

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
122160/FO/2018	17th Dec 2018	19 <sup>th</sup> December 2019	Longsight Ward

**Proposal** Proposed residential development comprising erection of 80 no. apartments within 1 no. part 3 part 4 storey block and 1 no. 3 storey block and the erection of 167 no. 2 and 2 1/2 storey dwellings with associated car parking, boundary treatments and landscaping, the creation of new roads and access points off Kirkmanshulme Lane, site remediation and other associated engineering works following the demolition of the existing buildings

**Location** Belle Vue Stadium, Kirkmanshulme Lane, Manchester, M18 7BD

**Applicant** Countryside Properties (UK) & SCP Investments Ltd, C/o Agent

**Agent** Mr Peter Tooher, Nexus Planning, Eastgate, 2 - 4 Castle Street, Manchester, M3 4LZ

## Site Description

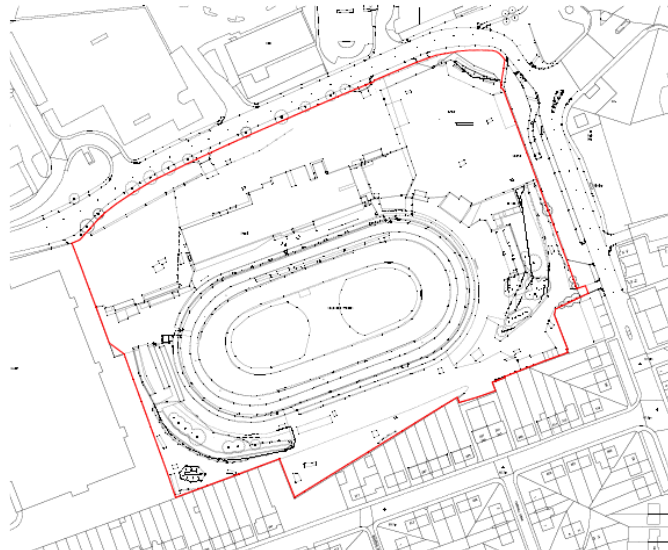
The application site is approximately 4.82 ha in size and is bounded by Kirkmanshulme Lane to the north, Mount Road to the east, existing residential properties on Stanley Grove to the south and the Belle Vue Sports Village, Leisure Centre and Speedway track complex to the west.

The site is located approximately 550 metres to the north-west of Gorton District Centre and approximately 4 kilometres to the south-east of Manchester City Centre. The topography of the site is predominantly flat but does have some areas of mounding due to previous earthworks and movements around the site. The site is regular in shape and is currently occupied by the Belle Vue Stadium and associated car parking and operational areas around the track. The stadium is currently used for regular greyhound racing and stock car racing and the site is also used by the MSM Motorcycle Training Centre.

The site predominately comprises the existing operational greyhound racing and stock car racing track and a grandstand containing a hospitality suite and viewing balconies. There are then a number of ancillary single storey buildings including kennels, smaller viewing stands and storage buildings. There is also the scoreboard at one end of the track. The stadium is then surrounded by areas of hardstanding used for car parking and storage and the MSM training area. There is existing floodlighting and building lighting around the site. The southern edge of the site is grassed, with some trees and shrubs present at the south-east and south-western corners of the site. The site is then secured by a mixture of different boundary treatments including some concrete post and panel fencing and palisade security fencing.

Access to the development site is currently provided from a number of points off Kirkmanshulme Lane. There is existing lighting columns and a bus stop with shelter located to the front of the site on Kirkmanshulme Lane located within the public footway. There are also a number of street trees along the frontage of the site on Kirkmanshulme Lane.

The application site edge red can be seen below:



The wider surrounding area contains a mix of residential, industrial, commercial uses. Along Hyde Road, there are a number of leisure and entertainment uses, including the Showcase Cinema, Gala Bingo, Q's Sports and Entertainment Bar and the Diamond Lodge Hotel. Further to the north of these and beyond Hyde Road is Gorton Park and an area of residential development clustered around Belle Vue Street. The main junction between Hyde Road, Kirkmanshulme Lane and Mount Road is located immediately to the north east of the site.

To the east of the site across Mount Road is a large vacant piece of land on the Hyde Road frontage and adjacent to the railway and Belle Vue train station. Adjacent to this is the Gorton South Sure Start Centre, along with a small number of dwellings located on Mountbatten Street and Odette Street. Gorton District Centre is located 650 metres to the south west of the site and provides a number of retail and commercial uses. There is a small area of industrial and employment land around Williams Road to the west of the site.

The area to the south of the site is predominantly existing residential dwellings on Stanley Grove and beyond. These are mostly two storey red brick properties of either semi-detached or terraced designs. Finally, the land to the west of the site includes the Belle Vue Sports Village, which includes the National Basketball Performance Centre, the Belle Vue Leisure Centre and the new National Speedway Stadium. The site provides school, community and elite use. The National Basketball Performance Centre has 3 indoor courts with markings for basketball and netball,

with the leisure centre offering access to an indoor multi-use sports hall, 2 new all-weather floodlit 3G pitches, dance studio and a community gym.

The application site is not located within a Conservation Area nor is it located in close proximity of any Listed Buildings or setting of such. The application site namely 'Belle Vue Greyhound Stadium' at Kirkmanshulme Lane, Gorton, Manchester, M18 7BA was designated as an Asset of Community Value on the 6th July 2018. The Community nomination was made by the Friends of Belle Vue Greyhound Stadium. The listing lasts for 5 years and will expire on the 6th July 2023.

## **Proposed Development**

Planning permission is sought under this application for the demolition of all of the existing buildings on site to enable the construction of a large residential development. The proposed development would comprise 80 no. apartments and 167 no. dwellings, making a total of 247 no. new residential units. The scheme would provide 11 different house types ranging in size and design, along with the two different sized apartments. As outlined within the Planning Statement, the development would provide the following accommodation:

### 80 no. apartments

24 no. one bed units

56 no. two bed units

### 167 no. houses

39 no. two bed units

106 no. three bed units

22 no. four bed units

The development would include two blocks of apartments located along the north eastern boundary of the site adjacent to the Mount Road, Kirkmanshulme Lane and Hyde Road junction. The apartment blocks would be either three or four storeys in height, with the tallest four storey elements being at the corner of Kirkmanshulme Lane and Mount Road. The rest of the site would then include the provision of dwellinghouses, all of which would be either 2 or 2 ½ storeys in height.

The development would consist of a range of different tenures including open market housing, private rent and affordable housing being delivered through a registered provider. The current mix of these units is 90 no. units for open market sale, 122 no units for private rent and 35 no. units of affordable housing.

The proposals also include the provision of a new highway network into and around the site, including two new vehicular access points into the site from Kirkmanshulme Lane. Car parking has been provided at a provision of two spaces per 3-4 bed dwelling, with a minimum of one space per 2 bed dwelling. The apartments offer 76% provision (61 spaces) within car parks located adjacent to the two apartment blocks.

associated landscaping, boundary treatments, new highways, site remediation and new vehicular access points from Kirkmanshulme Lane to the north.

The proposed development also would include boundary treatments to the curtilages of the new properties along with a site wide landscaping scheme including new trees, shrubs and turf within the garden areas.

## Consultations

### Local Residents / Public Representations

On receipt of the planning application, the City Council sent 177 letters out to local neighbours that live around the application site. From the 177 letters sent out, three letters were received in response.

In addition to these responses, a total of 1,226 representations were also received from a wider audience, locally, nationally and even internationally. In total, the Council received 482 objections, 745 in support of the application and 2 sets of general comments.

Following the receipt of amended/additional information on the application, a re-notification exercise was completed in July 2019. This re-notification has resulted in a further 124 representations, which included 106 objections, 17 representations of support for the proposals and 1 letter containing general comments.

Therefore, in total, the Council have received 1,320 representations overall, with 561 letters of objection, 756 letters of support and 3 letters containing general comments (neither objection nor support). This can be seen in the table below.

WAVE	O	R	S	Grand Total
Initial	482	2	745	1229
Recon	106	1	17	124
<b>Grand Total</b>	<b>561</b>	<b>3</b>	<b>756</b>	<b>1320</b>

The following key points should be made in relation to the representations received:

- 1) Out of the 756 representations of support received, 135 of these did not make any comments, it was simply stated that they supported the application.
- 2) 80 of the representations of support have been received from international addresses including Argentina, Australia, USA, Canada, Macau, India, Singapore and 7 different European countries. 1 representation of objection has been received from Ireland, with all other objections being received from addresses in the UK.
- 3) Out of the total number of objections received, a certain number of the responses were identical where people had signed and provided their names and addresses on the bottom of a standard letter. This relates to 362 of the original set of letters received and 99 of the responses received after the reconsultation.

In addition to the above, the City Council has received copies of 3 Petitions. These are as follows and the numbers of signatures at the time of the report being written:

- 1) Save Belle Vue (Greyhound Racing) - 1,580 signatures
- 2) Save Belle Vue (Stock Car Racing) – 12,427 signatures, and
- 3) Caged UK petition – 17,105 signatures

The representations made as outlined above can now be summarised as follows. Due to the significant number of representations made, it has not been possible to include comprehensive versions of all the comments submitted. Therefore, the list below is a summarised version of the key points raised.

### Objections

- The Belle Vue Greyhound Stadium opened in 1926, staging the first ever Greyhound race events in the UK. The birthplace of greyhound racing in this country is now under immediate threat from developers.
- The stadium is the last remaining element of what was once the legendary Belle Vue area, that over the years has seen the famous Zoological Gardens and the Hyde Road stadium (which across several decades hosted world class Speedway and Stock Car Racing) both lost to previous development.
- To this day, Belle Vue stadium continues as one of the UK's most popular Greyhound venues as well as hosting very successfully, Stock Car Racing continuously now for over 20 years.
- The planned demolition provides nothing as a leisure alternative within the area. This in a city famed for its sporting achievements and history.
- In 2019 the stadium celebrates it's 21st anniversary for Stock Car Racing since it's first meeting in 1999, with visitors expected from not only across the UK but internationally.
- The objectors campaign will seek to object to the planning and try and ensure that the stadium remains as a landmark to be enjoyed for years to come - it is a worrying trend that too many community venues are being allowed to be redeveloped.
- The stadium is unique in the community, providing a home for motor sport and greyhound racing which will be almost impossible to replace.
- The planning application singularly fails to address the requirements of national planning policy in considering the redevelopment of sports and recreational facilities.
- The current policy is set out in paragraph 97 of the National Planning Policy Framework (NPPF). The current proposals fail against this policy in every respect.
- There is no assessment to demonstrate that the Belle Vue Sports Stadium is surplus to requirements. Such an assessment should be carried out in respect

of the impact on Stock Car Racing and Greyhound Racing. Since the Inspector examining the Rugby Local Plan in 2018 made this exact conclusion in respect of the failure of prospective developers to consider the impact on Stock Car Racing through the loss of Coventry (Brandon) Stadium through speculative housing development. In his interim conclusions the Inspector indicated that any planning application would require a needs assessment to cover the deficiency. This ruling is significant because it reaffirmed that Stock Car Racing should be regarded as a sport covered by the provisions of the NPPF. There is a demonstrable and continuing need for Stock Car Racing to continue at Belle Vue Stadium for many years. The venue has held many events over the past 20 years and there is no reason why it should not continue to do so, including potential for the BriSCA Formula One Stock Car World Championship to return the Belle Vue in the near future. The frequency of usage of the stadium compares favourably with most other venues and there is no evidence to suggest its current use is not viable.

- Additional information has been sent by an objector in the form of a Needs Assessment for Arena Essex, that raised some salient points and goes on to state that individuals within Stock Car racing and the Greyhound industry can continue to provide viable support for Belle Vue Stadium.
- There are no proposals put forward to address the proposed loss of Belle Vue Stadium to ensure an adequate replacement venue is in-place. It follows that redevelopment could take place if equivalent or better facilities in terms of quantity, quality and location. The critical point is that this has not even entered the minds of those submitting the redevelopment proposals. It might be conceivable the answer could be at the nearby Speedway Stadium, but it is for the developers to demonstrate this is both achievable, acceptable as well as operationally feasible. Stock Car Racing venues require large open spaces for pits which needs to be factored in. If redevelopment were to be permitted it is not unreasonable to anticipate that the costs of doing so should be covered through the enhanced value of the current site by way of a legally binding agreement. It also follows that no development (or closure) of the existing stadium should be allowed until the alternative is in-place.
- In the recently adopted Birmingham Development Plan the Inspector's Main Modifications required the City Council to include safeguards to ensure the satisfactory relocation of the motor racing activities (including Stock Cars) OR their retention on-site. This was the first Planning Inspector decision that we are aware of that stressed NPPF policy in respect of sports and recreation facilities applies to motorsport venues including Stock Car Racing. The crucial point to stress is that a simplistic desire of owners/developers to change the use of a sports stadium to a higher value use while disregarding the continuing sporting need cannot override proper consideration of that need in accordance with national planning policy.
- There is no alternative sporting or recreational use proposed. The only possible conclusion to be drawn is that the planning application as submitted fails to address the most important aspect of planning policy applying to the redevelopment of sports and recreation facilities.

- The facilities at Belle Vue are superior in comparison with similar types of facility elsewhere and it is not underused. As a sports stadium, it is contended that the frequency of usage is favourable compared to others in the locality. The level of use for motorsport is due to restrictions placed under the planning permission granted by the City Council. If these were relaxed more events could be held.
- Inclusion of a site in a Strategic Housing Land Availability Assessment is no guarantee that planning permission will be granted.
- Statement of Community Consultation - The fact that the racing community was not consulted as part of this exercise is a matter of grave concern and again brings the competency of the submissions into doubt. The leaflet informed neighbours about the proposals and the planning application, which confirms there was no involvement with the communities who use the stadium but are not resident in the immediate neighbouring area. This is an unbelievable omission.
- Local Development Plan - While it is correct that this does not allocate the site for a particular use it should be noted that more recent development plans have been found unsound because they do not reflect national planning policy with regard to the consideration of potential development proposals on sports facilities and stadia. The plan does not allocate the site for housing. A site of in excess than 4 hectares in size could be considered as strategically significant that would normally be expected to come forward through the local plan and not as a speculative proposal non-compliant with national planning policy.
- National Planning Policy Framework – the submission refers to para 97 of the NPPF yet offers no commentary on the applicability of this approach in this part of the NPPF to the planning application.
- In relation to the ACV, it is clear that the regulations appertaining to these should permit the sale of the property in its existing use to the community. Best practice, for example in local plans elsewhere, would also require that the property should be offered for sale at its existing value to groups who are prepared to see it continue in its existing form. It is also suggested that this section should also address the negative implications from loss of the stadium, particularly on sports favoured by the working classes and through the negative impacts on the loss of important diversity in the sports and cultural 'offer' that Manchester has to offer.
- Belle Vue Greyhound Stadium is a popular and regularly used stadium for stock car racing events, regularly attracting forty or fifty drivers, and many fans of the sport.
- There are 22 tracks in the UK and Europe and Belle Vue is the only one in the North West, and therefore a vital link to the tracks in the rest of the country, and has hosted Championship events in the past and is scheduled to do so in the future.

- Belle Vue Greyhound Stadium is a legacy stadium in so much as it was in 1926 the first Greyhound venue to be constructed in the UK and since then, offered the opportunity for the famous Belle Vue Aces to launch and, for over 20 years has also been the home to motorsport with indeed, many championship events attracting visitors from the region, nationally and internationally, also bringing incremental income into the City. Indeed, later this year it was planned to bring the BriSCA F1 World Championship to Manchester, the sports biggest event attracting huge interest from Mainland Europe and beyond, contributing to Manchester's huge sporting culture and 'open for business' and major events.
- People became aware that the application had been 'slipped' in immediately pre Christmas, which is believed to have been designed to take advantage of the extended Christmas break and thereby shorten the time to organize objections.
- In terms of the sports, there are no alternative homes within the region. In decades past, the city boasted venues in Salford, the Albion Stadium, White City in Old Trafford and of course the iconic Belle Vue Stadium on Hyde Road, demolished in 1988. ALL sadly redeveloped. In adjacent towns such as Blackburn and Bolton venues there have been redeveloped. However, Belle Vue Greyhound Stadium is the only remaining venue and connection within the City. It also has a huge legacy and historic value. It also provides employment and has major impacts on the lives of the people connected and who benefit from the operation.
- Greyhound racing has its detractors and the GRA continues to answer the concerns of animal right's activists who would like to see it cease. It is operated to a high moral standard.
- The venue for over 20 years has become a community home to motorsport and stock car racing and the area boasts many Champions over the years. It has huge community value entertaining families and providing a venue for grass roots motorsport. Event organisers have over the years worked with community groups offering insight and participation from various groups from different socio demographics. That is a policy that is planned to be widened.
- This stadium is viable and Stock Car Racing is vibrant.
- Respectfully, it is requested that the City Council and its custodians look carefully at this plan and whilst understanding the requirements and targets for housing, suggest that this site be spared whilst it remains viable and completes at the very least, the terms of its existing lease allowing time to procure a replacement home if indeed that is possible.
- Should this plan go ahead, there are concerns about the community in the future, our local schools are oversubscribed, so too are our GP and health facilities.



- What is happening with the roads around this proposed build, the junction at Kirkmanshulme Lane/Mount Road/Hyde Road is backed up several times a day, with all this additional traffic what plans are being made to ensure safety of road users, pedestrians and cyclists.
- Very concerned with the additional traffic that these new Dwellings will generate, especially with the junctions of Kirkmanshulme Lane/Mount Rd/Hyde Rd where the traffic is horrendous at the moment with regular traffic jams and delays. It's been very bad for many years at this Multiple junction and it is felt that if nothing is done to junction to accommodate the new influx of traffic from these new properties, the traffic situation will become intolerable, for everyone using it.
- The installation of speed bumps onto Kirkmanshulme Lane will result in higher levels of pollution as cars accelerate and decelerate causing higher levels of exhaust emissions.

### Support

- Belle Vue Greyhound Stadium is an eyesore that reduces the image of Gorton to tatters, not only does it look dilapidated but it attracts some undesirable clientele.
- Interest in greyhound racing has been decreasing for around a decade, this also applies to all stadia across Great Britain with a steady decline of the industry.
- Belle Vue Greyhound Stadium brings nothing positive to the area. Gambling facilities do not help the well-being of people living in an already deprived area and may only drive them into debt.
- Manchester is crying out for more housing, which in turn will generate much-needed new income for small businesses in the vicinity. It is only right to build affordable housing on this location. More affordable housing, which is desperately needed in our city during this housing crisis and not needing to build on our green spaces. Fully support the creation of homes for local people which are scarce at this present time.
- Harm to Children - The behaviour of the punters has been an ongoing concern whilst children are sharing the same space inside the track. Concerns for children being exposed to the cruelty at tracks has also been raised by Caged to Child Protection Services at numerous Local Authorities.
- Littering is a problem and one that not only degrades the area but also poses a danger to the public. Bottles, and broken glass, as well as other litter, are often thrown on the main road and on the path ways, and has had to be removed by volunteers to prevent injury to road users and pedestrians because the track management have failed to employ anyone to clean up.

- Cruelty - large amount of dogs that have died at the track and are stored in the freezer. There is no place for greyhound racing anymore and their welfare & needs are sadly neglected. Many dogs have lost their lives for a quick flutter. The current site as a dog track is unethical, 1013 Greyhounds died through racing industry in 2017 according to GBGB data. Therefore, having homes instead of a gambling industry based on exploitation of animals is far more appropriate.
- The development includes the modernising of Longsight, which is really needed.
- Having lived near this site for almost 4 years now and having to put up with the noise of track goers every Friday and Saturday night drunk and gambling, I will be happy to see this close down.
- Would rather see a beautiful landscaped area with new housing and services than a rundown greyhound racing track that attracts the scourge of society to watch poor dogs being exploited for entertainment.

#### Friends of Belle Vue Stadium (FoBV)

- Wish to object in the strongest possible terms to the Development proposed in the Application, which would result in the demolition of a much loved community asset.
- A nomination to list the Stadium as an Asset of Community Value ("ACV") in line with the powers contained in the Localism Act 2011 ("2011 Act") and the Asset of Community Value (England) Regulations 2012 ("Regulations") was recently made. The nomination was accepted by Manchester City Council ("Council") and accordingly the Stadium was added to the Council's statutory list of ACVs. In accepting the nomination, the Council confirmed that they considered the use of the Stadium to "further the social wellbeing or social interests of the local community", thereby satisfying the statutory test in section 88 of the 2011 Act.
- FoBV object to the timing of the original submission of the application the week before Christmas, which was considered to be callous by the applicants. Those employed at the Stadium or whose livelihoods are intrinsically linked to its operation have had their Christmas ruined by the applicant.
- FoBV disagree with the statement that the application is made with the best interests of the local community. The applicant did not hold any form of consultation event inviting members of the local community and those directly affected by the development proposals to attend and provide feedback.
- Further, those residents who expressed concerns about the loss of the Stadium and residential development asked Nexus to contact them to discuss these. Residents have not, to date, received a response from Nexus or the applicant.

