

**CITY OF MANCHESTER
(THORNTON STREET NORTH,
COLLYHURST VILLAGE)
COMPULSORY PURCHASE ORDER
2022.**

STATEMENT OF REASONS

DRAFT

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1. DEFINITIONS

In this Statement of Reasons, the following definitions are used;

“Collyhurst Village Neighbourhood”	means the area as shown on the plan at Appendix 2
“Collyhurst Village Spatial Framework”	means the Spatial Framework for Collyhurst Village that is set out in the SRF.
“FEC”	means Far East Consortium International Limited, the Councils JV partner
“The Council”	means Manchester City Council
“The CPO Guidance”	means the Guidance on Compulsory purchase process and The Criche! Down Rules 2019 issued by the Department for Levelling Up, Housing & Communities
“The JV”	means the Joint Venture Agreement between Far East Consortium International Limited and Manchester City Council
“The Order”	means the City of Manchester (Thornton Street North, Collyhurst Village) Compulsory Purchase Order 2022
“The Order Lands”	means the land included in the Order as shown on Plan at Appendix 1
“The Scheme”	means the redevelopment of part of the Collyhurst Village Neighbourhood for which the detailed planning permission (Ref. 129393/VO/2021) has been granted, site shown on Plan at Appendix 3
“The SRF”	means the Northern Gateway Strategic Regeneration Framework, approved by the Council’s Executive Committee in March 2019
“Victoria North”	means the regeneration initiative, formerly known as the Northern Gateway comprising the area as shown on the plan at Appendix 2

2. INTRODUCTION

- 2.1. This document is the Statement of Reasons of Manchester City Council for making a compulsory purchase order entitled the “The City of Manchester (Thornton Street North, Collyhurst Village) Compulsory Purchase Order 2022”.
- 2.2. The Compulsory Purchase Order is made pursuant to s.226(1)(a) and s.226 (1A) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004. The Council considers that there is a compelling case in the public interest to acquire land to facilitate development, redevelopment or improvement of land at Thornton Street North for the provision of 244 new residential dwellings together with associated works including a new park ("the Scheme") and that the proposed acquisition is likely to contribute to the achievement of the promotion or improvement of the economic, social and/or environmental well-being of the area.
- 2.3. Planning permission has been granted for the Scheme which comprises the demolition of 29 residential units and 1 commercial unit, the construction of 244 new homes and associated works including a new park as detailed in Section 8.
- 2.4. The Scheme will deliver much needed development on previously used land, providing new housing, new retail and community space, new landscaping, public realm and a park. It will start the process of remodelling this area of Victoria North to address the poor layout and design of the residential properties in the neighbourhood, creating a positive impact on the character and appearance of the area bringing environmental, economic and social benefits. The purpose of the Order is to secure the acquisition of all interests in the Order Lands to facilitate delivery of the Scheme.
- 2.5. The Scheme is being promoted by the Council and its JV partner Far East Consortium International Limited (FEC). FEC is the Council’s investor partner and an experienced developer.
- 2.6. The Order has been made by the Council for the purposes of acquiring the Order Lands which are required for the implementation of the Scheme located in the Collyhurst Village neighbourhood, the need for which is fully explained in this Statement of Reasons.
- 2.7. This Statement of Reasons has been prepared in accordance with the provisions of the CPO Guidance.

3. DESCRIPTION OF THE ORDER LANDS AND ITS LOCATION, TOPOGRAPHICAL FEATURES AND PRESENT USE AND OWNERSHIP

- 3.1. The Order Lands, as detailed in the Order, comprise land and buildings within the Collyhurst Village neighbourhood of Manchester. The comprehensive redevelopment outlined in Section 8 of this statement will not be possible without the acquisition of the Order Lands.

- 3.2. The Collyhurst Village Neighbourhood is located in the Harpurhey Ward of North Manchester. Spatially, the Neighbourhood lies approximately 2.7 kilometre (1.7 mile) north east of Manchester City Centre, and is bounded by Queens Road to the North, railway line to the East, Collyhurst Road to the South and Rochdale Road to the West and is identified on the plan attached at Appendix 2. It extends to approximately 25.7 hectares (63.5 acres), and is one of the 7 neighbourhoods identified in the SRF. As at November 2021, the Collyhurst Village Neighbourhood contained 450 dwellings of which 370 were council homes, 24 Registered Provider homes and 56 were Right to Buy (RTB) / owner occupied homes. Out of the 370 council dwellings 140 are low rise cottage flats, 25 are retirement flats, 27 are bungalows and 178 are houses.
- 3.3. The Order Lands consist of 1 commercial unit with living accommodation above, 6 former Council homes purchased through the Right to Buy and various rent charges
- 3.4. The commercial unit within the Order Lands, situated on Harrowby Drive is a local convenience store, "The Collyhurst Village Store". This is Collyhurst Village neighbourhood's only existing retail provision although there are also convenience stores and hot food takeaways situated on Rochdale Road in the nearby South Collyhurst neighbourhood and also a similar range of shops on Queens Road in the Monsall neighbourhood to the north.
- 3.5. The Council is seeking powers to acquire the Order Lands and all interests within it to enable the Scheme to proceed.

4. AN EXPLANATION OF THE USE OF THE PARTICULAR ENABLING POWER; S226 PLANNING POWERS

- 4.1. Section 226(1)(a) of the Town and Country Planning Act 1990 ("the 1990 Act"), as amended by the Planning & Compulsory Purchase Act 2004, enables the Council to compulsorily acquire land if it thinks that the acquisition will facilitate the carrying out of development, redevelopment or improvement on, or in relation to the land, provided that this will, in accordance with s226(1A), contribute to the achievement of the promotion or improvement of the economic, social and / or environmental well-being of the relevant area.
- 4.2. The Council has resolved to make the Order because it considers that the requirements of s226(1)(a) and s226(1A) of the 1990 Act are met. The Order has been made for the following reasons-
 - 4.2.1. Delivery of the Scheme is unachievable without acquisition of the Order Lands
 - 4.2.2. The Scheme would facilitate the commencement of development, redevelopment and improvement of the Collyhurst Village Neighbourhood and improve and promote economic, social and environmental well-being within the area in accordance with the requirements of s226(1A).

- 4.2.3. Without implementation of the Scheme the conditions in the Collyhurst Village Neighbourhood will persist, with significant vacant land, poor quality environment, mono-tenure housing offer and consequential poorly functioning housing market.
- 4.2.4. It is unlikely that all the Order lands can be acquired by agreement. Therefore, in order to ensure the comprehensive delivery of the Scheme and as outlined in the CPO Guidance, a compulsory purchase timetable has been planned as a contingency measure and formal procedures initiated.
- 4.3. The Council is satisfied that section 226(1)(a) is the appropriate enabling power to rely upon pursuant to paragraphs 10 and 11 of the CPO Guidance.
- 4.4. The Council recognises that a compulsory purchase order can only be made if there is a compelling case in the public interest (paragraphs 2 and 12 of the CPO Guidance) which justifies the interference with the human rights of those with interests in the Order Lands.
- 4.5. The Council is satisfied that it may lawfully exercise its powers of compulsory purchase under the powers set out above and, for the reasons set out in Section 5 below, that there is a clear and compelling case in the public interest for such exercise and that the public interest is sufficiently important to justify the interference with human rights of those holding interests in the Order Lands. The Council is satisfied that the Order may lawfully be made.

5. AN OUTLINE OF THE AUTHORITY'S PURPOSE IN SEEKING TO ACQUIRE THE LAND

- 5.1. Manchester has experienced rapid population growth since 2000. The number of residents has risen from 422,000 to almost 600,000 - a figure that is expected to increase to 630,000 in the next six years. The regeneration of Collyhurst has long been a strategic priority for the Council to ensure that the neighbourhood and its residents are able to benefit from the ongoing economic growth that is being experienced by the City and the region.
- 5.2. Since the termination of the proposed Collyhurst Housing Private Finance Initiative (PFI) scheme by the coalition Government in 2010 and the withdrawal of £252m PFI credits, the Council has sought alternative avenues to bring about the long-term sustainable regeneration of the Neighbourhood. In 2013/14, through public consultation, the Council developed and approved a Spatial Masterplan for Collyhurst that set out high level aspirations.
- 5.3. This Spatial Masterplan enabled some early work to take place to improve permeability of the Neighbourhood through construction of new highways and also facilitated the site assembly activity that has created much of the developable space within the Scheme boundary. Specifically, the Council facilitated the demolition of 84 homes (consisting of 61 Council, 16 RP and 7 privately owned homes), all of which were vacated by negotiating with the occupants and owners.

- 5.4. In April 2017 the City Council entered into a Joint Venture Partnership (JV) with Far East Consortium International Limited (FEC) to deliver the initiative known as Victoria North (formerly The Northern Gateway) and facilitate the residential led redevelopment of the adjacent neighbourhoods of Lower Irk Valley, New Cross and Collyhurst, on the north eastern edge of the City Centre.
- 5.5. Far East Consortium International Ltd (FEC) specialises in property, hospitality and car parking ventures. Their property development experience includes mixed used developments and high-quality residential developments, with its diverse portfolio spanning China, Hong Kong, Singapore, Malaysia, Australia and the UK (London and Manchester).
- 5.6. The Victoria North initiative encompasses an area of 155 hectares of land and contains significant tracts of brownfield land and marginal economic uses close to the City Centre, and the relatively low density and poorly laid out Collyhurst Council estate in the northern extent of the area. To bring about the comprehensive redevelopment of Victoria North, the Council, with its JV partner embarked on a process to produce a Strategic Regeneration Framework (“SRF”). Much of the principles established during development of the Collyhurst Spatial Masterplan flowed through to the development of the SRF in relation to the Collyhurst neighbourhoods.
- 5.7. Following an extensive public consultation exercise that was undertaken during the autumn of 2018, the Council’s Executive meeting of February 2019 approved the SRF as a means of guiding and coordinating development activity undertaken by the JV partnership and other third party agencies within the area. The SRF and the Spatial Frameworks contained within the SRF, superseded the 2014 Collyhurst Spatial Masterplan.
- 5.8. The SRF presents a Vision, Core Objectives, and a SRF Development Framework to guide the future regeneration of the whole of Victoria North over the next 15-20 years. The Vision Victoria North is
- “..to deliver a series of vibrant, sustainable and integrated residential neighbourhoods within the extended city centre of Manchester.*
- These neighbourhoods will provide a range of housing options in a high-quality, well managed environment, with high levels of connectivity that link the growth of the city centre with surrounding Manchester communities. This will include the delivery of a range of affordable housing products to meet the needs of residents on a range of incomes.*
- The Northern Gateway SRF will support long-term growth and promote economic, social and cultural uses to support the creation of high performing and sustainable new communities where people choose to live, work, and play.”*
- 5.9. The SRF outlines eight Core Objectives that are considered in developing the proposals for Victoria North-

A unique and high-quality residential-led regeneration scheme – Provide significant new housing with a mix of types and tenures to accommodate new and existing residents of all ages, along with the essential facilities and amenities to create integrated neighbourhoods with a sense of place and community.

