

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
138730/FO/2023	4th Dec 2023	15th Feb 2024	Miles Platting & Newton Heath Ward

**Proposal** Erection of a 3 and 6 storey buildings to form 81 residential apartments (Use Class C3a) and erection of 28, two storey dwellinghouses (Use Class C3a), including green spaces, landscaping, boundary treatment, access arrangements, parking and other associated works.

**Location** Land Bounded By Oldham Road (A62), Old Church Street, The Lidl Foodstore And Newton Street, Manchester, M40 1EZ

**Applicant** Mr Robert Pleasance, One Manchester Limited

**Agent** Mr Phil Grant, Euan Kellie Property Solutions

## **EXECUTIVE SUMMARY**

The proposal would create 109 new homes, all would be affordable (either social rent or affordable rent), within two apartment buildings of 3 and 6 storey and two storey dwellinghouses. There would be public realm, parking and an off site contribution of £110,000 for environmental improvements, place making and linkages within Newton Heath District Centre. Social Value would also be captured through a local labour agreement. The applicant is committed to ensure that local residents benefit from the development through access to employment.

Part of the site benefits from an extant planning permission for residential purposes. The remaining part of the site, the former Rosedale site, had previously been granted planning permission for a building which was significantly larger (at 10 storeys) than this proposal. This permission has now expired.

This proposal presents a significant opportunity to transform a highly prominent vacant site along a main road route in the City together with having a positive impact on the ongoing transformation of Newton Heath district centre.

This development, together with an adjacent scheme being delivered by the applicant, would deliver 146 new affordable homes across the two developments.

Cllr Hitchen and Cllr Flanagan both object to the proposal.

## **Key Issues**

### **Principle of the proposal and the schemes contribution to regeneration**

The development is in accordance with national and local planning policies, and would deliver significant economic, social and environmental benefits. This is a previously developed site, in a highly sustainable location close to public transport and walking and cycling routes. The site is also identified for residential purposes within the SHLAA. 100% of the homes would be affordable, for social and affordable

rent. The carbon impact would be minimised and surface water drainage and biodiversity improved.

**Economic** The proposal would deliver 109 homes. New homes to meet the growing population is a key economic driver and is vital to a successful and thriving economy. Construction jobs would be created and the applicant is committed to ensuring that there are social value benefits from the scheme to the local area. This is considered in detail in the report.

**Social** A local labour agreement would ensure that Manchester residents are prioritised for construction jobs. Public realm with linkages would benefit residents and visitors including an off site contribution towards environmental improvements and linkages with the district centre. 100% on site affordable housing would be achieved on a social rented and affordable rented basis which would exceed Council planning policy. 3 fully wheel chair accessible apartments would be created.

**Environmental** This would be a low carbon development in a highly sustainable location. There would be car parking for each dwelling and 25 car parking for the apartments. A travel plan would encourage residents to walk, cycle and use public transport. The public realm would provide linkages and create an attractive place. The planting would improve biodiversity and create wildlife habitats. Surface water risks would be managed through appropriate infrastructure. The site is contaminated but the conditions are not unusual and do not present a risk to human health or the environment on the basis of an appropriate remediation strategy.

The height, scale and appearance would contribute positively to the area and the development would be safe and secure. The development would provide an appropriate response to its position along Oldham Road and at its junction with Old Church Street. Waste management would prioritise recycling to minimise the amount of waste going to landfill.

**Impact on the historic environment** Any harm to heritage assets would be less than substantial and would be outweighed by the economic, social and environmental public benefits of the scheme, in accordance with the provisions of paragraphs 193, 194 and 196 of the NPPF and sections 66 of the of the Planning (Listed Building and Conservation Areas) Act 1990.

**Impact on local residents** The impact on daylight/sunlight, overlooking, air quality, tv reception, noise and disturbance and wind conditions would be acceptable.. Construction impacts would not be significant and can be managed. Noise outbreak from plant would meet relevant standards and the operational impacts of the accommodation can be managed.

A full report is attached below for Members consideration.

## **Description**

This 0.87 hectare site is bounded by Oldham Road (A62) to the north, Old Church Street to the east and the Lidl car park to the south. Dulverton Street bisects the centre of the site. The site consists of vacant, previously developed land once

occupied by the Rosesale Building (at the junction of Oldham Road and Old Church Street) and the YES Group building (on the eastern portion of the site). Both buildings have been demolished in recent years. The site is located in Newton Heath and within the boundaries of its district centre. The current condition of the site has a negative impact on the local area and this main radial route.



***View of the current site from Oldham Road***



***View of the current site from Old Church Street***

The surrounding area is a mixture of residential and commercial developments. There are residential properties to the north along Oldham Road. A Lidl food store and associated car park together with Newton Silk Mill, commercial buildings and yard space associated with Martins Craft Bakery and Heart and Graft Coffee to the south. Residential properties and the commercial heart of the district centre beyond this. The Rochdale Canal is located to the rear of the Lidl Supermarket to the south.

The area is highly sustainable. The Newton Heath and Moston tram station is a short walk from the application site which provides connections to the city centre as well as Manchester Victoria Train Station and north towards Oldham and Rochdale Town Centres.

Newton Heath District Centre is characterised by a number of shops, supermarkets, services and takeaway facilities within a short walk of the application site, largely linear in format and either side of Old Church Street.

## **The Proposal**

The proposal comprises the erection of 3 and 6 storey buildings to form 81 residential apartments (Use Class C3a) and the erection of 28, two storey dwellinghouses (Use Class C3a). The development would provide a range of property types as follows:

- 47, one bedroom apartments;
- 34 two bedroom apartments;
- 10, two bedroom dwellinghouse;
- 18, three bedroom dwellinghouses.

57% of the new homes would be two or more bedrooms offering a range of choice and accommodation that would principally be attractive to families as well as accommodating smaller households and those wishing to downsize. The development would be entirely affordable either social or affordable rent.

The development would be delivered in two phases:

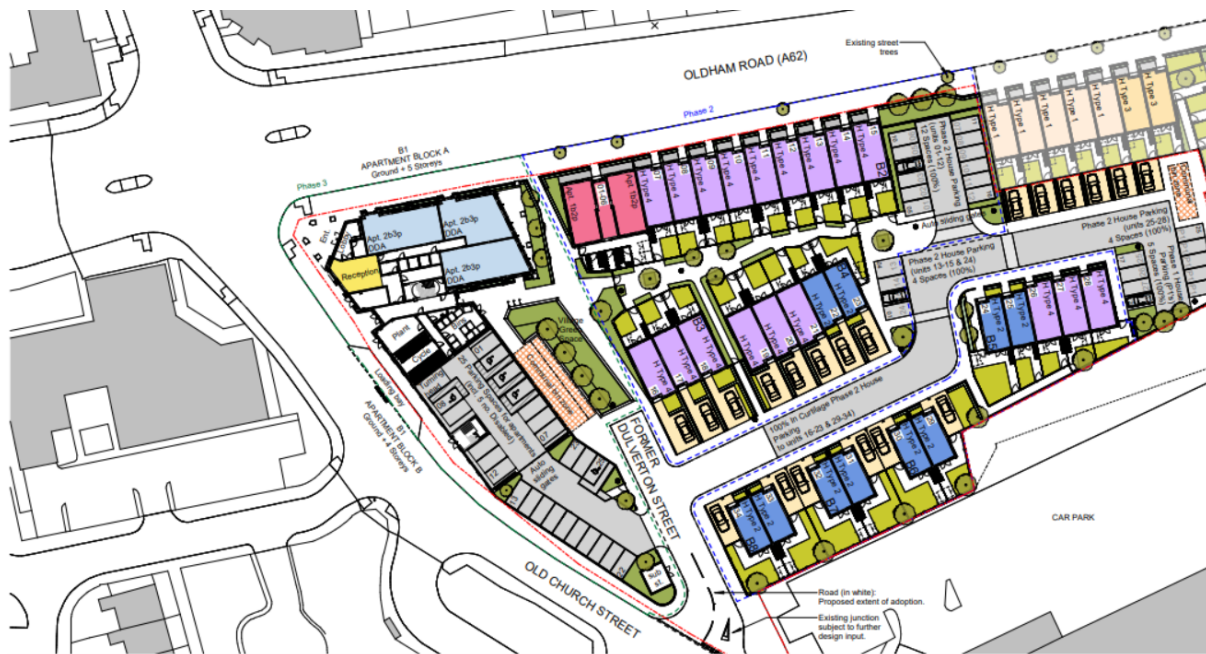
Phase one would provide 34 new homes: 10 two-bedroom dwellinghouses for affordable rent, 18 three-bedroom dwellinghouses for affordable rent and 6 one-bedroom apartments for social rent. These buildings would front Oldham Road. These dwellings houses would be two storey in height whilst the apartment building would be three storey.

Phase two would provide 75 new homes: 41 one-bedroom apartments for social rent and 34 two-bedroom apartments for social rent.

The mixture of social rent and affordable rent is an appropriate mix of affordable housing and meets identified housing needs in this part of the City.

The accommodation would be provided within a single building, of part 5, part 6 storeys, and would be situated on the corner of Oldham Road and Old Church Street. The main entrance to the building would be on the corner of Oldham Road and Old Church Street, with secondary access proposed to be provided from a side entrance along Dulverton Street.





## Site Layout

The development would sit adjacent to a residential development currently under construction by the applicant to deliver 37 dwellinghouses and 2 cottage apartments being delivered under planning permission 125990/FO/2020. The intention is that these new homes would be available on an affordable rent basis.

The development would be accessed off Dulverton Street, which would remain a public highway for the majority of its length. The northern section would however be partially 'stopped-up', with a 2 metre footway retained within the public highway. The existing junction into the site between Dulverton Street and Old Church Street would be upgraded.

A new private road would serve the phase 1 development from Dulverton Street. 100% car parking would be provided for this phase through a combination of in curtilage parking and secure parking courtyards.

25 car parking spaces are proposed for the phase 3 development (including 5 disabled spaces). The parking provision would be split between 12 no. under croft spaces at ground floor level with 13 no. additional spaces proposed externally to the rear of the building within a secure and gated car park accessed directly off Dulverton Street.

