property, from where the bins can be taken to Barlow Moor Road for collection. In planning terms the refuse storage is acceptable. Environmental Health have confirmed that the refuse storage arrangements are acceptable. An appropriate condition is proposed regarding the provision and retention of the refuse storage arrangements.

The kitchens within each of the residential units will contain a unit similar to that in the image below for the day to day storage of refuse and material for recycling before it is transferred to the larger communal bins.



### Residential Amenity

In terms of the impact on residential amenity there are three areas of concerns, overbearing impact, privacy/overlooking and additional activity within the building and comings and goings.

Overbearing impact the proposed extension is located centrally on the rear elevation of the property. It would be approximately 8 metres from the norther boundary of the site, approximately 7.8 metres from the southern boundary and 17 metres from the rear boundary. In view of these distances it is considered that the proposed extensions would not have an overbearing impact on the adjacent properties.

**Privacy/overlooking** The proposed rear elevation to the building contains a number of French doors giving access to balconies on the rear elevation. There are three balconies each at ground and first floor levels and a second floor balcony across the full width of the proposed extension. The balconies are approximately 1 metre deep with four on the rear face of the original building and two on the rear of the extension. The rear of the balcony on the extension is approximately 16 metres from the rear boundary of the site. And those on the rear of the main building approximately 19 metres. As the properties to the rear on High Lane are at an oblique angle to the site there would be no direct overlooking into the properties. There is some potential for overlooking the rear gardens of the properties although given the distances involved this is unlikely to be significant. It would also be offset to a degree by the retained trees.

There are high level windows in the side elevations of the extensions however, as high level windows they are unlikely to create overlooking or privacy issues. The side of the balconies are approximately 5.7 metres from the norther boundary of the site, beyond which is the side elevation of a large block of flats and whilst there are some windows in this elevation some of them at least appear to be bathroom windows and therefore obscure glazed. Views from the balcony would be restricted by the rear face of the building and as the neighbouring property is approximately 8 metres away it is not considered that there would be any significant privacy issues in this direction. The balconies to the south are approximately 4'8 metres from the boundary and overlook a single storey side extension. Again it is not considered that there would be a significant loss of privacy to the south.

Additional activity and comings and goings, the proposed development would result in additional activity both within the due to the increase in the number of dwellings in the property although this is offset to a degree by the current use of part of the premises for retail purposes. Most activity in terms of coming and goings would centre on the front of the property where the main entrance and car parking are located. Barlow Moor Road is a busy/noisy route and it is considered that any additional activity is therefore unlikely to have a significant impact on the area. In terms of activity within the building, the whole development is detached from other properties and therefore any impact would primarily affect residents who have bought in to the development.

On balance it is considered that there would be no significant loss of amenity arising from the proposed development

### Sustainability

This is a sustainable location with good access to transport links, local services and facilities. The development includes charging points for electric vehicles and provides secure storage for cycling to encourage it as an alternative means of transport. A condition is proposed requiring the approval of a travel plan to encourage the use of alternatives to the private car.

Rather than a new build the proposed development includes the retention and reuse of a substantial part of the existing building. Reclaimed materials will be used where appropriate for the refurbishment. Separate waste collecting bins will be provided

within the kitchen design to encourage the separation of waste at source before it is placed in the recycling bins outside. The development will reduce the current level of energy consumption of the existing building. The proposal will improve the energy efficiency of the existing 6 flats adding insulation to the roof, all the floors and introducing modern highly efficient windows. Category A rated energy saving heating systems will be installed in each apartment. The bathrooms will feature water efficient showers and toilets. Category A appliances will be fitted into the kitchens. Energy saving lighting will be installed including motion sensor lighting in external and internal communal areas to reduce energy use. The applicant indicates that the combined energy consumption of the development will be less than the 6 existing homes.

#### Disabled access

As is typical in conversions of properties of this age it is not possible to achieve level disabled access, however the front step risers are shallow and would be accessible for an ambulant disabled person. Inside the doorways, hallway and stairs are wide, and the kitchen and bathroom layouts are simple, making them accessible for ambulant disabled users.