The Northern Gateway is an opportunity to create a series of new and vibrant neighbourhoods, and to integrate Collyhurst and existing communities within North Manchester, through better linkages to local and regional employment, and improved social and community infrastructure.

A varied network of high-quality green streets and public open spaces - Allow the Irk Valley to connect into a varied network of open spaces and the creation of high-quality public realm in neighbourhoods throughout the Northern Gateway.

New and existing open spaces are proposed in a meaningful way to create a green and blue infrastructure network and legible wayfaring links to neighbourhoods and amenities, in a network extending throughout the study area and connecting North Manchester communities.

Manchester's unique city river park - The Northern Gateway presents a unique opportunity to create Manchester's City River Park; a leisure corridor connecting the city centre and North Manchester as part of an extensive network of high-quality open space and public realm and improve the ecological status of the River Irk.

The Lower Irk Valley cuts a swathe through the Northern Gateway, adding a unique, natural landscape for future use and enjoyment, by providing opportunities for high-quality water-edge development and revitalised linear and cross-connectivity.

Build on the best of what is there - There is an opportunity to enhance the character of the study area by drawing from existing physical, historic and landscape assets to build a meaningful sense of place.

The character of the study area will be informed by physical, historic and landscape assets, as well as existing residents and businesses. These will be fully considered to ensure that the cultural past is part of a re-invigorated future. Existing communities are key assets upon which the regeneration of the Northern Gateway will be developed.

Improve connectivity across the Northern Gateway and beyond - Create well-connected and accessible neighbourhoods that encourage support for high-quality transport infrastructure and capitalise on the area's proximity to the city centre and key public transport infrastructure.

To attract new residents and improve the lives of existing communities, the Northern Gateway will be home to a series of well-connected and sustainable neighbourhoods. The Northern Gateway will provide high-quality access to

jobs, particularly those within key growth areas, such as the city centre, the Etihad Campus, Media City, and Corridor Manchester, alongside new and existing leisure and recreation opportunities.

Create new gateways to and from the city centre - New gateways that establish strong links with surrounding communities and create destinations that extend the influence of the city centre northwards.

The Northern Gateway will be a threshold to the city, connecting to the city centre and expanding it northwards to unlock the potential in northern suburbs, and laterally across the valley. It will better connect communities in north and east Manchester with opportunities throughout the regional centre.

Promote truly sustainable places - Deliver truly vibrant, integrated and sustainable residential-led neighbourhoods, supported locally by a mix of economic, social and cultural uses, located close to core employment, leisure and transport provision.

The Northern Gateway will be an exemplar regeneration project providing truly sustainable neighbourhoods located at the heart of the regional centre promoting innovation through the use of SuDS, district heating, renewable energy and waste management as part of its place making ambition.

Foster the emergence of local retail and service hubs - Build on existing services and facilities and highlight opportunities for new hubs for retail and service uses that provide local amenity and integrated provision at the heart of communities.

The scale of the Northern Gateway would require significant investment in social and community infrastructure. Opportunity for new Retail and Service Hubs will be identified, with a mix of uses, including employment, retail, social, community, health and education facilities, to ensure a sustainable network of provision that serves the needs of the local community and supports the growth of the city centre.

- 5.10. Contained within the SRF are the aspirations for the future development of the 7 neighbourhoods of Victoria North (including Collyhurst Village Neighbourhood), which over a 20-year period have the potential to deliver circa 15,000 new homes.

The vision for Collyhurst Village, in which this scheme is located is –

“.. to create a high-quality, family-orientated, residential led neighbourhood, with a distinctive sense of place, a mix of housing options and a dynamic community heart, supported by high-quality social and community infrastructure.

There are opportunities to improve connectivity to the city centre and existing neighbourhoods, and provide a range of public realm

interventions, including a New Collyhurst Park linking Collyhurst Village to the new City River Park.

There is an opportunity in the short-term to deliver a range of new and affordable housing, which could include a number of new social housing units within Collyhurst as part of the initial phases of development.”

- 5.11. Since approval of the Framework, the JV has sought to translate the vision contained within the SRF into delivery and in February 2020 the Council's Executive approved the JV's Strategic Business Plan, and Initial Development Area Business Plan, based upon the provision of new homes within the neighbourhoods of Collyhurst, New Cross and New Town delivered through separate Planning Applications.
- 5.12. Planning approval (ref 128788/FO/2020) was granted on 2nd February 2021 for a package of site enabling works to be undertaken on the vacant Council owned land included within the Scheme boundary. The enabling works included erection of site hoarding and temporary site access, tree removal, cut and fill excavation, site clearance and remediation. This work is nearing completion.
- 5.13. On 21st June 2021, the Scheme in Collyhurst Village achieved detailed planning approval (ref 129393/VO/2021). The Scheme represents the start of development in this neighbourhood and will deliver –
- the demolition of the existing 29 residential properties, 1 commercial unit (the Collyhurst Village Store), and associated car parking
 - the erection of a residential led-development comprising 3 and 4 storey houses;
 - 2no. 5 and 6 storey apartment buildings with ground floor flexible commercial units (Use Class E);
 - associated car parking, cycle and refuse storage, landscaping, public realm and infrastructure; and
 - the creation of a new park
- 5.14. The Scheme will be an initial stage of new residential development in the neighbourhood, delivering against (and acting as a key driver for) the SRF objectives and the Collyhurst Village Neighbourhood Design and Development Principles, in the following respects-
- Creation of a high quality, family orientated, residential-led, sustainable neighbourhood, which will accommodate a mix of medium to high density housing types and tenures for residents of all ages;
 - Enhanced legibility, with Landmark buildings located along Rochdale Road and the edge of the new park, and building typologies designed to provide a defined street frontage along primary roads, maximising density on the edge of the neighbourhood, while supporting a more human scale of development at the heart of Collyhurst Village
 - Improved neighbourhood connectivity and permeability, with clear connection routes to the existing neighbourhood and providing access

to open space amenities in the form of the new park and the wider network of green spaces

- Improved provision of green spaces, creating overlooked and safe amenity space acting as focal points for activity and social interaction, across the wider neighbourhood
- Provision of new homes for the existing residents that are affected by the Scheme ensuring that the established community continues to play a part of the Neighbourhood's future.
- Achieving sustainability at the heart of Greater Manchester through innovative energy efficient design, low carbon energy supply, integrated SuDs, promotion of active travel and incorporation of Green and Blue infrastructure increasing biodiversity and amenity value.
- Creation of balanced safer streets with active frontages enhancing quieter routes and community and amenity space fostering a safe, vibrant and inclusive neighbourhood.
- Retention of existing local business through the provision of a new retail premises as a replacement for the established retail premises located within the Scheme boundary

5.15. The Scheme will be a mixed tenure development consisting of 100 Council homes and 144 open market sale homes delivered through the Council's JV arrangement with FEC. FEC are the Development Manager for The Scheme, managing the procurement of both the social and open market sale homes as one development. FEC will enter into a Building Contract for The Scheme and each party, the Council and FEC, will bear the cost of the construction for their respective properties with infrastructure, abnormals and design fees being apportioned between the parties on the basis of the Gross Internal Floor Area (GIFA) of the social and open market sales properties. FEC will acquire the land for the open market homes on a freehold interest basis from Manchester City Council and will deliver the social homes under a building licence.

5.16. The Scheme would begin to transform this part of Collyhurst and would make a significant contribution to the economic, social and environmental well-being of the area and the wider Victoria North initiative, delivering very significant benefits including:-

- Significant enhancement to the landscape environment and built form through the redevelopment of currently vacant and unused sites fronting a major arterial route into the city.
- Sustainable regeneration of the area with modern, high quality, age friendly, low carbon, energy efficient new homes as part of a mixed tenure neighbourhood;
- family housing at a density which supports other local amenities and promotes the long-term sustainability of the area;
- Begin to create a functioning local housing market and establish a benchmark for future regeneration of the area;
- Opportunities for existing residents to remain in the area and directly benefit from the regeneration of their neighbourhood, engendering confidence in stakeholders about the future of the area;
- A new, accessible, larger retail premises in a prominent location;

- A new community meeting room facility, available for residents across the wider Collyhurst neighbourhood
- Environmental and public realm improvements with improved permeability and legibility through the estate;
- A new park providing a quantitative and qualitative gain in amenity space, enhancing the area and connect residents to the City River park (a wider network of Green and Blue spaces being delivered as part of the overall Victoria North initiative);
- Ecological improvements through the provision of Green streets, rain gardens, water retention basin and swale in the new park delivered as part of the SuDs strategy.