Each of the proposed 28 houses would be provided with a dedicated Electric Vehicle charging point. A further 19 charging points would be provided for the proposed apartments.

A secure cycle store would be provided at the ground floor of the phase 2 apartment building, comprising 35 no. double tier cycle racks providing 70 no. storage spaces. An additional 62 no. spaces would be provided via secure cycle stores in the rear garden of all the houses and apartments proposed as part of the Phase 1.

The dwellinghouses would have their own in curtilage private amenity space.

A public amenity area has been designed as a central courtyard space leading to a gated internal 'garden street' to provide space for the residents to meet and socialise in a landscaped setting, with seating areas located amongst trees, shrubs and quality paving.

The central courtyard 'village green' space has been designed to provide a lawn space for recreation, set on a stepped platform to protect the grass and to provide informal seating around the edge.

The apartment building and dwellings would be constructed in a red brick with decorative detailing, deep window reveals and contemporary boundary treatments. This approach would complement the older brick buildings which remain in the area as well as the emerging brick character of more recent developments.



**Visualisation of the proposed apartment buildings and dwellinghouses**

3 no. fully accessible apartments with their own independent on-street entrances are proposed at the ground floor level of the phase 2 apartment building.

Highly efficient air source heat pumps would be provided for all the proposed dwellinghouses and hot water heat pumps for all the proposed apartments, which would help to minimise carbon emissions on the site.

The proposed layout and fenestration has been designed to optimise passive solar gain and to provide the potential for overnight purge ventilation. Water butts would be

provided to enable rainwater collection for garden use. Smart water meters would also be installed to monitor, record and limit water usage.

New tree planting and bat, bird and bee boxes would be installed throughout the development to enhance biodiversity.

## **The Planning Submission**

This application is supported by the following information:

- Design & Access Statement;
- Landscape Layout and Planting Plan;
- Affordable Housing Statement (included within this Planning Statement);
- Air Quality Assessment;
- Archaeology Assessment;
- Broadband Connectivity Assessment;
- Construction Management Plan;
- Crime Impact Statement;
- Daylight & Sunlight Assessment;
- Environmental Standards Statement;
- External Lighting Plan;
- Flood Risk Assessment & Drainage Strategy;
- Heritage Assessment;
- Local Benefit Proposal / Social Value Statement (comprising a Social Value Statement and corporate brochure)
- Noise Impact Assessment;
- Preliminary Risk Assessments and Ground Investigations for Phases 2 & 3 (+ cover note);
- Pre-Construction TV Signal Reception Impact Survey;
- Preliminary Ecological Appraisal,
- Biodiversity Net Gain Design Stage Assessment;
- Biodiversity Enhancement Management Plan;
- Transport Statement and Travel Plan;
- Waste Management Proforma;
- Draft Heads of Terms for s106 Agreement (included within this Planning Statement);
- Statement of Community Involvement (included within this Planning Statement).

## **Consultations**

**Publicity** - The proposal has been advertised as a major development, affecting the setting of a Listed Building and of being of public interest. A site notice was displayed at the site, a press notice has been placed in the local paper and local residents and businesses were notified. No comments have been received as part of this process.

**Councillor Hitchen and Councillor Flanagan (Miles Platting and Newton Heath)** object to the proposal.

**Highway Services** the highway network could accommodate the low level of trip generation from the site. Redundant access points should be reinstated, and tactile

paving introduced. Traffic Regulation Orders (TROs) should be reviewed. The cycle and car spaces proposed is acceptable including EV provision. A series of highway improvements are required which should be secured by condition. A travel plan and constriction management plan should be prepared and agreed.

**Environmental Health** advise that further details are required in respect of the acoustic insulation of the residential accommodation together with details of any plant. Further details are required in respect of ground conditions remediation and the waste management arrangements. Air filters are required in the interest of air quality along with a construction management plan.

**Flood Risk Management Team** advise that a drainage strategy should be agreed which maximise blue and green infrastructure. A verification report shall be submitted on completion of the works.

**Greater Manchester Archaeology Advisory Service (GMAAS)** advise that no further archaeological investigations are required at this site.

**Design for Security at Greater Manchester Police** advise that the Crime Impact Statement submitted with the application should be implemented.

**Canal and River Trust** advise that they have no comments to make.

## **Land Interest**

The City Council has an interest in the application site as landowner and is therefore reminded she must disregard this and exercise her duty as Local Planning Authority only.

## **Policy**

### **The Development Plan**

The Development Plan consists of:

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

The Core Strategy Development Plan Document 2012 -2027 is the key document in Manchester's Local Development Framework. It 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 as directed by the National Planning Policy Framework (NPPF).

The NPPF requires application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

## Manchester Core Strategy Development Plan Document (July 2012)

The relevant policies within the Core Strategy are as follows:

**SO1. Spatial Principles** – This is a development site within Newton Heath District Centre. The development would bring change in the form a high quality residential led scheme to this part of the city in a highly sustainable location.

**SO2. Economy** – High quality residential accommodation in a sustainable location such as this, would support the economic growth of the city. The development would support local employment during the construction phases.

**SO6. Environment** – The development would be low carbon and highly sustainable using up to date energy efficiency measures in the fabric and construction of the building. Low carbon measures in the form of electric car charging points, street trees and an efficient drainage scheme would all have benefits. The development is supported by a robust travel plan and 100% cycle provision. Provision would be made available for disabled occupants.

**Policy SP1 ‘Spatial Principles** – The proposal would have a positive impact on visual amenity and the character of the area. The design and appearance of the building would provide a high quality addition to the street scene and complement existing developments in the area.

**Policy T1 ‘Sustainable Transport’** - The site has access to a range of public transport modes.

**Policy T2 ‘Accessible areas of opportunity and needs’** - A transport assessment and travel plan demonstrates that the proposal would have minimal impact on the local highway network and would encourage the use of sustainable forms of transport.

**Policy H1 ‘Overall Housing Provision’** – The proposal is a high density development on a previously developed site in a highly sustainable location. A range of accommodation would be provided on site and the larger apartments and townhouses would be particularly attractive to families. High quality amenity spaces would be provided with an outdoor communal garden for the apartments and secured rear gardens from the dwellings. There would be adequate cycle and waste management arrangements which would support on site recycling objectives.

**Policy H2 ‘Strategic Housing Location’** – The proposal would add to the supply of good quality accommodation in a highly sustainable part of the city. The fabric would be efficient with other sustainable features such as photovoltaics, air source heat pumps and sustainable drainage principles.

**Policy H4 ‘East Manchester’** – The proposal would provide high density accommodation with 57% of the homes being two bedroom or larger which would be available to families.



**Policy H8 ‘Affordable Housing’** – The proposal would be 100% affordable. Phase one would provide 34 new homes: 10 two-bedroom dwellinghouses for affordable rent, 18 three-bedroom dwellinghouses for affordable rent and 6 one-bedroom apartments for social rent. Phase two would provide 75 new homes: 41 one-bedroom apartments for social rent and 34 two-bedroom apartments for social rent. The affordable housing is in line with Council policy would be secured through the City Council’s land interest in the site.

**Policy EN1 ‘Design principles and strategic character areas’** - This high quality scheme would enhance the local area.

**Policy EN3 ‘Heritage’** - The impact on the historic environment would be acceptable and this is considered in further detail within the report.

**Policy C1 ‘Centre Hierarchy’** – The development would support the local catchment area and the vitality and viability of Newton Heath District Centre through the introduction of much needed affordable housing in the local area.

**Policy C2 ‘District Centres’** – The provision of a housing led scheme within the district centre would support the vitality and viability of the centre and together with the proposed commercial unit would bring new footfall and activity to the centre. The proposal would adopt sustainable building design and contribute towards climate change objectives.

**Policy C4 ‘East Manchester District Centres - Eastlands, Gorton, Newton Heath and Openshaw’** – This proposal offers a residential development, whilst there would be no mixed use element, new housing in the district centre, which is high quality and inclusive, improves the character and quality of the centre and the way it functions.

**EN4 ‘Reducing CO2 emissions by enabling low and zero carbon development’** – The proposal would have energy efficient fabric. It would have a low level of onsite car parking (including bays for disabled people) and a robust travel plan and cycle provision. The proposal includes renewable technologies to ensure energy demands are sustainable and low carbon.

**Policy EN5 ‘Strategic areas for low and zero carbon decentralised energy infrastructure’** - The building would be energy efficient and travel planning would promote sustainable travel patterns.

**Policy EN6 ‘Target framework for CO 2 reductions from low or zero carbon energy supplies’** - The buildings functions would seek to reduce overall energy demands. The building fabric is considered to be high quality and energy costs should remain low. Renewable energy would be used on site to ensure sustainable energy is used.

**Policy EN9 ‘Green Infrastructure’** – The development would provide trees and other planting which would have biodiversity benefits.

**Policy EN14 ‘Flood Risk’**- A scheme to minimise surface water runoff would be agreed.

**Policy EN15, 'Biodiversity and Geological Conservation'** - The site has limited ecological value and the planting proposed would represent a significant biodiversity enhancement. No clearance of the limited vegetation at the site should take place during bird nesting season. There would be bat, bird and bee boxes to also enhance biodiversity at the site.

**Policy EN16 'Air Quality'** - The proposal would not compromise air quality and would include measures to minimise the impact on air quality.

**Policy EN17 'Water Quality'** - The proposal includes water saving measures and would minimise surface water runoff.

**Policy EN18, 'Contaminated Land'** – The ground conditions at the site are not complex and can be adequately dealt with.

**EN19 'Waste'** – Recycling principles are incorporated in the waste management strategy.

**Policy DM1 'Development Management'** - Careful consideration has been given to the design, scale and layout of the building. The site would improve natural surveillance and offer an appropriate response to its position at the junction of Oldham Road and Old Church Street.

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

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

The Unitary Development Plan for the City of Manchester was adopted in 1995.

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

**Saved Policy DC7 'New Housing Developments'** – The proposal represents a high quality accessible development. There would be accessible apartments provided at the development which would be secured as part of the conditions.

**Saved policy DC26, Development and Noise** - The impact from noise sources would be minimised and further mitigation would be secured by planning condition.

