

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
126142/FO/2020	6th Feb 2020	19 <sup>th</sup> November 2020	Chorlton Park Ward

**Proposal** Erection of 8 no. dwellings with associated vehicular access, parking and landscaping following demolition of 2 no. existing houses

**Location** Vacant Land To The North Of 9 And 11 Ennerdale Avenue ,  
Manchester, M21 7NR

**Applicant** Ms Emma Litchfield, Southway Housing Trust, Southern Gate, 729  
Princess Road, Manchester, M20 2LT,

**Agent** Mr Harvinder Randhawa, Triangle Architects, 113 Fairfield Street,  
Raven House, Manchester, M12 6EL

### **Executive Summary**

The application proposals relate to an undeveloped piece of land that sits between the rear garden areas of properties on Ennerdale, Elswick and Darley Avenues.

The proposals are for the erection of 8 no. dwellinghouses and associated works together with the demolition of 2no. existing houses. The proposals are being brought forward by a registered social landlord for properties that would be available for social rent.

32 nearby properties were notified of the proposals and objections have been received from 18 residents relating to: impact on residential amenity including overlooking, loss of privacy, giving rise to an increase in crime, overshadowing; and ecology including loss of trees and impacts on bats. Full consideration of the matters raised is set out within the detailed report.

The applicant has responded to issues raised by neighbours and has sought to undertake amendments particularly to properties closest to existing rear gardens through rearranging window types to prevent overlooking of these areas. The applicant has committed to a tree replanting scheme on a 3 new trees for each 2 tree lost as a result of the development which would be secured by way of appropriately worded conditions. An indicative scheme for a 'woodland' planting scheme

The proposals would assist in providing an increase in social rented properties in this part of South Manchester. On balance the provision of much needed residential accommodation alongside the mitigation measures detailed in the report are considered acceptable in this instance.

### **Application site**

The application site relates to an undeveloped piece of land that sits between the rear garden areas of properties on Ennerdale, Elswick and Darley Avenues as

identified on the aerial view set out below. The land contains vegetation and trees and is enclosed by the associated boundary fences/railings of the surrounding residential properties. There is evidence of tipping of waste on the land with a variety of detritus with suggestions that this has been occurring for some time.