6. JUSTIFICATION FOR COMPULSORY PURCHASE

- 6.1. There is a continued and compelling case for change in the Collyhurst neighbourhoods of Victoria North based on the need for new housing and regeneration.
- 6.2. The majority of the Collyhurst Village neighbourhood is situated in LSOA 009G, and in terms of deprivation the neighbourhood is within the top 1% of the most deprived areas in the country, (ranked 79 out of 32,844 LSOA's in England, where 1 is the most deprived) considering factors such as income, employment, health, crime (Crown Copyright Office for National Statistics Indices of Multiple Deprivation 2019).
- 6.3. As noted above there are currently 450 homes in the Collyhurst Village neighbourhood of which 370 are Council-owned dwellings, 24 are owned by an RP and 56 are privately owned. Over recent years, the level of privately owned properties has increased as a result of tenants exercising their Right to Buy. However, the ratio of home ownership compared to Council tenanted property is still low overall and the current tenure mix does not meet the aspirations of income earning households and fails to support a balanced and sustainable community.
- 6.4. The 1970's Radburn design of the Neighbourhood results in a lack of natural surveillance. This makes it difficult to navigate the neighbourhood thereby increasing opportunities for criminal and anti-social behaviour impacting negatively upon the internal and external image of the area. The Neighbourhood also suffers from poorly managed incidental open space.
- 6.5. The current low density nature of the housing coupled with the low levels of disposable income of current residents, means that many of the local amenities ordinarily expected in a residential area are not viable in this locality.
- 6.6. Delivery of the Scheme will require the demolition of 29 residential properties and 1 commercial property. The 29 dwellings consist of 22 Council homes, 4 homes in owner occupation, 2 privately rented homes and 1 Registered Provider (RP) property. The following is a summary of the residential accommodation that will need to be demolished in order to deliver the Scheme-

Fig 1. Summary of the residential accommodation that need to be demolished for scheme delivery.

	2 bed flat	flat above shop	3 bed house	4 bed house	6 bed house	Total
Council homes	5	-	13	3	1	22
Owner-occupied	1	-	2	1	-	4
Registered provider	-	-	1	-	-	1
Private rented	-	1	1	-	-	2
	6	1	17	4	1	29

- 6.7. An absolutely key principle of the Scheme and a clear Council commitment is to deliver development in a manner which enables retention of the existing community, allowing the households that will be displaced by the development to move into the new homes and directly benefit from the regeneration. As a result the development will be delivered in stages that have been carefully thought out to ensure that the existing residents and occupier of the commercial unit have an opportunity to move into one of the new properties as part of a single move strategy. This will require the new Council homes, commercial unit and appropriately sized open market sale homes to be made available at an advanced stage of the development programme allowing the demolition and completion of the new park as one of the last stages in the construction programme.
- 6.8. To facilitate this staged approach, the development is arranged into six plots. Plots A-D will deliver the residential development and new commercial floorspace, with Plots E and F being the location of the new park (see Plot Arrangement Plan at Appendix 4). Currently Plots A – E are cleared sites that are ready for development, with Plot F being the location of the existing homes and Collyhurst Village Convenience Store. The build programme will enable housing development to commence at Plots A and D concurrently, whilst also delivering the first part of the new park and the SuDs feature at Plot E that will serve properties and landscaping within the new development. Development of Plot F will then be undertaken following demolition of the existing units to complete the extent of new park that is being delivered through this scheme.
- 6.9. Without the acquisition of the Order Lands, it will not be possible to deliver the Scheme, which accords with the SRF and the extant planning permission and there is therefore a compelling case in the public interest for the acquisition of the Order Lands. There is no prospect of the market realising a comprehensive regeneration of the area without intervention. It is essential therefore that all of the Order Lands are acquired as failure to achieve regeneration will adversely affect the lives of local residents, the prospects for local businesses, the potential for further investment in the wider area and the economic prospects for the City in general.
- 6.10. With respect to the proposed Scheme, the Council has considered the issue of the Order's conformity with the European Convention on Human Rights ("ECHR"), which has been directly enacted into UK law through the Human Rights Act 1998.

- 6.11. Of particular relevance is Article 1 of the First Protocol of the ECHR, which provides that “Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.” Compulsory acquisition of a person’s property is clearly a deprivation of that person’s possession and is, prima facie, an infringement of their Article 1, Protocol 1 right.
- 6.12. Article 8 of the ECHR is also relevant in this context. It provides that “(1) Everyone has the right to respect for his private and family life, his home and his correspondence,” and that “(2) There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.” This means that the compulsory acquisition of a home or the compulsory relocation of a tenant would, on the face of it, be an interference with this fundamental right.
- 6.13. When considering compulsory purchase order proposals, the local authority has to have regard to the impact the proposals may have in respect of the above Articles. It is expected that the “doctrine of proportionality” will be applied to ensure “that a measure imposes no greater restriction upon a Convention right than is absolutely necessary to achieve its objectives”. Simply put, the interference with the fundamental rights is no more than is reasonably necessary to achieve the legitimate aim being pursued.
- 6.14. The Council must take into account both public and private interests in the exercise of its powers and duties as an Acquiring Authority (and Local Planning Authority). For the reasons set out in this Statement of Reasons the Council is satisfied, that there is a compelling case in the public interest for compulsory acquisition of the Order Lands which justifies interfering with the Convention rights referred to in the foregoing, and that the use of compulsory purchase powers in this matter is both necessary and proportionate in order to secure the economic, social and environmental well-being benefits that this scheme will promote.
- 6.15. Building on previous success in this area, every effort will be made to acquire the Order Lands on a voluntary acquisition basis, including payment of all reasonable legal and surveyor fees in relation to the voluntary acquisition. If the Order is confirmed, the dispossessed owner(s) will receive market value compensation for their interests in the Order Lands. Owner-occupiers will be offered financial support to purchase a new home, either within the new development or elsewhere within Manchester under the provisions of the Council’s Manchester Home Improvement and Relocation Assistance Policy made under Article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. Tenants, both Council and private will be offered an opportunity to be rehoused within one of the new Council homes within the development. All eligible occupants will receive appropriate compensation having regard to the Land Compensation Act 1973. The CPO powers are being

invoked as a necessary contingency measure to ensure the Scheme can be delivered should voluntary acquisition not be possible.

- 6.16. The improvement of the Collyhurst Village Neighbourhood is a legitimate aim and without the use of the powers, the much needed regeneration and redevelopment of this area will be jeopardised as there is a real prospect that not all of the land required to implement the Scheme will be acquired voluntarily.
- 6.17. Having regard to the above, it is considered that the compulsory purchase of the Order Lands is an appropriate and proportionate way forward.

7. A STATEMENT JUSTIFYING THE EXTENT OF THE SCHEME TO BE DISREGARDED FOR THE PURPOSES OF ASSESSING COMPENSATION IN THE NO SCHEME WORLD.

- 7.1. The Neighbourhood Planning Act 2017 (Commencement No.2) Regulations 2017 SI No 936 came into effect on 22nd September 2017. One of the key provisions of this was the amendment of the Land Compensation Act 1961, sections 6A to 6E. These sections deal with the concept of the 'no scheme world' in relation to valuations for the purposes of compulsory purchase compensation.
- 7.2. The basic 'no scheme' principal can be summarised in the following terms. For the purposes of the valuation, it is assumed that the scheme was cancelled on the relevant valuation date, thus creating the 'no scheme' world. Any increase or decrease in the value of the subject land or property which might be caused as a consequence of the scheme being undertaken – or the prospect of it - should be disregarded for the purposes of valuation.
- 7.3. The Scheme will result in the development of a significant number of new dwellings, creation of a new, high quality, well managed park and provision of new and improved public realm.
- 7.4. At the present time the majority of properties within the Collyhurst Village neighbourhood are Council homes with a relatively smaller number privately owned, having almost exclusively been purchased through Right to Buy. As a comparison around 87% of properties in Collyhurst Village are social rented compared to a citywide figure of 28%. Despite its proximity to the conurbation core, the housing market in this part of the city is constrained with values being lower than elsewhere.
- 7.5. The Scheme will generate a significant improvement to the area (in environmental, social, and economic terms). Any associated rise in property values would be disregarded when assessing values of the Order Lands.

8. DESCRIPTION OF THE PROPOSAL.

- 8.1. The Scheme will provide –

- 244 mixed tenure new homes consisting of 24 Council houses, 76 Council apartments with associated ground floor commercial space (162 sqm) and 144 houses to be sold on the open market.
- Creation of a new park
- Associated car parking, cycle and refuse storage, landscaping, public realm and infrastructure.

To enable the new development, the demolition of 29 existing residential properties and the Collyhurst Village Convenience Store is necessary.

- 8.2. The proposed development has been designed to ensure an efficient, functional, secure and attractive layout that makes efficient use of the site, responding to the relationship with Rochdale Road by providing additional scale at the western boundary through the apartment buildings and 3 storey townhouses. To the east, and facing onto the proposed new park, low rise housing predominates and is placed to create a series of perimeter blocks which clearly delineate between public routes and private amenity space. The new affordable homes and open market sale homes have been dispersed across all plots to create a “tenure blind” development. A site layout plan of the Scheme can be found at Appendix 3.
- 8.3. **Houses and Apartments** – The Scheme will provide a mix of residential types and tenures, consisting of 100 affordable (Council) homes and 144 open market sale homes. The new homes will be high quality, age friendly, low carbon, and energy efficient part of a mixed tenure neighbourhood. A full schedule of the residential accommodation is set out below:

Fig 2. Schedule of the new residential accommodation delivered by the Scheme.

	Tenure	Houses			Apartments				Duplex apartments		Total
		2 bed	3 bed	4 bed	5 bed	1 bed	2 bed	3 bed	2 bed	3 bed	
Collyhurst Village	Council		16	7	1	18	40	2	12	4	100
	Open market Sale	56	72	16							144
	Total	56	88	23	1	18	40	2	12	4	244

- 8.4. The development has been designed with a holistic low energy design concept involving a fabric first approach. The U-values, design of air permeability and ventilation targets all aspire to Passivhaus design standards, along with the consideration and application of low zero carbon renewable technologies. This ensures compliance above Part L and meet the requirements of Manchester’s Core Strategy Policy EN6.
- 8.5. The Council homes have all been designed to meet Lifetime Homes standards which means a greater number of houses can be adapted to meet the requirements of their occupants if necessary, helping residents remain in their homes. Of note, these houses incorporate the potential for a through floor lift into the design, an adaptation which would normally require a significant and costly change to the house. Open market sale houses are designed as open

plan between the kitchen, dining and living spaces allowing flexibility to accommodate a range of lifestyles.