**Saved policy DC19 'Listed Buildings'** - The proposal would result in development in the setting of a listed building. Any harm which arises as a consequence of this would be mitigated and the reasons are set out within the report.

**Saved Policy DC20 'Archaeology'** – The archaeology has previously been recorded at this site and no further investigations are required.

**Saved policy E3.3-** The proposal would provide a high quality building along Oldham Road and would enhance the appearance of this main radial route.

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

## **Other material policy considerations**

### **Places for Everyone**

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

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

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

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

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

The relevant policies in the Plan are as follows:

**Objective 1:** Meet our housing need – this proposal would provide 109 new homes. Providing new homes in a sustainable location is an essential component of the City's housing strategy.

**Objective 2:** Create neighbourhoods of choice – this proposal would develop a brownfield site close to jobs, amenities and public transport. The development would also support the vitality and viability of the district centre.

**Objective 3:** Playing our part in ensuring a thriving and productive economy in all parts of Greater Manchester – jobs would be created during construction and when the development is operational.

**Objective 4:** Maximise the potential arising from our national and international assets – the proposal would provide an appropriate development on a strategic road

removing a vacant and poor quality site from the area creating a high quality development with public realm and connectivity.

Objective 5: Reduce inequalities and improve prosperity – The site is close to employment and educational opportunities.

Objective 6: Promote the sustainable movement of people, goods and information – The proposal would be within walking distance to the tram stop and bus services along Oldham Road. There would also be close links to nearby cycleways along the canal.

Objective 7: Playing our part in ensuring that Greater Manchester is a more resilient and carbon neutral city-region – This low carbon development includes measures to improve biodiversity.

Objective 8: Improve the quality of our natural environment and access to green spaces – biodiversity would be improved and surface water would be managed.

Objective 9: Ensure access to physical and social infrastructure – There are amenities and services nearby.

Objective 10: Promote the health and wellbeing of communities – travel planning would promote use of public transport and the use the local amenities.

Policy JP-S2: Carbon and Energy – The proposal would include renewable sources and would exceed the requirements under Part L 2022.

Policy JP-S5: Flood Risk and the Water Environment – The development would have an integrated drainage scheme that would minimise surface water run off.

Policy JP-S6: Clean Air – Accessible parking spaces would be provided on site. Construction activities can be mitigated to minimise the impact on local air quality.

Policy JP-S7: Resource Efficiency – Resources would be consumed during construction. On site demolition is limited. The proposal would be highly efficient and low carbon.

Policy JP-H3: Type, Size and Design of New Housing – The proposal would include studios in a variety of sizes together with amenity areas as well as private gardens.

Policy JP-H4: Density of New Housing – This would be a high density development in a sustainable area.

Policy JP-G9: A Net Enhancement of Biodiversity and Geodiversity – There would be planting and bird, bee and bat boxes which would increase biodiversity along with new trees and planting.

Policy JP-P1 Sustainable Places – The proposal would develop a vacant site. External amenity space and community space would support the new community.

The development would promote recycling and improve the public realm improvements.

Policy JP-P2: Heritage – The architecture and materiality would be high quality and minimise and impacts to nearby historic buildings.

Policy JP-P3: Cultural Facilities – The proposal would provide community space which would support the new community created by the development.

Policy JP-C1: An Integrated Network – This is a highly sustainable location and is well connected to public transport, jobs, recreation and green infrastructure.

Policy JP-C4: Streets for All – The upgrade of the footways.

Policy JP-C7: Transport Requirements of New Development – The proposal would be connected to the infrastructure and nearby public transport. It would benefit from public realm improvements at the site and in the wider area.

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

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

- Chapter 2 'Design' – outlines the City Council's expectations that all new developments should have a high standard of design making a positive contribution to the City's environment;
- Paragraph 2.7 states that encouragement for "the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified form which blends in with, and links to, adjacent areas.
- Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area would determine the character and design of both new development and open spaces. It would be important to ensure that the development of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contribute to the creation of a positive identity.
- Paragraph 2.14 advises that new development should have an appropriate height having regard to the location, character of the area and specific site circumstances. Although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations.



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

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

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

### **Manchester Residential Quality Guidance (2016)**

The City Council's Executive endorsed the Manchester Residential Quality Guidance in 2016. 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 would 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 becomes a City of high quality residential neighbourhood and a place for everyone to live.

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

- Make it Manchester;
- Make it bring people together;
- Make it animate street and spaces;
- Make it easy to get around;
- Make it work with the landscape;
- Make it practical;
- Make it future proof;
- Make it a home; and
- Make it happen.

### **Manchester Green and Blue Infrastructure Strategy 2015**

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

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

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

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

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

### **National Planning Policy Framework (2023)**

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

Section 5 *'Delivering a sufficient supply of new homes'* states that *a sufficient amount and variety of land should come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an areas identified housing need as possible, including with an appropriate mix of housing types for the local community'* (paragraph 60).

Paragraph 66 states that at least 10% of housing should be for affordable homeownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

This proposal would redevelop a brownfield site for 109 new homes. A mixture of 1, 2 and 3 bed homes would cater for families. The development would provide 100% affordable housing in a combination of affordable and social rent.

Section 6 *'Building a Strong, Competitive Economy'* states that significant weight should be placed on the need to support economic growth and productivity, taking

into account both local business needs and wider opportunities for development (paragraph 85).

The proposal would create jobs during construction and when the development becomes operational.

Section 8 '*Promoting Healthy and Safe Communities*' states that *planning policies and decisions should aim to achieve healthy, inclusive and safe places* (paragraph 96).

The proposal would be safe and secure. Cycle parking is provided. Residents with accessibility needs would have access to parking. Private amenity space and new public realm would be created for the occupants of the development.

Section 9 '*Promoting Sustainable Transport*' states that '*significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health*' (paragraph 109).

In assessing applications for development, it should be ensured that: appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; and, the design of streets, parking areas, other transport elements and the content of associated standards reflects national guidance including the National Design Guide and National Model Design Code; any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree (paragraph 114).

Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 115).

Within this context, applications for development should: give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; address the needs of people with disabilities and reduced mobility in relation to all modes of transport; create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; allow for the efficient delivery of goods, and access by service and emergency vehicles; and, be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. (paragraph 116)

All developments that generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport

statement or transport assessment so that the likely impacts of the proposal can be assessed (paragraph 117).

The site is well connected to all public transport modes which would encourage sustainable travel. There would be no unduly harmful impacts on the traffic network with physical and operational measures to promote non car travel. A travel plan and operational management would be secured as part of the conditions of the approval.

Section 11 '*Making effective use of land*' states that '*planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions*' (paragraph 123).

Planning decisions should: encourage multiple benefits from urban land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation; recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production; give substantial weight to the value of using suitable brownfield land within settlements for identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively; and, support opportunities to use airspace above existing residential and commercial premises for new homes. (paragraph 124)

Local Planning Authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specified purpose in plans, where this would help to meet identified development needs. In particular they should support proposal to: use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or site or the vitality and viability of town centres, and would be compatible with other policies in the Framework; make more effective use of sites that provide community services such as schools and hospitals (paragraph 127)

Planning policies and decisions should support development that makes efficient use of land, taking into account: the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; local market conditions and viability; the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use; the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; the important of securing well designed, attractive and healthy spaces (paragraph 128).

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. Paragraph 129 (c) states that Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account

the policies in the NPPF. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

The scale and density of the proposal is considered to be acceptable and represents and efficient use of land. This residential led development would be in accordance with the SRF and would provide affordable housing. The site is close to sustainable transport infrastructure and the Universities campuses. A travel plan would encourage the use public transport, walking and cycle routes to the site.

*Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interest throughout the process' (paragraph 131).*

Planning decisions should ensure that developments: will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public spaces) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience (paragraph 135).

Trees make an important contribution to the character and quality of urban environments and can also help to mitigate and adapt to climate change. Planning decisions should ensure that new streets are tree lined, that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to ensure the long term maintenance of newly placed trees and that existing trees are retained wherever possible (paragraph 136).

Development that is not well designed should be refused, specifically where it fails to reflect local design policies and government guidance on design. Conversely, significant weight should be given to: development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative design which promote high levels of sustainability, or help



raise the standard of design more generally in an area so long as they fit in with the overall form and layout of their surroundings (paragraph 139).

The design would be highly quality and complement the distinctive architecture within the area. The buildings would be sustainable and low carbon. Biodiversity, green infrastructure and water management measures are included within the public realm. Street trees would be planted.

Section 14 '*Meeting the challenge of climate change, flooding and coastal change*' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 157).

New development should be planned for in ways that: avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and can help to reduce greenhouse gas emissions, such as through its location orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards (paragraph 158).

In determining planning applications, Local Planning Authorities should expect new development to: comply with any development plan policies on local requirements of decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption (paragraph 162).

The buildings fabric would be highly efficient and it would predominately use electricity. The landscaping scheme would include trees and planting, Efficient drainage systems would manage water at the site. solar panels would be included together with air source heat pumps.

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

The high performing fabric of the building would ensure no unduly harmful noise outbreak on the local area. Biodiversity improvements would be provided in the form of trees and landscaping which is a significant improvement based on the current condition of the application site.

Paragraph 189 outlines that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination (a).

There is contamination at the site from the former land uses/buildings. The ground conditions are not usual or complex for this part of the city and can be appropriately remediated.

Paragraph 191 outlines that decisions should ensure that the development is appropriate for its location taking into account the likely effects of pollution in health, living conditions and the natural environment.

There would be some short term noise impacts associated with the construction process but these can be managed to avoid any unduly harmful impacts on amenity. There are not considered to be any noise or lighting implications associated with the operation of the development.

Paragraph 192 states that decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

The proposal would not worsen local air quality conditions and suitable mitigation can be put in place during the construction process. There would be a travel plan and access to public transport for occupants of the development.

Section 16 '*Conserving and enhancing the historic environment*' states that in determining applications, Local Planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation (paragraph 200).

In determining applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness. (Paragraph 203)

In considering the impacts of proposals, paragraph 205 states that the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 206 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 209).

The proposal would result in a degree of harm to the heritage assets. This is considered in detail in the report.