- In a number of documents submitted by the applicant, the site is referred to as a 'Former Greyhound Racing Stadium', which is incorrect.
- A Report from Modal Highway Consultants Limited reviewing the Transport Assessment submitted accompanying the application in further detail has been submitted, which aims to identify significant shortfalls and errors in the document. Accordingly, and in line with paragraph 104 of the NPPF, the application should be refused.
- It should also be pointed out that the submitted documents do not mention of the use of the Stadium for stock car racing. There are a number of planning consents dating back to the late 1980s authorising use of the Stadium for motor racing events.
- Section 8 of the National Planning Policy Framework ("NPPF") relates to promoting healthy and safe communities. Paragraph 92 deals with unnecessary loss of valued community facilities. The loss of the Stadium would be unnecessary in view of the fact that the Stadium is a valued community asset, as demonstrated by its successful listing as an ACV. Paragraph 92 has not been considered anywhere in the Planning Statement and it is considered that paragraph 92 is a key material consideration in determining the application.
- Paragraph 97 of the NPPF is referred to in the Planning Statement. Sub-paragraphs b) and c) are clearly not relevant in the current circumstances given that it is proposed that the Stadium be replaced with housing. However, nowhere within the supporting documents accompanying the Application is an assessment undertaken in line with paragraph 97(a) demonstrating that the Stadium is surplus to requirements. In fact there is no alternative recreational offer providing for greyhound and motorsport racing in the vicinity of the Stadium. Further, as noted above, if the Application were to be granted consent this would mean the loss of the North West's only greyhound racing facility.
- It is considered that the submitted statements cherry pick policies from the Development Plan, but incorrectly misapplies relevant policy.
- The reference to the Brownfield Register in the submission is misleading as the designation relates to a much larger site that includes the Stadium. Site reference Gort\_N\_Cap\_026 is over three times larger than the Application Site, includes vacant land and is identified in the Brownfield Register as being in retail use given the significant proportion of retail space the site includes. It should also be noted that the Brownfield Register is not a 'Development Plan document'.
- FoBV disagree with the statement that under policy EN10 the Stadium is not used for 'sport or recreation'. EN10 clearly reiterates the requirements of the NPPF at the local level and again has not been complied with in the current Application.

- It is not considered that the Development contributes to the design principles of Manchester's Local Development Framework, will not provide appropriate amenity space and, given the density and layout proposed, will not give privacy to both residents and neighbours.
- The development does not meet the requirements for affordable housing outlined in Policy H8. The proposed Development is of marginal viability and will not deliver adequate affordable housing provision.
- The layout submitted for approval is arranged around new internal roads with two proposed means of access to the Development from Kirkmanshulme Lane. Car parking dominates the front of the plots and there is no amenity or open space within the Development. Therefore, it does not meet the requirements of Policy DM1.
- Loss of an Asset of Community Value - There is no assessment of the Stadium being 'surplus to requirements' in line with the provisions of Paragraph 97 of the NPPF and MCS Policy EN10. As set out above there is no alternative stock car or greyhound facility in the North West.
- FoBV disagree with the statement that "importantly in this case, there are no policies in the adopted development plan which relate to or restrict the loss of an ACV... the development plan is therefore silent on this matter when considering the principles of development and so the presumption in favour of sustainable development should apply'. ACV status is not referred to in the Development Plan as both Development Plan documents were drafted prior to, and adopted in, July 2012. The ACV Regulations did not come into force in the statute books until 21 September 2012.
- The successful ACV nomination demonstrates the valuable role this community asset plays and how important it is considered to be by the Community. The Stadium hosted almost 60,000 attendees at greyhound racing events last year and provides 18 full time and 70 part time employment roles. 18 full time greyhound trainers rely on the Stadium and they in turn employ 85 kennel hands across kennels in the North West. The Stadium Vet attends four times a week and a further six Veterinary Practices in the local area are registered with the Stadium. Five bookmakers work regularly on site each employing two staff and each event requires attendance by agency staff who provide security, catering and personnel services. In total there are up to an additional 40 agency staff on site during events.
- It is estimated that the stock car racing events generate around 20,000 attendees per year given the limited number of events the planning consent allows. 25 full and part time staff work on these events.
- Additionally, the Stadium hosts MSM Motorcycle Training classes, a use which again is not referred to in the Application documents. MSM are a well-established organisation who have been training motorcyclists at Belle Vue since 1980. Their service covers the whole of Greater Manchester.

- FoBV disagree that local policy largely seeks to return the residential character and protect the environmental quality and amenity of existing residences. Where is this enshrined in local policy to the effect that the requirements of existing facilities are overridden to their detriment?
- Adverse Economic Impacts - If the Stadium is closed and demolished then potentially up to 265 jobs will be lost. This is not sustainable development and is contrary to the NPPF. It is not clear where these jobs will be provided elsewhere.
- Greyhounds - the closure of the Stadium will have a negative impact across a number of areas. Their findings concluded that of the 17 greyhound trainers connected with the Stadium, only four would have any aspirations to continue and have the ability to carry on working at a stadium located further afield. The other 13 stated that they would have to cease trading and make all staff redundant. Whilst some of the greyhounds in the care of those 14 trainers may be sold to other trainers, a large number would require rehoming and this would place a huge burden on the Greyhound Trust.
- Restrictive Covenant - the Council should also note that there is a restrictive covenant on the title to the Stadium in favour of neighbouring landowners preventing the Stadium's use for anything other than entertainment purposes. If planning permission pursuant to the Application were to be granted there is no guarantee that the Development would ever be built out given the existence of this covenant.
- The Application does not constitute sustainable development, the presumption referred to as being the heart of the NPPF at paragraph 11 thereof, will cause significant unacceptable risks on the local highway network if granted and would result in the loss of an important asset to the local community.
- The cumulative impact of the demolition of the Stadium upon this 350 year old pursuit will be too much for the industry to bear and could risk the loss of what has been a very well organised, competitive pursuit which has provided enjoyment and a past-time for successive generations. It would also result in the loss of the final greyhound racing venue in the North West of England.
- Paragraph 197 of the NPPF, relating to impacts of development on non-designated heritage assets (which the Stadium clearly is, given its status as the first greyhound racing track in the country) provides that " 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'. In this instance, the Application proposes the complete loss of the first greyhound racing track in the country and its replacement with housing of minimal viability (of which more below) - surely the balanced judgement in this circumstance weighs heavily on the side of retention of the Stadium. The applicant has not submitted any kind of assessment to assist the Council in reaching a view on

this point other than a laughable suggestion that naming streets within the Development in keeping with its current use would be a reasonable response.

- The Planning Statement suggests at Paragraph C1 that the location of the Application Site means the Stadium is not in compliance with Core Strategy C10, which directs assembly and leisure uses towards the City Centre and District and Local Centres. This seems an absurd point to make when the Core Strategy containing that Policy was adopted in the 21st Century whilst the Stadium has been located upon the Application Site since 1926.
- Weight to be applied to ACV listing - this is a matter for the Council. We note that the ACV Review is accompanied by Counsel's advice on the timing of the relevant disposal for the purposes of the Regulations. We are sure that the Council will take its own advice on this point but confirm that FOBVS, together with other interested parties, would be willing to submit a bid to purchase the stadium if the opportunity arose.
- The ACV Review states that the Stadium has been 'associated with anti-social behaviour in recent years, and it is debateable whether the greyhound stadium can be considered a good quality community recreational and leisure facility. This is wholly untrue and should be disregarded by the Council and Members accordingly. Also untrue is the linked statement in the response which provides that 'the stadium is not available to hire for community functions, only for corporate events'. A copy of correspondence sent to local community groups offering the Stadium for use by community groups has been provided. A list of those groups on the Stadium's mailing list has been provided.
- Decline in attendance - the ACV Review quotes the findings of an anti-greyhound-cruelty charity, which may not be an objective source of information. However, it is fair to say that attendances for day time meets have continued to be strong. Traffic in and around the City Centre has a large part to play in the fluctuating attendance of evening meets in recent years. The amount of work being undertaken on the local highway network and also on the M60 and M62 means that it has become increasingly difficult for punters to make it to the Stadium in time for racing to commence.

#### Local Councillors (Gorton and Abbey Hey)

Although this just falls into Longsight ward, it affects Gorton and Abbey Hey ward.

As Gorton North and South councillors, we have been dealing with this for a few years, as there have been rumours around the stadium closing for some time. We understand that the land that the Stadium sits on is owned by Crown Estates. From the information submitted with the application, Countrywide Properties have put in this application for housing and apartments. On this basis alone we object to the application, as it does not appear that either Crown Estates or Countrywide Properties have met with the Greyhound Racing Association to discuss this.

In addition, even if this issue is resolved, there remains the problems of additional traffic congestion impacting on the already busy Hyde Road and the consequent impact on air quality, which is already above acceptable health and safety standards.

Also, there are no plans for additional infrastructure, e.g. GP surgeries and school places. On this basis, we must object to this planning application, until these issues have been resolved.

### Sport England

The original response received from Sport England contained an objection against the application due to the following mitigation strategies being required to be submitted for consideration:-

- 1) Lighting Assessment and Mitigation Strategy to assess the impact of the current sports lighting of the Artificial Grass Pitch nearest to the proposed houses.
- 2) Acoustic Assessment and Mitigation Strategy to assess the impact of the current noise levels from the Artificial Grass Pitch nearest to the proposed houses (a sports pitch is mentioned in the Noise Assessment but it is not clear which one it refers to, the one nearest the houses or the one located within the Speedway Track)
- 3) Assessment to determine the impact of additional demand from the housing on existing indoor and outdoor sports facilities. If the Assessment shows the level of demand cannot be sustained then a contribution to increase capacity should be sought.
- 4) An assessment as to whether the existing Stadium is surplus to requirements.

Comments are made in the context of the proposal having a potential prejudicial impact on existing sports facilities.

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement. Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 97) and Sport England's Playing Fields Policy, which is presented within its 'Playing Fields Policy and Guidance Document'.

Sport England has assessed the proposed development in the context of:-

- (i) The proposal and impact on playing field:
- (ii) Proposal and impact on the stadium
- (iii) Additional demand generated for indoor/outdoor sport
- (iv) Active design (relates to planning new developments that create the right environment to help people get more active, more often in the interests of health and wellbeing).

Following the submission of additional information from the applicant in relation to existing sports provision in the area, information relating to the ongoing use of the

site, an amended acoustic assessment relating to the noise from the adjacent sites and a light spillage survey with proposed mitigation measures was submitted. Sport England have now confirmed the following in the quote below.

It is understood that the Council do not have a policy for collecting open space and sports provision contributions at this time. Whilst disappointed, Sport England withdraw the previously lodged non statutory objection to the lack of contribution towards sports provision to meet additional demand.

In relation to the issue of noise, Sport England are also in a position to withdraw the previous objection subject to the inclusion of a condition relating to the submission of the specification for the Acoustic Fencing.

Finally, in relation to the light spillage objection, Sport England agree the proposals as set out by Abacus along with the design of the light covers is adequate. It is understood that these measures will be secured within a section 106. It is requested that Sport England is consulted on the wording to ensure that all of our concerns are properly addressed and within the appropriate timeframe.

However, it is not clear whether the 4th recommendation relating to planting of trees has been excluded or not. If it hasn't then any condition/s.106 clause requiring additional planting would need to ensure the trees are planted sufficiently far away from the pitch that a full canopy does not hang over the pitch; and that root barriers are installed.

### Highway Services

The site is located on the site of the former Greyhound Stadium off Kirkmanshulme Lane, bound by Kirkmanshulme Lane to the north, the rear of residential properties to the south, Mount Road to the east and the Belle Vue Speedway Stadium to the west. Access to the site is currently provided off Kirkmanshulme Lane along the northern boundary of the site and Mount Road along the eastern boundary.

An off-site highways agreement will be required (for amendments to the existing adopted highway), necessary to achieve the new vehicular access. In order to maintain visibility and access, the new junction access with should be protected via Traffic Regulation Orders (TROs) in the form of no waiting at any time parking restrictions. The agreement should also include required traffic calming measures and improved on-street cycle routing.

Highways consider this essential to maintain highway safety in the local area both for existing users and for the hundreds of new residents of the proposed development. Speed surveys on Kirkmanshulme Lane indicate that vehicles frequently exceed the current 20mph speed limit. As well as the trips introduced to the network by the development, there will also be 2 vehicular accesses and driveways introduced onto Kirkmanshulme Lane. Therefore, the risks of conflicts between speeding vehicles with pedestrians, cyclists and other motorists is considered to be notably increased. Based on this, it is strongly recommended that the applicant funds suitable traffic calming measures on Kirkmanshulme Lane. The width of Kirkmanshulme Lane is potentially a contributing factor to the speeding issues. Rather than physically



narrowing the road, it may be possible to incorporate a cycle lane in one or both directions on Kirkmanshulme Lane to provide improved facilities for cyclists, encourage sustainable travel and reduce the width of the general carriageway which may assist in slowing traffic. The cycle lane could be incorporated into the proposed traffic calming scheme.

With regard to the requested pedestrian refuge/radii tightening at Redgate Lane, the existing crossing distance is at best circa 16m (using the traffic island) and circa 24m if someone was to cross the mouth of the junction. To improve the pedestrian environment for existing users and the hundreds of new residents of the proposed development it is strongly recommended that the Applicant funds the suggested improvements to this junction.

In principle, the indicative highway layout is considered appropriate with all new internal access roads maintaining a 5.5m carriageway width. This is supported by 2.0m footways to accommodate double buggies and other residents/visitors with restricted mobility which is accepted in principle. Dropped kerbs and tactile paving should be provided within the internal layout, to aid pedestrian movement. The new highway layout should also accommodate a 20mph speed limit order, which will require a new TRO. Appropriate traffic calming features should be included within the new highway layout to further deter speeding vehicles.

The submitted Transport Assessment indicates the proposed development will generate 211 two-way vehicle movements in the AM peak hour and around 232 two-way movements in the PM peak hour. Highways are satisfied that the multi modal trip generation exercise undertaken is consistent with methodology used/requested by TfGM for other developments and they have no further comments. In summary, Highways acknowledge that there is likely to be a negative impact at peak times on the highway in terms of queuing and delay at the Kirkmanshulme Lane/Hyde Road junction as a result of the development. However, these impacts are not considered to be severe. To mitigate against some of the increased delay on the Network the Applicant should contribute to a review of the local SCOOT network. The cost of this review is circa £12000. It should be noted that if a new SCOOT loop is required in a new location this will be a higher cost.

The site is suitably accessed by sustainable modes, with regular bus and train connections provided within a walkable radius of the site.

Access to the site would be provided via two new simple priority junction arrangements off Kirkmanshulme Lane. These access points are acceptable in principle subject to adequate sight lines and junction capacity modelling.

Car parking has been provided at a provision of two spaces per 3-4 bed dwelling, with a minimum of one space per 2 bed dwelling. The apartments offer 76% provision (61 spaces), both of which are considered acceptable by Highways given the accessible location and low vehicle ownership levels.

Highways also accept the proposed provision of Electric Vehicle Charging facilities to be introduced for all residential dwellinghouses and for a percentage of the new

apartments. Highways also accept the 100% provision of secure weather-proofed cycle storage for each dwelling/apartment.

Further comments have been received in relation to waste collections being acceptable, and the request for conditions relating to the submission of a Construction Management Plan and a Travel Plan.

Finally, Highway Services were asked to assess and provide comments on the two Transport Statements submitted by the Friends of Belle Vue in support of their objections against the development. Highways have confirmed that some of the concerns raised within the first Statement, did mirror their early consultation comments on the application. These matters were raised with the applicant and further additional and/or amended information was submitted. Following the receipt of the second Statement, Highways confirmed that they had no further comments to add regarding the Addendum Transport Review document submitted by Modal Highway Consultants.

In relation to lighting and issues in connection with light spill, Highway Services have advised that the intervention measures proposed address their previous concerns.

### Environmental Health

Environmental Health have considered the application and comments have been received in relation to noise, waste, air quality, contaminated land, lighting and externally mounted equipment.

In relation to Noise, Environmental Health have reviewed the submitted documents including the Planning Statement (PS), and Red Acoustics Ltd Environmental Noise Study and have worked with the applicant to address the issues raised in relation to protecting the new residential properties from external noise sources around the application site. The acoustic report originally submitted was not sufficient to satisfy Environmental Health, however subject to further negotiation and the submission of an amended Environmental Noise Survey, it has now been confirmed that the previous concerns have now been addressed. Therefore, subject to the inclusion of a condition stating that the noise mitigation scheme outlined in the Environmental Noise Study by Red Acoustics, referenced R1522-REP01-PB and dated 2 August 2019, shall be completed before any of the dwelling units are occupied, Environmental Health do not object on noise grounds. Upon completion of the development and before first occupation of the residential units, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved scheme.

In relation to waste, again the original information submitted was considered to be inadequate. However, subject to the submission of additional information, Environmental Health are now satisfied and a condition requiring compliance with the submitted scheme has been requested.

In relation to air quality, Environmental Health reviewed the submitted Redmore Environmental Air Quality Assessment, Reference: 2240r2, dated 10th December 2018, and stated that the good practice "Action" contained in Table 28 which

recommends 24 EV rapid charge points (to represent one point per 10 residential dwellings), is not accepted for the proposed 2 and 2 1/2 storey dwellings. This should be amended to reflect the "Principle" included in that table which states that, as per the IAQM Planning Guidance (<http://iaqm.co.uk/guidance>), "Where on-site parking is provided for residential dwellings, EV [rapid] charging points for each parking space should be made."

It has since been confirmed by the applicant that this would be delivered as one vehicle charging point for each of the dwellinghouses and 10% for the proposed apartments at 6 vehicle charging points. A travel plan has been submitted with the application and the recommendations of that report should be implemented.

In relation to Contaminated Land, Environmental Health have reviewed the originally submitted ref E3P Phase I and Phase II Geo-Environmental Site Assessment, report ref. 12-123-r1 Rev 2 dated December 2018, and E3P Remediation & Enabling Works Strategy, report ref. 12-123-R2 Rev 1 dated December 2018, along with further requested information through the application process. The information submitted to date is considered to be acceptable by Environmental Health, and a specifically worded condition is now recommended for inclusion in any approval.

Finally, in relation to the light spillage mitigation scheme that has been submitted in relation to the existing floodlights on the adjacent sports pitch, Environmental Health have commented to state that the retrofitting proposals are acceptable. They also advise that tree planting which would give general screening benefits would be welcome as well as for any additional light screening such a scheme could provide.

#### Twentieth Century Society

The Society has objected to the proposals on the grounds that the application fails to consider any options for retaining elements of the site's historic interest. The Society therefore recommends a range of elements that display the history of the site. In the Society's view these heritage-focused elements should include the preservation of the form of the existing track and the restoration of the architecturally distinguished turnstile block.

#### Greater Manchester Archaeological Advisory Service

The original consultation response received from GMAAS noted that the application has been submitted with a desk-based archaeological assessment (DBA) prepared by Lanpro (July 2018), however, there was no separate heritage impact assessment dealing with the built heritage interest. GMAAS highlighted that the submitted DBA concludes that there is little or no heritage interest that is known or likely to be encountered in the proposed development area and that "The existing modern greyhound stadium and its associated structures are considered to be of no heritage significance". GMAAS confirm that in their opinion, this statement within the DBA is not supported by comparison or any rationale. The submitted DBA goes on to state that on this assessment basis, the imposition of a planning condition requiring further archaeological works would not be justified. GMAAS confirm that in their opinion, this very clear and unambiguous recommendation is made without any prior discussion with the curatorial staff at GMAAS.

If the sporting heritage of Britain, including the sports supported by the general working population such as football and greyhound racing, was considered by English Heritage to be worthy of record and publication it becomes difficult to square this with the DBA's unambiguous dismissal of the Belle Vue stadium with its original 1926 stand as being "of no heritage significance". In the absence of a separate heritage impact assessment GMAAS cannot agree with or accept the DBA's considered view of the heritage significance represented by Belle Vue greyhound stadium. Indeed, GMAAS takes the view the stadium should be formally considered for its heritage significance by archaeology's lead body, Historic England. GMAAS' view is that the stadium is at least of national significance in social heritage terms. Whilst not all 'firsts' may prove to be worthy of physical conservation a formal recognition that the stadium retains a measure of heritage significance would be, itself, confirmation of GMAAS' position.