- 8.6. **Community and Commercial Space** – The proposals include 162 sqm of commercial floorspace (Use Class E) located at the ground floor of the 6 storey apartment building on Rochdale Road, fronting onto the new neighbourhood square in Plot A. This provides an opportunity for the relocation of the existing Collyhurst Convenience store that will need to be demolished to deliver the Scheme. The discussions with the business owner are being progressed on this basis. In addition to the commercial space the apartment block also contains a community space, providing an opportunity for social interaction to support a sustainable community.
- 8.7. **Landscape and Public Realm**- The landscape and public realm proposals have been developed to create a people first approach to streetscape design, maximising opportunities for green infrastructure and providing a sustainable approach to surface water management.

The housing area is separated into four plots (A-D). The streets in each plot have been arranged into three categories creating a strong and distinct hierarchy across the site. The streetscape categories are:

- Green links – main north / south connections between Rochdale Road and New Collyhurst Park, this includes Paget Street and a newly created street to the northern boundary of the site
- Internal Street – these streets run north / south through the site and are accessed from Thornton Street and have no vehicle connection onto Rochdale Road. This creates an ‘access only’ scenario; and creates the opportunity to design a less formal streetscape.
- Living Street – these streets are ‘access only’ and are the least busy within the masterplan, generally only accessed by a handful of homes. They are designed along the principles of the Dutch streetscape design concept Woonerf.

The landscape/public realm proposals for the housing areas includes the development of a new neighbourhood square, part of a network of new public spaces proposed in the Victoria North SRF. The new square is located on the southern boundary of the site adjacent to the existing war memorial and is defined by Rochdale Road, Shellard Street and Thornton Street North. The square will act as a community space, connected to the proposed community hub located in the ground floor of the adjacent apartment building. It is envisaged that the space will be used to hold local community events. Tree and shrub planting have been strategically placed to shelter the space from the surrounding roads. Seating opportunities are located to the edges of the space to allow for an adaptable central area for events.

- 8.8. **New Collyhurst Park** – The Scheme also includes a new linear park (1.3ha) located in the south eastern part of the site which includes open space, a play area, wetland, sustainable drainage systems (SuDs), combined cycle and pedestrian paths and woodland. The park included within the Scheme will be

one of the first elements of the City River Park, a key aspect of the SRF and whilst the Scheme will create a complete amenity space, there is future opportunity to further extend the park in a northerly direction if future development is brought forward in the area.

Although there is an existing park within the neighbourhood the new park will provide a qualitative and quantitative gain in amenity value benefitting the existing and new communities. In addition, the new space will begin to connect the neighbourhood and its residents into the wider network of Green and Blue space that is an essential component of the SRF.

The new park consists of a number of different character areas connected by a central spine path running north /south between Shellard Street and Burgess Street designed for use by pedestrians and cyclists. A number of secondary paths are proposed to aid access and movement around the park and ensure its integration into the surrounding proposed and existing urban grain. The character areas proposed include:

- A gateway space adjacent to Shellard Street connecting the park with a new neighbourhood square associated with Collyhurst Village. This creates an integrated public space across the two sites with priority given to pedestrians in this location of Thornton Street North.
- Areas of woodland blocks acting as structure within the park to define recreation spaces. The woodland blocks also provide significant habitat and bio-diversity benefits and provide opportunities for informal and natural play.
- Areas of open lawn providing multifunctional recreation spaces for informal sporting activities and larger team or group events.
- An orchard of fruiting trees to enhanced local habitat and biodiversity whilst creating opportunities for community-based activities such as food growing and harvesting. The inclusion of the orchard is a direct result of the public consultation process.
- A formal play space located centrally within the park creating a hive of activity for all age groups.
- A pedestrian boulevard running east / west through the park along the current alignment of Churnet Street. This route connects the park into the existing surrounding urban grain whilst establishing new routes for future development phases.
- A bio-diverse linear swale that runs parallel to Thornton Street North and is designed to attenuate surface water runoff from the park and highway.
- An area of multifunctional wetland to the north of the park, designed to be a wildlife haven whilst creating educational opportunities and attenuating surface water from Collyhurst Village to the adjacent side of Thornton Street North.

Seating opportunities are a key consideration of the park design taking the form of regular resting opportunities along key routes, informal seating opportunities to the edges of the recreational spaces and play areas and the introduction of picnic tables and benches to key spaces such as the banks of

the wetland. The seating opportunities are designed to accommodate all ages and abilities.

For a period of time the existing park will remain in situ, with the intention being that in the fullness of time, the land will be redeveloped for residential use potentially alongside extension of the new park as set out above and in accordance with the SRF.

- 8.9. **Car Cycle and Scooter Parking** – A total of 228 car parking space are proposed across the development, with all 168 houses having 100% provision of in curtilage parking, the apartments 32% provision within the parking courtyards with an additional 36 visitor spaces provided for within the Scheme. In addition, secure in curtilage cycle parking is provided for each house (200% provision) and internal cycle storage proposed for the apartments (100% provision) with scooter storage also provided within the apartment blocks. Sustainability is a key feature of The Scheme and provision has been included for Electric Vehicle Charging (EVC) on the basis of 100% provision of infrastructure to houses with an additional provision of charging points installed to 50% of the houses and 10% to the apartments during construction.
- 8.10. **Appearance** – The Scheme incorporates high-quality residential apartments and houses with flexible community/commercial space which complements and enhances the character of the surrounding area as well as setting a tone for the future regeneration of the Collyhurst Village neighbourhood.

Red multi-tones are proposed for the apartment buildings with clay brick being the material of choice because of its great aesthetic and, more importantly, the health, safety and longevity that masonry build is known to offer. The brickwork will be developed in both a stretcher bond soldier course and corbelled with cant brick detailing. The red brickwork will be detailed using vertical stack bonded soldier courses and corbled or sawtooth brickwork will enhance entrances. The brickwork will be complimented by brick deep window reveals, aluminium windows in dark grey and juliet balconies.

Entrances to the duplex apartments will include a buffer space to create a threshold to the apartment entrance. Corbled brick details will be incorporated to highlight entrances and duplex apartments. As well as the aluminium grey windows, canopies over doors will also comprise an aluminium slim roof and entrance doors will consist of grey modern timber.

The townhouses' design uses warm brick colours to create a common language across the development. A change in colour will differentiate the park facing houses from the street facing buildings. In addition, houses at key gateways have been enhanced using a different brick bond incorporating a darker brick to create further visual interest and different architectural detail. The contemporary design focuses on well-proportioned openings. A glazed brick pier between pairs of houses will add a flourish to terrace rhythm at eye level.

The houses are separated into those that are 'street view' and those that are 'park view'. The material palette for the street view houses includes a darker tone of brick whereas the park view houses includes a brick with a texture and light-coloured tone complimenting whilst contrasting with the material palette of the apartment building. Both the street view and park view houses will have the following characteristics:

- Full Brick Reveals to Windows;
- Simple Window Design; Grey UVPC window frame with Flush Opening Casements;
- Careful choice of brickwork;
- Complementary and coordinated roofing and rainwater goods;
- Feature Glazed Brick Wall for character and personalisation;
- Rainwater goods generally recessed into the rear masonry façades;
- Grey modern timber entrance doors.

- 8.11. **Access** – The principle means of vehicular access to the site is from Rochdale Road via Paget Street, Shellard Road or Marston Street. Access can also be achieved from Thornton Street North via Paget Street and also two new (unnamed) roads. The internal layout of the site has been designed in line with principles outlined within “Manual for Streets”.

Pedestrians can access the site from all directions. There is a footway surrounding the perimeter of the site and all streets have footways on either side. There are streets on site that have no through route for vehicles but do provide connectivity for pedestrians and provide direct access from parking areas to the gardens. In some instances, these are gated and provide access for residents only rather than the general public. The parking areas and internal streets have a different surface type to the surrounding streets and footways to encourage slower vehicle speeds and make these areas safer for pedestrian movement as well as vehicle movement.

Residents of the proposed development will be able to access the development using existing public transport services. There are bus services that run directly passed the site along Rochdale Road. The southbound stop is adjacent to the site, accessible from the street just to the north of the site that provides access for pedestrians and cycles but is not a through-route for vehicles. The nearest Metrolink stop is Monsall, approximately 600m northeast of the site.

- 8.12. **Sustainability** - The development has been designed with a holistic low energy design concept involving a fabric first approach. The U-values, design air permeability and ventilation targets all aspire to Passivhaus design standards along with the consideration and application of low zero carbon renewable technologies.

Through a Low and Zero Carbon feasibility assessment, the following features are incorporated into the design:

- Site wide PV array implemented onto the roofs of the apartment blocks.
- In line with the 5 year operational energy plan for Greater Manchester all energy used on site by prospective residents will be provided by a 100% renewable energy supplier.
- “Fast Charge” electric vehicle car charging connections will be provided to 100% of the proposed houses and 20% of the apartment parking spaces.
- Efficient MVHR systems are being proposed to each dwelling to provide a continuous source of filtered fresh air and maintain a healthy indoor environment.
- Waste minimisation will be targeted throughout the construction and occupational phase.
- Prioritising reusing existing materials and locally sourced materials for construction to reduce waste and transportation to landfill in addition and promote a low embodied carbon development.
- A separate strategic SUDS infrastructure within the proposed new park.

9. PLANNING POLICY JUSTIFICATION

9.1. Policy guidance at national and local level is supportive of the Scheme.

9.2. NATIONAL PLANNING POLICY & GUIDANCE

9.2.1. National Planning Policy Framework (March 2021) (“the Framework”)

The Framework document sets out the Government’s planning policies for England and how these are expected to be applied. The main aims of the document are to outline that the purpose of the planning system is to contribute to the achievement of sustainable development.

It explains that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role, supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the communities needs and support its health, social and cultural well-being; and
- an environmental role, contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to

improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The Scheme seeks positive improvements in the quality of the environment as well as improving people's quality of life by: building a strong, competitive economy, ensuring the vitality of town centres, promoting sustainable transport, delivering a wide choice of high quality homes including affordable homes, requiring good design, promoting healthy communities, meeting the challenge of climate change and flooding, conserving and enhancing the natural environment.