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

### **Planning Policy Guidance (PPG)**

The relevant sections of the PPG are as follows:

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

Examples of mitigation include:

- the design and layout of development to increase separation distances from sources of air pollution;
- using green infrastructure, in particular trees, to absorb dust and other pollutants;
- means of ventilation;

- promoting infrastructure to promote modes of transport with low impact on air quality;
- controlling dust and emissions from construction, operation and demolition; and
- contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development.

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

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

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

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

*Design* states that where appropriate the following should be considered:

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

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

*Travel Plans, Transport Assessments in decision taking* states that applications can positively contribute to:

- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;
- creating accessible, connected, inclusive communities;
- improving health outcomes and quality of life;

- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

*Heritage* states that Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the Proposed Development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.”

Public benefits may also include heritage benefits, such as:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting;
- Reducing or removing risks to a heritage asset;
- Securing the optimum viable use of a heritage asset in support of its long-term conservation.

### **Other legislative requirements**

Section 66 Listed Building Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and case law has considerable importance and weight should be given to any impact upon a designated heritage asset but in particular upon the desirability of preserving the setting with a strong presumption to preserve the asset.

S149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

### **Planning History**

125990/FO/2020: Erection of a part 4, part 5 storey building to form 100 residential apartments (Use Class C3a) together with ground floor commercial floorspace (Use Classes A1, A2, A3, B1 and D1) (211 sqm) and erection of 39 two and three storey dwellinghouses (Use Class C3a) along with associated access, landscaping, boundary treatment and car parking at Land Off Oldham Road (A62), Dulverton Street, Holyoak Street And Droylsden Road, Manchester **Approved May 2020**

082859/FO/2007/N1: Erection of a part 10, part 6, part 5 storey building behind retained facade of the Rosedale Building to form 114 x one, two and three bedroom flats, and Class A1 (retail) 568 square metres of floorspace at ground floor level with



associated parking and landscaping at Rosedale Building Dulverton Street Newton Heath **Approved 14 April 2008**

### **Principle of the redevelopment of the site and contribution to regeneration**

The redevelopment of this 0.87 hectare site would offer a significant and unique regeneration opportunity for Newton Heath. The proposal would support economic sustainable growth and enhance the vitality of Newton Heath, the district centre and the Oldham Road streetscape through the provision of well-designed, sustainable new homes.

East Manchester has also been identified as an area for high density residential growth. Whilst much of the recent development activity has focused around other parts of East Manchester, such as Miles Platting, Ancoats and New Islington, there are key sites in and around Newton Heath district centre which are ready for development in order to support economic growth and regeneration through the provision of new homes.

The application site comprises of vacant, previously developed land once occupied by the Rosedale Building (at the junction of Oldham Road and Old Church Street) and the YES Group building (on the eastern portion of the site). Both buildings have been demolished in recent years.

The entire site falls within Newton Heath district centre as identified within the Core Strategy (policies C2 and C4) and the site has been identified in the Manchester Strategic Housing Land Availability Assessment (SHLAA) as a site which has the capacity to come forward for housing.

This is to support Manchester's growing population; the need for new homes of the right quality and tenure is crucial to support this increasing population. New housing specifically in district centres is also supported where it would contribute positively to the overall vitality and viability of the centre.

This proposal would contribute 109 new homes towards the target of 2,500 new homes required per year. All of the new homes proposed would be affordable, a mixture of social and affordable rent, thereby enhancing the housing stock for those with specific accommodation requirements.

A communal garden would be provided for the apartment building and individual private gardens for the dwellings together with new public realm. The layout of the site would complement and enhance the linkages to the district centre providing footfall and activity.

There would be 47 one bedroom apartments, 34 two bedroom apartments, 10 two bedroom houses and 18 three bedroom houses. A large number of the new homes would therefore have two or more bedrooms which would be suitable and attractive to families.

The remaining one bedroom accommodation would be aimed at smaller households and those who are able to downsize enabling larger homes within the applicant's

portfolio to become available for families. The space standards for the homes would be consistent with the City's adopted space standards.

This development would create jobs and support the needs of a skilled workforce through the creation of construction jobs. There would also be the opportunity for local employment as part of the operations of the commercial unit. The applicant has a strong social value policy which includes ensuring that their development proposal creates new jobs in the local economy. This includes creating work placements for local residents including apprenticeships, work experience, career mentoring and opportunities for those people furthest away from the labour market. There is also support for new and small business through workshops and creation of links and support networks within their supply chains and subcontractors.

A mandate is included in all development contracts to work with skills and employment teams in order to provide work placement opportunities, access to entry level employment opportunities and new apprenticeships allied to construction.

A local labour agreement would be agreed with the applicant for the construction element in order to capture the local employment opportunities for this development.

Residents, visitors and shoppers would all benefit from a revitalisation of this part of the district centre which would benefit directly from improvements to the public realm in this area which would be delivered by this proposal. This would include reinstatement and improvements to footways to make them more safe and usable together with the inclusion of street trees, active frontages and a safer highway arrangement for vehicle movements.

A Section 106 contribution would also be secured for environmental improvements in order to improve linkages with the district centre and surroundings.

The new homes would be consistent with growth priorities and as part of meeting the objectives of policies C2, C4, H1 and H4 of the Core Strategy. These homes would meet the demands of a growing economy and population on a well-connected, highly sustainable brownfield site together with contributing towards carbon reduction objectives. It is now necessary to consider the impact of the proposal in detail below.

### **Affordable Housing**

Policy H8 establishes that new development should contribute to the City-wide target for 20% of new housing being affordable and 20% should be used as a starting point for calculating affordable housing provision. Developers should provide new homes that are available for social or affordable rent or affordable home ownership, or provide an equivalent financial contribution.

The amount of affordable housing should reflect the type and size of development as a whole and should take into account factors such as an assessment of local need, any requirement to diversify housing mix and the need to deliver other key outcomes, particularly regeneration objectives.

The application proposes 109 new homes split into two phases.

Phase one would provide 34 new homes: 10 two-bedroom dwellinghouses for affordable rent, 18 three-bedroom dwellinghouses for affordable rent and 6 one-bedroom apartments for social rent.

Phase two would provide 75 new homes: 41 one-bedroom apartments for social rent and 34 two-bedroom apartments for social rent. The mixture of social rent and affordable rent is an appropriate mix of affordable housing and meets identified housing needs in this part of the City.

The affordable housing would be secured by way of planning condition.

### **Climate change, sustainability and energy efficiency**

The proposal would be a low carbon development in a highly sustainable location with excellent access to public transport for residents and visitors.

Sustainability principles would be incorporated into the construction process in terms of minimising and recycling of waste, efficiency in terms of vehicle movements and sourcing and use of materials.

A total of 70 parking spaces are proposed, comprising:

- 34 spaces for the proposed Phase 1 houses and apartments (14 in-curtilage spaces and 20 courtyard spaces) representing 100% parking for this phase.
- 25 spaces for the proposed Phase 2 apartments (including 5 disabled spaces)

Electric Vehicle charging would be provided for all of the 28 dwellinghouses houses (Phase 1) and the 6 apartments. 13 electric charging spaces would be provided in the phase 2 car parking for the larger apartment building. There would be an opportunity to review the electric vehicle provision as part of the travel plan.

The number of spaces for the apartments is an acknowledgement of the sustainable location which would not have a material detrimental impact on local air quality.

A robust travel plan would encourage residents to take advantage of the excellent public transport in the area which would go some way to reducing overall vehicle trips from the site. There would be a secure cycle store. A store would be provided at the ground floor of the phase 2 apartment building comprising 35 no. double tier cycle racks providing 70 no. storage spaces.

An additional 62 no. spaces would be provided via secure cycle stores in the rear garden of all the houses and apartments proposed as part of the phase 1 development.

The apartment building fabric would be highly efficient with energy saving measures incorporated into the design in the form of lighting, power and ventilation measures.

Highly efficient air source heat pumps would be provided for all the proposed dwellinghouses and hot water heat pumps for all the proposed apartments, which would help to minimise carbon emissions.

Water butts would be provided to enable rainwater collection for garden use. Smart water meters would also be installed to monitor, record and limit water usage.

To help minimise embodied carbon emissions, low carbon materials and high recycled content products would be used for the development wherever possible. Locally sourced materials and trade would also be used where possible, with a timber frame proposed for the dwellinghouses.

The development would result in a 61% carbon emissions improvement and a 23% primary energy improvement over Building Regulations Part L1 2021. This significantly exceeds the requirements of policy EN6 of the Core Strategy. A post construction review would form part of the planning conditions to verify that this reduction has been achieved.

A drainage scheme would also minimise the flow rates of surface water into the surrounding network and the soft landscaping within the public realm would adopted sustainable principles as much as possible.

There would also be the provision of new green infrastructure in the form of 32 new trees shrubs and other soft landscaping within the areas of public realm and footways. There would also be biodiversity improvements from bat, bird and bee boxes.

### **Impact on the historic environment and cultural heritage**

The application site is not located within a conservation area and does not contain any listed buildings. The site is in close proximity to Newton Silk Mill (Grade II) and 30 Holyoak Street a three storey former mill building which has historic and heritage interest and could be considered to be a non-designated heritage asset.

Legislation and planning policy seek to preserve or enhance the character, appearance, and historic interest which heritage assets possess. Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“P(LBCA)A 1990”) require that ‘special regard’ be paid in taking decisions affecting listed buildings and their settings.

A heritage assessment has considered the impact of the proposal on the historic environment as required by paragraph 189 of the NPPF.

Newton Silk Mill was constructed in 1832 and formed one of a series of textile mills in Newton Heath and provides an architectural reminder of the former local textile industry. The building was recently used as offices by the NHS and it is now used as ancillary storage space for the adjacent bakery.

The Mill is constructed of pink brick with some sandstone detailing, mainly seen in the over-head window lintels. A large portion of the rear of the building was demolished post-war; what remains is an irregular rectangle, with the front elevation facing Newton Street. It has a symmetrical design of four bays with a stair tower on its west side. The main entrance is on the west elevation behind the stair tower, at

upper ground floor level. The mill is of four storeys with an addition of both an attic and a half-cellar. The north elevation features a semi-circular window at attic level spanning the two central bays with brick headers and a small stone sill. Directly below this window is a smaller sandstone plaque which contains no lettering and on the third floor a much larger rectangular plaque reads '1832/NEWTON SILK MILL'. There are four windows to each floor on this elevation, with an additional window in the west stair tower at every floor level. All these windows are of 20th century plastic framed UVPC.