Following the consultation of Historic England (see comments below) and the submission of additional information, GMAAS have confirmed that subsequent consultations with Historic England have established that the remaining buildings of Belle Vue Stadium lack "the special architectural and historic interest required to merit listing". As Historic England are the lead body in advising the Secretary of State on additions to the statutory list, GMAAS accepts this decision.

As stated in GMAAS' original comments "if Historic England consider the site to have heritage significance but no conservation future, then GMAAS recommends that a condition is attached to the planning condition in relation to the implementation of a programme of archaeological works, including a phased programme and methodology of investigation and recording (background documentary research into Belle Vue Greyhound Stadium, archaeological buildings survey (HE level 3), targeted archaeological evaluation trenching and targeted archaeological open area excavation), a programme for post investigation assessment, the deposition of the final report with the Greater Manchester Historic Environment Record, the dissemination of the results of the archaeological investigations commensurate with their significance, the provision for archive deposition of the report and records of the site investigation, and the nomination of a competent person or persons/organisation to undertake the works. Discussions with Lanpro Services have resulted in the production of a Written Scheme of Investigation (WSI) drawn-up in response to GMAAS' comments and recommendations. GMAAS accepts the WSI. To secure the implementation of an archaeological programme of work GMAAS recommends that a condition is attached to any planning consent.

### Historic England

While the stadium is within one of Historic England's publications, that does not mean HE have a remit to comment from a Development Management perspective. Similarly, HE designate Grade II Listed Buildings, but have no remit to become involved other than for their demolition.

The heritage issues for this case is one for the City Council's heritage advisers to consider as an undesignated heritage asset under NPPF 197. If the stadium is worthy of designation, then it is open for the Council to then consider submitting a spot-listing request to our designation team. The HE publication does at least give a

good steer on the likely significance of the site and what would be lost through its re-development.

### Greater Manchester Ecology Unit

In summary, GMEU can confirm that no significant ecological issues were identified by the developer's ecological consultant. Issues relating to bats, nesting birds, invasive species, and landscaping can be resolved via condition.

One tree was assessed as having low bat roosting potential. All other trees and the buildings were assessed as having negligible bat roosting potential. GMEU have no reason to doubt the findings of the report. Pre-cautionary measures have been recommended for the tree with low bat roosting potential. This recommendation should be conditioned.

Trees and scrub will be lost from the site, potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. Therefore, an appropriately worded condition is recommended.

### Invasive Species

Japanese knotweed and Virginia creeper were recorded on the site. These species are listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended). It is an offence to introduce or cause to grow wild any plant listed under this schedule. GMEU recommend a condition for this to be appropriately removed.

Contributing to and Enhancing the Natural Environment – paragraph 170 of the NPPF 2018 states that the planning system should contribute to and enhance the natural and local environment. The site is generally of very low ecological value. Soft landscaping across the proposed development has the potential to achieve a net gain in ecological value. Tree planting should include a percentage of native species to mitigate for those lost and bird nesting opportunities provided to mitigate for loss of bird nesting habitat. GMEU recommend that the nesting opportunities are integrated in to the new build and target species such as swift, house martin, house sparrow and starling. The details can be conditioned.

### Greater Manchester Police

Having looked at the documents submitted, GMP would recommend that if the application be approved, a condition to reflect the physical security specifications set out in the Crime Impact Statement should be included.

### Arboriculture

The associated documents relating to this proposed development have been reviewed, in particular the landscape proposals, and comments from an arboricultural perspective are that given the lack of tree cover in the area of the proposed development, there is further scope for a more generous tree planting

specification. In addition, the species selection are all relatively small ornamental trees and will offer little in the way of habitat for wildlife.

The North and East boundary of the site will accommodate larger broad-leaved trees and should be planted as a feature of this development with carefully considered under-planting adding bio-diversity to the site on completion without shading out too much of the gardens.

In conclusion, the current proposed tree planting/landscaping plan would not be sufficient to mitigate for the loss of habitat on this site and it is felt that a more considered approach to the planting of trees, which will support a diverse variety of Flora and Fauna will benefit the wider community.

The applicant responded to state that they are happy to accept a landscaping condition, which will require the submission of a more detailed scheme for planting.

#### Works and Skills Team

Given the size, type and location of this application, it is recommended that a Local Labour Condition is added should the application be approved. The condition should include a request for the submission of a Local Labour proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development. This should include the measures proposed to recruit local people including apprenticeships, the mechanisms for the implementation and delivery and measures to monitor and review the effectiveness in achieving the objective of recruiting and supporting local labour objectives.

#### Flood Risk Management Team

If this application is progressed towards an approval, conditions relating to the submission and approval of surface water drainage works in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and the implementation, maintenance and management of the sustainable drainage scheme are recommended for inclusion.

#### Leisure Services

With regard to the lighting proposals have advised that as long as the light coverage /levels are within guidance they are comfortable with the proposal.

#### United Utilities

With regard to the development proposal, United Utilities provided comments in relation to proposed drainage conditions, the appropriate management and maintenance of sustainable drainage systems, and water mains in the vicinity of the site. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

## Cadent Gas

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

## **Policy Context**

### The Development Plan

The Development Plan consists of:

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

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

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

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

The relevant policies within the Core Strategy are as follows:

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

The proposal would contribute towards meeting housing growth in the City and creating a high quality neighbourhood for residents to live in. Consideration has been given to minimising the impact on local residents along with promoting a high quality design and new public realm and linkages.

Policy T1 'Sustainable Transport' seeks to deliver a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking. The proposal is located in an area where there is access to a range of public transport modes, including the Gorton train station and

regular bus services, whilst also encouraging other forms of transport such as cycling, and electric vehicle charging points.

Policy T2 'Accessible areas of opportunity and needs'. It is considered that the proposed development is in a sustainable location and is close to all forms of public transport and would have a minimal impact on the local highway network and encourage the use of other forms of transport.

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

The development will form a medium density residential scheme within an area of East Manchester that is expected to accommodate housing growth. Consideration has been given to the design, siting and scale of the apartment buildings on the main road frontages and family housing along with prioritising the re-use of these previously developed sites. In addition, the proposal will also provide accommodation which will be attractive to a diverse range of housing needs through varying accommodation size. The accommodation is generous in size with a large number of the properties being 2, 3 and 4 bedroom accommodation.

Policy H2 'Strategic Housing Location' states that the key location for new residential development throughout the plan period will be within the area to the east and north of Manchester City Centre, identified as a strategic location for new housing. Land assembly will be supported in this area to encourage the creation of large development sites or clusters of sites providing the potential for significant regeneration benefits. Developers should take advantage of these opportunities by:- Diversifying the housing offer with particular emphasis on providing medium density (40-50 dwellings per hectare) family housing including affordable housing. In locations which are close to the City Centre, such as the Lower Irk Valley and Holt Town, higher densities will be appropriate. However, the provision of family homes should remain an emphasis in these areas, too. This site is a strategic housing location and the delivery of development will help the delivery of the adopted core strategy objective.

Policy H4 'East Manchester' will be the focus for 30% of new residential development over the plan period, with priority given to high quality development and provision of family housing. Higher density housing will be permitted in certain areas of East Manchester, including Gorton district centre when part of a mixed-use scheme. The proposed development would accord with policy H4 by facilitating the delivery of a wide range of new affordable accommodation consisting of good quality family houses and 1 and 2 bedroom apartments along with 2, 3 and 4 bedroom family houses as part of a wider regeneration of the Gorton area.

Policy H8 'Affordable Housing' states affordable housing contributions will be considered of 0.3 hectares and 15 units or more. The proposed housing will be of an



affordable tenure, providing a mix of private for sale, private rent and shared ownership and rent to buy properties increasing access to new affordable homes in the East Manchester area. Further details will be provided in the main body of the report in this regard.

Policy EN1 'Design principles and strategic character areas'. The proposed development is considered to be a good quality scheme in terms of its design and appearance that would enhance the regeneration of this area of the City. The matter of design quality will be discussed in more detail in the Issues section of the report below.

Policy EN3 'Heritage' states that proposals for development must preserve or enhance the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains. The proposed development site contains no heritage assets and is not located within a Conservation Area. There are no listed buildings in close proximity to the application site. However, the historic use of the site along with the social heritage of the stadium requires full assessment as part of this application and will be considered in detail below.

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

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

Policy EN6 'Target framework for CO<sub>2</sub> reductions from low or zero carbon energy supplies' states that developments over 1000 sqm will be expected to meet targets shown with the policy unless this can be shown not to be viable.

The application has been submitted with an Energy Statement which outlines that consideration has been given to how the buildings functions would reduce overall energy demands and the building fabric is considered to be high quality and would allow energy costs to remain low.

Policy EN9 'Green Infrastructure' states that development should maintain green infrastructure in terms of its quantity, quality and function. Developers should enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Due to the existing use of the site, there is minimal existing green infrastructure currently at the site. However, there are opportunities to improve green infrastructure as part of the development proposals in the form of well sized amenity spaces and landscaping.

Policy EN10 'Safeguarding Open Space, Sport and Recreation Facilities' outlines that the Council will seek to retain and improve existing open spaces, sport and recreation facilities. Proposals on existing open spaces and sport and recreation facilities will only be permitted where equivalent or better replacement open space, sport or recreation facilities will be provided in the local area; or the site has been demonstrated to be surplus for its current open space, sport or recreation function or the development will be ancillary to the open space, sport or recreation facility and complement the use or character. The application site is not allocated within the Local Development Plan as open space, sport or recreation nor is it designated within the City Council's Open Spaces Audit of 2009. The issue of the loss of the Stadium for greyhound and stock cars racing is covered at length in the report below.

The protection of the adjacent sports facilities at the Belle Vue Sports Village including the 4G sports pitch and the Speedway Stadium are also a consideration in this case, and are outlined in detail in the report below.

Policy EN11 'Quantity of Open Space, Sport and Recreation' is also of relevance in that the Council will seek the provision of new open space, sport and recreation facilities, in particular where there is a quantitative shortage of a particular use per head of population, including any increase of population created by the new development is identified in the area; or significant levels of development are proposed including within the Strategic Housing Location. The assessment of the scheme in relation to this policy is discussed in detail within the Issues section of the report below.

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

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

Policy EN16 'Air Quality' The proposal would not compromise air quality and would incorporate measures to minimise dust from the construction process and car usage during the operational phases. It is also proposed to install electric vehicle charging points at the development for the future occupants to use.

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

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

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

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

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

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

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

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

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

Saved policy DC26, Development and Noise, states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise. Conditions will be used to control the impacts of developments. The proposal has been designed to minimise the impact on future residents from existing noise sources adjacent to the application site and further mitigation will be secured by planning condition.

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

### National Planning Policy Framework (2019)

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

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

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

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

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

Section 8 'Promoting Healthy and Safe Communities' states that planning policies and decisions should aim to achieve healthy, inclusive and safe places (paragraph 91). This section states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational

provision, the benefits of which clearly outweigh the loss of the current or former use (paragraph 97).

Section 9 'Promoting Sustainable Transport' states that 'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health' (paragraph 103). Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109).

Within this context, applications for development should:

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

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

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

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

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

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

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

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

Planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The NPPF is clear that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). (paragraph 130).

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

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

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

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 189).

In determining applications, local planning authorities should take account of:

- a) 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 192)

In considering the impacts of proposals, paragraph 193 states that the impact of a proposed development 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 194 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.

Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use (paragraph 195).

Paragraph 196 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.

NPPF defines designated heritage assets as: 'A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation'.

The appeal proposal does not affect any designated heritage asset and reference is made to the above as context to the proportionate consideration of the issues concerning consideration of a non-designated heritage asset.

NPPF adds that 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 197).

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

### Planning Practice Guidance (PPG)

The relevant sections of the PPG are as follows:

#### *Noise*

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

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.
- Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:
  - engineering: reducing the noise generated at source and/or containing the noise generated;
  - layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise



- transmission through the use of screening by natural or purpose built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

### *Design*

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

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

### *Health and Well Being*

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

### *Travel Plans, Transport Assessments in Decision Taking*

This section states that applications can positively contribute to:

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

### Other material policy considerations

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

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

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

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

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

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

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

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

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

#### Manchester Residential Quality Guidance (2016)

Following a six-week consultation period from 21<sup>st</sup> August to 2<sup>nd</sup> October 2016, the City Council’s Executive adopted the Manchester Residential Quality Guidance as a material consideration in the Council’s decision making as a Local Planning Authority on the 14th December 2016. The Residential Design Quality Guidance was prepared to be in accordance with both NPPF and local planning policy. The Guidance explains how the City Council will interpret its adopted local plan policies relevant to residential development. This document is interim Guidance within the context of the existing Core Strategy. The Council will be reviewing the Core Strategy over the next few years and intend for the Residential Design Quality Guidance to be reflected within the new Local Plan.

Therefore, policy supporting the Residential Design Quality Guidance will be subjected to the prescribed Development Plan process as part of the development of the new Local Plan which will replace the Core Strategy.

As such, the document is now a material planning consideration in the determination of planning applications and weight should be given to this document in decision making. The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a City of high quality residential 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's Great Outdoors – a Green and Blue Infrastructure Strategy for Manchester (2015)

Adopted in 2015, the vision for the strategy is that 'by 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow'

There are four objectives in order to achieve this vision:

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

## Other legislative requirements

For the reasons that are set out in this report the specific statutory duties concerning planning proposals affecting Conservation Areas and Listed Buildings or their settings are not engaged.

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

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

## **Issues**

### Publicity

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

### Environmental Impact Assessment

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 specifies that certain types of development require an Environmental Impact Assessment (EIA) to be undertaken. The proposed development is not of a type listed in Schedule 1. The EIA Regulations state that the proposed development may be considered to be Schedule 2 development under Category 10, 'Infrastructure Projects', of the EIA Regulations. Sub-section (b) relates to 'Urban development projects', where the area of development exceeds 5 hectares. The Site is 4.82 ha and does not exceed the 5 hectare threshold set out in Schedule 2 10 (b) of the EIA Regulations.

The proposal type is listed in category 10 (b) Urban Development Projects of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2017. At an overall area of 4.82 ha and the proposed creation of 247 residential units, the development does exceed the threshold of 1 hectare of urban development and the threshold of 150 units (i) however, it does not exceed the 5 hectare in overall development area as specified by part (iii). Therefore, this planning application was accompanied by a Screening Request for the City Council to respond to.

A Screening Opinion was therefore, issued by the City Council on the 8<sup>th</sup> February 2019. In coming to a formal opinion on whether an Environmental Impact

Assessment (EIA) was required to support the proposed development, Manchester City Council, as Local Planning Authority, took into account all of the information contained within the planning application including the site location plan, accompanying plans and all the supporting information.

It was considered that the potential impacts from a development of this nature that required assessment were Visual; Ecology; Traffic; Air quality; Daylight and sunlight; Surface Water Drainage; Land contamination; and Noise/dust/emissions from construction and operations of the development. A full assessment of all of these potential impacts was completed and it was concluded that this development would have some impact on the surrounding area. However, it was judged that these would not be significant and so would not warrant a formal Environmental Impact Assessment. Therefore, the opinion of the City Council, as Local Planning Authority, was that an Environmental Impact Assessment was not required in this instance.

### Climate Change

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

### Habitat Regulations and Ecology

The Conservation of Habitats and Species Regulations 2017 relates to the conservation of natural habitats and of wild fauna and flora. They seek to protect, among other things, European protected species. Certain developments require an ecological survey to be carried out and to be submitted with a planning application.

On this basis, an Ecological Survey and Assessment has been prepared by Erap Consultant Ecologists and is submitted in support of the application. The comprehensive ecological survey, in accordance with standard survey guidelines, has confirmed that the redevelopment proposals at the site can be achieved with no adverse effect on statutory designated sites for nature conservation, ecologically value habitats and protected species. It is confirmed within this report that it is feasible to carry out site clearance and construction works in accordance with mandatory measures for the protection of nesting birds, precautionary measures in relation to bats and the treatment of invasive plant species.

The Greater Manchester Ecology Unit (GMEU) has been consulted on the application and have reviewed the submitted Ecological Survey. GMEU have confirmed that they agree with the findings of the report and subject to the inclusion of appropriately worded conditions, there should be no detrimental impact on the ecological value of the site. Measures to compensate for the loss of bird nesting habitat and achieve a net gain for biodiversity in accordance with the development proposals are specified in the submitted report, which it has been agreed by GMEU that would ensure the schemes compliance with the recommendations within Core Strategy policies and with the NPPF and best practice.

The development also presents an opportunity to enhance the habitats available to wildlife on site and provide a betterment to the low ecological value of the existing

site through a net gain. The report recommends a number of mitigation measures to enhance the ecological value of the site post development, including the provision of bat and bird nest boxes on site to improve roosting and nesting opportunities into the long-term future of the site. Although no specific mitigation measures have been confirmed within the application submission at this stage, GMEU have confirmed that they are satisfied that this can be delivered through the inclusion of both landscaping and ecological enhancement conditions. The applicant has agreed to the inclusion of these conditions and confirmed a commitment to deliver the principles of the recommendations made within the submitted Ecological Survey.

On this basis, conditions and informatives are therefore recommended in relation to protected species, nesting birds, the proper treatment of invasive species (Japanese Knotweed) and the further contribution towards enhancing the natural environment. These are all included in the lists below.

### Housing Land Supply

The NPPF and Planning Practice Guidance set out the approach to five year housing land supply including how the plan requirement and housing land supply should be calculated. The latest plan for Manchester is the Core Strategy which was adopted in 2012. Given the plan is more than five years old, the plan requirement for Manchester needs to be measured against the area's local housing need calculated using the standard method.

The Council is in the process of formally updating its five year land supply assessment in light of these revised requirements of the 2019 NPPF. The five year housing land supply calculation is based on deliverable sites as defined by Annex 2 of the NPPF. The categories of sites included in the supply are; under construction, full planning permission, and outline planning permission (minor schemes). The working draft of the five year supply assessment currently shows that there is a 6.28 year supply of housing land with permission across the City.

Although this is only a working draft, the findings of a similar draft assessment from January 2019 and the land supply stated then, were accepted by the Planning Inspectorate in the appeal decisions APP/B4215/W/18/3215658/ APP/B4215/Y/18/3215659 for 363 Wilmslow Road, Manchester M14 6XU on the 2<sup>nd</sup> July 2019. The decision states that;

*“Following the publication of the Five Year Housing Land Supply Statement in January 2019, the Council is now able to demonstrate a five years supply of housing land, currently at 7.05 years. The appellant suggests that due to the scale of some of the schemes involved it is unlikely that all will be delivered within a 5 year period. However, the current deliverable supply is well over 5 years worth and no evidence is presented in support of this claim.”*

Therefore, in this case, sub section c) of Paragraph 11 of the NPPF applies, as even when considering only schemes with planning permission, Manchester has over five years supply of deliverable housing sites. Therefore, the development proposals being considered under this application should be assessed on the basis of the City Council's up to date development plan.

## Principle of Development

The application site is located within the Longsight ward of the City, as allocated on the Proposals Map contained within the Manchester Core Strategy (2012). Policy SP1 states that the emphasis should be placed on the creation of neighbourhoods where people choose to live, providing high quality and diverse housing, in a distinct environment. New development should maximise the use of the City's transport infrastructure, in particular promoting walking, cycling and the use of public transport. This area of the City is a focus for the provision of new residential accommodation on areas of previously developed land.

Policy H1 goes on to state that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors, in particular, the need to diversify housing stock in mono tenure areas by increasing the availability of family housing. Policy H1 also seeks to ensure good quality family housing. Policy H4 'East Manchester' states that this area will be the focus for 30% of new residential development over the plan period, with priority given to high quality development and provision of family housing.

Whilst the adoption of the policies in the statutory development plan was more than 5 years ago the question of whether the most important policies for the determination of the application are up-to-date is one of conformity with the policies of the NPPF: paragraph 213.

It is considered that the most important policies for determining this planning application relate to the delivery of housing, the safeguarding of open space, sport and recreational facilities and heritage.

As outlined in the section above, the development proposals being considered under this application should be assessed on the basis of the City Council's up to date development plan, which is consistent with the requirements of the NPPF. The spatial strategy for this area of the City is up to date as the locational characteristics for the provision of family housing remain consistent. The Council already have over 5 years of land supply with permission for new housing within the City and the application site is not currently included in this part of the assessment. However, the provision of an additional 247 units of accommodation, including a proportion of affordable housing, will further boost the supply of much needed new homes in the City in a location, where new housing remains a priority for the City Council.

The application site currently comprises the existing Belle Vue Stadium and the associated car parking and ancillary buildings. Therefore, the application site is classed as a brownfield site and as such, the development does accord with the principles of Policies SP1, H1 and H4.