**View of site looking north**

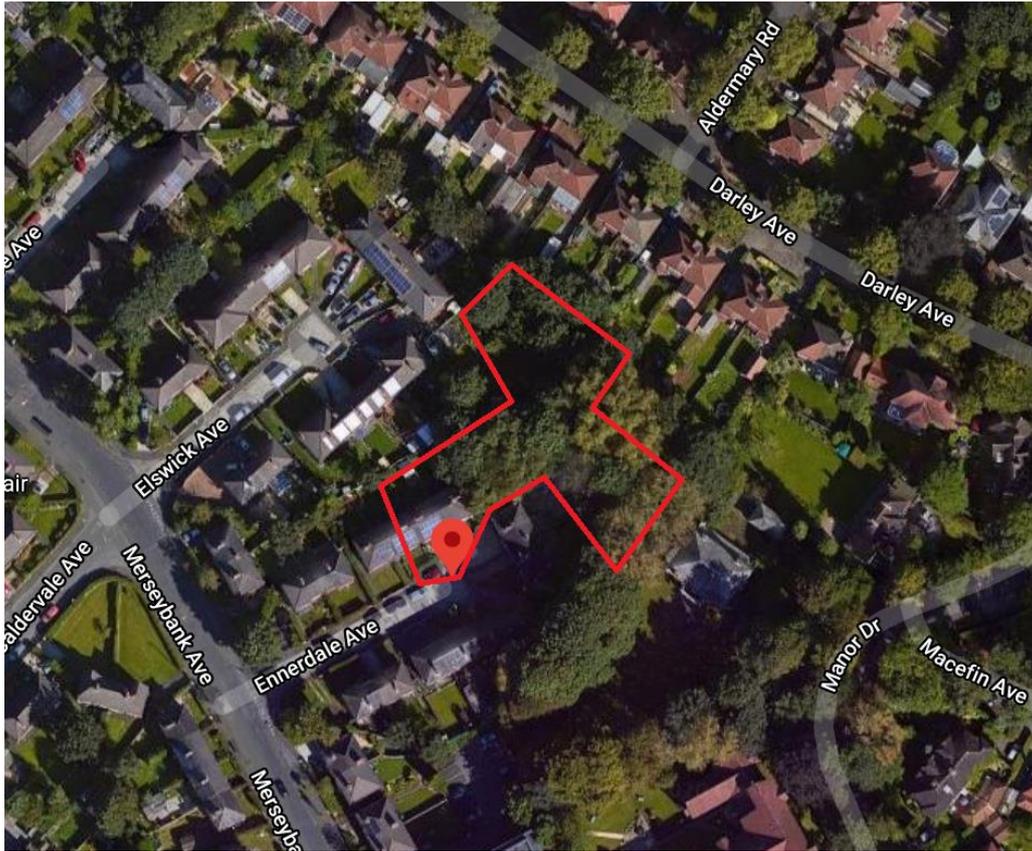


**View of the site looking northwest**



**View of the site looking northeast**

The land appears to have remained undeveloped since the development of the Merseybank estate in the first half of the 20<sup>th</sup> Century and the completion of the semi-detached properties along the northern extent of the site along Darley Avenue shortly afterwards which then enclosed the land.



**Application site edged red**

### **Description of proposed development**

The application proposals are for the erection of 8 dwellings arranged in the form of two pairs of semi-detached properties (2 no. 2 bedroom 3 person and 2 no. 3 bedroom 4 person dwellings) and two buildings to form 4 no. cottage flats (2 no. 1 bedroom 2 person dwelling and 2 no. 2 bedroom 3 person) all the proposed buildings are to be developed to provide social rented properties and have been designed to meet Manchester's Space Standards and have been laid out to provide for future adaptations such as lift provision.

The proposed dwellings have been designed to have a contemporary appearance and reflect the design of other recent proposals brought forward by the applicant elsewhere in south Manchester. The main materials to be used in the construction are traditional in nature (red brick with grey brick detailing).

Each dwelling is provided with outdoor amenity space, cycle parking, an off street car parking space (2 spaces each for the larger semi-detached properties), and refuse storage space.



**Proposed site layout plan indicating the arrangement of the proposed dwellings**

The frontages of properties would be demarcated by a low level wall and railings whilst rear gardens would be secured by way of 2.1 metre high fencing around the boundary with existing properties.

In order to facilitate the development of the new dwellings two existing two storey properties in the ownership of the applicant would need to be demolished (nos. 9 and 11 Ennerdale Avenue) and a new extension to the existing Ennerdale Avenue cul-de-sac would be formed to provide vehicular and pedestrian access to each of the proposed properties.



The two properties to be demolished in order to extend Ennerdale Avenue and develop the land to the rear of these properties.



Aerial view of the two properties to be demolished

### Consultations

Councillor Mandie Shilton Godwin and Councillor Dave Rawson – Are supportive of this application from Southway homes to demolish two homes and to erect eight houses to be available for social rent.

They acknowledge loss of trees and this is regrettable but feel that this needs to be balanced against the high level of need for homes and in particular homes for social rent. It is recognised that this will be a disappointment to some residents and sympathy is expressed for those who have objected.

There will be the need for mitigation to replace the value of the lost habitat. The contents of the ecological and arboricultural surveys are noted, and the mitigation requirements contained therein. Also note the air quality survey. They would like to add some points to enhance that mitigation and would request that these will be included as planning conditions.

- They would like to see the trees lost to this development replaced at a minimum rate of 3 to 1, including trees of high quality and would like to see those trees replaced elsewhere within the ward, where they can be of most environmental benefit.
- Pleased to see the requirements for nesting boxes and appropriate levels of lighting for bats and support those measures.
- Note that there is no provision for the boundary fencing to leave spaces for hedgehogs to move between the areas and would like to see the boundary treatment ensuring that there is that provision.
- Concern expressed for the safety of residents during the construction phase and note the management requirements.