The significance of the building is derived from its architectural interest relating to its early industrial design. It is also of historic interest due to its integral role in the early industrialisation of Newton Heath, due to the proximity to the Rochdale Canal.

The proposal would result in some instances of low level harm to the setting of the Grade III listed Newton Street Silk Mill and 30 Holyoak Street (non-designated) due to the current open nature of the application site which, once development, would provide more restrictive views of the listed building and the non-designated asset. This impact would result in a very low level of less than substantial harm to the heritage assets. Any harm should be outweighed by the public benefits that would be delivered, in accordance with the guidance provided in paragraph 208 of the NPPF together with the objectives of sustainable development in paragraph 8.

There are substantial public benefits as a result of this proposal which outweigh this low level of harm to the setting of the listed building and non-designated heritage assets.

The current condition of the application site has a neutral impact on the setting of the listed building and non-designated heritage asset. The proposal would comprehensively regenerate this partially vacant brownfield site, within a highly sustainable location, with a high quality affordable residential led development which would provide affordable homes. The benefits of the scheme are fully set out in the report.

The layout, scale and appearance of the development is considered to be entirely appropriate for this site as it would complement surrounding adjacent development which is currently under construction, whilst respecting the setting the listed building and non-designated heritage asset which would remain clearly legible.

The proposal design has taken its inspiration from the listed building and older buildings in the area and this modern contemporary addition, with its well detailed elevations, would contribute positively and enhance the local area and the setting of nearby heritage buildings.

The façades of the development would be of the highest quality with deep window reveals, decorative features and high quality boundary treatment to all road frontages together with street trees and other soft landscaping. The appearance of the proposal has taken influence from the surrounding historic context and provides a unique development for this area.

Alongside the design quality of the development, the scheme would incorporate low carbon principles in its design. The dwellings and apartment buildings fabric would be highly efficient together with use of electric for the dwellings and renewable technologies for the apartments.

The proposal would cause a low level of harm which would be less than substantial harm and would be outweighed by the considerable public and regeneration benefits that have been detailed above.

It is considered, therefore, that, notwithstanding the considerable weight that must be given to preserving the setting of the listed building required by virtue of S66 of the Listed Buildings Act, and the NPPF, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme and meet the requirements set out in paragraph 208 of the NPPF.

### **Impact on Archaeology**

GMAAS have advised that there are no archaeological requirements in respect of this site.

### **Impact on Ecology**

An ecological appraisal concludes that the development would not result in any significant or unduly harmful impacts to local ecology given the current condition of the site. Trees and enhancement to green infrastructure from the new gardens and landscaping will benefit and attract wildlife, at the site and in the area in line with policy EN9 of the Core Strategy and therefore improve biodiversity.

### **Biodiversity**

There would be 32 new trees planted at the application site together with mix species planting. There would be grassland planted within the public areas of open space along with 41 metres of native hedgerow. Bird and bat boxes would also be installed at the site.

The Proposed Development would result in a net loss of 0.01 habitat units (-0.18%) and a net gain of 0.15 linear hedgerow units (percentage not applicable as the baseline is zero). On-site mitigation measures have been maximised and, to ensure that the habitats proposed as part of the development achieve a maximum gain in value to the site, a Biodiversity Enhancement Management Plan has been prepared and would be secured by planning condition.

### **Visual amenity**

The layout and scale of the proposal has been influenced by a number of key factors in order to create a development of the highest quality with active street frontages and linkages with the wider district centre.

The layout of the proposal would provide a strong building line of development along Oldham Road ascending in scale towards the Oldham Road and Old Church Street

junction. A new internal layout would be created at the site with the dwellings internal to the site access off Dulverton Street to a new internal private road with footways for safe pedestrian movement. All dwellings front the new access road providing natural surveillance and interest in the street scene.



### ***Proposed layout***

The part 5, part 6 storey apartment building would anchor the corner of Oldham Road and Old Church Street announcing the development and animating this corner plot.

The scale of development gradual decreases to 3 storey and then 2 storey along Oldham Road. Oldham Road would be activated by the main pedestrian entrance to the apartment building together with the individual entrances to the ground floor accessible apartments.



### ***Oldham Road Street scene***

The apartment building would also activate Dulverton Street. Although Dulverton Street would be partially closed at its junction with Oldham Road, pedestrian permeability would be retained through the site and this would encourage footfall and activity along this street and into the district centre.

A communal garden area and car park (for the apartments) would be provided to the rear of the apartment building accessed off Dulverton Street. Two further communal

car parking areas would be created off the private access road. This would create parking for the dwellings fronting Oldham Road. This car parking would be secure with a gate.

The remaining car parking would be created in curtilage which would either be created to the front or sides of the dwellings and softened with landscaping and boundary treatments.

The proposed layout and scale of proposal would complement the character, scale and order of development in the surrounding area as well as providing an appropriate response to Oldham Road.

The transition in scale, mass and density along Oldham Road to its highest point at the junction with Oldham Road and Old Church Street, provide an appropriate architectural response along this key corridor and this corner plot. The proposed apartment is also significantly smaller in scale that the permission granted for the former Rosedale site in 2008 which would have seen a part 10, part 6, part 5 storey building erected behind the retained facade of the Rosedale Building.



**Outline of the former Rosedale Building (red)**

The lower scale, townhouses houses along Oldham Road and the new internal access road would complement the development at the adjacent site.





**Visiulation between the two, three and 6 storey buildings**



**Visiulation along Oldham Road showing the transition in scale**





**Visiulation along Old Church Street**



**Visiulation at the junction of Oldham Road and Old Church Street**

The appearance of the development would reinforce the materiality, geometry and traditional detailing which is found in the local area but reinterpret this in a modern form.

The proposal will be constructed of a variety of tones of red brick to reflect the palette found in the local area amongst the industrial buildings and older terrace housing. The façade of the dwellings would contain key features which would ensure that they are of the highest quality. Deep window reveals would animate the elevations

together with brick detailing in the form of projecting and recessed brickwork which would provide further articulation.



**Detailed façade study for the dwellinghouses**

There would also be regular repeating windows of the same proportions on the façade to provide a strong finish to the elevations. There will be a recessed to the doorway to provide further interest and depth to the elevations. Pitched roofs provide a strong rhythm to the roof profile echoing the industrial nature of the area.

The phase 2 apartment building also contains many of the architectural features included in the dwellings such as deep window reveals, regular and repeating window arrangements together with recessed windows. This provides a strong vertical emphasis to the building expressing further the height and scale of the apartment building.



### ***Detailed façade study for the phase 2 apartment building***

Overall the design is considered to be high quality offering an individual and distinctive piece of architecture for Newton Heath. The scale of the proposal is appropriate in this location and the materials deliver a simple and effective façade treatment. Conditions of the planning approval will ensure that the materials are appropriate and undertaken to the highest standard.

### **Contribution to Improving Permeability, Public Spaces and Facilities and Provision of a Well Designed Environment**

The layout of the development would utilise the existing road layout providing natural surveillance to the Oldham Road and Droylsden Road. Permeability would be created throughout the development including connecting this development to the applicant current development on site at an adjacent site.

The footways around the site would be upgraded to ensure that they are suitable and safe for pedestrians. The footways are considered wide enough to provide street trees.

A public amenity area has been designed as a central courtyard space leading to a gated internal 'garden street' to provide space for the residents to meet and socialise in a landscaped setting, with seating areas located amongst trees, shrubs and quality paving.



The central courtyard 'village green' space has been designed to provide a lawn space for recreation, set on a stepped platform to protect the grass and to provide informal seating around the edge



***Visualisation of the 'Village Green'***

The residents of the dwellings would all have access to private gardens which would be of a suitable size for outdoor recreation, drying of clothes and storage.



### ***Proposed landscaping layout***

32 new trees and planting would be created at the development together with informal age friendly seating to encourage outdoor recreation and socialising.

Boundary treatment would be provided to all the key frontages in the form of a low wall and contemporary style railings against a backdrop of soft landscaping to complement the architecture. This would form the boundary treatment for the apartments and dwellings. Divisional fencing would be used to separate rear gardens together with rear boundary walls to communal areas such as car parking.

The car parking area and communal garden would be secured by new 2.1 high railings and gates. Driveways to the dwellings would be permeable to assist with drainage.

An off site contribution of £110,000 is also to be secured for environmental improvements and linkages within Newton Health District Centre including public realm and infrastructure along Old Church Street together with improving the attractiveness and connectivity to facilities and strengthening the links to the main shopping area as a key to improving the centres character and quality and the way it functions.

### **Effects on the Local Environment/ Amenity**

#### **(a) Sunlight, daylight, overshadowing and overlooking**

An assessment has been undertaken to establish the likely significant effects of the proposal on the amount of daylight and sun light received by properties which

surround the site. Consideration has also been given to any instances of overlooking which would result in a loss of privacy.

To assess the surrounding existing properties, the BRE guidelines have been used to provide a method for assessing daylight – Vertical Sky Component (VSC) and No Sky Line (NSL) methods. For the assessment of sunlight, the approach considers the Annual Probable Sunlight Hours (APSH) for a reference point on a window (i.e. if a window point can receive at least 25% APSH, then the room should still receive enough sunlight).

The following properties were assessed as part of the survey:

- 1063-1081 Oldham Road
- 59 Ivy Graham Close
- 1 Dean Lane 27/27
- 2-6 Starcross Walk



### *Relationship within the surrounding buildings*

In determining the impact of the development on available daylight and sunlight, consideration should be given to paragraph 123 (c) of section 11 of the NPPF which states that when considering applications for housing, a flexible approach should be taken in terms of applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

A summary of the impacts are set out below.

### **1063-1081 Oldham Road**

1063-1082 Oldham Road, a row of two storey dwellings, is situated directly opposite the site on the northern side of Oldham Road and would face the proposed two storey dwelling houses and three storey apartment building.