9.3. LOCAL POLICY & GUIDANCE

9.3.1. Manchester Core Strategy 2012 – 2027 (adopted July 2012) (“the Core Strategy”)

The Core Strategy forms the key Development Plan Document in Manchester City Council's Local Development Framework and sets out long term strategic policies for Manchester's future development. The Core Strategy identifies five regeneration areas that, along with the city centre, cover the entire city. Each area has different issues, challenges and opportunities.

The Scheme is located in North Manchester which is covered by the Northern Gateway Strategic Regeneration Framework. The Core Strategy notes that whilst North Manchester has many positive attributes, it also has a range of physical and social problems that must be tackled in order for the area to meet its potential. The key challenges facing the area are noted as; high levels of worklessness; deprivation concentrated by neighbourhood, rather than whole wards; limited housing choice in some areas; limited scope for physical change, and; congestion along key arterial routes into the City Centre.

Specific Core Strategy policies that support the regeneration of the Neighbourhood are as follows: SP1 'Spatial Principles', H1 'Overall Housing Provision', H4 'North Manchester', H8 'Affordable Housing', H10 'Housing for People with Additional Support Needs', T1 'Sustainable Transport', T2 'Accessible Areas of Opportunity and Need', EN1 'Design Principles and Strategic Character Areas', EN8 'Adaption to Climate Change', EN9 'Green Infrastructure', EN10 'Safeguard Open Space, Sport and Recreation Facilities', EN11 'Quantity of Open Space, Sport and Recreation', EN12 'Area Priorities for Open Space, Sport and Recreation', EN14 'Flood Risk', EN18 'Contaminated Land and Ground Stability' and DM1 'Development Management'.

9.3.2. Saved Policies within the Unitary Development Plan for the City of Manchester (1995) (UDP)

The UDP is contained within the City Council's Local Development Scheme as a 'saved' document. Specific Part 1 policies of relevance to this proposal include Environmental Improvement and Protection policy E3.3.

There are a number of city-wide development control policies, including ones concerning accessibility, housing and commercial development that are of relevance to this proposal, including DC7 New Housing Development, DC14 Shop fronts and Related Signs, DC20 Archaeology, and DC26 Development and Noise.

9.3.3. Guide to Development in Manchester SPD and Planning Guidance (2007) (SPD)

The SPD was formally adopted in April 2007, and is therefore relevant to the Scheme. In the City of Manchester, it is the relevant design tool and it outlines the importance of creating a sense of place, high quality designs, and respecting the character and context of an area. It provides a framework for all development in the City and requires that the design of new development incorporates a cohesive relationship with the street scene, aids natural surveillance through the demarcation of public and private spaces, the retention of strong building lines, appropriate elevational detailing and strong design particularly to corner plots.

9.3.4. Providing for Housing Choice SPD and Planning Guidance (2008)

The document was adopted on the 2nd September 2008, and wholly supports the Scheme. It provides that everyone should have the opportunity to live in a decent home; a home they can afford, in an area they want to live in. However large increases in house prices in the city have made it much more difficult for many households to get a foot on the housing ladder. The Affordable Housing strategy is one way of tackling the problem. It means making homes available to people who would otherwise find it hard to buy or rent. It includes housing rented from a public landlord like the council or a not-profit housing association or trust, as well as 'shared ownership' schemes.

9.3.5. Manchester Residential Quality Guidance (2016)

The City Council's Executive has recently endorsed the Manchester Residential Quality Guidance. As such, the document is now a material planning consideration in the determination of planning applications and weight should be given to this document in decision making.

The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a city of high quality residential neighbourhoods 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.

9.3.6. Manchester Northern Gateway Strategic Regeneration Framework (2019)

The Northern Gateway SRF was endorsed by MCC at the City Council's Executive on 13 February 2019.

The SRF proposes seven interconnected neighbourhoods. The Scheme falls within the Collyhurst Village Neighbourhood.

The vision for the area is to create a high-quality, family-orientated, residential led neighbourhood, with a distinctive sense of place, a mix of housing options and a dynamic community heart, supported by high-quality social and community infrastructure. There are opportunities to improve connectivity to the city centre and existing neighbourhoods, and provide a range of public realm interventions, including a New Collyhurst Park linking Collyhurst Village to the new City River Park. There is an opportunity in the short-term to deliver a range of new and affordable housing, which could include a number of new social housing units within Collyhurst as part of the initial phases of development.

9.3.7. Lower Irk Valley – Neighbourhood Development Framework (January 2016)

The development framework, which has now been superseded by the Northern Gateway SRF, sought to guide future development in the area as part of establishing new developments and supporting public realm, highways and other infrastructure as part of a residential led neighbourhood.

The framework established core principles that sought to complement adjoining regeneration areas and coordinate with the principles established within the frameworks of these areas. The idea of connectivity from the City Centre and NOMA to areas and existing communities of Collyhurst in the north together with New Cross to the east and Angel Meadow to the south was seen as vitally important as part of improving connections, new development and high quality public realm.

9.3.8. North Manchester Strategic Regeneration Framework (SRF) (October 2012)

This document was prepared to guide the future regeneration and development of north Manchester. Within this document, the application site is located between the City Centre fringe and the inner core.

For developments within the City fringe area, the SRF states that developments should contribute to the growth of the City and be high density, accommodating a mix of uses.

The priority for North Manchester is to support to the growth of the City Centre by ensuring a coordinated approach and making the most of land available for high density developments. Furthermore, the document states that there should be a mix of uses with offices, residential located alongside leisure and retail uses.

With regards to the inner core, this is an area of housing led transformation. This will focus on utilising underused land and connect areas such as Collyhurst and Lower Irk Valley to the advantages of the City Centre. The document also outlines that over 2000 new homes will be delivered in this area as well as complementing proposals within the NOMA area and other northern gateway proposals

9.4. **PLANNING POSITION IN RELATION TO THE ORDER LANDS**

Within the Order Lands there are no listed buildings or conservation areas. Planning permission for the Scheme was granted to the Manchester City Council & Far East Consortium International on the 21 June 2021 as follows:

City Council Development for the erection of 168, three and four storey dwellinghouses (Use Class C3a) and two, five and six storey apartment buildings to form 76 residential apartments (Use Class C3a) with associated ground floor flexible commercial unit (162 sqm) (Use Class E); and the creation of a new public park; all with associated car and parking, refuse storage, landscaping, public realm and other associated works and infrastructure following demolition of 29 existing residential dwellinghouses, the Collyhurst Village Store and associated car parking.

10. **INFORMATION REQUIRED IN THE LIGHT OF GOVERNMENT POLICY STATEMENTS WHERE ORDERS ARE MADE IN CERTAIN CIRCUMSTANCES; EG WHERE ORDERS ARE MADE UNDER THE HOUSING ACTS:**

N/A

11. **ANY SPECIAL CONSIDERATIONS AFFECTING THE ORDER SITE, EG. ANCIENT MONUMENT, LISTED BUILDING, CONSERVATION AREA, SPECIAL CATEGORY LAND, CONSECRATED LAND, RENEWAL AREA, ETC;**

N/A

12. **IF THE MINING CODE HAS BEEN INCLUDED, REASONS FOR DOING SO**

N/A

13. DETAILS OF HOW THE ACQUIRING AUTHORITY SEEKS TO OVERCOME ANY OBSTACLE OR PRIOR CONSENT NEEDED BEFORE THE ORDER SCHEME CAN BE IMPLEMENTED, EG. NEED FOR A WASTE MANAGEMENT LICENCE;

- 13.1. The redevelopment proposals require the closure and / or diversion of public rights of way associated with Order Lands. The relevant orders will be applied for in due course using the appropriate powers.

14. DETAILS OF ANY VIEWS WHICH MAY HAVE BEEN EXPRESSED BY A GOVERNMENT DEPARTMENT ABOUT THE PROPOSED DEVELOPMENT OF THE ORDER SITE;

N/A

15. WHAT STEPS THE AUTHORITY HAS TAKEN TO NEGOTIATE FOR THE ACQUISITION OF THE LAND BY AGREEMENT.

- 15.1. The intention of the Council is to provide an opportunity for all affected occupants currently located within the Scheme boundary to be relocated to a new property within the Scheme through a single move. However, the Council wishes to avoid assuming responsibility for the existing housing conditions in occupied dwellings which means acquisition can only be completed with vacant possession. Therefore, in order to hold meaningful negotiations, it is only possible to commence once -
- development of the Scheme has been progressed sufficiently,
 - there is a clear understanding of the construction programme, (ie when replacement properties will become available); and
 - values of the new homes are understood.
- 15.2. As such, although residents and owners have been engaged and consulted with throughout design development (as detailed below), broadly speaking negotiations to acquire have not commenced, the only exception being the commercial unit, where the freehold owner has enquired about commencing the process.
- 15.3. The commercial unit is occupied on a long lease basis, with the freehold owned separately. There is residential accommodation above the shop which is the responsibility of the leaseholder. It is the Council's desire to relocate the existing Commercial Business into the new commercial space that is being constructed as part of the Scheme. Preliminary discussions have taken place with the shopkeeper in relation to the terms of acquisition of the Leasehold interest and the potential new terms that will be offered in relation to the new Council owned commercial space. Negotiations have also commenced with the Freehold owner of the commercial space with a view to acquiring the property by agreement. Negotiations with the Freeholder are being progressed

on an “Option to purchase Agreement” basis with a condition precedent that completion can only take place with vacant possession of the residential unit above the shop.

- 15.4. It is the Council’s express intention to seek to acquire the interests contained within the Order Lands by agreement and every effort will be made to do so. However, it is acknowledged that there is a probability that it may not be possible. In this respect, The CPO Guidance sets out that-

“Compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects. However, if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time will be lost. Therefore, depending on when the land is required, it may often be sensible, given the amount of time required to complete the compulsory purchase process, for the acquiring authority to:

- *plan a compulsory purchase timetable as a contingency measure; and*
- *initiate formal procedures*

This will also help to make the seriousness of the authority’s intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations.”

- 15.5. Therefore, having regard to The CPO Guidance and in order to deliver comprehensive delivery of the Scheme, a compulsory purchase timetable has been planned as a contingency measure and formal procedures initiated. Having now gained the approval of the Council’s Executive to proceed and gained clarity on the points outlined above at paragraph 15.1, discussions can commence with each private landlord on an “Option to Purchase Agreement” basis.