As the policies of the development plan are up-to-date this is **not** a case where the "tilted balance" in paragraph 11(d) is in play.

Whilst the principle of the development is consistent with the planning policy framework, there are detailed matters that require particular attention. This report

will therefore consider the following specific policies and material considerations and determine whether any undue harm will arise as a consequence of the development.

### Community Involvement

The application has been accompanied by a Statement of Community Involvement contained within the Planning Statement. This statement outlines that a consultation leaflet was distributed to neighbours of the site on the 9th July 2018. A copy was also sent to local Ward Councillors in advance. The leaflet informed neighbours about the proposals and the planning application, provided a copy of the layout and invited comments via the email or postal addresses provided.

The statement goes on to explain that a small number of comments were received in response to the consultation. Both positive and negative comments were received as part of this process including concerns about the loss of that the site's current use as a greyhound stadium and that the proposed housing was considered preferable to the current greyhound stadium use

The applicant has confirmed within the statement that the small number of responses received to date did not raise any matters that required the development proposals to be reconsidered and the application was submitted accordingly in December 2018.

### Loss of Stadium and Asset of Community Value

This issue has proved to be extremely controversial. The proposed development for the provision of new residential accommodation at the application site would result in the cessation of the existing use of the site as a greyhound and stock car racing stadium, and the complete clearance of the buildings and land associated with this use. Therefore, a key material consideration of the acceptability of this development, is the impact of the loss of this existing use. This potential impact must be based on social, economic and heritage matters, which will now be explored below.

The existing site is currently occupied by the Belle Vue Stadium and associated car parking and supporting operational land. The site is also occupied by the MSM Motorcycle Training Centre and associated office cabin. With reference to the Development Plan, the site is not allocated within the Core Strategy or within the saved Proposals Maps of the Unitary Development Plan. The site is also not designated within the City Council's Open Spaces Audit of 2009 under any of the designation criteria.

Notwithstanding the lack of designation of the land as outlined above, the Belle Vue Stadium was designated as an Asset of Community Value (ACV) in July 2018. The primary purpose of ACV listing being brought in to force through Part 5 Chapter 3 of the Localism Act, and the Assets of Community Value (England) Regulations was to afford the community a 'Right to Bid' should an owner of a listed asset make the decision to sell. ACV status places restrictions on the disposal of the land, namely the sale of the freehold or the grant of a lease of 25+ years (or the assignment of a lease with 25+ years remaining). In brief, where the owner wishes to dispose of an ACV, it cannot do so until it has given the opportunity to community groups to bid for



the asset. However, even if a community group puts together a bid, the owner is free to dispose of the asset to whoever they choose at the end of the bidding process.

The application for, and/or grant of planning permission will not trigger these restrictions. Anyone can apply for planning permission on land they do not own, just as the grant of planning permission does not necessarily mean that the land will be sold and developed in accordance with that permission. However, if the owner subsequently decides to sell the land to a developer, it will need to follow the strict process set out in the legislation to allow bids to come forward from community groups. Therefore, this process does run separately to the planning process.

The test for designating land as an ACV is different to the considerations the Local Planning Authority take into account in determining a planning application, and so it is possible to grant planning permission for an alternative, apparently conflicting use. It is open to the LPA to take ACV status into account as a material consideration, subject to the usual test of reasonableness/irrationality, as the designation itself recognises that the stadium is of community value.

The applicant has stated that the ACV moratorium period would not apply here in any case, which would further limit the weight to be given to the ACV listed. Section 96 (2) – (4) of the Localism Act 2011 requires that the disposal be with vacant possession in order for the exemption to be relied upon and for the moratorium requirements to be avoided. The applicant has provided the City Council with the option agreement to confirm this position and it has been shown that Countryside can only acquire the site with vacant possession. The completion date as defined in the legal agreement with the land owner defines ‘the completion date will fall 10 working days following the seller serving notice under clause 23, confirming that the Vacant Possession Condition has been satisfied.’ Therefore, it is agreed that in this case, the moratorium period would not apply here.

The listing of the stadium as an ACV is not, of itself, an overriding consideration as case law that pre-dates the ACV legislation has already established that the desirability of preserving an existing use is a material consideration in any planning application, provided that there is a reasonable probability that such a use will continue should the planning application be refused. Listing a site as an ACV is simply a public recognition of this and the weight to be placed on this issue is a matter for the decision maker, which in this case is the City Council. Moreover, if it is established that the future use of the stadium is not viable, the view would be taken that only very limited weight could be given to the desirability to retain it.

On this basis, both the applicant and the Greyhound racing and Stock car groups were asked to provide information relating to the ongoing viability of the site.

The applicant submitted this in the form of a Report on Indoor and Outdoor Sports Provision and Assessment of Need for Greyhound and Stock Car Racing Facilities. This report concluded that the number of events and spectators has declined significantly in recent years, a trend which has been replicated nationally and has seen the closure of many other greyhound stadiums in the UK. It states that the stadium now accommodates one main meeting a week, on Saturday evenings,

with daytime meetings on Wednesdays and Sundays, mainly to serve online betting services, which are free to attend. Furthermore, the report outlines that the stadium has been in decline for many years, both in terms of the fabric of the facilities and in terms of the number of meetings which it holds and the spectators it attracts. The relocation of speedway to the adjacent new stadium has significantly reduced the income which the remaining users can generate. This is reflected in the GRA accounts available from Companies House which show reductions in income, profit and attendances at their events.

In addition to this report, an analysis of the GRA accounts has been completed by the Planning Consultants acting on behalf of the applicant, which concludes the same as the report above. However, there are significant flaws in this analysis in that the figures provided refer to takings and footfall across a number of sites and are not specific to Belle Vue. There is a reduction in takings and footfall over the period analysed, however these figures do not take into account the fact that a number of venues were closed during this period. The figures do not attribute takings and footfall to the application site stadium and does not take into account the additional revenue taken from the stock car use and the online betting.

In response to this, the Friends of Belle Vue have submitted detailed information relating to Belle Vue's ongoing operations at the site relating to both greyhound racing and stock car racing. Greyhound racing in Great Britain commenced in 1926, with Belle Vue Stadium being the very first track, and has continued every week with various day and night fixtures to date. Currently the race meetings include a Saturday evening and a Wednesday and Sunday afternoon for BAGS meetings. BAGS (Bookmaker afternoon greyhound service) at Belle Vue provides a service to twice per week on Wednesday and Sunday with a full race card of 14 and 12 races consecutively. The service is distributed to all bookmakers systems in the country including shops and online. This service is not restricted to Great Britain only, greyhound racing is a global product and is broadcast to over 47 countries around the world and Belle Vue plays a significant role in this global market and receives broadcast media right payments for this. BAGS is a service provided by greyhound stadia across the country to bookmakers and financed by both leading High Street bookmakers and independents and therefore, BAGS is a very important income stream to the stadium.

In relation to Saturday evening meetings, these average around 1500 customers per week. The business levels are not too different throughout the year, with trends actually showing an increased level in the winter months. The customer base is 90% Greater Manchester, whilst there are also visitors from Liverpool, Lancashire and North Wales. It is outlined that for Sunday fixtures when Manchester's football teams are playing at home, it is not unusual to host visitors from all over the UK and Ireland.

The site has a current advertising strategy through radio (Hits Radio) and the use of an extensive database (approx. 50k). It has also been confirmed that Belle Vue currently has 17 professional trainers that regularly race at the track, each with its own kennels and a number of kennel hand employees.

Information has also been provided in relation to the businesses on site including Restaurant/Trackside bars/Tote. It is stated that customer facilities are adequate to meet demand. The 400 seater restaurant with an executive suite and banqueting suite can have as many as 500 diners on a Saturday evening.

Finally, information has been provided in relation to the Motorsport operations. For over 20 years Belle Vue stadium have hosted 12 stock car meetings annually. Attendances at these meetings are selected Sundays and most Bank Holidays maintain an average attendance of over 2500. Customers of stock car racing travel from all over the country.

However, it should be noted at this stage, that no financial viability information has been provided by either the GRA or the Stock Car groups to establish that the site remains a viable operation that will continue until the end of the current lease in 2028.

Following on from this, the lease that the GRA has with the land owner is therefore also relevant in this case. GRA Acquisitions Limited (formerly the Greyhound Racing Association), hold a 15 year lease which is due to come to an end in 10 years' time in 2028. The lease extracts confirm that either party may break the lease as follows:

- the tenant may do so on 15 July 2018 or 15 July 2023, by giving 6 months' written notice; and
- the landlord may do so at any time after 15 July 2018, if it intends to demolish or reconstruct the property, or a substantial part thereof, by giving 6 months' written notice and making a payment to the tenant.

In terms of the break in the lease, this demonstrates that possession can be obtained in advance of 2028 (when the current lease ends). As such, there is no certainty that GRA will be able to continue to occupy the site for the next nine years. This demonstrates that either party could terminate the arrangement and so there is no guarantee the use would continue for the full lease term in the absence of the current redevelopment proposals. So, in this case, there is no guarantee that operations would be permitted to continue even if planning permission were to be refused, as the landlord could exercise the break at any time in the manner described above.

The Council is aware that there is an option to purchase recorded in the charges section of the official copy of the Land Register to Countryside Properties (UK) Limited. The Council does not know when this option to purchase will be exercised, or conclusively whether a further lease will or will not be granted to GRA Acquisitions Limited in order for the current uses to continue beyond 2028. However, the Council is satisfied that it is realistic that the current use will continue for the foreseeable future.

It should be noted that as part of the ACV application process, the landowner is notified and asked for any representations. In this case, the landowner did not object as, having taken advice, they were of the view that the fact the option to sell the land to Countryside was already in place, would mean that listing the site as an ACV would not have any impact on their proposals to sell the land for redevelopment.

To conclude, the applicant has outlined within the submission that this is a facility in decline regardless of the redevelopment proposals, but the flaws in this approach and a selective use of evidence on their part has been highlighted above. However, the current occupants of the site have not been able to provide evidence to clearly counter this. It is not sufficient to simply state that the venue is viable (based on the information provided by them). In the absence of any robust financial viability information for the stadium itself, it is not possible to conclude that the use would continue to operate in the event that planning permission was refused. On this basis, the weight to be afforded to the desirability of preserving the ongoing use of the site has to be reduced accordingly.

The City Council has also been notified that in October 2019, Arena Racing Company (ARC) have acquired Belle Vue greyhound stadia from the Greyhound Racing Association (GRA). It is stated that this deal represents a further commitment from ARC to British Greyhound Racing, as the stadia join Newcastle and Sunderland, which joined the ARC group in 2018. ARC have stated within a press release that they have a strong commitment to invest in British Greyhounds, and look forward to working with the teams at Belle Vue.

Following the receipt of this information, the applicant has confirmed that the lease the GRA has with the landowner cannot be assigned without their consent, and therefore it appears that this deal relates to a takeover of shares in the tenant company. Regardless of this, the applicants option agreement and legal position is with the landowner and not with the tenant, and the terms of terminating any lease remain the same as previously outlined above, which pre-dates the ACV listing. Therefore, the transfer of the GRA ownership at Belle Vue to ARC does not have any material weight in the consideration of this planning application.

Taking all of the above information into account, the loss of the existing use must be assessed based on Paragraph 97 of the NPPF along with Policies EN10 of the Core Strategy.

Chapter 8 of the National Planning Policy Framework (NPPF) (February 2019) is titled *Promoting Healthy and Safe Communities* and requires planning policies and decisions to aim to achieve healthy, inclusive and safe places. Paragraph 97 notes that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

These national policy requirements are reflected in local planning policy, in the form of Policy EN10 (Safeguarding Open Space, Sport and Recreational Facilities) of the Manchester Core Strategy (July 2012). Policy EN10 is considered by officers to be consistent with the NPPF and therefore, it carries full weight.

Policy EN10 outlines that the Council will seek to retain and improve existing open spaces, sport and recreation facilities. Proposals on existing open spaces and sport

and recreation facilities will only be permitted where equivalent or better replacement open space, sport or recreation facilities will be provided in the local area; or the site has been demonstrated to be surplus for its current open space, sport or recreation function or the development will be ancillary to the open space, sport or recreation facility and complement the use or character.

As outlined above, paragraph 97 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

The City Council does acknowledge that the existing use of the site is for greyhound racing and stock car racing, and it does not dispute that these may be viewed by the interested parties as sports activities in their own right. For the purposes of assessing the planning application and the loss of the existing use, the City Council has referred the application to Sport England. The City Council has worked closely with Sport England through the determination of this application and has sought and acted on their advice on a number of issues.

Sport England have confirmed in their consultation response that neither Greyhound Racing nor Stock Car Racing is on their list of recognised sports. Motor Sports is listed as a recognised sport, however Stock Car Racing is not listed as a sport the Motor Sports association cover. Speedway is on Sport England's list of recognised sports hence the comments made around the potential prejudicial impact on the adjacent National Speedway Stadium. It has been reiterated that Sport England's primary interest in this case is the potential prejudicial impact of the proposed housing development on the artificial grass pitches and the National Speedway Stadium on the site immediately adjacent to the application site, as these do all fall within their statutory remit. Sport England's non statutory advisory remit is in relation to recognised sports and physical activity only and not activities that are not on their list of protected sports. To conclude, Sport England had no comments to make on the loss of the Greyhound Stadium or Stock Car Racing aspect, other than to state that the loss should be assessed by the Local Planning Authority against the requirements of paragraph 97 of the NPPF.

Representations received from objectors to the planning application make reference to recent Inspectors decisions in both Rugby and Birmingham in the drafting process of the Local Development Plan. Both of these areas also have existing stadia that have been the subject of potential redevelopment proposals. These will now be explored in more detail below.

The example given of an existing Stadium in the Rugby area is the Brandon Stadium. The Brandon Stadium was previously occupied by the Coventry Bees Speedway team, the Coventry Stox Stock Car team and also had occasional greyhound racing use. This stadium has not been in use since 2016, following the move of the Bees to a site in Leicester and the Stox moving to a site in Stoke. The

site had to be vacated due to a dispute between the site owners and the fixtures and fittings at the site being removed.

In relation to the Inspectors report for the local plan examination on the Rugby Borough Council Development Plan, the Inspector found that the plan would not be unsound without a specific policy to protect or allocate the stadium. However, the absence of a policy to safeguard existing sports and recreational buildings generally in the borough from being built on unless surplus to requirements or replaced elsewhere did render the Plan unsound.

In the case of the Manchester Core Strategy, it is acknowledged that as above, there is not a specific policy to protect or allocate the Belle Vue Stadium. However, Policy EN10 does relate to recreational facilities which could include buildings, and therefore is considered to be sound in terms of the tests applied to the Rugby Development Plan.

The main difference between the Brandon Stadium site and Belle Vue, is that the Brandon Stadium site is located within the Green Belt area of the Rugby borough and this stadium was used by Speedway, which is a recognised Motor sport by Sport England. The Belle Vue site, which is the subject of this planning application, is not located within Green Belt and does not involve a motor sport falling on the list of sports protected by Sport England.

The objections received for this planning application for the redevelopment of the Belle Vue Stadium site, also make reference to the Inspectors decision for the Birmingham City Council Development Plan. In the report, the Inspector acknowledged that there is a number of stadia and facilities that attract residents and visitors to watch sport or leisure activities in the City. The Inspector agreed that Policy TP11 which seeks to protect and provide open spaces, playing fields, allotments and participation sports facilities, should not cover these stadia and spectator sport facilities, and that these should be covered by Policy TP24 which relates to Tourism and Cultural facilities.

Therefore, the conclusions that can be drawn from the above are that in the case of Birmingham, the Inspector agreed that spectator sports should fall under the Tourism and Cultural facilities section of the Plan and not under the Open Spaces, Sports and Recreation section.

The Manchester Core Strategy does include a policy relating to 'Visitors – Tourism, Culture and Leisure' under Policy CC4. However, this is a policy that relates specifically to the City Centre and there is not another relevant policy for the protection of tourism and cultural facilities that fall outside the City Centre/Regional Centre. Therefore, there would be no level of protection or requirement for the provision of alternative replacement facilities under the Tourism policies with the Manchester development plan.

Objectors have sought to rely on comments made in the context of the Birmingham Local Plan and in particular the Birmingham Wheels Park. The Inspector in this case outlined that the site provides a range of sports facilities including speed-skating, go karting and stock car racing and that some of the facilities are extensively used by

young people from local schools and community groups. The Inspector requested that the importance of these facilities should be recognised within an Area Action Plan that would support their continued operation through equivalent or better quantity and quality replacement provision elsewhere and/or consolidation on site.

It should be noted that there are a number of differences between the case of the Birmingham Wheels site and this case at Belle Vue. The site appears to be utilised very differently, including speed-skating and go-karting as well as stock car racing. Also, it is stated that some of the facilities are extensively used by young people from local schools and community groups. This is therefore, very different to the operations at Belle Vue where there are no participation sports or use by local schools and communities.

The Birmingham Wheels site also forms part of an AAP (Area Action Plan) for the Bordesley Park area and the AAP is being produced to regenerate the area delivering growth within a high quality urban environment. As this is referred to in the context of an AAP, this again is different to the case at Belle Vue, where there are currently no AAP's or Strategic Regeneration Frameworks for this area of Manchester.

Therefore, although the comments made by the Inspector and the representations made by objectors are acknowledged, due to the differences between the context of the different sites, it is not considered that these decisions can be given any material weight in the consideration of this planning application.

It is relevant to highlight at this stage, that the City Council did not receive any representations during the lengthy consultation process on the adoption of the Manchester Core Strategy in relation to the protection or allocation of the Belle Vue Stadium nor were any comments made in relation to amending the relevant policies to provide the Stadium and its uses any further protection.

It is also necessary to state at this point, that the decisions referenced above relate to the plan making process and comments made on the policies to be included within an upcoming Development Plan. This case relates to the consideration of a planning application for the redevelopment of a specific site, which has to be assessed in the context of the up to date policies within the existing Development Plan and NPPF. Therefore, it is considered that the decisions outlined above for Birmingham and Rugby can only be given limited weight in the consideration of this planning application.

As outlined at the beginning of this section, the application site is not allocated within the Core Strategy, the Unitary Development Plan nor is it included in the Manchester City Council City-wide Open Spaces, Sport and Recreation Study (2009). These documents provide the most recent evidence base for planning for open space and sports facilities in the City. Furthermore, the sports of Greyhound Racing and Stock Car racing do not fall under the activities protected by Sport England. Referring to the comments made by the Inspectors in the cases above, it is not considered that the activities of greyhound racing and stock car racing constitute facilities for people to take part in formal and informal activity, that contribute to healthier lifestyles. The Inspector in the case of the Birmingham Development Plan classified spectator

sports under Tourism and Cultural Facilities and not under either the Open Space, Playing Fields and Allotments section or the Sports Facilities section. Therefore, in this case, it is considered that the application site or the existing uses operated there constitute open space, sport or recreation that can be classified as such for planning purposes.

As such, it is not appropriate in this case to consider the application under Paragraph 97 of the NPPF or Policy EN10 of the Core Strategy, as these relate to the protection of open space, sport and recreational facilities. The subject matter of this application is not a recreational facility protected in this policy and written justification to it. Therefore, it is considered that the Development Plan does not specifically protect greyhound or stock car racing as a sport or cultural provision and neither is there any such protection of it in the NPPF.

The City Council acknowledges that there is interest in these existing spectator activities, and the loss of such a facility may be detrimental to these activities locally. This carries some weight as a material consideration counting against the development proposal. However, it is considered in this case that the loss of the facility is outweighed by the provision of a good quality residential development that provides a wide range of new accommodation for the residents of Manchester. The development provides a mix of 1 and 2 bed apartments, and 2 up to 4 bedroom houses all of which meet the Manchester Space Standards and have adequate access to private outdoor amenity space, off street car parking, secure cycle parking, electric vehicle charging points all within a high quality landscaped setting. Also, as discussed below, the proposals include the provision of 35 affordable units again with a mix of shared ownership and social rented options, to deliver a much needed supply of new homes within this area of the City.

In addition, due to the lack of viability evidence provided in relation to the existing uses, it is not possible to establish that the use would continue to operate in the event of a refusal of planning permission. The retention of the existing use and the designation of the site as an ACV is a material consideration in this planning application, however due to the lack of evidence that the continuation of this use is secured, the weight afforded to these matters has to be reduced.