40 windows and 40 rooms were assessed for daylight and would continue to meet the guidelines with the proposed development in place.

The principle living rooms for these properties are on the rear elevation. These main rooms would be unaffected by the development and continue to receive high levels of daylight.

As the main living rooms do not face 90 degrees due south no sunlight assessment is required.

### **59 Ivy Graham Close**

59 Ivy Graham Close, a three storey apartment building, is situated directly opposite the site on the northern side of Oldham Road and would face the 6 storey apartment building.

45 windows, and 20 rooms, were assessed for daylight. 44 windows and 19 rooms would continue to meet the guidelines with the proposed development in place. The one window and room affected would result in a minor adverse impact. The impact on this window would be minimised as it has two windows serving the room.

There are 8 windows which were assessed for sunlight which would remain compliant with the relevant guidelines with the development in place.

### **1 Dean Lane**

1 Dean Lane is a four storey apartment building is situated directly opposite the site on the northern side of Oldham Road and would face the proposed 6 storey apartment building.

27 windows to 11 rooms windows were assessed for daylight and 4 windows for sunlight. All would continue to meet the guidelines with the proposed development in place.

### **2-6 Starcross Walk**

2-6 Starcross Walk is a row of two storey dwellings, is to the south of the development.

3 windows and 3 rooms were assessed for daylight and would continue to meet the guidelines with the proposed development in place.

As the main living rooms do not face 90 degrees due south no sunlight assessment is required.



It has been demonstrated that the proposal would have limited impact in terms of daylight and sunlight.

In terms of overlooking, the distances between 1063-1081 Oldham Road and 59 Ivy Graham Close are considered to be acceptable particularly given they are separate by Oldham Road.

#### (b) TV reception and broadband connectivity

The proposal is unlikely to affect TV reception or broadband connectivity. A condition would require of a post completion survey to be undertaken to verify that this is the case and that no additional mitigation is required.

#### (c) Air Quality

The boundary of the site, due to its proximity to Oldham Road, is within an Air Quality Management Area (AQMA) where air quality conditions are known to be poor as a result of vehicular emissions. An air quality report notes that during the construction phases there could be impact from dust, earth works/construction and vehicle emissions. This would be minimised through good practices which should remain in place for the duration of the works and should be a condition of the approval.

The proposal would provide 100% parking for the individual dwellings with 25 parking spaces for the apartment building. This reflects the sustainable location of the site. Shops and amenities are within a short walk of the site together with bus services from Oldham Road and tram services from Dean Lane providing access into the city centre and towards Oldham and Rochdale Town Centres. All of the car parking spaces for the dwellings would be fitted with a 7kw electric car charging point. 19 of the apartment's car parking spaces would be fitted with a charging point and future demand reviewed by the travel plan.

There would be in curtilage cycle parking for each dwellinghouse and a secure cycle store for the apartment building. This provision would allow residents a real alternative to the car and take advantage of the local cycle routes particularly along the Rochdale Canal into the city centre.

A mechanical ventilation system would ensure that air intake to the apartments would be fresh and free from pollutants.

Environmental Health concur with the conclusions and recommendations within the air quality report. The proposed mitigation measures would be secured by planning condition and the proposal would comply with policy EN16 of the Core Strategy, paragraph 8 of the PPG and paragraph 124 of the NPPF in that there would be no detrimental impact on existing air quality conditions as a result of the development.

### **Noise and vibration**

A noise assessment identifies the main sources of noise would be from construction activities and noise ingress to the new homes from external noise, particularly from

nearby roads such as Oldham Road and the close proximity to commercial activities associated with the district centre. There would noise transfer between the commercial accommodation and the residential uses above.

Noise levels from the construction would be acceptable provided that the strict operating and delivery hours are adhered to along with the provision of an acoustic site hoarding, equipment silencers and regular communication with nearby residents. This should be secured by a planning condition.

The main source of noise to the apartments and dwellings is likely to be from traffic on the surrounding roads, particularly Oldham Road, and the noise generated by nearby commercial activities particularly servicing of business off Holyoak Street and servicing and movements on the adjacent Lidl and Farmfoods sites. There are unrestricted servicing to the business off Holyoak Street with restricted servicing for Lidl and Farmfoods.

Although the development would be in close proximity to these commercial activities, this is a typical arrangement in district centre locations.

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

### **Waste management**

The phase 2 apartment building would have a centrally located waste store on the ground floor.

This area would include 12.1100 litre Eurobins in the following waste streams:

- 5 x 1100 litre Eurobin General Waste
- 3 x 1100 litre Eurobin Paper Card
- 3 x 1100 litre Plastic/Metal/Glass
- 1 x 1100 litre (or 2 x 360 litre) organic food waste

The waste waggon would use Dulverton Street to remove the waste from the store.

Bins would be stored in rear gardens within the curtilage of each of the dwelling houses. There would be the require bins to segregate the waste for recycling. Bins would be transferred by residents to centrally located collection points from which they could then be taken to the refuse vehicle by operatives (on Newton Street and Dulverton Street) and returned to the collection point.



### ***Location of the waste stores and collection points***

The waste management principles are acceptable to Environmental Health. Final details would be agreed by planning conditions.

### **Accessibility**

All main entrances to the apartment building and dwellings would have level access. The upper floors of the apartment building would be accessible by lifts and internal corridors would be a minimum of 1500mm.

All apartments have been designed to space standards allow adequate circulation space. All bathrooms have been designed to be easily able to adapt to provide handrails when required. All plug sockets and door handles would be strategically placed to ensure ease of use

There would be parking space for disabled people with 5 spaces being designated within the phase 1 apartment car park.

3 no. fully accessible apartments with their own independent on-street entrances are proposed at the ground floor level of the phase 2 apartment building. These apartments are designed to be M4(3) layouts i.e. for a wheel chair user. All remaining apartments have been designed to accommodate any wheelchair user as set out by Part M of the Building Regulations. This would be secured by planning condition.

### **Flood Risk/surface drainage**

The site is located in flood zone 1 'low probability of flooding' and within a critical drainage area where there are complex surface water flooding problems from

ordinary watercourses, culverts and from the sewer network. An increase in surface water run-off and/or volume from new developments may exasperate local flooding problems.

A drainage statement has been considered by the Council's flood risk management team and consideration should be given to how the drainage systems would prevent surface water run off along with an examination of the introduction of sustainable urban drainage principles and their future management. In order to satisfy the provisions of policy EN14 of the Core Strategy, it is recommended that the approval, verification and monitoring of the drainage forms part of the conditions of the planning approval.

### **Impact on the highway network/car/cycle parking and servicing**

A transport statement notes that all sustainable transport modes are nearby such as the Oldham Road bus corridor together with the Moston and Newton Heath tram stop (on Dean Road) a short walk from the application site. This connects the site to the city centre (including Manchester Victoria Rail Station) and Oldham and Rochdale Town Centres. The transport assessment indicates that the proposal would have a minimal impact on the surrounding highway network.

A new private road would serve the phase 1 development from Dulverton Street. 100% car parking would be provided for this phase through a combination of in curtilage parking and secure parking courtyards.

25 car parking spaces are proposed for the phase 3 development (including 5 disabled spaces). The parking provision would be split between 12 no. undercroft spaces at ground floor level with 13 no. additional spaces proposed externally to the rear of the building within a secure and gated car park accessed directly off Dulverton Street.

Each of the proposed 28 houses would be provided with a dedicated Electric Vehicle charging point. A further 19 charging points would be provided for the proposed apartments.

A secure cycle store would be provided at the ground floor of the phase 2 apartment building, comprising 35 no. double tier cycle racks providing 70 no. storage spaces. An additional 62 no. spaces would be provided via secure cycle stores in the rear garden of all the houses and apartments proposed as part of the Phase 1.

A robust travel plan would support the ongoing travel needs of residents and this would be secured by planning condition.

Servicing would take place for the apartment building and dwellings from Dulverton Street. The arrangements are considered to be acceptable.

A construction management plan would be agreed which ensures that servicing of the commercial units would remain unaffected by construction activities associated with this proposal.

The proposal therefore accords with policies SP1, T1, T2 and DM1 of the Core Strategy.

### **Designing out crime**

A Crime Impact Statement (CIS), prepared by Design for Security at Greater Manchester Police, recognises that the development would bring vitality to this area and more active frontage. It is recommended that a condition of the planning approval is that the CIS is implemented in full as part of the development in order to achieve Secured by Design Accreditation.

### **Ground conditions**

A ground conditions report provides notes that further ground investigations, including gas monitoring, are required to inform the final remediation strategy. A verification report should confirm that the agreed remediation has been carried out. This approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

### **Legal Agreement**

This application will be subject to a legal agreement which would secure off site contribution towards environmental improvements, place making and linkages to Newton Heath District Centre as outlined under the heading "Contribution to Improving Permeability, Public Spaces and Facilities and Provision of a Well Designed Environment".

### **Permitted Development**

The National Planning Policy Guidance states that only in exceptional circumstances should conditions be imposed which restrict permitted development rights otherwise such conditions are deemed to be unreasonable.

It is recommended that the permitted development rights that would normally allow the change of use of a property to a HMO falling within use classes C3(b) and C3(c) be restricted and that a condition be attached to this effect. This is important given the emphasis and need for family housing in the city.

It is also considered appropriate to remove the right to extend the dwellings alter the roof and remove boundary treatments without express planning permission as these would, it is envisaged, could undermine the design quality of the scheme and in respect of boundary treatment, remove important and high quality features form the street scene.

### **Conclusion**

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

The proposal would have a significant impact on the regeneration of Newton Heath and would contribute to the supply of high quality affordable housing. Active frontages and high quality façades would make a positive contribution to the main radial route of Oldham Road as well as the setting of an adjacent listed building. The building would be of a high level of sustainability and high quality materials thereby reducing CO2 emissions.

There would be a modest impact on the setting of adjacent listed buildings and non designated heritage assets. These are low level impacts that are outweighed by the public benefits that the scheme would deliver in terms of removing this low quality site and providing new homes.

There would be minimal impact on the surrounding buildings in terms of daylight and overlooking distances are reasonable and will not result in a loss of privacy.