Neighbouring occupiers were notified of the proposals in response 18 objections were received a summary of the responses received is set out below:

- Comments re-encroachment onto a neighbours land
- Loss of habitat and biodiversity including. trees
- Increase in traffic
- Construction disruption
- Impact on the character of the local area particularly through the loss of trees
- Climate change and need for sustainable development
- Loss of privacy and amenity – overlooking of rear gardens
- Backland development
- Loss of trees would lead to an increase in noise and air pollution in the local area.
- Air quality impacts of the development
- Impact on increased flood risk
- Security – the development would result in the increased risk of direct access to rear gardens of existing houses from Ennerdale Av
- The site is not suitable for development and there is sufficient development capacity in the city elsewhere to meet the housing requirements of the south Manchester community.
- The proposals will allow for direct access into gardens via Ennerdale Avenue and Mersey Bank Avenue; which has persistently over the years been associated with crimes, burglaries and general anti-social behaviour.
- The garden areas on the proposed houses are too small
- The development will overshadow the rear gardens of properties on Darley Avenue

- The area has been for decades subject to Anti-Social behaviour, vandalism, criminal damage to property, theft, trespass etc and our experience tells us this potential development will open up a new access point to these impacts.

Chorlton Voice – Object to the loss of trees as a result of the proposed development

MCC Neighbourhood Services (Arborists) – The individual trees on the site are unlikely to support TPO status. The trees appear to have been largely unmanaged which has resulted in poor form and suppressed crowns of individual trees.

The trees do offer amenity value to a number of neighbouring properties in the surrounding area. If approval is granted for this site it is advised that a detailed mitigation planting plan to offset the loss of such a large amount of trees.

MCC Highway Services - Highways accept the principle of the general arrangement as presented, this will remain subject to acceptance of Planning and any associated submission and agreement with Highways Statutory Approvals of an appropriate TRO arrangement which would maintain sufficient access and turning capability along and at the head of Ennerdale Avenue for refuse collection vehicles.

The amended driveway layouts now conform to the Council's required standards, including the provision of an additional off-road space to be allocated to No.7 Ennerdale. This is accepted in-principle.

MCC Environmental Health – Recommend conditions are attached to any permission in respect of contaminated land and site investigations; construction management plan; and provision of electric vehicle charging points.

MCC Flood Risk Management Team – Recommend conditions are attached to any approval for the final details of surface water drainage and its maintenance and management.

United Utilities – Recommend conditions are attached to any approval for the final details of surface water drainage and its maintenance and management.

Greater Manchester Police Design for Security Team - Support the application on the basis of the development being signed off for Secured by Design accreditation and therefore recommend that when determining the application, a condition should be added to reflect the Secured By Design accreditation being achieved.

Following submission of further comments from residents GMP Design for Security confirmed from a crime prevention perspective, there are a couple of minor improvements to the site layout that could be made: firstly, relating to the enhancement of the security of the rear garden boundaries of 93 and 95 Darley Avenue, the bin store in the garden front of plots 7 & 8 should be relocated away from the site boundary and defensive planting be introduced to supplement the proposed fence; and similarly, if feasible, defensive planting should be introduced to the edge of the extended cul-de-sac, between plots 1 & 2 and 3, to enhance the security of the rear boundary number 14 & 16 Elswick Avenue.

The GMP Chorlton Beat Manager also commented to state the following - The removal of the trees without any 'proper' security measures being implemented i.e. appropriate fencing and security gated areas would greatly affect the residents of Manor Drive. Without these measures there would be an increase in Anti-Social behaviour in this area and to the residents of Manor Drive whom will be more vulnerable to crime. If this proposal is granted, consideration should be given to leaving some of the trees in situ. In particular the trees which would border the properties on Manor Drive leaving residents some natural protection in order to prevent any issues.

Greater Manchester Ecology Unit – Following the submission of further ecology and bat survey information they are satisfied with the level of survey work to support the application proposals.