#### Tenants

The building owner has been in discussion with the tenants and they are aware that a development will take place. The tenants will be given more time than the period of time that is defined in their tenancy agreements.

In respect of the residential tenants a local Chorlton agent, has been appointed to work for the building owner to assist with the liaison and support of the tenants. The brief to the agent is to give the tenants as much time as possible and assist them with finding alternative accommodation. To give the tenants as much flexibility as possible the building owner intends to offer a 12 month notice period. This proposal is subject to planning, would be put in place a few months after obtaining planning, would effectively give the residents up to 1.5 years to find alternative accommodation.

For the commercial tenants arrangements are more commercially confidential. Arrangements will be made, using the same agent to offer the Business tenants as much time as possible. Tenants who do not have long term agreements with the building owner will be offered up to 12 months notice. Commercial tenants who have agreements that go beyond the 12/18month period, post planning permission, will be assisted to find alternative premises under terms to be agreed in due course.

The building owner has requested an extended period of time to execute the work, beyond the standard planning approval of 3 years, in order to be able to give the tenants more time. Whilst the Council can grant a longer period for the implementation of the development, the Government has previously reduced this period from five to three years in order to ensure that developments are carried out promptly and to stimulate development. On that basis it is not considered appropriate to extend the three year period for commencing development should permission be granted



## Affordable Housing

The application proposals relate to the provision of 1 no. 2 bedroom dwellinghouse and provision of 11 no. self-contained flats. Adopted Core Strategy Policy H8 'Affordable Housing' relates to residential developments on sites of 0.3 hectares and above or where 15 or more units are proposed. As such, given the proposals would not increase the number of residential units provided at the properties to 15 or more and the site is 0.1 hectares in size, the development proposals are not required by policy H8 to provide affordable housing units.

## Conclusion.

The proposed development will reuse/repurpose an existing building in a prominent location on a major transportation route within an important District Shopping Centre. The development will add to the range of accommodation available within the area in a sustainable development. On balance it is considered that the proposed development accords with Council policy and is acceptable in all respects.

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

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

**Recommendation      APPROVE**

## Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to issues arising from the consideration of this application.

## Conditions to be attached to the decision

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

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

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

149-PL-GA1 revision A received 16 November 2020

149-PL-GA2 revision A received 16 November 2020

149-PL-GA3 revision A received 16 November 2020

149-PL-GA4 revision C received 14 December 2020

149-PL-GA5 revision C received 14 December 2020

149-PL-GL1 revision E received 12 May 2021

149-PL-EL1 revision C received 14 December 2020

149-PL-EL2 revision C received 14 December 2020

149-PL-EL3 revision C received 14 December 2020

149-PL-EL4 revision C received 14 December 2020

149-PL-OS1 revision A received 16 November 2020

149-PL-AD1 revision D received 12 May 2021

Tree Survey and Arboricultural Impact Assessment reference LTM0047.AIA.02 dated 3 May 2021 received 4 May 2021

Method Statement for working Close to Trees reference LTM0047.MS.02 dated 3 May 2021 received on 4 May 2021

Daytime Bat Survey and Ecological Scoping Survey August 2020 by Rachel Hacking Ecology received 24 September 2020

Waste Management Pro Forma received 12 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.

3) The development hereby approved shall be constructed using the materials specified on the application forms and in the approved drawings.

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

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

Reason - To ensure that there are satisfactory arrangements for the storage of refuse pursuant to Core Strategy policy DM1.

5) No part of the development shall be occupied until the cycle storage provision shown on the approved drawings have been provided. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to

mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

6) Before the development hereby approved is first occupied the electric vehicle charging points shown on the approved drawings shall be installed and available for use.

Reason - To secure a reduction in air pollution from traffic in order to protect existing and future residents from air pollution pursuant to core Strategy policies EN16, SP1 and DM1

7) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing ref 149-PL-GL1 revision E received 25 March 2021;, shall be implemented not later than 12 months from the date of commencement of works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

8) 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 Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

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

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

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and

shall be planted at such time, as may be specified in writing by the local planning authority.