## **Other Legislative Requirements**

### **Equality Act 2010**

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

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

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

**MINDED TO APPROVE** subject to the signing of a Section 106 agreement to secure a financial contribution towards environmental improvements

### **Article 35 Declaration**

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding the siting/layout, scale, design and appearance of the development along with noise and traffic impacts. Further work and discussion have taken place with the applicant through the course of the application, particularly in respect of the appearance of the building along with other matters arising from the consultation and notification. The proposal is considered to be acceptable and therefore determined within a timely manner.

### **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 phasing plan T8170-D-0-005 I2 received by the City Council, as Local Planning Authority, on the 16 January 2024.

The following definitions are applicable to this planning permission:

Phase one - 34 new homes: 10 two-bedroom dwellinghouses, 18 three-bedroom dwellinghouses and 6 one-bedroom apartments.

Phase two - 75 new homes: 41 one-bedroom apartments and 34 two-bedroom apartments.

Reason – To indicate that this is a phased development pursuant to policy DM1 of the Manchester Core Strategy (2012).

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

#### **Drawings**

T8170D0040 REV I4, T8170D0042 REV I4, T8170D0043 REV I4, T8170D1151 REV I4, T8170D1152 REV I4, T8170D1261 REV I2, T8170D1262 REV I2, T8170D2151 REV I4, T8170D2251 REV I4, T8170D2252 REV I4, T8170D2253 REV I4, T8170D2254 REV I4, T8170D3151 REV I2, T8170D3251 REV I2, T8170D4151 REV I4, T8170D4251 REV I4, T8170D5151 REV I4, T8170D5251 REV I4, T8170D6251 REV I2, T8170D6252 REV I2, T8170D0020 REV I2, T8170D0030 REV I5, T8170D0051 REV I4, T8170D0052 REV I4 and T8170D0053 REV I4 received by the City Council, as Local Planning Authority, on the 16 February 2024.

3537 102 REV E, 3538 201 REV B, T8170D1252 REV I2, T8170D1253 REV I1, T8170D1254 REV I1 and T8170D0001 REV I1 received by the City Council, as Local Planning Authority, on the 4 December 2023

#### Supporting information

Planning policy statement, social value strategy and planning noise addendum received by the City Council, as Local Planning Authority, on the 24 January 2024

Design & Access Statement prepared by TP Bennett; Landscape Layout (drawing ref. 3538 102 Rev E) and Planting Plan (drawing ref. 3538 201 Rev B) prepared by TPM Landscape; Planning Policy Compliance Statement (including Affordable Housing Statement, Statement of Community Involvement and Draft Section 106 Heads of Terms) prepared by Euan Kellie Property Solutions; Air Quality Assessment prepared by Wardell Armstrong; Archaeology Assessment prepared by Archaeological Research Services Limited; Broadband Connectivity Assessment prepared by One Manchester Limited; Construction Management Plan (covering the Phase 2 proposals) prepared by Casey; Crime Impact Statement prepared by the Greater Manchester Police; Daylight & Sunlight Assessment prepared by GIA Environmental Standards Statement prepared by Energy Counsel; External Lighting Plan (drawing ref. T8170D0042 Rev I1) prepared by TP Bennett; Flood Risk and Drainage Strategy prepared by Curtins; Heritage Statement prepared by Kathryn Sather & Associates; Local Benefit Proposal / Social Value Statement (comprising a Social Value Template and corporate brochure) prepared by One Manchester Limited; Noise Impact Assessment prepared by Jameson Acoustics; Preliminary Risk Assessments and Ground Investigations for Phases 2 & 3 (+ cover note) prepared by Curtins; Pre-Construction TV Signal Reception Impact Survey prepared by Astbury; Preliminary Ecological Appraisal, Biodiversity Net Gain Design Stage Assessment and Biodiversity Enhancement Management Plan prepared by Urban Green; Transport Statement and Travel Plan prepared by Curtins; and Waste Management Proforma prepared by TP Bennett received by the City Council, as Local Planning Authority, on the 4 December 2023

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

4) No demolition works or vegetation clearance shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

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

5) a) A phase of the development shall not commence until, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in



writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development.

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

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

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

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

6) Notwithstanding the details submitted on the Flood Risk and Drainage Strategy prepared by Curtins received by the City Council, as Local Planning Authority, on the 4 December 2024, (a) the development shall not commence until a scheme for the drainage of surface water for the entire development (phase 1 and 2) has been submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- A finalised drainage layout showing all components, outfalls, levels and connectivity; agreed public sewer diversion proposals; and appropriate easements for attenuation tanks;
- Maximised integration of green SuDS components (utilising infiltration or attenuation) if practicable;
- Details of surface water attenuation that offers restricted discharge rates as specified in the document "1290 Oldham Road, Newton Heath, Phase 2&3 Flood Risk Assessment and Drainage Strategy Curtins Ref: 074031-CUR-00-XX-RE-C-92100"
- Hydraulic calculation of the proposed drainage system, including evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 45% climate change in any part of a building;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
- Where diversions to public sewer assets are proposed, evidence agreement in principle by United Utilities is required. An email of acceptance of proposed layout will suffice.
- Where an application is part of a larger site which already has planning permission, evidence is required that the new proposal does not compromise the drainage

scheme already approved. Provide reference to evidence that Phase 2 south can be accommodated in Phase 1 attenuation.

- Construction details of flow control and SuDS elements.

(b) A phase of development shall then be constructed in accordance with the approved details, within an agreed timescale.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

7) a) Before a phase of 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 before the first occupation of a phase of the development.

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.

8) Prior to the commencement of a phase of the development, a detailed construction management plan outlining working practices during construction shall be submitted for approval in writing by the City Council, as local planning authority, which for the avoidance of doubt should include;

- o Display of an emergency contact number;
- o Details of Wheel Washing;
- o Dust suppression measures;
- o Compound locations where relevant;
- o Consultation with local residents and businesses including ensuring that operations of existing businesses remain unaffected by construction activities
- o Location, removal and recycling of waste;
- o Routing strategy and swept path analysis;
- o Parking of construction vehicles and staff; and
- o Sheeting over of construction vehicles.

The relevant phase of the development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and businesses, highway safety and air quality, pursuant to policies SP1, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

9) Prior to the commencement of a phase of the development, samples and specifications of all material to be used on all external elevations and boundary treatments of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The specification shall include the agreement of a materials panel which shall include samples and specifications of all materials to be used on all external elevations of the development along with window reveals, soffits, jointing and fixing details, details of the drips to be used to prevent staining, ventilation/louvre details, air bricks and a strategy for quality control management.

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

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

10) The development hereby approved shall be carried out in accordance with drawings T8170D1261 REV I2, T8170D1262 REV I2, T8170D2254 REV I4 received by the City Council, as Local Planning Authority, on the 5 February 2024.

The approved window and soffit detail shall be implemented as part of the development.

Reason - In the interest of preserving the architectural detailing on the scheme pursuant to policies EN1 and DM1 of the Manchester Core Strategy (2012).

11) The boundary treatments shall be carried out in accordance with drawings T8170D0040 REV I4 received by the City Council, as Local Planning Authority, on

the 5 February 2024. The approved details shall be implemented as part of the development and be in place prior to the first occupation of a phase of the development.

The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

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

12) The development hereby approved shall be carried out in accordance with the Environmental Statement prepared by Environmental Standards Statement prepared by Energy Counsel received by the City Council, as Local Planning Authority, on the 4 December 2023.

A post construction review certificate/statement for a phase of the development shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

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

13) Prior to the first occupation of a phase of the development, details of the implementation, maintenance and management of the sustainable drainage scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include:

- Verification reporting providing photographic evidence of construction;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
- Timescale for implementation

The implementation of the management and maintenance plan shall be implemented in accordance with the timescales agreed and retained for as long as the development remains in use.

Reason - To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

14) (a) Notwithstanding drawing 3537 102 REV E and 3538 201 REV B received by the City Council, as Local Planning Authority, on the 4 December 2023, prior to the first occupation of this development, details of hard and soft landscaping treatments (including appropriate samples of materials and specification and size of trees) shall be submitted to and approved in writing by the City Council as local planning authority.

(b) The approved scheme shall be implemented prior to the first occupation of the development. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

15) (a) The development hereby approved shall be carried out in accordance with the Preliminary Ecological Appraisal, Biodiversity Net Gain Design Stage Assessment and Biodiversity Enhancement Management Plan prepared by Urban Green received by the City Council, as Local Planning Authority, on the 4 December 2023.

(b) Prior to the first use of each phase of the development agreed within part (a) of this condition, a verification report for that plot will be required to validate that the works undertaken at that stage conforms to the recommendations and required approved within part of part (b) of this planning condition including its contribution towards the minimum 10% biodiversity net gain.

(c) In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the Biodiversity Net Gain Assessment. A verification report and measures shall be agreed until such a time as each phase of development comply with parts (a), (b) and (c) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

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 - In the interest of securing a biodiversity mitigation strategy for the Red Bank Neighbourhood pursuant to policies SP1, EN9, EN17 and DM1 of the Manchester Core Strategy (2012).

16) 30 Prior to the first occupation of the development, a detailed 30 year landscape environmental management plan (LEMP) for the development shall be submitted for

approval in writing by the City Council, as Local Planning Authority. This shall include details of how the public realm and hard and soft landscaping areas for the relevant development will be maintained including maintenance schedules and repairs. The LEMP shall then be implemented as part of the relevant phase of development and remain in for the duration of the plan.

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

17) (a) Prior to the first occupation of a phase of the development, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council, as Local Planning Authority. For the avoidance of doubt, externally mounted 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 5 db (L<sub>aeq</sub>) below the typical background (L<sub>a90</sub>) level at the nearest noise sensitive location.

(b) Prior to the first occupation of a phase of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

18) (a) Prior to the first occupation of a phase of the development a scheme for acoustically insulating the proposed residential accommodation against noise from Oldham Road, the local traffic network and surrounding commercial uses shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved noise insulation scheme shall be completed before the first occupation of the development.