The loss of this area of woodland would also need to be adequately compensated for. Detailed landscaping plans have not yet been submitted, however the site plans suggest it would be difficult to replant the required number of trees within the current layout. GMEU would support a similar area of tree planting to that which is being lost. These should be planted in groups rather than individual trees and contain a locally native species including canopy and understorey species. GMEU would also recommend native woodland ground flora is established (through bulb/seed sowing).

Nesting birds are also likely to be impacted upon as a result of the loss of the woodland and also the houses. Work such as building demolition, tree felling and site clearance would need to be timed to avoid the main bird nesting season (March – August inclusive) unless it can otherwise be demonstrated that no active bird nests are present. A compensation strategy for the loss of bird nesting opportunities would also be recommended, which should incorporate the recommendation in the conclusion of the ecology report.

## **Policy**

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The adopted development plan consists of the Core Strategy (adopted 2012) and the saved policies of the Unitary Development Plan. Due consideration in the determination of the application will also need to be afforded to national policies in the National Planning Policy Framework (NPPF) which represents a significant material consideration.

### **Manchester Core Strategy**

The adopted Core Strategy contains a number of planning policies relevant to the consideration of the application proposals. These are set out below:

#### **Policy H1 - Housing Provision**

This policy identifies that approximately 60,000 new dwellings will be provided in Manchester between March 2009 and March 2027 equating to an average of 3,333 units per year although this rate will vary across the identified period. The policy

identifies that the emphasis outside of the City Centre and the City's Inner areas is to increase the availability of family housing. It is expected that 90% of residential development will take place on previously developed land and sites in close proximity to centres and high frequency public transport routes.

The application proposals would contribute to the overall provision of new residential units in the City. The proposals incorporate cottage flats and semi-detached properties and are considered to accord with the policy H1 of the Core Strategy subject to consideration of matters set out within the issues section of this report.

#### Policy H6 - Housing in South Manchester

This policy indicates that 5% of new residential development will take place in South Manchester over the lifetime of the Core Strategy. High density development will generally only be appropriate within district centres. Outside the district centres priorities will be for housing meeting identified shortfalls, including family housing and provision that meets the needs of elderly people with schemes adding to the stock of affordable housing.

The application proposals would provide accommodation to increase the affordable housing stock in South Manchester which is identified as required in South Manchester. On this basis the proposals are considered to be in general accordance with policy H6.

#### Policy H8 - Affordable Housing

Sets out the Council's approach to assessing applications of greater than 15 residential units and provision of affordable housing or an equivalent financial contribution.

The application does not meet the threshold requiring consideration against Policy H8 but the applicant has confirmed that all of the proposed properties are to be made available for social rent.

#### Policy T1 - Sustainable transport

This policy embeds the delivery of a high-quality integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking. It indicates support for proposals that: improve choice by delivering alternatives to the car; promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services; improve access to transport services and facilities for all; improve pedestrian routes and the pedestrian environment; facilitate modes of transport that reduce carbon emissions; reduce the negative impacts of road traffic.

#### Policy T2 - Accessible areas of opportunity and need

This policy indicates that the Council will actively manage the pattern of development to ensure that new development is located to ensure access to the City's main economic drivers; is easily accessible by walking, cycling and public transport; have regard to the need for disabled and cycle parking and the maximum car parking standards set out in the Core Strategy; and, includes proportionate traffic impact assessments and travel plans for all major applications.

The application site is located within a location accessible by bicycle and on foot enabling future residents to access areas of economic activity in the city by a range of sustainable transport modes. The level of car parking is considered to be adequate for the sites location and the needs of future residents whilst also providing cycle parking to broaden the range of sustainable transport modes available to future residents. The application is supported by a Transport technical note and Highway Services raise no objections to the proposals on highway grounds. It is considered that the proposals accord with policies T1 and T2 of the Core Strategy.

#### Policy EN1 - Design Principles and Strategic Character Areas

Developments in Manchester are expected to follow the seven principles of urban design and have regard to the strategic character area in which the development is located. The application site is located in the southern character area where development is expected to retain the identity and focus of activity associated with the historic district centres and along the radial routes should be commensurate in scale with the prominence of its location.