16. ANY OTHER INFORMATION WHICH WOULD BE OF INTEREST TO PERSONS AFFECTED BY THE ORDER EG PROPOSALS FOR REHOUSING DISPLACED RESIDENTS OR FOR RELOCATION OF BUSINESSES

- 16.1. **Consultation** - There is a long history of engagement and consultation with the Collyhurst community over the past 10-15 years starting with the PFI proposals in 2007, progressing through the Collyhurst Spatial Masterplan in 2014, the Northern Gateway SRF in 2018 and more recently the development of this Scheme during 2020/21.

- 16.1.1. It is worth noting that although the Scheme is located within the Collyhurst Village Neighbourhood, views have also been sought from the wider Collyhurst neighbourhood given that the Scheme is intended to set the benchmark for other development in Collyhurst, in terms of design, and quality. The engagement commenced in early 2020, but the onset of the Covid19 Pandemic meant that alternative methods of engagement

were required mainly centred around online and written forms of engagement.

16.1.2. The approach to consultation was designed to provide meaningful opportunities for the local community and key stakeholders to engage with and contribute to the development proposals and was undertaken in 3 stages comprising:

- Stage 1 – February 2020: Consultation on priorities and principles
- Stage 2 – June 2020: Consultation on early stage proposals with smaller groups of volunteer residents and residents' groups
- Stage 3 – September 2020: Consultation on detailed design proposals for Collyhurst Village.

16.1.3. Whilst it was possible to complete stage 1 of the consultation as envisaged, unfortunately, the Covid pandemic and the restrictions that were put in place necessitated a review of the subsequent stages of consultation and engagement. As a result, the planned stage 2 consultation was undertaken with the same intended group of volunteers through a printed briefing pack combined with opportunity for one to one telephone discussions. This approach was supplemented by similar contact with members of the local Resident Liaison Group (RLG), the Chairs of the Tenant Resident Associations (TRA) and the affected properties situated within the Collyhurst Village proposed site boundary.

16.1.4. Similarly, the ongoing situation with the pandemic meant that the approach to stage 3 consultation required adjustment. Consultation information was hosted online via a dedicated consultation website which incorporated a virtual exhibition and interactive feedback portal. This aimed to recreate on-line, the experience of face to face drop-in sessions. It included 10 'exhibition boards' with further information about the development, two videos which included interviews from members of the project team, as well as links to ask questions and provide feedback. This consultation was widely publicised through, the distribution of a consultation leaflet to 1,500 properties, coverage on various media platforms (including on the radio, social media and online media outlets), posters displayed by local organisations in key locations and direct emails to key local organisations and people who had previously signed up to receive updates on the consultation during previous phases of engagement.

16.1.5. This multi phased approach to consultation has ensured that feedback from the local community has been captured throughout the design development process and this has influenced the decisions about the Scheme proposals throughout.

16.1.6. In addition to this wider consultation, ongoing engagement has been undertaken with the residents and stakeholders that have an interest in the 29 residential properties and the commercial unit directly affected by the Scheme. Engagement has included, home visits and regular written

updates to occupants and owners. Officers have responded to individual enquires as they have arisen, and this process of ongoing engagement and support will continue until all the properties have been vacated/acquired and demolished.

- 16.2. **Rehousing and Relocation** – The intention of the Council is to provide an opportunity for all occupants currently located within the properties that need to be demolished to be relocated within the Scheme through a single move. Broadly, the occupants can be split into four groups; Council tenants, Private/RP tenants, Owner – occupiers and the commercial unit.

16.2.1. **Council tenants** – There are 22 existing Council tenants within the Scheme and they will be offered a new tenancy in one of the new homes that is suitable for their requirements. Therefore, a key component of the targeted engagement has been to understand the requirements of current occupants. In this regard a Housing Needs Assessment was undertaken with the Council tenants in May 2020. The outcome of this directly shaped the design of the Council homes that will be delivered through the Scheme, in terms of size, type, layout and adaptations, which have been included to meet the specific needs of existing residents. This process has allowed the Council to identify an appropriate size and type of property for each of the existing Council tenants and each of the 22 households have been written to advising them of the type and size of property they will be able to move into and provided with an example floorplan. The details of which specific property each household will move into will be worked through as construction is underway. This process will be undertaken through continuous engagement with the residents to ensure that as far as is reasonably possible their views are taken into account. The relevant compensation payments will be made available to the residents having regard to the Land Compensation Act 1973.

16.2.2. **Owner- Occupiers** - According to information obtained through resident surveys undertaken in October 2021, there are 4 owner occupiers within the Scheme boundary. Clearly, under rules of Compulsory Purchase, owner-occupiers are entitled to receive Market Value Compensation, Statutory Home Loss Payment and Disturbance compensation and the Council will approach the voluntary acquisition process on that basis.

16.2.3. In addition, under the provisions of the Council's - *Manchester Home Improvement and Relocation Assistance Policy* made under Article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 displaced owner-occupiers will be supported to remain homeowners. Relocation assistance will be offered to existing owner-occupiers in accordance with the Council's Home Improvement and Relocation Policy, most recently updated in 2017. The intention of the policy is to ensure that residents whose existing home is affected by redevelopment proposals will be enabled to continue to live in their existing community in alternative premises at a cost comparable to their existing housing costs. The policy provides every displaced owner-

occupier with compensation for the purchase of their existing home at its market value, together with financial support in the form of a loan to purchase alternative property, within the terms contained in the policy. Any existing owner-occupier displaced as a result of the Order will be able to access Relocation Assistance to purchase a replacement home either within the new development or elsewhere within Manchester. This level of support is considerably in excess of the Council's legal obligations upon the making of a Compulsory Purchase Order. Owner-occupiers who do not wish to remain as such have the option of reverting to a Council tenancy.

16.2.4. Contact with the owner-occupiers has indicated a desire from all of them to stay in owner-occupation, remaining within Collyhurst. In order to have meaningful discussions with the owner-occupiers about them purchasing a new home within the Scheme, it has been necessary to progress the proposal to a point where property type, build programme, and tonal valuations are available. The Scheme is now at that position and having now gained the approval of the Council's Executive to proceed, discussions can commence with each owner-occupier regarding the compensation and Relocation Assistance package that will be made available.

16.2.5. **Private and Registered Provider tenants** – According to information obtained through resident survey undertaken in October 2021, there are 2 private tenants and 1 Registered Provider (RP) tenant within The Scheme boundary. One of the privately rented properties is the flat in multiple occupation above the existing commercial premises, with the other two properties being former Council homes that have been the subject of Right to Buy. One of these (the RP tenanted property) is a former owner-occupier, who benefitted from a Mortgage rescue Scheme administered by Great Places Housing Group. The Council intends to make an offer of a suitable new Council home within the Scheme to each, subject to reaching agreement with the landlord/owner to acquire the property. In this regard, the design of the Scheme includes a sufficient number of additional Council homes of a suitable size and type. Where existing private tenants wish to relocate into one of the new Council homes, the Council will work with the household and their landlord. In addition to this support, the relevant compensation payments will be made available to the residents having regard to the Land Compensation Act 1973.

16.2.6. **Commercial unit** – The existing commercial unit (The Collyhurst Village Store) is occupied on a long lease basis, with the freehold owned separately. There is residential accommodation above which is the responsibility of the leaseholder and occupied by private tenants as a Flat in Multiple Occupation. A key component of the Scheme is to construct a new Commercial Premises in a prominent location, which itself serves as a focus for social interaction. It is the Council's desire to relocate the existing business into the new Commercial space that is

being constructed as part of The Scheme within the ground floor of the Council apartment block.

16.2.7. Early discussions have taken place with the shopkeeper and negotiations are underway in relation to the terms of acquisition of the Leasehold interest (having regard to the compensation rules) and the new terms that will be offered in relation to the new commercial space. It is hoped that these discussions will prove successful. However, in the event that terms for a new tenancy cannot be agreed with the existing business owner, then negotiations will focus on compensation for the business having regard to the compensation rules. In this instance the Council will seek to secure an alternative tenant for the new commercial space through the open market.

16.3. Owners and occupiers of privately-owned residential properties and commercial premises have been advised to contact the Residential Growth Team at the Town Hall Extension, Manchester, M60 2LA, who will arrange for Jacobs, the Council's appointed surveyors, who are negotiating the acquisition of interests, to be contacted.

17. PUBLIC SECTOR EQUALITY DUTY UNDER SECTION 149 OF THE EQUALITY ACT 2010(PSED)

17.1. Throughout the consultation and delivery process, officers have sought to ensure that equality of opportunity is provided to all residents affected by the proposals by considering whether any residents may require an interpreter, translation of newsletters, letters etc. (including if necessary documents translated into braille for those with sight problems), or the appointment of an advocate for those people with learning difficulties. The Council will continue to consider the needs of those persons affected by the Scheme throughout delivery and take appropriate steps.

17.2. All the new Council homes have been designed to meet Lifetime Homes standards with the ability to install through floor lifts in the houses and duplexes in the future if so required, without major structural alterations.

17.3. Furthermore, in developing the design for the Scheme, the Council have also sought to understand where specific adaptations may be required to the new Council homes in order to meet the needs of any of the existing residents within the homes that need to be demolished. As a result of the consultation process a household with specific requirements in terms of disabled adaptations was identified and a re-provision property within the Scheme has been designed to meet their requirements.

18. RELATED ORDERS, APPLICATIONS, OR APPEALS ETC. MADE UNDER OTHER POWERS

There are no related orders, applications or appeals in connection with this compulsory purchase order.

19. DOCUMENTS, MAPS, PLANS OR OTHER RELEVANT INFORMATION IN THE EVENT OF A LOCAL INQUIRY

- 19.1. If objections are lodged against the Order and a local inquiry is to be held, any relevant information will be provided in due course and arrangements will be made for them to be available for public inspection.
- 19.2. This Statement of Reasons is intended to fulfil the Council's non-statutory obligations in accordance with the updated guidance issued in July 2019. It is not intended to be the statement referred to in rule 7 of the Compulsory Purchase (Inquiries Procedures) Rules 2007 and a further statement of case and accompanying information will be forwarded at the appropriate time to all persons who object to the Order. However, in the event of a Local Inquiry being necessary the Council reserves the right to add to or supplement the information contained herein as may be necessary and / or to respond to any objections that may be made.
- 19.3. Potential objectors are advised to seek independent legal advice with regard to any matter set out in this Statement of Reasons.