In relation to the employment benefits of the existing use, the existing occupants have submitted detailed information about the number of people currently employed at the site. It has been confirmed that there are 41 part time staff and 5 salaried staff that work permanently at the site. It has been noted that this figure has gone down considerably since the community consultation leaflet was distributed by Nexus Planning and then the application was subsequently made. In addition to these permanent members of staff, there are also 30 agency staff that work in the catering facilities, and around 7 to 10 security personnel. Further numbers include 10 regular Bookmakers, trainers and kennel staff totalling between 80 and 100 and 2 self-employed staff. No specific numbers have been provided to date in relation to the Stock Car racing.

The City Council again acknowledges that the loss of the existing use would result in the loss of the jobs outlined above. This is a matter of weight to be put in the planning balance against the proposal. However, following a detailed consideration



of this matter, the City Council believes that the harm caused by such loss is outweighed by the provision of a good quality residential development that provides a wide range of new accommodation for the residents of Manchester and will improve the overall appearance of this site within a strategic location on a radial route into the City Centre.

Finally, a request has been made by the existing operators of the site that if planning permission is granted for the development, that a contribution towards the provision of alternative facilities is provided through a S106 agreement. However, again as the continued use of the site has not been adequately demonstrated, it would not be justified or appropriate to request such a contribution in this case.

### Impact on Heritage

Following on from the above section, Policy EN3 of the Core Strategy, along with section 12 of the NPPF, states that consideration must be given to the impact of new developments on heritage assets. The issue of the designation of the site as an Asset of Community Value has already been addressed in the earlier sections of the report, however the heritage value of the site will now be considered.

The application site is not located within a Conservation Area and there are no Listed Buildings on or within the vicinity of the site that would be affected by the development. As such, the statutory duties in relation to Section 66 or 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are not engaged in this case.

Notwithstanding this, a number of representations were received in relation to the non-statutory heritage value of the site and a Heritage Assessment was therefore, completed and submitted by the applicant to accompany the application.

The original consultation comments received from the Greater Manchester Archaeology Advisory Service stated that the stadium should be formally considered for its heritage significance by archaeology's lead body, Historic England. The main point raised in the GMAAS response relates to the conclusions made in the archaeological desk-based assessment (Lanpro 2018) that Belle Vue Stadium is of no heritage significance. This is because the stadium featured in a Historic England publication from 2004, which had the purpose to highlight the fact that buildings and sites associated with sports were being lost before their historic, architectural and social worth had been assessed. It was stated that the stadium is at least of national significance in social heritage terms. Whilst not all 'firsts' may prove to be worthy of physical conservation a formal recognition that the stadium retains a measure of heritage significance should be considered. GMAAS therefore recommended that Historic England be formally consulted for their views on the planning application and the heritage significance of Belle Vue stadium.

Representations have also been received from the Twentieth Century Society in relation to the heritage importance of the existing use. The Society has objected to the proposals on the grounds that the application fails to consider any options for retaining elements of the site's historic interest and therefore recommends a range of elements that display the history of the site. Suggestions such as the preservation of

the form of the existing track and the restoration of the architecturally distinguished turnstile block have been made.

Finally, the main background of the many objections received against the proposed development relates to the loss of the existing use and its historic and social value. The representations made can be seen earlier in the report.

Following receipt of the representations above, the applicant was requested by the City Council to complete a Heritage Assessment to assess the loss of this non-designated heritage asset. This was submitted in the form of a report completed by Lanpro (Ref. 1093H) dated 15<sup>th</sup> April 2019. Historic England were consulted on the application and have confirmed that while the stadium is within one of their publications, that does not mean that they have a remit to comment on this application and the loss of this non-designated heritage asset from a development management perspective. It is confirmed by Historic England that the heritage issues for this case is one for the Local Planning Authority's own specialist officers to consider as an undesignated heritage asset under NPPF paragraph 197.

The Council has therefore completed an assessment of the site on the basis of an undesignated heritage asset under NPPF paragraph 197. Paragraph 197 of the NPPF states that 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.

As outlined within the submitted Heritage Assessment report, the proposed development site contains no heritage assets recorded on the Greater Manchester Historic Environment Record (HER) or designated by Historic England and recorded on the National Heritage List for England (NHLE). The site was purchased by the Greyhound Racing Association in the mid-1920s and a greyhound stadium constructed, with the first race being held in July 1926, although the stadium has subsequently been extensively altered. The Council does acknowledge the historic and social value of this site as the first stadium of this nature in the country, and the general history of the Belle Vue area of the City including the former Zoo that has long been redeveloped. The Council also acknowledges that this is the last remaining stadium for greyhound racing and stock car racing in the North West and the proposal will result in the total loss of this non-designated heritage asset. However, on balance, the harm from this total loss only has local significance and it is not considered that the scale of the harm would warrant the refusal of planning permission for the redevelopment of the site for family housing.

It is important to note that Historic England have previously considered and assessed the significance of Belle Vue Stadium through an application to designate the site as a heritage asset (Listed Building) in August 2018. This application was assessed by Historic England and the decision notice highlights the history of the site. The area of Belle Vue, Manchester has a long history of hosting recreational activities. In the early C19, rabbit coursing (an adaptation of the countryside sport of watching dogs chase rabbits and hares over open ground) took place and in 1836 Belle Vue Zoological Gardens and Pleasure Grounds was established; over the

years facilities included an athletics track, ice skating rink, rowing lake and roller skating. JH Iles, manager of Belle Vue in the early C20, established a greyhound racecourse on

Kirkmanshulme Lane at the south-east corner of the gardens; it opened on 24 July 1926. It was a 22,000 capacity facility including 2,000 in a covered stand.

The decision goes on to explain that the Belle Vue Greyhound Stadium, which continues to be used for greyhound racing, has strong local interest as the country's first greyhound track. However, based on the information provided and with reference to the Principles of Selection (2010) and Historic England's Selection Guides, the Belle Vue Greyhound Stadium was not recommended for listing for the following principal reasons:

Degree of historic interest:

- \* although its status as the country's first greyhound race track is of clear local interest, most of the buildings associated with this earliest phase have been demolished or heavily altered, including the original main stand which have been considerably extended, reclad and internally refurbished. The other buildings and structures on the site represent piecemeal additions that have been added and altered throughout the C20 and C21.

Degree of architectural interest:

- \* the original stand has been heavily extended and internally altered in the late C20, furthermore the late-C20 additions do not have sufficient design interest to add to the overall interest of the original stand;
- \* while the gull-wing roofed turnstile block has a striking form, it has lost its original signage and at least one of the two turnstile blocks has been converted to a different use resulting in the blocking of the original openings; as a 1960s sports building it does not have the level of design interest or intactness to merit listing;
- \* the 1970s tote board has a relatively simple concrete and brick design with little architectural merit. Although it is a rare example of an electronic tote board, this is not of sufficient design interest to merit listing in its own right;
- architecturally, the structures at Belle Vue do not compare well with the only listed structures associated with greyhound racing, the kennels and entrance range with integrated tote boards at Walthamstow Stadium (both listed at Grade II), which are designated as architecturally distinctive and generally intact 1930s structures.

Therefore, to conclude, Historic England stated that within a national context, the Belle Vue Greyhound Stadium lacks the special architectural and historic interest required to merit listing. Therefore, the significance of this site historically was deemed to be of local interest only rather than of any national interest.

The applicant has confirmed that appropriate mitigation of the impact on the significance of the stadium by the proposed development has now been agreed between Lanpro and GMAAS in the form of an historic building recording survey to a Level III standard (in accordance with Historic England guidelines). To this effect, a written scheme of investigation (WSI) has been submitted to accompany the application. The WSI has been prepared in line with a scope of works previously

discussed with GMAAS in March 2019. In addition, GMAAS has recommended that the social heritage of the site is also publicly disseminated in terms of using relevant associated street names for the proposed development of the site and the installation of information boards. The applicant has confirmed that they are amenable to work with the Twentieth Century Society to prepare an information board, which can be displayed at the site detailing the site's history, and are supportive of working with the City Council in relation to street naming within the site being linked to the site's former use as a greyhound stadium.

Therefore, the City Council agrees with the conclusions of the Heritage Assessment, in that the mitigation proposals recommended by GMAAS, in terms of the historic recording of the building prior to demolition and the dissemination of information regarding its social heritage through the use of relevant street names and an information board, are considered a reasonable and proportionate response to the stadium's social and historical heritage interest. Belle Vue Stadium is not of sufficient significance at a national level to warrant physical preservation. In recognition of its local interest, it is considered acceptable that the heritage value of this non-designated asset can be preserved by record. Under the tests of Paragraph 197 of the NPPF, it is acknowledged that the proposal will result in the total loss of this non-designated heritage asset. However, on balance, the harm from this total loss only has local significance and it is not considered that the scale of the harm would warrant the refusal of planning permission for the redevelopment of the site for family housing.

#### Impact on Adjacent Speedway and 4G Pitch

Policy EN10 of the Core Strategy outlines that the Council will seek to retain and improve existing open spaces, sport and recreation facilities. The NPPF compliments this by stating in Section 8 that planning decisions should aim to achieve healthy, inclusive and safe places. The site immediately adjacent to the application site along Kirkmanshulme Lane currently consists of the Belle Vue Sports Village and the National Speedway Stadium. There is a 4G floodlit sports pitch located along the boundary with the application site, and the Speedway stadium and tracks sits beyond this pitch.

Due to this relationship, Sport England were consulted on the planning application and concerns were raised initially in relation to the protection of these existing sport and recreational facilities. The proposed housing is less than 15m at the narrowest point to the existing Artificial Grass Pitch and it was not clear within the original submission if a Lighting and Acoustic Risk Assessment and Mitigation Strategies have been completed to ensure the noise and lighting from the existing AGP has been taken into consideration when designing the layout of the housing. It was noted that the original Noise Assessment did include the noise from the Speedway Track and potential mitigation measures for the proposed housing including a ventilation and glazing strategy and the installation of an acoustic fence. However, the artificial grass pitch is closer to the application site, and therefore it was highlighted to the applicant that a lighting and noise assessment should be completed and submitted that includes both the Speedway Track and the 4G pitch.

Sport England made it clear within their statutory response that they have increasing experience of inappropriate or no mitigation being put in place by developers which has led to complaints of noise and impact on amenity from new residents. In some cases this has led to restricted hours of use of the existing sports facility and in some cases complete closure. Any development that is approved without the necessary mitigation in place that subsequently causes restricted use or closure of an existing sports facility is considered to be prejudicial.

Paragraph 182 of the NPPF states:

“Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”

Therefore, on this basis, the applicant submitted both an amended Acoustics Environmental Noise Study completed by Red Acoustics and a Light Spillage Survey prepared by Bureau Veritas. Both of these reports have been assessed by Environmental Health and Sport England in relation to the impact of the proposed development on the existing facilities and vice versa. The conclusions gained from these reports were that the noise generated by the Speedway Stadium and the adjacent sports pitch can be adequately mitigated through the proposed acoustic barrier along the joint boundary and the proposed acoustic insulation measures proposed for the new residential properties.

In relation to the lighting, the Light Spillage Survey concludes that light measurements and observations during the survey indicate that in the absence of mitigation measures, there is potential for light spillage and glare to be perceived as a problem, by some residents, particularly in the proposed dwellings in the northern boundary sector. Therefore, on this basis, the report makes a number of recommendations for the elimination of glare and minimisation of light spillage, including the retro-fitting rear ‘light shields’ to existing spot lights effectively eliminating rear light spillage, the fitting of ‘black out’ blinds to housing plots proposed along the boundary with the Belle Vue sports pitch will provide a mechanism for resident control of light impact to windows, and the use of trees as a means of shielding (including the existing tree cover).

Of the mitigation recommendations made, it was considered that the only reasonable and enforceable option for reducing the potential light spillage at the site and ensuring that complaints are not justifiable in the future once the properties are occupied, was to address the issue at the source and to investigate the fitting of shields or cowls to the existing floodlights. The applicant therefore investigated this further with Bureau Veritas in close consultation with the City Council as the adjacent land owner and provider of the sports facilities.

A subsequent mitigation scheme was then submitted that confirms that the applicants have reviewed the options available to reduce light spillage. The most effective means to do this is through installation of shields/cowls in order to reduce light spillage. A revised light spillage plan has been produced showing the effect of utilising shields/cowls.

The proposed additions/amendments are summarised as follows:

- Replacement of the middle column in order to increase weight and wind-loading capacity to accommodate new shields/cowls. The existing column (spec HL250) is 400mm in diameter and this will be replaced with a column 460mm in diameter (spec HL330).
- Installation of 10 x shields/cowls, one to each lamp fitting across the three columns.
- The lighting column and shield/cowl specification is provided within the proposed report.

The report confirms that light spillage has now significantly reduced, and the effect of the shields/cowls reduces ground level illumination to an acceptable level. When assessed against the proposed Planning Layout, light spillage at 10 lux marginally falls within the garden areas and away from plots. As such, the shield/cowls would be sufficient to reduce light spill to the properties on this boundary to an acceptable level. Following the submission of this scheme, Sport England, Environmental Health and Leisure Services were consulted and are satisfied with the proposed approach

It should be noted that the proposed mitigation for the light spillage from the existing floodlights will be implemented outside of the application site and that the land ownership and control over this mitigation could change in the future. However, as a responsible Authority, it is possible for the City Council to ensure that the control over this matter through the use of a Grampian condition. Furthermore, if the adjacent land is subject to any future proposals for redevelopment, the control over this matter can then be dealt with through the planning application process.

Therefore, to conclude, through the provision of appropriate acoustic and light spillage mitigation measures, the proposed development should not cause a threat to the ongoing provision of sport or Speedway racing on the adjacent site. The agreed off-site mitigation measures to the floodlighting on the adjacent site would be secured and delivered through a Grampian condition to reduce the impact of lighting glare on the future occupants of the development and protect the future of the adjacent sports facilities.

#### Need for Additional Sports Provision

Further to the concerns raised above by Sport England in relation to the potential impact of the proposed development on the adjacent existing sports and recreational facilities, comments were also received in relation to the occupiers of any new development, generating additional demand for sporting provision. It was highlighted that the existing provision within the area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies.

Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as an up to date Sports Facilities Strategy, Playing Pitch Strategy or other relevant needs assessment.

Following receipt of the initial consultation response from Sport England, the applicant completed further survey work in relation to existing sports and recreation provision within this area and further advice was sought from Leisure Services. A Sport Facility Calculator report was completed based on a new population of 709 residents and the 2015 Indoor Leisure Strategy and 2017 Playing Pitch Strategy, along with the City's schools programme which includes many facilities for community use. Belle Vue Sports Village, East Manchester Leisure Centre and Arcadia Library and Leisure Centre, Deans Trust Ardwick and MEA Central all service the immediate catchment area and are within a 10 minute drive time. The bookings programme at Belle Vue Sports Village was also provided (adjacent to the application site) which currently demonstrates that there is capacity for community access in peak times across the full programme.

It has been acknowledged that the sports facility calculations have shown that additional capacity is required within the City to accommodate additional demand generated by the development for junior football and rugby. However, it has been confirmed that Leisure Services that in relation to football, there is a gap in small sided facilities to support growth of recreational / informal football participation in the North and South of the City but there is a sufficient supply in the Central area where the application site is located. Local indoor sports facilities also have the capacity to accommodate the additional demand from the development.

On the basis of the information provided and the matter that the Council do not currently have a policy for collecting open space and sports provision contributions within the Core Strategy, Sport England have withdrawn their original non statutory objection in relation to the lack of contribution towards sports provision to meet additional demand. Therefore, it is considered that the development does meet the requirements of the development plan in this regard.

### Affordable Housing

Policy H8 sets out how developments should respond to the 20% contribution of affordable housing across the City. Using 20% as a starting point, developers should look to provide new houses that will be for social or affordable rent with a focus on affordable home ownership options. Any requirement or not for affordable housing will be based upon an assessment of a particular local need, a requirement to diversify the existing housing mix and the delivery of regeneration objectives. An applicant may be able to seek an exemption from providing affordable housing, or a lower proportion of affordable housing, a variation in the mix of affordable housing, or a lower commuted sum, should a viability assessment demonstrate that a scheme could only deliver a proportion of the 20% target; or where material considerations indicate that intermediate or social rented housing would be inappropriate. Examples of these circumstances are set out in part 4 of Policy H8.

The application has been accompanied by an Affordable Housing Statement, which outlines that the viability of the scheme has been considered in line with best practice and as such a Viability Assessment is submitted for consideration.

A viability report that has been assessed and verified by the Council, demonstrates that taking all known factors into account, the full 20% requirement for the delivery of affordable housing cannot be achieved on this site. In coming to this conclusion, the benchmark land value of the development was agreed at £3,336,000 together with build costs of an average across the build types of £117 per sq.ft are within the range expected based on comparable evidence. The total costs would be £33,257,726 with a blended profit on cost of 11%.

The Assessment concludes that scheme cannot support the delivery of any affordable units against the Development Plan policy requirement. There are significant constraints which impact upon scheme viability as demonstrated within the submitted viability assessment and the content of the assessment has been agreed by the Council.

Notwithstanding this, it is important to state that the applicant is working in partnership with a Registered Provider (Great Places) to ensure the delivery of some affordable units on this site. However, this is through a combination of the sale of the units by Countryside to Great Places at a discounted market rate and by utilising grant funding provided by Homes England. This scheme will therefore deliver 35 units as affordable housing, which represents 14% of the overall development. Of the 35 dwellings to be handed over to the Registered Provider, 19 units are two bedroom houses, 8 are three bedroom houses and 8 are four bedroom houses with a tenure split of 26 units for shared ownership and 9 for affordable rent.

It is confirmed within the Affordable Housing Statement submitted, that Countryside Properties will take on the delivery of the affordable housing units, which will be tenure blind both in terms of the house type design and the style and quality of boundary treatments and soft / hard landscaping proposed. The units are then to be secured through a contract between Countryside Properties and Great Places resulting in 35 dwellings being transferred at a discounted rate of market value (80% on the Shared Ownership homes and 60% on the Social Rented ones), thereby ensuring that affordable units are still being delivered on site. It should be noted that through the provision of these 35 units at a discounted rate of market value, this involves the applicant making a contribution of £1,736,268 towards the provision of affordable homes on this site.

A legal agreement with the Local Planning Authority will also be entered into, to ensure that these units are transferred to a registered provider and will remain as affordable housing in perpetuity. The applicant has also agreed to enter into such a legal agreement, which will include a provision for a reconciliation which would require a contribution to be paid if values change at an agreed point. Should there be an uplift in market conditions which would allow an increase in the affordable housing contribution beyond the 14%, there would be provisions incorporated to allow the viability to be re-tested to secure an additional contribution should this be viable.



In accordance with Policy H4, this will ensure that the delivery of affordable housing is secured whilst not affect the overall viability of the development. A critical mass of affordable housing is therefore still being delivered on site despite the scheme viability constraints and an appropriate mix is also being provided to ensure that a choice of quality affordable family housing types is being provided. When considering the exception criteria set out in the SPD and the significant regeneration benefits that the scheme will deliver, it is considered that the provision of 14% affordable housing is acceptable in light of the marginal viability of the proposals which is fully justified by the application of Policy H4.

A further issue that arose through the processing of the application was in relation to the proposed positioning of the different tenures as outlined above. The original submission included the provision of all the affordable housing units in one block immediately adjacent to the Speedway site, and this was considered to be unacceptable. The Council would normally require the provision of affordable housing to be pepper potted around the site, rather than provided in blocks.

However, representations were received from both Great Places and Sigma to state that from a management perspective, they had a strong preference for their units to be located in close proximity to each other. The location and clustering of the units would allow for more efficient and sustainable housing management in the future and the acquisition of adjoining properties would ensure a cost efficient approach to cyclical maintenance; achieving economies of scale through enabling repair works to be procured together.

The layout of the site was also amended to move the location of the affordable housing units away from the less desirable boundary with the adjacent Belle Vue Sports Village, to a run along the rear of the site backing onto existing residential properties. On the basis of the statements submitted and as it has been confirmed by the applicant that the properties will be tenure blind in terms of the house type design and the style and quality of boundary treatments and soft / hard landscaping proposed, it is considered to be acceptable in this case for the housing to be delivered in this clustered approach rather than being pepper potted around the wider site. The layout of the site can be seen below under the Siting / Layout section of the report.

To conclude, it is considered that a good level of affordable housing is being delivered for this scheme and an appropriate mix is being provided to ensure that a choice of quality affordable family housing types is being made available.