The application proposals have been designed to reflect the context and residential character of the area. Consideration of this matter is set out in more detail within the issues section of this report.

#### Policy EN 4 - Reducing CO2 Emissions by Enabling Low and Zero Carbon Development

The Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO2 emissions, and rising fossil fuel prices, through the following actions: All development must follow the principle of the Energy Hierarchy, being designed to reduce the need for energy through design features that provide passive heating, natural lighting and cooling to reduce the need for energy through energy efficient features such as improved insulation and glazing to meet residual energy requirements through the use of low or zero carbon energy generating technologies.

Wherever possible new development and retrofit projects, including energy generation plant, must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies.

Where possible new development and retrofit projects will be used as a mechanism to help improve energy efficiency and provide low and zero carbon energy supplies to existing buildings.

Where appropriate new development and retrofit projects will be required to connect to and/or make contributions to low or zero carbon energy schemes and/or to incorporate provision to enable future connection to any existing / potential decentralised energy schemes.

#### Policy EN6 - Target Framework for CO2 reductions from low or zero carbon energy supplies.

This policy sets out that major developments are expected to meet the targets set out in the policy which are to be demonstrated through an energy statement.

The development is considered to comply with policies EN4 - EN6 in that clear consideration has been given to how the buildings functions and through a building fabric first approach to reduce overall energy demands.

#### Policy EN9 - Green infrastructure

This policy indicates that new development will be expected to maintain existing green infrastructure in terms of quantity, quality and function. Opportunities to encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure.

The application site contains existing trees and the development proposals would result in the loss of trees on site. The applicant has confirmed that some existing trees can be retained and have committed to a replacement tree planting scheme on a 3 for 1 basis further consideration of this matter is set out within the issues section of this report.

#### Policy EN14 - Flood Risk

The policy reflects national planning policy to direct development away from sites at greatest risk of flooding, and towards sites with little or no risk of flooding. The site is not within an area of greatest risk from flooding but details of the drainage from the site have been recommended by the Council's Flood Risk Management Team and appropriately worded conditions are proposed for further details to be submitted and approved prior to works commencing on site.

#### Policy EN15 - Biodiversity and Geological Conservation

This policy indicates that the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the city. Developers are expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on site, contributing to linkages between valuable or potentially valuable habitat areas where appropriate.

The Councils specialist ecology advisors at GMEU do not raise objections on biodiversity grounds and recommend that landscaping incorporates measures to enhance biodiversity including the use of bat and bird boxes as part of the development. In addition, it is recommended that replacement planting of trees This is reflected in the proposed landscaping condition and biodiversity condition.

#### Policy EN16 - Air Quality

This policy indicates that the Council will seek to improve the air quality within Manchester and particularly Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport. Developers are expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself. When assessing the appropriateness of locations for new development the Council will consider the impacts on air quality this includes cumulative impacts, particularly in AQMAs.

The applicant has provided an Air Quality Assessment of the air quality impact of the proposed development and the potential to expose future users to elevated pollution levels.

#### Policy EN18 - Contaminated Land

The policy outlines that the Council gives priority for the remediation of contaminated land to strategic locations. Proposals for development of contaminated land must be accompanied by a health risk assessment.

The application is accompanied by a ground conditions report that has been assessed by Environmental Health and it is recommended that a suitably worded condition be attached to any approval.

#### Policy DM1 - Development Management

All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

Appropriate siting, layout, scale, form, massing, materials and detail.

Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

Community safety and crime prevention.

Design for health.

Adequacy of internal accommodation and external amenity space.

Refuse storage and collection.

Vehicular access and car parking.

Effects relating to biodiversity, landscape, archaeological or built heritage.

Green Infrastructure including open space, both public and private.

The use of alternatives to peat-based products in landscaping/gardens within development schemes.

Flood risk and drainage.

Existing or proposed hazardous installations.

Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-

a) For new residential development meet as a minimum the following Code for Sustainable Homes standards. This will apply until a higher national standard is required:

Year 2010 - Code Level 3;

Year 2013 - Code Level 4;

Year 2016 - Code Level 6; and

(b) For new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment Environmental Assessment Method) standards. By 2019 provisions similar to the Code for Sustainable Homes will also apply to all new non-domestic buildings.