20. INQUIRY COSTS

- 20.1. If objections are lodged against the Order and a local inquiry is to be held, any award of costs shall be considered and determined in accordance with the advice given Planning Practice Guidance – the award of costs and compulsory purchase and analogous orders.
- 20.2. A successful objector who satisfies the criteria set out in the above-mentioned planning guidance will receive an award of costs unless there are exceptional reasons for not doing so. A successful objector may, however, where they have acted unreasonably, have their award of costs reduced. A potential objector should, however, be aware that a dispute over the valuation of their property, or other compensation connected with the Order, is not a matter for a Local Inquiry. Such a dispute will be dealt with by the Lands Tribunal.

21. FINANCIAL ABILITY OF THE COUNCIL AND/OR THE DEVELOPER TO CARRY OUT THE PROPOSED DEVELOPMENT OF THE ORDER LANDS

- 21.1. The Council has identified sufficient funds from its own resources, to meet the costs associated with acquiring the Order Lands and other compensatable interests within the Order Lands.
- 21.2. The acquired interests along with the Council interest will then be developed through the Council's JV partner FEC, to deliver the comprehensive scheme in accordance with the planning application with reference 129393/VO/2021.
- 21.3. The Scheme is considered to be viable by both the Council and its development partner, FEC and good progress has already been made on works to allow the delivery of the Scheme, including completion of the site

enabling works, the grant of detailed planning permission for the Scheme. The urban form of the Scheme is carefully conceived and requires all the Order Lands to create a coherent redevelopment to meet the regeneration requirements of policy.

- 21.4. The Council has identified sufficient funds from its own resources, to meet its share of the costs associated with the construction of the Scheme. Similarly, FEC have committed their own resources to meet their share of construction costs.
- 21.5. The delivery arrangements for the Scheme are being secured through two key legal agreements between the Council and FEC:
- Funding and Development Agreement; and
 - Supplemental Agreement to the Joint Ventures Agreement for Leases (“the Supplemental Agreement”)

The former sets out the terms in relation to the appointment of FEC as Development Manager, their responsibilities and the financing arrangements for each party’s share of costs. The latter provides for the transfer from the Council to FEC of the freehold interest of the land upon which the open market sale homes will be built.

22. CONCLUSION

- 22.1. Without the acquisition of the Order Lands it will not be possible to deliver the Scheme, which accords with the SRF and the extant planning permission and there is therefore a compelling case in the public interest for the acquisition of the lands. There is no prospect of the market realising a comprehensive regeneration of the area without intervention. It is essential therefore that all of the Order Lands are acquired as failure to achieve regeneration will adversely affect the lives of local residents, the prospects for local businesses, the potential for further investment in the wider area and the economic prospects for the City in general.
- 22.2. The Council believes that for the reasons set out in this Statement of Reasons there is a compelling case in the public interest to justify the making of this Order.