#### Proposed Residential Accommodation

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

BELL VUE GREYHOUND - ACCOMMODATION SCHEDULE 08.07.19						Mid	End	Det	Total
HOUSE TYPE	NUMBER	Actual SQFT	NDSS SQFT	BED	TOTAL SQFT				
<b>Open Market</b>									
Hollinwood	18	948	938	3 Bed	17064	0	18	0	18
Midford	8	986	977	3 Bed	7888	0	8	0	8
Witham	14	993	984	3 Bed	13902	0	0	14	14
Sankey	22	1073	1063	3 Bed	23606	0	22	0	22
Tyne	5	1058	1048	3 Bed	5290	0	0	5	5
Dearne	18	1073	1063	3 Bed	19314	0	18	0	18
Winster	5	1334	1323	4 Bed	6670	0	0	5	5
TOTAL =	90			TOTAL =	93734				90
<b>Sigma</b>									
1 Bed Apartment:	24	540	-	-	12960				24
2 Bed Apartment:	56	755	-	-	42280				56
Arun	20	759	751	2 Bed	15180	0	20	0	20
Bourne	13	918	910	3 Bed	11934	0	8	5	13
Southwick	4	1131	1122	4 Bed	4524	0	3	1	4
Southwick SA	5	1131	1122	4 Bed	5655	0	4	1	5
TOTAL =	122			TOTAL =	92533				122
<b>Affordable</b>									
Arun	19	759	751	2 Bed	14421	0	18	1	19
Bourne	8	918	910	3 Bed	7344	0	8	0	8
Southwick	7	1131	1122	4 Bed	7917	0	6	1	7
Southwick SA	1	1131	1122	4 Bed	1131	0	0	1	1
TOTAL =	35			TOTAL =	30813				35
TOTAL =	247			TOTAL =	217080				

The residential units have been designed with consideration to the space standards outlined in the Manchester Residential Quality Guide. As part of the applicants ongoing process to provide design enhancements, it has been outlined that Countryside Properties now conform to the Nationally Described Space Standards (NDSS) within their core house type range. The requirements now defines a standard for the Gross Internal Floor Area (GIFA) which is based upon a defined level of occupancy. It also provides standards for floor area and critical dimensions within rooms in key parts of the dwelling i.e. bedrooms, storage etc.

The design guidance is a material consideration in the determination of planning applications and sets out the space standards required to ensure quality in residential schemes coming forward. The design guidance is intended to provide a clear indication on what is required to deliver sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester. It is considered that the proposed development has been designed in accordance with the design guidance outlined within this document. This is outlined in more detail in the paragraphs below.

The proposed ground floor gardens, balconies, and apartment amenity spaces will provide an opportunity for residents to benefit from outdoor living and to meet and socialise, helping to create a new community within the building. By including a mix of apartment and family housing types, it is considered that the development will be capable of accommodating a wide variety of residents.

The site is within easy walking distance of local amenities, as well as public transport links to larger district centres and the main retail facilities in the city centre. It is considered that the proposed apartments are an appropriate size and provide well-sized, well-designed living, sleeping and storage spaces. The shared amenity and circulation spaces have been designed in order to give a sense of place to the

development. All shared lifts, stairs and corridors are generously dimensioned up to the front doors of the well designed, proportioned and decently sized apartments.

The family house types include bedroom arrangement options have been designed to give flexibility for future residents. The aim by taking on board these standards would be to provide a logically considered range of housing designs to help enhance the life of the end user. The applicant has confirmed that all the residential units being proposed at the site would meet the Manchester Space Standards outlined within the Residential Quality Guidance.

Therefore, the proposed accommodation is considered to be acceptable in this case.

### Siting / Layout

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

The application site is fairly uniform in shape and size and has main road frontages to a number of sides. The proposed development responds positively to all of these road frontages by providing built form along the perimeter of the application site and strengthening the urban grain. The taller apartment blocks are located on the main road junctions of Kirkmanshulme Lane, Mount Road and Hyde Road to provide the correct key presence to this strategic location, with the family housing located facing Kirkmanshulme Lane and beyond within the main area of the site. The site layout of the site can be seen below:



The main pedestrian entrance to the apartment buildings will be from Kirkmanshulme Lane and Mount Road to provide open and active ground and upper floors, achieved through large window openings and balconies. The apartment blocks are close to the

site edge to create the best frame for the junction, but are set back enough to ensure a good quality landscaped setting for the buildings, which helps to provide a good quality appearance to the site. The apartment blocks have green spaces around the buildings that would provide ample amenity space for the future occupants, with a number of rear secure car parks containing the 61 spaces along with ancillary spaces for refuse stores and secure cycle storage.

The family houses have a street frontage, with decent sized front gardens, in curtilage car parking spaces and front boundary treatments and planting to soften the appearance on the street scene. All of the properties are either detached or semi-detached, meaning that there is space to the sides for car parking on some plots, but bin access to all plots to remove the need for alleyways or frontage bin storage area. There are then well sized private gardens for the rear, which is adequate for these 2, 3 and 4 bedroom dwellings.

In line with the Residential Quality Guidance and the Guide to Development in Manchester, the new buildings and their key architectural features along with the significant proposed landscaping dominate the street scene, with car parking located to the sides of the new dwellings or screened by good quality boundary treatments and planting.

The closest location to existing residential properties is along the rear of the site adjacent to the boundary with the properties on Stanley Grove. Most of the properties back onto the rear gardens of the existing properties with a good sized rear garden creating an adequate separation distance to the existing buildings. The potential impacts on residential amenity are discussed in more detail below, however in relation to the siting and layout of these properties, the positioning and orientation of the new properties are considered to be acceptable.

Therefore, overall, the siting and layout of the development maximises the relationship with the surrounding road network. The siting and layout provides a logical arrangement and is therefore considered to be in accordance with the development plan.

### Scale / Massing

The Guide to Development in Manchester SPD advises that consideration should be given to the scale of new developments and ensure that they are informed by their context. Where buildings are of different scale to their surroundings they should be of the highest quality and be of landmark status. The scale of existing buildings in the immediate surroundings consists of a mixture of 2 storey housing, the double height Gala Bingo Hall building, the single storey former Riley's snooker hall building, the adjacent Speedway Stadium and Belle Vue Sports Village buildings, the 3 storey Diamond Hotel building and other 4 storey apartment buildings on the opposite side of Hyde Road. Taking account of this context and the urban design objectives of providing appropriate scale frontages onto the surrounding streets, the proposed family houses would be two and two ½ storeys in height to compliment the scale of the existing houses around the application site and the apartment buildings would be 3 and 4 storeys in height to respect the scale of the existing hotel and apartment buildings on Hyde Road.

This provides a good quality frame to the junction and architectural interest to mark the corner. Vertical massing is broken down by storey-height steps, and by inseting and recesses in the footprint and elevations. This is all with the aim of enhancing the feeling of the blocks stepping up to mark the Kirkmanshulme Lane/Mount Road intersection and produce a varied and interesting roof line.

It is recognised that a building of this scale will mark a change in the street scene from the existing site, and in parts is taller than the existing residential buildings surrounding the site. However, it is considered that the proposal responds appropriately to its context fronting three main roads where buildings of height are considered to be more acceptable and where similar buildings of height are seen on Hyde Road. The taller elements of the scheme have been placed towards the main road frontage and kept away from the lower neighbouring buildings wherever possible to reduce the impact on these properties. The matter of the scale of the building and the potential impact on residential amenity will be considered in more detail later in this report.

Overall, the scale of the development responds appropriately to the scale of the existing developments in the area along with a good quality design that will activate this site frontage along a main radial route in the City. It is therefore considered to be in accordance with the development plan.

### Design Quality and Appearance

Policy EN1 of the Core Strategy states that opportunities for good design, that enhance the overall image of the City, should be fully realised. This is reiterated within the Guide to Development in Manchester SPD along with the NPPF. It is considered that the design of the proposed development has been to adopt many of the key characteristics of the surrounding area.

As described in the Design and Access Statement, the properties have been elevated to complement and enhance the existing environment. A simple, traditional elevational theme is proposed utilising a variety of high quality materials which, when used in conjunction with variations in building height, provides the scheme with a distinctive character of its own. The predominate materials used in the existing houses in the area around the Belle Vue Greyhound Stadium are red brick, white render with grey roof tiles with elements of red roofs and buff brick. The proposed materials reference themselves to the local vernacular without being a pastiche.

The internal street scenes and the frontage to Kirkmanshulme Lane and Mount Road will look to compliment this existing character while being careful not to repeat the form of existing residential stock that surround the boundaries of the site. The architectural palette will consist of a light red brick, red multi brick and buff multi brick with selected plots being partially rendered (white) or tile hanging to provide further variety within the street scene. These facing materials will be further enhanced by the use of interlocking red and grey tiles. All the materials have been selected through a process of contextual understanding, their durability and aesthetic appearance. The proposed materials will use colour, texture and detailing coupled with quality workmanship to ensure the elevations are enlivened but with a tactile finish.



The design of the apartments has been amended through the application process to improve the key frontage of the site. The vertically proportioned, full-height windows with Juliet Balconies on the corner of Kirkmanshulme Lane and Mount Road give substance to the buildings and further enrich the texture and patterns of the façades.

It is considered that the appearance of the development will be a good quality façade to the surrounding streets and this main radial route in the City. The simple arrangements of the elevations along with the quality and use of materials, position of the building on the site and its scale, will enhance the setting of the site and contribute to the ongoing regeneration of the area.

A number of CGI's can be seen below showing the design and appearance of the proposed development:





### Highway Related Matters and Car Parking

Policy T1 and T2 of the Core Strategy seeks to encourage modal shifts away from the car and locate new development that is accessible by walking, cycling and public transport. Policy DM1 goes on to state that traffic generation and road safety must be considered as part of new developments.

The Manchester Residential Quality guidance addresses the issue of car parking under the section 'Make it Practical', where it offers guidance in relation to appropriate solutions to car parking. The guidance states that for apartment schemes, there are a number of variables that will affect parking demand within a particular development. In certain scenarios, higher levels of cycle parking provision and car clubs will be appropriate. Clearly, car parking demand will also be influenced by the availability of public transport.

The Guidance then discusses recommended parking standards for different areas of the City. The guidance states that a reduced on site provision may be justified on the basis of secure cycle parking in excess of 50% provision relative to apartment numbers, and the identification of good public transport links within a short walk of the proposed development. Demonstrating that the full car parking requirement cannot be achieved via a car parking solution that is both viable and does not compromise the relationship of the new development to the street in terms of the creation of active frontages. Provision of robust research and market evidence to demonstrate that lower levels of car parking demand will be appropriate for a particular scheme.

A Transport Statement and Framework Travel Plan has been submitted in support of the application. The site is accessible by sustainable modes of transport. The surrounding area exhibits good levels of pedestrian and cycling infrastructure, and there are several public transport opportunities within acceptable walking distance. Residential car parking of a total of 1 or 2 spaces is proposed (100+%) to be provided for the family houses based on the number of bedrooms, and 61 spaces are provided for the apartments in the proposed development, which represents a ratio of 76% provision.

It is acknowledged that this level of provision for the apartments is below the 100% preferred within the suburb areas of the City. However, in this case, due to the good level of access to public transport and due to the potential detrimental impact from additional car parking on the overall quality and landscaped setting of the development, in this case the level of parking is considered to be appropriate to the scale, location and nature of the development. The development includes the provision of 100% secure cycle parking provision (1 space per dwelling) either within the curtilage of the dwellinghouses and within secure communal cycle stores within the grounds of the apartment blocks. An Interim Travel Plan has also been produced, which would promote sustainable travel and discourage single occupancy car use. It is anticipated that this would also help to reduce car parking demand.

It is also proposed to include electric vehicle charging points into the development. This would be delivered as one vehicle charging point for each of the dwellinghouses and 10% for the proposed apartments at 6 vehicle charging points. This level of car parking, cycle parking and electric vehicle charging points has been assessed by Highway Services and they have confirmed that they are satisfied with what is proposed for this development in this location.

The Transport Assessment indicates that the proposed development will generate 211 two-way vehicle movements in the AM peak hour and around 232 two-way movements in the PM peak hour. It has been confirmed that the multi modal trip generation exercise undertaken is consistent with methodology used/requested by Transport for Greater Manchester and the modelling is considered fit for purpose. It is acknowledged that there are some minor modelling discrepancies, however these are unlikely to impact the overall modelling conclusion.

However, it has been confirmed that there is likely to be a negative impact at peak times on the highway in terms of queuing and delay at the Kirkmanshulme Lane/Hyde Road junction as a result of the development. Notwithstanding this, it has also been confirmed by Highway Services that these impacts are not considered to be severe that would warrant the refusal of the application on this basis. To mitigate against some of the increased delay on the network, it is recommended that a review of the local SCOOT network should be completed by the applicant.

Following a review of road collision statistics, it is noted that there have been two incidents involving pedestrians at the Redgate Lane/ Kirkmanshulme Lane junction. As such, Highway Services have recommended that the junction radii is tightened to reduce crossing distances and a pedestrian refuge island introduced. Speed surveys also indicate that the current 20mph restriction is frequently exceeded, and therefore Highway Services have recommended that suitable traffic calming features are provided along Kirkmanshulme Lane to discourage speeding and enhance road safety. It is also noted that the width of Kirkmanshulme Lane may be a contributing factor to speeding vehicles, so the addition of improved cycle facilities along Kirkmanshulme Lane will encourage sustainable travel and reduce lane widths and discourage excessive traffic speeds.

On the basis of the recommendations by Highways, the applicant has submitted a plan showing the proposed Traffic Calming and Cycle Lane improvement works to Kirkmanshulme Lane and the junction with Redgate Lane. These include proposed



cycle lanes on both sides of Kirkmanshulme Lane, the removal of the existing bus stop, the introduction of speed cushions and splitter islands and the reduction in the radius and the extension of the footway at the junction of Kirkmanshulme Lane and Redgate Lane. Highway Services have confirmed that the principle of these works is acceptable subject to further detailed discussions and engineering design drawings to be submitted through the S278 process.

Therefore, there are a number of off-site highways works that would be required in result of the development. Some are necessary to achieve the new vehicular access points. In order to maintain visibility and access, the new junction access should be protected via Traffic Regulation Orders (TROs) in the form of no waiting at any time parking restrictions. The agreement should also include the works referenced above in relation to required traffic calming measures and improved on-street cycle routing.

The indicative highway layout is considered appropriate with all new internal access roads maintaining a 5.5m carriageway width. This is supported by 2.0m footways to accommodate double buggies and other residents/visitors with restricted mobility which is accepted in principle. Dropped kerbs and tactile paving would be provided within the internal layout, to aid pedestrian movement. The new highway layout would also accommodate a 20mph speed limit order, including traffic calming features within the new highway layout to further deter speeding vehicles.

Due to the major nature of the development and the proximity of the site to a major road junction and existing properties, a Construction Management Plan (CMP) is requested to be submitted for this development. It has been agreed that this should be requested through the inclusion of an appropriately worded condition.

The submitted Transport Statement and addendum information was assessed by a third party Transport Consultant (Modal Highway Consultants Ltd) on behalf of the Friends of Belle Vue Stadium Group. The points made in the original representation were assessed by Highway Services and most of the issues had already been raised by them in their original consultation response and further information was requested from the applicant.

Following the submission of a Transport Statement Addendum in May 2019 to address the matters previously raised, further representations were again received from Modal. The additional comments made were subsequently considered by Highway Services and confirmed that the multi modal trip generation exercise undertaken is consistent with methodology used/requested by Transport for Greater Manchester and the modelling is considered fit for purpose. Even though it is acknowledged that there will be an impact on the network from the proposed development, it would not be severe. Therefore, Highways had no further comments to add regarding the Addendum Transport Review document submitted by Modal Highway Consultants.

To conclude, it is acknowledged that the development does not provide 100% car parking, however, it has been clearly justified that a reduced provision of parking provision at the site is acceptable due to the high level of cycle parking provision, the inclusion of electric vehicle charging points, the highly sustainable location and proximity to a wide range of public transport. Therefore, it is considered that the

proposed development reduces dependency on car use with its proximity to excellent public transport links within the area and to the city centre. This approach is in line with the requirements of Core Strategy Policy T2 and reflects the highly accessible nature of the location.

Overall, it is considered that the development would have an impact on the local highway network, however the level of impact is not considered to be severe that would warrant refusal of the planning permission. There would be adequate car and cycle provision to serve the needs of the development. Travel planning will help take advantage of the sustainable location of the application site in order to further reduce the reliance on the car to the site. Servicing and construction requirements can also adequately met at the site. The proposal therefore accords with policies SP1, T1, T2 and DM1 of the Core Strategy.

#### Landscaping and amenity space /boundary treatment/public realm

Policy DM1 outlines that all development should have regard to green infrastructure including open space, both public and private. Policy EN9 also explains that new development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function.

The planning application has been submitted with a Tree Survey Report, a Landscape Plan and information contained within the Design and Access Statement and Planning Statement about landscaping, due to the existing planting that exists on the application site. The Tree Survey Report outlines that a survey of 48 no. trees and small groupings present on land contained within the Belle View Stadium was carried out. No Tree Preservation Orders exist on the trees at this site. The majority of the trees were assessed to be in poor condition with low numbers of moderate trees. No trees attracted a high value. The trees are located mainly in two cluster and groupings, to the south west and east of the site. There are trees also located off site to the west and along the road frontage to the north. The majority of the trees have been assessed as Category 'C' (Trees of low quality and value). A limited number of trees (10no.) were assessed as Category 'B' (moderate quality and value), these being generally individual specimens or groupings to the east. No tree was assessed as Category 'A' (high quality and value). The report concludes that due to the overall condition and composition of species within the site, it is considered that the trees would not be an undue constraint to development across the site.

The Landscape Masterplan submitted shows how the scheme will provide compensatory planting and an overall net gain in the number of quality of trees on the site. This can be seen on the plan below:



The Design and Access Statement outlines that careful consideration has been given to the landscape design providing tree lined streets and planting which defines private and public spaces. The chosen species reflect recommendations of the ecology report to ensure that they are native to this part of the country and will blend into the local landscape. It is stated that the scheme proposes a strong and robust landscaping scheme, using street trees to define main entrances into the site and extra heavy standard trees to provide an instant and mature visual impact. The number of trees proposed provide for at least a 2 for 1 replacement for the poorer specimens that will be removed as part of the development.

All houses would be provided with usable rear gardens that would allow future residents to augment the public realm landscaping. It has been confirmed by the applicant that all of the public realm landscaping and areas of amenity space for the apartment blocks would be managed and maintained by a fully funded management company.

In terms of the approach to SUDS, the applicant has opted for the use of cellular storage and oversized pipes given the existing ground conditions and the need to make the most efficient use of a previously developed site. The larger specimen street trees would however aid surface water run-off and water quality as part of the wider scheme.

The hard landscaping proposals for the site also include the provision of good quality boundary treatments around the site to ensure that the clear and well defined public and private spaces. The plans show mix of boundary treatments consisting of brick walls and railings along the main road frontages, taller screen walls to rear gardens with public edges, timber fencing for plot separation, railings with a heritage kerb base / upstand throughout the rest of the development, along with brick pillars on key corners around the new estate and various forms of planting, all of which will provide a physical barrier. It is also proposed to erect a 3.7 metre high close boarded

acoustic fence along the site boundary with the adjacent Belle Vue Sports Village and Speedway Stadium site, to ensure that the future occupants of the properties are protected from this noise generating use. This will be explored further later in the report.

It is recommended that appropriately worded conditions relating to landscaping, boundary treatments and the management and maintenance of common areas be attached to any approval to allow further exploration into high quality landscaping and boundary treatments around the site. It is considered that the proposed landscaping at the site has been well thought out and provides a good quality and appropriate setting for this quality development. It also provides adequate mitigation for the loss of trees and shrub planting currently seen on the site. As it provides good quality green infrastructure to the benefit of this area, the proposals are considered to be in accordance with Policies DM1 and EN9.

### Noise

A detailed Acoustics Environmental Noise Study has been completed by Red Acoustics and submitted to accompany the application. The consideration of such matters is a key requirement for policy DM1 of the Core Strategy along within saved policy DC26 of the UDP. This approach is also outlined within the NPPF which seeks to avoid noise giving rise to significant adverse impacts on health and quality of life as a result of new developments. The report outlines the prevailing environmental noise climate at the development site, and that the acoustic requirements of national/local policies and current industry guidelines have been reviewed and used to inform a detailed noise impact assessment of incident noise affecting the development as well as potential noise output from the development.

In relation to the potential impact of the development on the surrounding existing residential properties, it is acknowledged that there are existing residents living within neighbouring buildings adjacent to the application site, and there would be a significant increase in the amount of built development and occupation on the site compared to the existing Stadium use. However, any noise generated will only be from the comings and goings from occupants which should be significantly less than the comings and goings and noise generated from the greyhound racing and stock car racing currently present at the Stadium. Therefore, the proposed development should not have any significant effect on the residential amenity currently enjoyed by the surrounding occupants.