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

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

10) The car parking shown on the approved drawing shall be surfaced, demarcated and available for use before first occupation of the dwellings hereby approved.

Reason - To ensure that there are adequate arrangements for the parking of cars pursuant to Core Strategy policy DM1.

11) Before first occupation the windows in both side elevations shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

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

12) A Construction Management Plan shall be submitted to and approved by the Council. This will contain a Noise & Vibration section (in addition to a dust emission section) that shall base the assessment on British Standard 5228, with reference to other relevant standards. It shall also contain a community consultation strategy which includes how and when local businesses and residents will be consulted on matters such out of hours works. Any proposal for out of hours works (as below) will be submitted to and approved by this section, the details of which shall be submitted at least 4 weeks in advance of such works commencing. Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase. pursuant to Core Strategy policy DM1

13) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Barlow Moor Road shall be submitted to and approved in writing by the City Council as local planning authority.

There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:

Bedrooms (night time - 23.00 - 07.00)	30 dB LAeq (individual noise events shall not exceed 45 dB LAmax,F by more than 15 times)
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Living Rooms (daytime - 07.00 - 23.00)	35 dB LAeq
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Gardens and terraces (daytime)	55 dB LAeq
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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 Barlow Moor Road in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

14) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

The scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The approved scheme shall be completed before the premises is occupied.

Upon completion of the development 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 report. The report shall also undertake post completion testing to confirm that the 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 agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policies SP1, H1 and DM1 of the Core Strategy.

15) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council

as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

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

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before 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) Before the development hereby approved is first occupied a 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 those [attending or] employed in the development
- ii) a commitment to surveying the travel patterns of staff 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 to the school, pursuant to policies SP1, T2 and DM1 of the Core Strategy and the Guide to Development in Manchester SPD (2007).

17) Prior to any vegetation clearance, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of Himalayan Balsam. The measures shall be carried out strictly in accordance with the approved scheme.

Reason - To prevent the spread of Himalayan Balsam, which has been found on part of the site in accordance with the Wildlife and Countryside Act 1981.

18) No clearance of vegetation or works to buildings or structures (including demolition) that may be used by breeding birds shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of the vegetation or buildings for active birds' nests immediately before the vegetation is cleared or works to the buildings take place and written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site has been submitted to the local planning authority.

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

19) No demolition shall take place during March and October unless bats have been shown to be absent, or, a method statement for the demolition including for the protection of any bats is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

20) Prior to the first use of the development hereby approved, full details of the specification and locations of bat and bird boxes, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The bat and bird boxes shall be installed prior to the completion of the development and therefore be retained and remain in situ.

Reason - To ensure the creation of new habitats in order to comply with policy EN15 of the Manchester Core Strategy (2012).



21) The garden at the rear of the property shall be used exclusively as amenity space for the future residents of the development hereby approved and shall not be used for the parking of vehicles.

Reason - To protect the amenity space and green infrastructure of the site for the benefit of residents pursuant to Core Strategy Policies Sp1, DM1 and EN9

22) (a) No demolition of buildings or structures shall take place until dusk emergence and/or dawn re-entry surveys to establish the presence / likely absence of roosting bats have been undertaken within the bat active period (May to September, inclusive) and the results, along with any associated mitigation measures, have been submitted for approval in writing by the City Council, as Local Planning Authority.

(b) Any agreed mitigation shall be implemented within a timescale to be agreed with the City Council, as Local Planning Authority, and verification of the implementation of the mitigation shall be submitted for approval in writing within one month of implementation. Any mitigating measures shall then be retained thereafter in accordance with the agreed details.

Reason - In order to determine the presence of bats and ensure appropriate mitigation is agreed in order to mitigate against the impact on bat habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

### **Informative**

The applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

### **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 127241/FO/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:**

**Greater Manchester Ecology Unit  
Highway Services  
Chorlton Voice  
Highway Services  
Environmental Health  
Neighbourhood Team Leader (Arboriculture)**

**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:**

<b>Relevant Contact Officer :</b>	Dave Morris
<b>Telephone number :</b>	0161 600 7924
<b>Email :</b>	dave.morris@manchester.gov.uk