Appendices

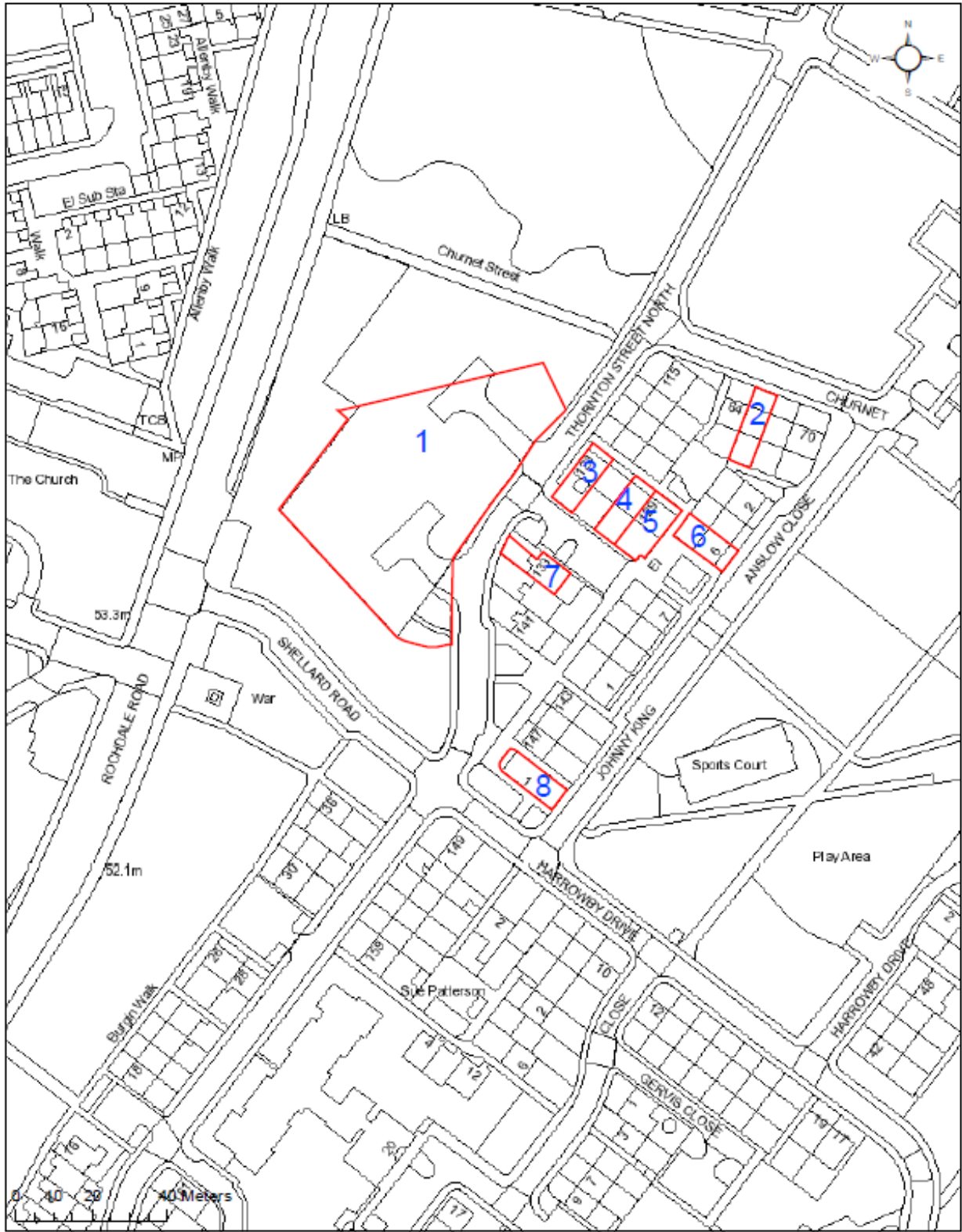
Appendix 1 The Order Lands


Appendix 2 Victoria North’s neighbourhoods and the location of the Scheme

Appendix 3 The Scheme

Appendix 4 Plot Arrangement Plan

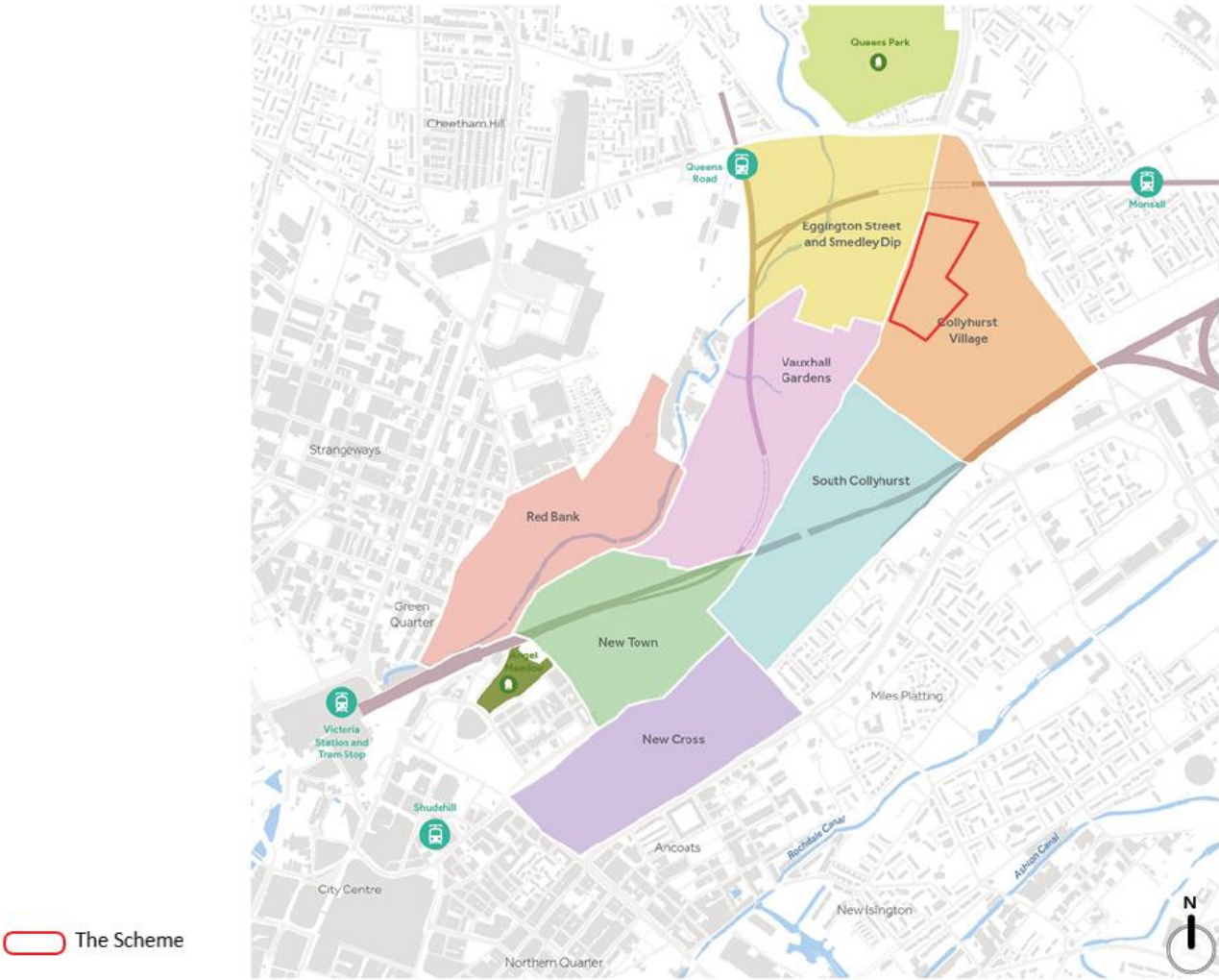
Appendix 1- The Order Lands



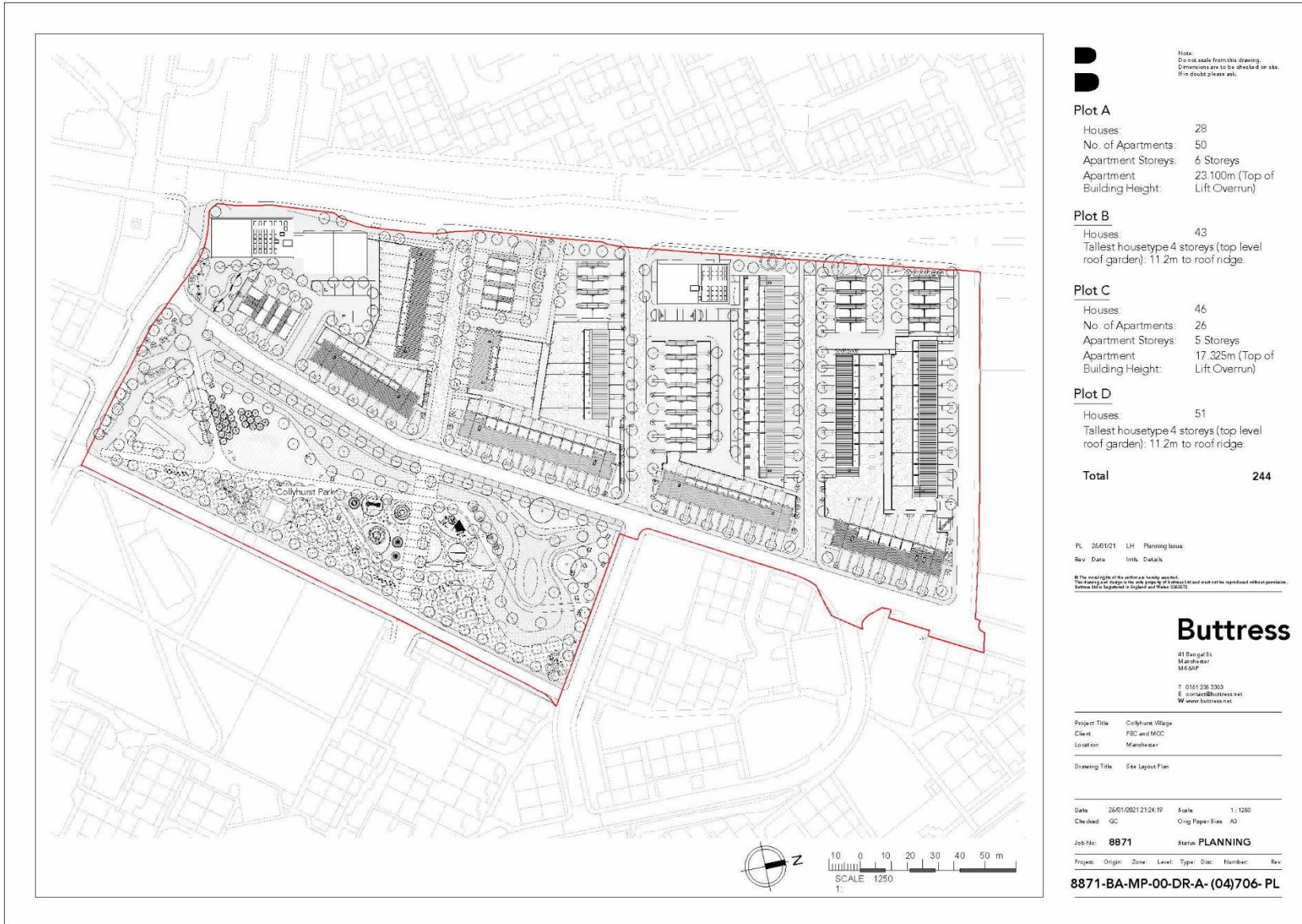
<p>1:1,250 PLAN FOR IDENTIFICATION PURPOSES ONLY</p>	<p>Strategic Development Growth and Neighbourhoods Directorate PO. Box 532 Manchester M80 2LA</p>	 <p>MANCHESTER CITY COUNCIL</p>
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Appendix 2 - Victoria North's neighbourhoods and the location of the Scheme



Appendix 3 – The Scheme



B
B
 Note:
 Drawn easily from this drawing.
 Dimensions are to be checked on site.
 If in doubt please ask.

Plot A
 Houses: 28
 No. of Apartments: 50
 Apartment Storeys: 6 Storeys
 Apartment Building Height: 23.100m (Top of Lift Overrun)

Plot B
 Houses: 43
 Tallest housetype 4 storeys (top level roof garden): 11.2m to roof ridge.

Plot C
 Houses: 46
 No. of Apartments: 26
 Apartment Storeys: 5 Storeys
 Apartment Building Height: 17.325m (Top of Lift Overrun)

Plot D
 Houses: 51
 Tallest housetype 4 storeys (top level roof garden): 11.2m to roof ridge.

Total 244

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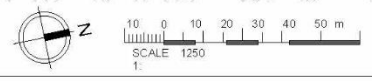
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 Client FEC and MOC
 Location Manchester
 Drawing Title Site Layout Plan

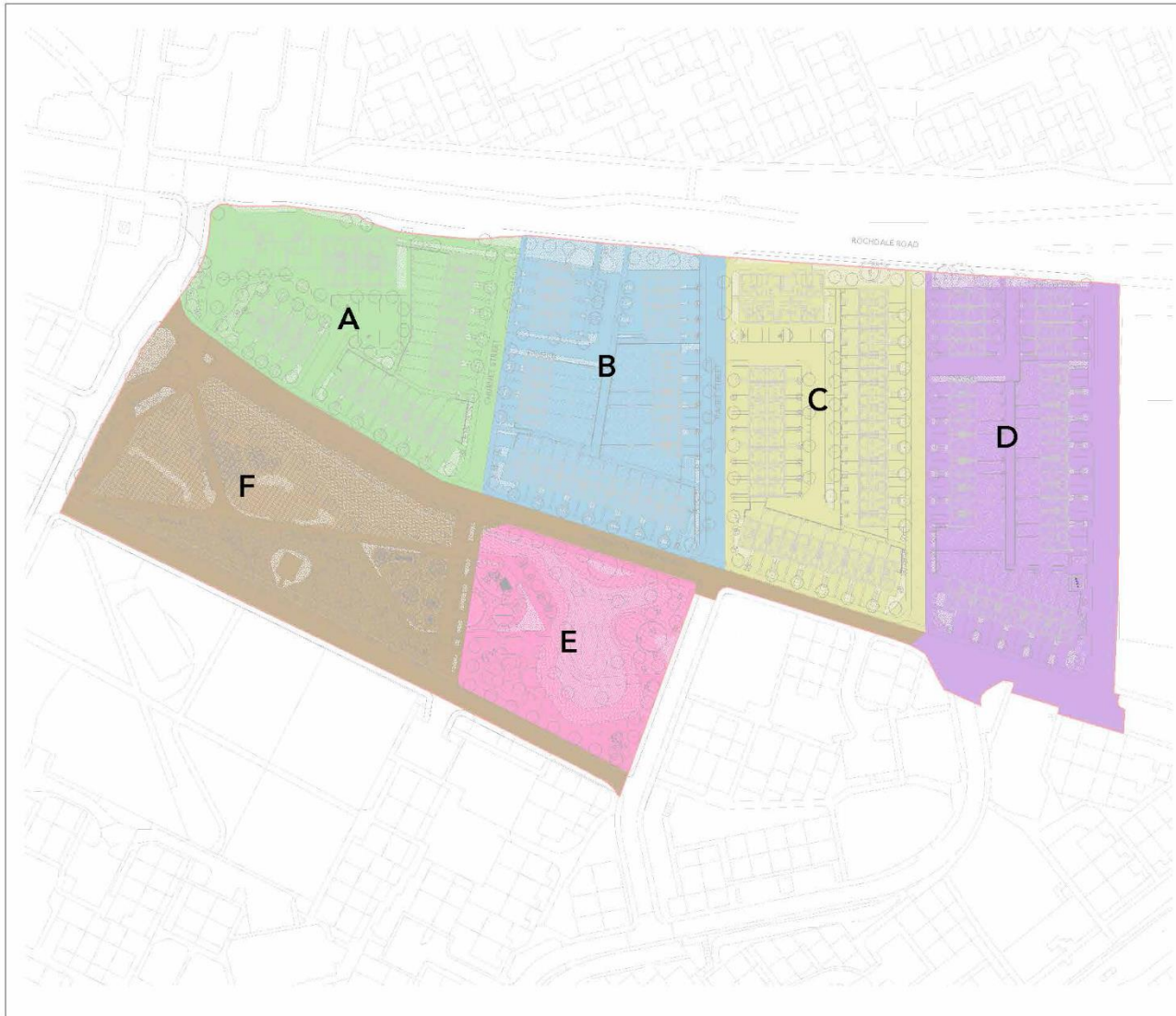
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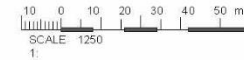
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Appendix 4 – Plot arrangement plan



Note:
Do not scale from this drawing.
Dimensions are to be checked on site.
If in doubt please ask.



Housing Development sits
within Plots A-D

The New Collyhurst Park -
Phase 1 sits within Plots E-F

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Client FEC and MCC
Location Manchester

Drawing Title Plot Arrangement Plan

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