In relation to the impact of existing noise sources within this area on the new residential accommodation being proposed, there are three main sources of noise that needed to be assessed and mitigated. These are traffic noise from the nearby main roads, the noise generated by the adjacent 4G pitch at Belle Vue Sports Village and the noise generated from the adjacent Speedway Stadium. The applicant has worked closely with Environmental Health over this matter and has provided additional information and testing where required to address the concerns raised.

The Acoustics Environmental Noise Study now outlines that an environmental noise survey was carried out to determine the existing noise climate from the local road traffic and a speedway meeting at the National Speedway Stadium to the West. The

survey data has been used to create a 3D noise model so that noise levels can be predicted across the site. The 3D noise model has also included the prediction of sound from the use of the football and rugby pitch adjacent to the development using prediction methods for large crowds of people.

The analysis completed concludes that the site is suitable for residential development in principle, however due to the external noise sources present in this area, mitigation measures to reduce noise ingress into the dwellings as well as layout and screening options are needed to limit this impact. Therefore, a glazing and ventilation strategy for bedrooms and living areas has been proposed and then applied to the site layout. This is accompanied by the installation of a 3.7m high close boarded acoustic barrier along the site boundary with the Speedway Stadium and Belle Vue Sports Village. The proper implementation of the recommended glazing and ventilation strategy and the acoustic barrier would ensure that the relevant standard internal noise levels can be achieved. External noise levels should also be achieved for all external areas with plot specific local screens providing the attenuation necessary to achieve the requirements of BS8233:2014 for external areas.

Therefore, the results of a noise impact study have demonstrated that the future residents will be adequately protected and that the impact to future residents will be at the Lowest Observed Affect Level or less. This has now been agreed with Environmental Health who have confirmed that they are satisfied with the mitigation measures proposed.

On that basis, provided that the residential accommodation is appropriately insulated as recommended within the Acoustic Report and appropriate acoustic fencing is placed along the boundary with the speedway stadium, the proposed development is considered to be in accordance with policy DM1 of the Core Strategy, extant policy DC26 of the UDP and the NPPF.

### Demolition

The proposed development is for the demolition of all of the existing buildings on site to enable the construction of a residential development. There will be demolition works together with a large amount of site excavation with material needing to be removed off site. It is acknowledged that there will be dust, noise, vibrations and traffic from these phases, which could cause disruption to the local community. Therefore, the application has been submitted with a Construction Environmental Management Plan, which looks at the following issues:

- Times of construction activities on site
- The spaces for and management of the parking of site operatives and visitors vehicles
- The storage and management of plant and materials (including loading and unloading activities);
- The erection and maintenance of security hoardings
- Measures to prevent the deposition of dirt on the public highway
- Measures to control the emission of dust and dirt during construction;
- A scheme for recycling/disposing of waste resulting from construction works;

- Measures to minimise disturbance to any neighbouring occupiers from noise and vibration, including from any piling activity; and
- Measures to prevent the pollution of watercourses; and

The site is not designated for its ecological interest and there are no international or nationally protected sites near to the development site. Whilst it is considered that there will be limited impact on the ecology on the site, an ecology report has been submitted which considers impact on vegetation and habitats. This includes recommendations for suitable mitigation measures that should be incorporated into the scheme.

There will be dust, noise and vibrations from the demolition of existing buildings, breaking of the ground and site excavation along with the use of plant and machinery. Whilst there will be some short term impact during the demolition phase of the construction process, it is considered that such impacts are predictable and can be managed as part of the construction management process and appropriately worded conditions.

#### Flood Risk / Surface Water Drainage

A Flood Risk Assessment and Drainage Strategy report accompanies this application and, it was necessary for a surface water drainage scheme to be submitted for consideration. The submitted report has considered flooding from a number of sources in accordance with NPPF guidelines, and it is believed that the site is not at risk of flooding, nor does the proposed development create a risk of flooding elsewhere.

In view of the content of the report, it is recommended that conditions are attached to any planning approval that details of surface water drainage are considered prior to the commencement of the development and that the system that is put in place is managed and maintained thereafter.

#### Sustainability and Energy Efficiency

Manchester City Council declared a climate change emergency in July 2019, highlighting the importance of ensuring climate reduction measures are integral to proposals for residential development. Policy DM1 states that residential developments will be expected satisfy the Code for Sustainable Homes standards. Policies SP1 and EN4 to EN6 of the Core Strategy focus on reducing emissions and achieving low and zero carbon developments. As the application site is located in the regional centre, the development is expected to demonstrate its contribution to this objective (policy EN5).

Policy EN4 in particular, requires the application of the energy hierarchy to ensure that passive measures, energy efficiency and low and zero carbon generation options are considered. This includes:

- minimising energy demands - consider passive design measures and optimise building envelope in terms of orientation, air tightness and insulation; and

- meet demands efficiency - specify energy efficient plant, heating, ventilation, lighting and system controls to facilitate efficient operation.

An Energy and Sustainability Statement has been prepared by Countryside Properties along with reference to Energy within the submitted Planning Statement. As confirmed in the Energy Statement, dwellings will be equipped with PIV systems that circulate air throughout the property, using warm air collected from the freely warmed air available in the roof space. Furthermore, energy efficient lighting, appliances and glazing will be utilised and PV panels will be mounted to the roofs of the apartment blocks to meet the residual energy need of the development.

In relation to an increase in the level of decentralised, low and zero carbon energy supplies available required by EN5, PV cells will be mounted to the roofs of the apartment blocks ensuring that a residual supply of renewable energy is available. The proposals will therefore provide for an increase in the amount of zero carbon energy supplies available in accordance with the Core Strategy.

The proposal is a fabric first approach and the applicant has indicated that the Building Regulations standards will, for various house types, achieve a betterment of between 13 - 14% above Building Regulations as required by the Core Strategy. By increasing the thermal efficiency of the fabric (walls, ground floor, roof, windows and doors) as well as introducing positive input ventilation, this would minimise primary (boiler) heating and improve condensation control.

In addition to the above, all plots will benefit from cycle storage thereby encouraging sustainable modes of travel. The proposals also incorporate Electric Vehicle charging points at each residential dwelling and at the apartment blocks.

Therefore, it is considered that the submitted information demonstrates that the energy hierarchy has been applied and that low and zero carbon technologies would be used and would comply with part L (2010). The overall energy performance would be satisfactory with an overall reduction in emissions as prescribed by policy EN6 of the Core Strategy. The development complies with the spirit of the Core Strategy with high quality building fabric and systems. The energy standards should be a condition of any approval.

### Designing out Crime

Policy DM1 of the Core Strategy requires that consideration be given to community safety and crime prevention. The planning application is supported by a Crime Impact Statement (CIS), prepared by Design for Security at Greater Manchester Police, which assess the proposal in terms of crime prevention and safety. The report outlines that the proposed development has been found to be acceptable in principle, but further consideration of certain aspects is recommended including the effective definition of front garden boundaries, and the enclosure of the parking, amenity spaces, bins and cycle stores around the apartments.

The proposed development will help to provide much needed natural surveillance along Kirkmanshulme Lane and provides the opportunity to include security features to make the future residents safe and secure and reduce the fear of crime. 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

Policy EN18 of the Core Strategy requires that consideration should be given to potential sources of ground contamination and the effect on new developments. A Phase I and Phase II Geo-Environmental Site and a Remediation & Enabling Works Strategy is submitted in support of the planning application. An appropriately worded condition has been recommended to ensure compliance with these reports and the submission of final verification assessments.

Therefore, it is recommended that a condition of the planning approval is that final verification details should be submitted in relation to the contamination of the ground. This approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

### Waste

A major residential use development of this nature will generate a significant amount of waste which will need to be managed on a daily basis. Policies EN19 and DM1 of the Core Strategy require that applicants show consistency with the waste hierarchy which principally seeks applicant to re-use and recycle their waste. A waste strategy arrangements strategy has been submitted with the application, which is in accordance with the City Council's Waste Storage and Collection Guidance for New Developments.

For the dwellinghouses at the development, the waste management strategy outlines that each household will store externally 4 x 240l bins. Each household benefits from a rear garden and bins will be stored on hard impervious surface within the rear garden that would be within 10m of the back door. Householders would be expected to present their bins to the kerbside on collection day on the footpaths provided throughout the site. The ground floor plans of the new house types proposed shows that there is ample space within the property for the internal segregation of waste and recycling.

For the proposed apartments at the development, the waste management strategy outlines that the proposed development includes two apartments blocks;

- Block 1 accommodates 56 apartments and benefits from two external bin stores.
- Block 2 accommodates 24 apartments and benefits from one external bin store.

The floor plans of the new apartments proposed show that there is ample space within the individual properties for the internal segregation of waste and recycling. The communal bin stores measure 4.2m by 5.2m and can accommodate up to six euro bins. The bin stores are ventilated and feature doors to the bins and for safety/security purposes. The doorways measure 1.67m providing the necessary clearance to allow bins to manoeuvre in/out the bin store. The walkway within the bin store measures 1.67m wide for easy accessibility by residents and to manoeuvre bins in/out on collection day. The bin stores are located close to the kerbside for



ease of collection but are located within close proximity of the apartment entrances (no more than 30m away) to ensure compliance with Building Regulations. The bin stores are timber clad for easy maintenance and it is confirmed that they would be maintained and cleaned by the management company as required.

The Council's waste and recycling guide requires 0.43sqm of space per apartment to be provided for waste storage. For 80 apartments (as proposed) this equates to 34.4sqm. Each bin store measures 21.8sqm and therefore, the three in total would measure 65.5sqm, which is more than required by the Council's waste guidance.

The site layout has been designed to ensure waste collection vehicles can manoeuvre around the site to collect waste from the kerbside. Tracking details of these have been presented within the Transport Assessment submitted to accompany this application. It has been confirmed that collection frequency will be in line with the Council's policy for waste collections in this locality.

The submitted waste management strategy has been assessed by Environmental Health and the application is considered to be acceptable. The arrangements ensure maximum ease and efficiency for residents and ensure that waste is contained within a specified area. The proposal therefore accords with policies DM1 and EN19 of the Core Strategy in this regard.

### Air Quality

The application site is partially located within Manchester's Air Quality Management Area (AQMA). The area has been designated on the basis of known areas where air quality conditions poor as a result of vehicular emissions.

An air quality report has been prepared in support of the application which considered the construction and operations phases, in particular the traffic and dust generated during these phases and the potential to impact on the air quality within the AQMA.

An Air Quality Assessment prepared by Redmore Environmental has been submitted with the application. The conclusions of the report state that the potential for temporary impacts during the construction process have been identified in the form of dust emissions as a result of demolition, earthworks, construction and trackout activities. It is confirmed that established good practice measures would ensure that any potential impact is satisfactorily mitigated. Dispersion modelling has also been undertaken to understand any potential impact arising post completion in respect of road traffic exhaust emissions to predict air quality impacts in the vicinity of the site or at the site itself. Such measures would form part of an agreed construction management plan forming part of the conditions of the planning approval. It is considered that the impacts on air quality during construction would be temporary and predictable and could be appropriately mitigated through the measures identified above.

The main impacts during the operational phases would be from vehicles and servicing requirements. The applicant has taken a balanced approach to onsite parking given the close proximity to public transport. Residential car parking of a

total of 1 or 2 spaces is proposed (100+%) to be provided for the family houses based on the number of bedrooms, and 61 spaces are provided for the apartments in the proposed development, which represents a ratio of 76% provision meaning that not all residents would have access to a car parking space. Robust travelling planning in order to take advantage of the adjacent bus and cycle corridor is essential. There would be 100% cycle parking provided across the development along with electric vehicle charging points being provided across the site, which further help to mitigate any potential impact arising at the operational phase.

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.

### Residential Amenity

It is acknowledged that there are existing residents living around the application site and there would be a significant increase in the amount of built development on the site compared to the existing Stadium use. However, any noise generated would only be from the comings and goings from occupants, which should be significantly less than the noise and activities taking place weekly by the existing Stadium use. Therefore, this should not have a significant effect on the residential amenity currently enjoyed by the surrounding occupants.

The proposed development has also been assessed in relation to any loss of privacy, any overbearing and overshadowing impact on existing properties, and in general on the amenity currently enjoyed by the occupants of these existing buildings. The proposed properties would be either two or two ½ storeys in height, which mirrors the existing residential properties within this area. The properties located closest to the proposed development are located along Stanley Grove. Most of these existing properties have very long rear gardens and therefore, the new built form would be a good distance away from the existing properties.

This relationship is slightly different at Nos. 271 to 275 Stanley Grove where the gardens are much shorter and the site boundary is closer to the existing properties. However, it is still considered that the development retains an acceptable distance between the new and existing properties due to the good sized rear gardens being provided to the new properties. Where the distance is at its shortest at Nos. 273 and 275 Stanley Grove, the new property is orientated side on to the rear gardens of these existing properties. A condition has been included to ensure that there are no side windows in this property that could result in overlooking and a loss of privacy to the detriment of the amenity currently enjoyed by the existing residents.

Therefore, it is considered that the proposed development would not give rise to significant resident disamenity from noise and disturbance, overlooking, massing or overshadowing.

## Other Matters Raised

Additional matters have been raised through the consultation process that require further consideration.

It has been confirmed that a covenant was placed upon the stadium by the Critchley family when it was first built, dictating that the land may only be used for entertainment / leisure use. This has been investigated and due to the age of this covenant, its current status has been difficult to determine. Notwithstanding this, the existence of a covenant on land is a private matter sitting outside the planning process and is therefore, not a material consideration that can be given any weight in the consideration of this planning application.

The concerns raised by objectors to the development in relation to the increase in air pollution created from the inclusion of speed bumps in the scheme are acknowledged. Highway Services have assessed the proposed development, and due to an existing problem with increased speeds along Kirkmanshulme Lane, they have recommended a number of traffic calming measures along this route to improve the highway safety of this carriageway. Therefore, the concerns raised about air pollution issues are recognised, however on balance, it is considered in this case that the matter of improving highway safety outweighs any potential impact on air pollution.

As outlined within the air pollution section of the report above, due to the proposed mitigation measures proposed for both the construction and occupation of the proposed development including the provision of electric vehicle charging points, 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.

Finally, a number of the representations of support for the application are based on animal rights grounds and the closure of the greyhound racing track. However, the consideration of planning applications such as this one, relate to whether the proposed development is acceptable in land use terms, taking account of local and national planning policies and material planning considerations. The protection of animal rights is not a material planning consideration in this context. Similarly, matters regulated by other legislation (for example "environmental / animal rights legislation") are not material planning considerations and cannot be taken into account.

## 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 a condition of the approval should clearly define the approved residential units under the C3(a) use and to remove the permitted development rights that would normally allow the change of use of a property to a House of Multiple Occupation (HMO) falling within use classes C3(b) and C3(c) without the requirement for formal planning permission.

This is to protect this development and its future residents from the problems associated with the change of use of properties to HMO's and to promote family accommodation and sustainability within this neighbourhood.

### Inclusive Access

It is outlined within the Design and Access Statement that the proposed residential development offers choice and variety for all groups within the community and aims to appeal to a multitude of people with differing lifestyles and social backgrounds. The housing types designed with a flexible approach to varying lifestyle choices and providing a sound base for future adaptation. All houses will be built using timber frame construction giving the units flexibility for future adaptation.

All main entrances to both the houses and the apartments would have level access. All upper floors within the apartment blocks are accessible by lifts and internal corridors would be a minimum of 1500mm. All apartments and houses have been designed to space standards to allow adequate circulation space. There would also be parking spaces for disabled people within the apartment car parks, which would ensure the entire development is accessible and inclusive.

### Legal Agreement

It is recommended the proposal be subject to a legal agreement under section 106 of the Planning Act to secure the delivery of the 14% on site affordable housing provision together with a mechanism to re-test the viability should there be a delay in the implementation of the planning permission and a further review prior to the occupation of the development as explained in the paragraph with the heading 'Affordable Housing'.

### Overall Analysis and Conclusion

It is considered that the most important policies for determining this planning application relate to the delivery of housing, the safeguarding of open space, sport and recreational facilities and heritage. These include policies H1, H4, EN3 and EN10 of the Manchester Core Strategy and paragraphs 97 and 197 of the NPPF. The policies referred to are up to date, accord with the principles of the NPPF and attract full weight in the determination of this planning application.

For the reasons outlined in detail within the report above, the application is considered to accord with the Development Plan under Section 38 (6) of the 2004 Act and sub section c) of Paragraph 11 of the NPPF which states that for decision making, development proposals that accord with an up-to-date development plan should be approved without delay. As the City Council can demonstrate a five year land supply and meets the Housing Delivery test, the flat balance applies in this case.

It is also considered that the proposals are consistent with paragraphs 97 and 197 of the NPPF.

A detailed assessment has been made in respect of the harmful aspects of the material considerations in this case, mainly the loss of the existing local non-statutory heritage site, the loss of employment opportunities at the existing site and the potential highway impacts from additional congestion created by the proposed residential development. However, on balance, this level of harm is considered to be outweighed by the benefits the proposed development would bring, in relation to the provision of good quality affordable residential accommodation, an improvement to the overall appearance of the site, the betterment to the ecological value of the site, and the reduction in the noise currently generated by the existing uses to the benefit of existing residents living around the site.

Therefore, although it is acknowledged that the proposed development would result in some harm, this harm does not outweigh the overall benefits of the proposals and the determination of the planning application in accordance with the up-to-date Development Plan.

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

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

## **Recommendation**

**MINDED TO APPROVE subject to the signing of a legal agreement for a the delivery of affordable housing at the site.**

## **Article 35 Declaration**

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice were sought in respect of this development where early discussions took place regarding the layout, scale, design and appearance of the development, accommodation type and mix along with highway impacts. Further work and discussions have taken place with the applicant through the course of the application, particularly in respect of the design, highway impacts, the loss of the existing use, boundary treatments, the impact on the adjacent sports

facilities and electric vehicle charging points along with other matters arising from the consultation and notification process. The proposal is now 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 following drawings and documents:

- ☐ STHK-01 THE SOUTHWICK - GROUND FLOOR PLAN
- ☐ STHK-02 REV A THE SOUTHWICK NDSS - 1ST FLOOR PLAN
- ☐ STHK-6.0 - NDSS (SIG) THE SOUTHWICK NDSS - ELEVATIONS BRICK
- ☐ STHKSA-01 THE SOUTHWICK SA NDSS - GROUND FLOOR PLAN
- ☐ STHKSA-02 REV A THE SOUTHWICK SA NDSS - 1ST FLOOR PLAN
- ☐ STHKSA-6.0 THE SOUTHWICK - 6.0 - ELEVATIONS (SEMI) ALT (SIG)
- ☐ WTHM-6.1 REV A THE WITHAM - ELEVATIONS 6.1 - RENDER
- ☐ WTHM-6.0 REV A THE WITHAM - ELEVATIONS 6.0 - BRICK
- ☐ WTHM-02 REV A THE WITHAM - 1ST FLOOR PLAN
- ☐ WTHM-01 THE WITHAM - GROUND FLOOR PLAN
- ☐ WSTR-6.0 REV A THE WINSTER NDSS - ELEVATIONS 6.0 - BRICK
- ☐ WSTR-03 REV A THE WINSTER NDSS - 2ND FLOOR PLAN
- ☐ WSTR-02 REV A THE WINSTER NDSS - 1ST FLOOR PLAN
- ☐ WSTR-01 REV A THE WINSTER NDSS - GROUND FLOOR PLAN
- ☐ TYNE-6.0 REV A THE TYNE - ELEVATIONS 6.0 - BRICK
- ☐ TYNE-02 REV A THE TYNE - 1ST FLOOR PLAN
- ☐ TYNE-01 THE TYNE - GROUND FLOOR PLAN
- ☐ SNKY-60 THE SANKEY - ELEVATIONS
- ☐ SNKY-03 REV A THE SANKEY - 2ND FLOOR PLAN
- ☐ SNKY-02 REV A THE SANKEY - 1ST FLOOR PLAN
- ☐ SNKY-01 THE SANKEY - GROUND FLOOR PLAN
- ☐ MFRD-6.0-SEMI(A) REV A THE MIDFORD - ELEVATIONS 6.0 - BRICK
- ☐ MFRD-02 REV A THE MIDFORD - 1ST FLOOR PLAN
- ☐ MFRD-01 REV A THE MIDFORD - GROUND FLOOR PLAN
- ☐ DERN-6.0-SEMI THE DEARNE - ELEVATIONS 6.0 - BRICK (SEMI)
- ☐ DERN-03 REV A THE DEARNE - 2ND FLOOR PLAN
- ☐ DERN-02 THE DEARNE - 1ST FLOOR PLAN
- ☐ DERN-01 THE DEARNE - GROUND FLOOR PLAN
- ☐ ARUN-01 THE ARUN - GROUND FLOOR PLAN
- ☐ ARUN-02 REV A THE ARUN - 1ST FLOOR PLAN
- ☐ ARUN-6.0 SEMI SIG REV A THE ARUN - ELEVATIONS BRICK
- ☐ SK441-APT-02 APARTMENT BLOCK - ELEVATIONS
- ☐ NSD 9803 SALES GARAGE - DETACHED
- ☐ APTD-9203 BIN STORE C DETAIL
- ☐ APTD-9101 CYCLE STORE DETAIL