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 L<sub>Aeq</sub> (individual noise events shall not exceed 45 dB L<sub>Amax,F</sub> by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB L<sub>Aeq</sub>

Gardens and terraces (daytime) 55 dB L<sub>Aeq</sub>

(b) Prior to the first occupation of a phase of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

19) Prior to any above ground works of phase of the development, a waste management strategy and location of waste storage for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first occupation of that phase of the development and thereafter retained and maintained in situ.

Reason - To ensure adequate refuse arrangement are put in place for the commercial element of the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

20) Deliveries, servicing and collections including waste collections shall not take place outside the following hours for the commercial unit only:

Monday to Saturday 07:30 to 20:00

Sundays (and Bank Holidays): No deliveries/waste collections

Reason - In the interest of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

21) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme for a phase of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first occupation of the development hereby approved. The approved details shall be implemented in full prior to the first occupation of a phase of the development and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

22) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a

written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

23) The development hereby approved shall be carried out in accordance with the Crime Impact Statement (version A) prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 4 December 2023. The development shall only be carried out in accordance with these approved details. A phase of the development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.

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

24) Prior to the first occupation a phase of the development, a travel plan framework shall be submitted for approval 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 living at the development;
- ii) a commitment to surveying the travel patterns of residents/staff during the first three months of the first use of the building 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 occupation of a phase of the development, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval 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 for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

25) Prior to the first occupation of a phase of the development hereby approved the car parking layout as indicated on drawing T8170D0020 REV I2 received by the City



Council, as Local Planning Authority, on the 5 February 2024, shall be surfaced, demarcated and made available. The approved car parking layout shall be implemented and thereafter retained and maintained.

Reason - To ensure sufficient car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

26) Prior to the first occupation of the development hereby approved, the cycle spaces shall be implemented and made available in accordance with drawing T8170D0020 REV I2 received by the City Council, as Local Planning Authority, on the 5 February 2024.

Prior to the first occupation of the phase 1 dwellinghouses hereby approved, the siting, scale and appearance of a suitable cycle store for each dwellinghouses shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first occupation of the phase 1 development and thereafter retained and maintained in situ.

Reason - To ensure there is sufficient cycles provision at the development and the residents in order to support modal shift measures pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

27) Prior to the first use of a phase of the development hereby approved, a scheme of highway works and details of footpaths reinstatement/public realm shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include the following:

- Plan indicating the areas for adoption. This should include a 5.5 metre wide carriageway and 2 metre footways;
- Provision of a 20 mph speed limit;
- Provision of Traffic Regulation Orders (TROs);
- Widening of the junction of Dulverton Street and Old Church Street including measures to prevent vehicle encroachment, dropped kerbs and tactile paving together with consideration of whether the bell-mouth can be reduced;
- provision of a loading bay to Old Church Street with associated Traffic Regulation Orders (TROs) and relocation of buss stop;
- Footway reinstatement and resurfacing along Dulverton Street, Old Road and Old Church Street including a review of signage and street furniture and provision of street trees.
- Review of Traffic Regulation Orders (TROs) to facilitate accessible and loading bays together with measures to prevent on street parking on the surrounding streets;
- Signage is erected upon entry to the private section of carriageway in order to warn drivers that the route is not suitable for larger vehicles.

The approved scheme shall be implemented and be in place prior to the first occupation of a phase of the development hereby approved and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

28) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

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.

29) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) the apartments hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; 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.

30) Prior to the first occupation of a phase of the development a signage strategy for the apartment building shall be submitted for approval in writing by the City Council, as Local Planning Authority. The signage strategy will include timescales for implementation. The approved strategy shall then be implemented for the development and used to inform any future advertisement applications for the building.

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

31) Prior to the first occupation of a phase of the development hereby approved, details of the number, siting and appearance bird, bee and bat boxes at the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented and be in place prior to the first occupation of a phase of the development hereby approved and shall thereafter be retained and maintained in situ.

Reason - In the interest of providing habitats for birds to improve the ecological value of the application site pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

32) The development hereby approved shall include for full disabled access to be provided to the communal walkways, communal gardens and via the main entrances and to the floors above.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions Core Strategy policy DM1.

33) The 3 accessible dwellings, as indicated on drawing T8170D1254 REV I1 received by the City Council, as Local Planning Authority, on the 5 February 2024 shall be constructed to M4(3) standard.

Reason – In the interest of providing accessible dwellings as part of the development pursuant to policy DM1 of the Manchester Core Strategy (2012).

34) Notwithstanding drawing T8170D0043 REV I4 received by the City Council, as Local Planning Authority, on the 5 February 2024, prior to the first occupation of a phase of the development, final details and specification of 7kw fast charging electric car charging points for each dwellinghouse and spaces for the apartments shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented and be in place prior to the first occupation of the residential element of the development.

Reason - In the interest of air quality pursuant to policies SP1 and EN16 of the Manchester Core Strategy (2012).

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

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester.

36) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that

Order with or without modification) no windows shall be inserted into the elevations of the dwellinghouses hereby approved other than those shown on the approved drawings outlined in condition 2.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester

37) Prior to the first use of the development hereby approved, details of the siting, scale and appearance of the air source heat pumps. The approved details shall then be implemented prior to the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of ensuring the solar panels are installed and to ensure that they are appropriate in terms of visual amenity pursuant to policies SP1, EN1, EN6 and DM1 of the Manchester Core Strategy (2012).

38) Notwithstanding the Pre-construction TV signal impact survey stamped as received by the City Council, as Local Planning Authority, on the 4 December 2023, within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area a study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out above. The measures identified must be carried out either before the building is first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception - In the interest of residential amenity, as specified in policy DM1 of Core Strategy.

39) Prior to the first occupation of the residential element of this development, details of a servicing strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented as part of the development for as long as it remains in use.

Reason - In the interest of ensuring that the development is appropriately serviced pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

40) Notwithstanding drawing T8170D1262 REV I2 received by the City Council, as Local Planning Authority, prior to any above ground works, samples, specifications and details of the decorative mesh shall be submitted for approval by the City Council, as Local Planning Authority. The mesh shall be decorative and anodised. The approved details shall be implemented as part of the development and thereafter retained and maintained.

Reason – In the interest of visual amenity pursuant to policy DM1 of the Manchester Core Strategy (2012).

41) Prior to the commencement of above ground works and notwithstanding details submitted, a scheme for the provision of affordable housing as part of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The scheme shall include:

- i. the numbers, type, tenure (such tenures being consistent with the definition of affordable housing in Annex 2 of the NPPF or any definition of affordable housing that replaces it) and location on the site of the affordable housing provision to be made which shall consist of a minimum 20% of the dwelling houses;
- ii. confirmation that the affordable dwellings will be made available on affordable housing terms for both first and subsequent occupiers of the affordable housing dwellings (subject to any exclusions and exemptions from this requirement that may apply);and
- iii. the eligibility criteria to be used for determining who may occupy the affordable housing dwellings (which shall not be required to include any local connection criteria in the case of shared ownership housing).

The approved affordable housing scheme shall be implemented as part of the development and thereafter observed in perpetuity subject to the exclusions and exemptions set out in the approved affordable housing scheme.

Reason - To contribute to the delivery of affordable housing, pursuant to policy H8 of the Manchester Core Strategy.

42) Prior to the first occupation of a phase of the development, a car park management plan for that phase of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The plan should work to ensure that car parking activities and demands for the the development are mitigated including management of car parking spaces and allocation strategy to ensure car ownership does not overspill on the surrounding highway network.

The approved plan, including any associated mitigation works, shall be implemented and be in place prior to the first occupation of the development and thereafter retained and maintained in operation.

Reason - To ensure appropriate management arrangements are put in place for the development in the interest of highway and pedestrian safety pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

43) Prior to the first use a Delivery and Servicing Management for the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The strategy should work to ensure that servicing/waste removal/delivery

activities the building are co-ordinated to ensure efficient use of the proposed loading bay.

The approved strategy, including any associated mitigation works, shall be implemented and be in place prior to the first occupation of the development and thereafter retained and maintained in operation.

Reason - To ensure appropriate servicing management arrangements, particularly for food and deliveries, are put in place for the development in the interest of highway and pedestrian safety pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

### **Informatives**

- Any signage, wayfinding, banners or any other advertisements to be installed in and around the application site for the purpose of the promotion of the developments and routes to it may require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see:  
<https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>
- It is important that any conditions or advice in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Manchester Airport, or not attach conditions which Manchester Airport has advised, it shall notify Manchester Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.
- It is expected that all modifications / improvements to the public highway are achieved with a maximum carbon footprint of 40%. Materials used during this process must also be a minimum of 40% recycled and fully recyclable. Developers will be expected to demonstrate that these standards can be met prior to planning conditions being discharged. The developer is to agree the above with MCC's Statutory Approvals and Network Resilience Teams post planning approval and prior to construction taking place
- Regarding S278 agreements a deposit is required to begin an application, additional costs will be payable and are to be agreed with S278 team. A S278 is required for works to the adopted highway, minimum standard S278 technical approval timescale is between 4-6 months, TRO's can take 10-12 months. An independent 'Stage 2' Road Safety Audit will be required and the design may require changes if any issues are raised with all costs attributable to the Developer. A 'Stage 1' Road Safety Audit should be completed during the planning stage and a copy of the report (with Designer's Response) is to be made available to the Statutory Approvals Team upon request.
- You should ensure that the proposal is discussed in full with Building Control to ensure they meet with the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the development due to conflicts with Building Regulations, you should also discuss the changes with the Planning team to ensure they do not materially affect your permission.

- Whilst the building to be demolished has been assessed as negligible 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 during demolition 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
- The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

### **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: 138730/FO/2023 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

**Highway Services**  
**Environmental Health**  
**Neighbourhood Team Leader (Arboriculture)**  
**MCC Flood Risk Management**  
**Greater Manchester Police**  
**Environment Agency**  
**Transport For Greater Manchester**  
**United Utilities Water PLC**  
**Canal & River Trust**  
**Health & Safety Executive (Fire Safety)**  
**Greater Manchester Archaeological Advisory Service**  
**Greater Manchester Ecology Unit**  
**Sport England**

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

**Representations were received from the following third parties:**

**Relevant Contact Officer :** Jennifer Atkinson  
**Telephone number :** 0161 234 4517  
**Email :** jennifer.atkinson@manchester.gov.uk