- ☐ 9800 SINGLE GARAGE DETACHED
  - ☐ SK441-LP-01 LOCATION PLAN
  - ☐ 2007-1630 VERSION A CRIME IMPACT STATEMENT
  - ☐ 2240R2 AIR QUALITY ASSESSMENT
  - ☐ 2195\_BELLE VIEW REV B SURVEY REPORT
  - ☐ ARCHAEOLOGICAL DBA
  - ☐ CP.TS.15 TOPOGRAPHICAL SURVEY
  - ☐ 2018-187\_06.12.2018 ECOLOGICAL SURVEY & ASSESSMENT
  - ☐ ELLUC-CS-18039-141218-FRA-F4 FLOOD RISK ASSESSMENT
- Received on 17 December 2018

- ☐ 5797.02 LMP LANDSCAPE MASTERPLAN
  - ☐ DESIGN & ACCESS STATEMENT
  - ☐ CONSTRUCTION AND DEMOLITION MANAGEMENT PLAN
  - ☐ WASTE PROFORMA
- Received on 18 December 2018

- ☐ VIABILITY EXECUTIVE SUMMARY
  - ☐ CBO\_0527\_002.TA TRANSPORT ASSESSMENT
  - ☐ CBO\_0527\_003.TP TRAVEL PLAN
- Received on 19 December 2018

- ☐ SK441-MAT REV B MATERIALS SCHEDULE
  - ☐ 3011 TYPICAL ELECTRIC CHARGING POINT
  - ☐ NSD - 9002 REV A DWARF WALL WITH 700MM HOOP TOP RAILING DETAIL
  - ☐ RESPONSE TO CONSULTEE COMMENTS
  - ☐ RESPONSE TO FRIENDS OF BV COMMENTS
  - ☐ ARCHAEOLOGICAL WSI
  - ☐ MATTERS RELATING TO ACV LISTING
  - ☐ SIGMA JUSTIFICATION LETTER
  - ☐ GREAT PLACES HA JUSTIFICATION LETTER
  - ☐ SCPI (LAND OWNER) LETTER OF SUPPORT
  - ☐ VIABILITY REPONSE FOR HIGHWYS INFORMATION
  - ☐ VIABILITY RESPONSE - ABNORMAL COSTS
  - ☐ 12-123-L4 RESPONSE TO MCC COMMENTS
  - ☐ WASTE ARRANGEMENTS
  - ☐ HERITAGE LETTER (INC. HISTORIC ENGLAND)
  - ☐ CBO-0527-004 TRANSPORT ASSESSMENT ADDENDUM
- Received on 4 July 2019

- ☐ SK441-SS-01 rev.A STREET SCENES
  - ☐ SK441-APT-01 APARTMENT BLOCK 1 – ELEVATIONS
  - ☐ HOL-01 REV..B THE HOLLINWOOD NDSS –GROUND FLOOR PLAN
  - ☐ HOL-02 REV.A THE HOLLINWOOD NDSS – FIRST FLOOR PLAN
  - ☐ HOL-6.0 SEMI REV.A THE HOLLINWOOD NDSS – ELEVATION 6.0 -BRICK
- Received on 7 August 2019

- ☐ R1522-REP01-PB PLANNING ENVIRONMENTAL NOISE STUDY
- ☐ 12-123-3C REV 1 GROUND GAS REPORT ADDENDUM LETTER
- ☐ 12-123-R1-REV3 PHASE I & II SITE INVESTIGATION REPORT

□ 12-123-R2-REV3-BELLE VUE-E3P REMEDIATION ENABLING WORKS STRATEGY

□ R1522-REP01-PB ENVIRONMENTAL NOPISE STUDY

Received on 13 August 2019

□ INDOOR & OUTDOOR SPORTS PROVISION REPORT

Received on 5 September 2019

□ BRNE-01 REV D THE BOURNE - GROUND FLOOR PLAN

□ BRNE-02 REV E THE BOURNE - 1ST FLOOR PLAN

□ BRNE-6.0-SEMI REV E THE BOURNE - ELEVATIONS 6.0 – BRICK

Received on 11 September 2019

□ CBO-0527-002 TRAFFIC CALMING MEASURES - KIRKMANSHULME LANE

Received on 20 September 2019

□ LIGHT SPILLAGE SURVEY

Received on 1 October 2019

□ ENERGY STATEMENT

Received on 2 October 2019

□ PLANNING STATEMENT REV B

Received on 1 November 2019

□ NSD - 9202 REV 01 HOOPED TOP METAL RAILINGS/BRICK PIERS

□ SK441-PL-01 REV O PLANNING LAYOUT

Received on 4 November 2019

□ VIABILITY REPORT REV.B

Received on 5 November 2019

□ LIGHTING PROPOSALS

Received on 21 November 2019

□ SK441-BP-01 REV G BOUNDARY TREATMENTS PLAN

Received on 22 November 2019

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

3) Based on the principles of the materials outlined within the submitted Design and Access Statement, prior to the erection of the above ground structure samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall then be constructed in accordance with the approved details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the



area within which the site is located, as specified in policies SP1, EN1 and DM1 of the Core Strategy.

4) a) 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 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 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.

5) Prior to the commencement of the development, a scheme for the drainage of surface water from the new development shall be submitted for approval in writing by the City Council as the Local Planning Authority. The development shall then be constructed in accordance with the approved details, within a previously agreed timescale. Prior to the first occupation of the development a verification report shall be submitted, including relevant photographic evidence, that the scheme has been implemented in accordance with the previously approved details.

Reason - The application site is located within a critical drainage area and in line with the requirements in relation to sustainable urban drainage systems, further consideration should be given to the control of surface water at the site in order to minimise localised flood risk pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

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

For the avoidance of doubt the scheme shall include the following:

- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The approved scheme shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

Reason - The application site is located within a critical drainage area and in line with the requirements in relation to sustainable urban drainage systems, details are to be provided that further consideration should be given to the control of surface water at the site in order to minimise localised flood risk pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

7) Prior to the commencement of the development, a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- Display of an emergency contact number;
- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Routing strategy and swept path analysis;
- Consultation with local residents for the duration of the construction period;
- Parking of construction vehicles and staff; and
- Sheeting over of construction vehicles.

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

Reason - To safeguard the amenities of nearby residents, highway safety and air quality, pursuant to policies SP1, EN9, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

8) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the new dwellings hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to Policies T2, SP1 and DM1 of the Core Strategy.

9) Prior to the first occupation of the development hereby approved, full detailed designs (including specifications) of any necessary off site highways works to mitigate the impact of the development (including a SCOOT review on the Hyde Road/Kirkmanshulme Lane/Mount Road junction, necessary traffic calming measures, new cycle lanes, removal of redundant bus stops, any new or upgrade works to existing junctions and pedestrian crossings, any additional TRO's, footpath resurfacing, the closure of any redundant crossings and the creation of new vehicle cross overs and pedestrian routes), shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details, prior to the proposed accommodation first being brought into use.

Reason - In the interests of highway safety due to the increased traffic flow generated from the development, pursuant to policy T1 of the Core Strategy for Manchester.

10) The provision of space and facilities for bicycle parking spaces within the development shall be completed in accordance with Planning Statement in relation to provision for the apartments, stamped as received by the Local Planning Authority on the 2<sup>nd</sup> October 2019, and the secure sheds to all dwellings as shown on the Planning Layout drawing numbered SK441-PL-01 Rev O stamped as received by the Local Planning Authority on the 4<sup>th</sup> November 2019. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies SP1, T1, T2, EN6 and DM1 of the Core Strategy and the guidance provided within the National Planning Policy Framework and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

11) The development hereby approved shall be constructed in accordance with the Planning Layout drawing numbered SK441-PL-01 Rev O stamped as received by the Local Planning Authority on the 4<sup>th</sup> November 2019 in relation to the provision of electric vehicle charging points at both the apartments and houses hereby approved. The proposed electric vehicle charging points shall then be fully implemented in accordance with the approved scheme prior to the first occupation of the development.

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

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

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

b) Within six months of the first occupation (or an alternative timescale to be agreed in writing with the Local Planning Authority), a revised Travel Plan, which takes into

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

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

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

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

14) The felling of Tree 2 as outlined within the submitted Tree Survey, shall be carried out in accordance with the details contained in the Ecological Survey and Assessment, ERAP ref: 2018-187 Section 5.4.4 to 5.4.6 stamped as received by the Local Planning Authority on the 17<sup>th</sup> December 2019.

Reason - To ensure the protection of wildlife habitats in the locality, pursuant to policy EN15 of the Core Strategy for the City of Manchester and National Planning Policy Framework.

15) No trees shall be felled, or have any works undertaken on them, during the bird nesting season (March to July inclusive), unless prior consent is granted by the City Council as Local Planning Authority.

Reason - To ensure the protection of wildlife habitats in the locality, pursuant to policy EN15 of the Core Strategy for the City of Manchester and National Planning Policy Framework.

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

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

17) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs

(a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

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

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

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

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

18) Prior to the occupation of the development hereby approved, a scheme for delivering biodiversity enhancement at the site, shall be submitted to and approved in writing by the City Council as the local planning authority. The biodiversity enhancement measures shall be implemented in accordance with the approved scheme.

Reason - To ensure that landscape and ecology management is adequately in place and to ensure the longevity of new planting in different areas of the site and to comply with policy EN15 of the Core Strategy.

19) Prior to the commencement of development (including demolition, ground works, vegetation clearance), an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of Japanese Knotweed on site. The measures shall be carried out strictly in accordance with the approved scheme.

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

20) a) The development hereby approved shall be carried out in accordance with the document titled 'Energy Statement – Belle Vue' completed by Countryside Properties and the Planning Statement stamped as received by the City Council, as Local Planning Authority, on the 2<sup>nd</sup> October 2019.

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

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

21) The development shall be carried out in accordance with the Crime Impact Statement (Version A) prepared by Design for Security at Greater Manchester Police dated 5<sup>th</sup> September 2018, stamped as received by the City Council, as Local Planning Authority, on the 17th December 2018. The development shall only be carried out in accordance with these approved details. 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.

22) a) The development hereby approved shall be completed in accordance with the revised Environmental Noise Study by Red Acoustics, referenced R1522-REP01-PB and dated 2 August 2019 stamped as received by the City Council, as Local Planning Authority, on the 13th August 2019, in relation to the acoustic treatment of the residential accommodation and external areas of the development hereby approved. The noise mitigation scheme hereby approved by the City Council as local planning authority, shall be completed before any of the dwelling units are occupied.

b) Prior to the first occupation of the development hereby approved, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved scheme. The report shall also undertake post completion testing to confirm that the internal noise criteria has been met and non-conformities with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria. The approved scheme shall then be implemented prior to the first occupation of the accommodation.

Reason - In order to protect the future occupants of the residential accommodation from existing noise sources in the vicinity of the application site pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

23) The development hereby approved shall be completed and operated in accordance with the Waste Management Strategy shown on the plan numbered SK441-PL-01 Rev O stamped as received by the Local Planning Authority on the 4<sup>th</sup> November 2019 and the City Council's Waste Management Proforma stamped as received by the Local Planning Authority on the 18<sup>th</sup> December 2019 in relation to the waste strategy for the residential accommodation hereby approved. The refuse

arrangements shall be put in place prior to the first occupation of the development and remain in situ for as long as the development is in use.

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

24) a) The development hereby approved shall be carried out in accordance with the Air Quality Assessment prepared by Redmore Environmental stamped as received by the City Council, as Local Planning Authority, on the 17th December 2018 and the electric vehicle charging points shown on the plan numbered SK441-PL-01 Rev O stamped as received by the Local Planning Authority on the 4<sup>th</sup> November 2019. Good practice principles should be applied to the operational phase of the development. The approved details shall then be implemented and be in place prior to the first occupation of the development and thereafter retained and maintained in situ.

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

25) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the development 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.

26) 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.

27) The positions, heights, and type of boundary treatment around the development hereby approved shall be erected in accordance with the plans numbered SK441-BP-01 Rev G, SK441-PL-01 Rev O and NSD-9202-01 stamped as received by the Local Planning Authority on the 4<sup>th</sup> November 2019. The approved scheme shall be implemented in full before each particular property is first occupied and retained as such thereafter.

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

28) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no garages or extensions shall be erected onto the new build properties within the development hereby approved other than those expressly authorised by this permission.

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

29) No development groundworks, soft-strip or demolition shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works. The works are to be undertaken in accordance with the Written Scheme of Investigation (WSI) prepared by Lanpro Services and approved on behalf of Manchester Local Planning Authority by Greater Manchester Archaeological Advisory Service. The WSI covers the following:

a) A phased programme and methodology of investigation and recording to include:

- background documentary research into Belle Vue Greyhound Stadium
- archaeological buildings survey (HE level 3)
- targeted archaeological evaluation trenching
- targeted archaeological open area excavation

b) A programme for post investigation assessment to include:



- production of a final report on the results of the investigations and their significance.

c) Deposition of the final report with the Greater Manchester Historic Environment Record.

d) Dissemination of the results of the archaeological investigations commensurate with their significance including, for example, information boards and commemoration of the stadium's history, or a volume in the Greater Manchester's Past Revealed series.

e) Provision for archive deposition of the report and records of the site investigation.

f) Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible pursuant to policy EN3 and DM1 of the Manchester Core Strategy (2012) and saved policy DC20 of the Unitary Development Plan for the City of Manchester (1995) and in accordance with NPPF Section 12, Paragraph 141.

30) Prior to the commencement (excluding demolition and ground remediation) of the development hereby approved, a proposed Local Employment Agreement strategy for the construction of the development shall be submitted to and approved in writing by the City Council as the Local Planning Authority. The development shall then be constructed in accordance with the approved strategy.

Reason - To safeguard local employment opportunities, pursuant to policies SP1 of the Manchester Core Strategy (2012).

31) Notwithstanding the details approved under Condition 27 above, prior to the first occupation of the dwellings hereby approved, full design and materials specifications for the 3.7 metre high acoustic barrier along the boundary with the adjacent Belle Vue Sports Village and National Speedway Stadium, shall be submitted to and approved in writing with the Local Planning Authority. The development shall then be completed in strict accordance with the approved design, shall be fully installed prior to the first occupation of the dwellings and shall be retained in situ for as long as the dwellings are occupied.

Reason - In order to protect the future occupants of the residential accommodation from existing noise sources in the vicinity of the application site pursuant to policies SP1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

32) Prior to the commencement of any works associated with the construction of the new highway routes and vehicular access points hereby approved, full engineering details of the new traffic calming measures such as raised tables within the development, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall not be occupied until the works have been constructed in accordance with the approved details, unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - In the interests of highway safety due to the increased traffic flow generated from the development, pursuant to policy T1 of the Core Strategy for Manchester.

33) Prior to the occupation of any dwellinghouse hereby approved, the measures detailed in the Lighting Proposals Statement received on 21<sup>st</sup> November 2019, (including the replacement of the middle lighting column, together with the installation of shields and cowls to all lighting fittings on the columns along the northern boundary of the existing pitch forming part of the adjacent all weather pitch) shall be fully implemented and retained in situ at all times thereafter.

Reason - To safeguard the amenities of the future occupiers of the proposed residential accommodation when the development is complete, pursuant to saved policies SP1 and DM1 of the Core Strategy for Manchester.

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

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

### **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: 122160/FO/2018 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

Sport England  
Historic England (North West)  
Twentieth Century Society  
Environmental Health  
MCC Flood Risk Management  
Highway Services  
Neighbourhood Team Leader (Arboriculture)  
Work & Skills Team  
Greater Manchester Ecology Unit  
Wildlife Trust  
United Utilities Water PLC  
Greater Manchester Archaeological Advisory Service

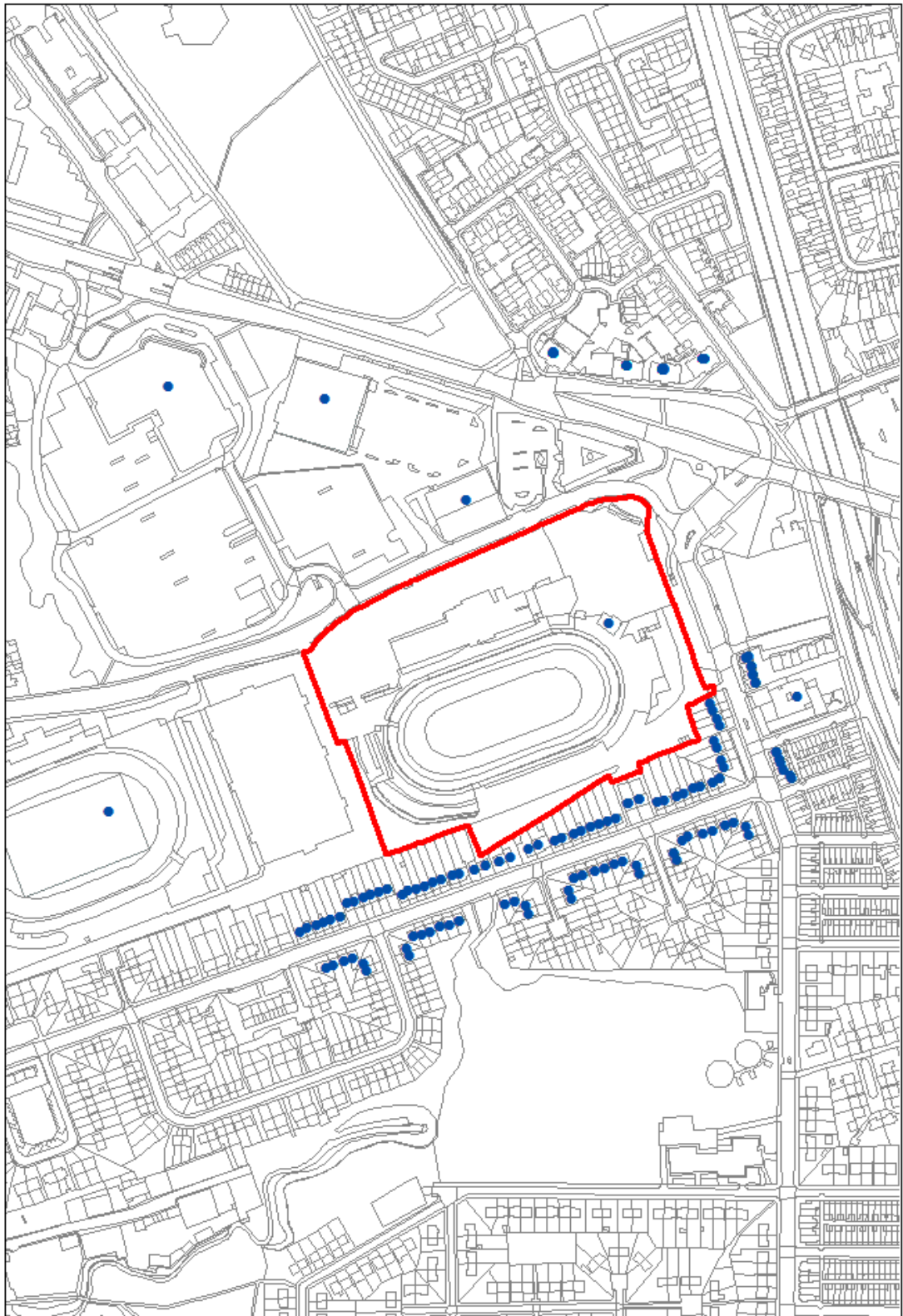
Greater Manchester Police  
Transport For Greater Manchester  
Highway Services

**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:**

Sport England  
Historic England (North West)  
Twentieth Century Society  
Environmental Health  
MCC Flood Risk Management  
Highway Services  
Neighbourhood Team Leader (Arboriculture)  
Work & Skills Team  
Greater Manchester Ecology Unit  
United Utilities Water PLC  
Greater Manchester Archaeological Advisory Service  
Greater Manchester Police  
Transport For Greater Manchester  
Highway Services

**Relevant Contact Officer :** Jeni Regan  
**Telephone number :** 0161 234 4164  
**Email :** [j.regan@manchester.gov.uk](mailto:j.regan@manchester.gov.uk)



 Application site boundary  Neighbour notification  
© Crown copyright and database rights 2019. Ordnance Survey 100019568