### 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:

DC6.1 The Council will not normally grant consent for residential development on "backland" sites, that is, sites with limited access to a road because they are surrounded by housing or other uses.

DC6.2 Development will not be permitted unless:

- a. there is no loss of privacy to adjoining dwellings and associated rear gardens;
- b. access and parking arrangements do not significantly increase noise and disturbance for occupiers of existing adjoining dwellings;
- c. the scale and design of the development is compatible with the character of buildings in the surrounding area;
- d. there is sufficient space between the proposed and existing dwellings to avoid problems of significant overshadowing or of over-dominant appearance affecting either the existing or the proposed dwellings;
- e. the proposal does not involve the loss of important trees or other natural features of high amenity value or the loss of locally important wildlife habitats;
- f. the proposed and existing dwellings retain adequate levels of private amenity space; and
- g. in the case of development within a Conservation Area, in particular, the built form and the surrounding spaces maintain or enhance the character of the area.

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 from noise sources.

It is considered that the proposal is consistent with the policies contained within the UDP and more consideration of these matters is set out within the Issues section of this report.

### The National Planning Policy Framework (February 2019)

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

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

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

Section 14 (paragraphs 148 to 169) of the NPPF is titled 'Meeting the challenge of climate change, flooding and coastal change'. It emphasises the role of the planning system in support the transition to a low carbon future. It should help shape places to reduce greenhouse gas emissions, minimise vulnerability and improve resilience. In addition, the Chapter sets out that development in areas of at risk of flooding should be avoided.

Chapter 15 (paragraphs 170 to 183) of the NPPF is titled 'Conserving and enhancing the natural environment'. The Chapters advises that biodiversity should be protected and enhanced, remediate contaminated land where appropriate, and new development should not lead to unacceptable levels of soil, air, water, or noise pollution.

### Residential Quality Design Guide

Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses. The applicant has confirmed that the proposed apartments meet the internal space standards and sets out the design considerations undertaken in coming to the final design intent of the proposals.

## South Manchester Regeneration Framework

The SRF identifies a key issue for the area as providing a wider choice of housing to attract and retain residents. The SRF states future housing developments need to focus on providing high-quality family accommodation. It identifies that high-quality sustainable new housing developments should meet the housing needs of the existing and future population of South Manchester.

## The Manchester Green and Blue Infrastructure Strategy (G&BIS) –

The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

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

By 2025 high quality, well maintained green and blue spaces 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. Four objectives have been established to enable the vision to be achieved:

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

The proposals would result in the loss trees on the site, the applicant is proposing mitigation tree planting on site and enhanced tree planting off site.

## Issues

Principle - The application site currently comprises an enclosed parcel of land containing vegetation and trees and is bound by residential properties and their associated external amenity areas and boundary fences. The consideration of the impacts of the proposals in relation to these matters is set out and considered in more detail below, however it is generally considered that the provision of affordable housing within this predominantly residential area of Manchester is acceptable.

Climate Change – The application proposals would result in the loss of a current area of land that consists of vegetation and trees. The site is located within a predominantly residential area in an urban setting and is considered to be a

sustainable location in which to see development of further residential accommodation due to the existing infrastructure and services that the development and future occupiers can be readily connected to. As set out elsewhere in this report the land is not currently designated either statutorily or non-statutorily in terms of the quality of the habitat contained within it and whilst it is acknowledged that the proposals would result in the loss of existing green infrastructure a range of mitigation measures are proposed to be delivered through appropriately worded conditions.

The development of new residential properties would offer the opportunity of improving the energy performance of the housing stock in the area through the use of modern materials to ensure a fabric first approach is adopted in terms of the sustainability of the new dwellings and would incorporate a drainage scheme to ensure that the proposals would not give rise to increasing the risk of flooding elsewhere.

Open Space –The most recent assessment of Open Space in Manchester used to inform the production of the Core Strategy was the Open Space and Needs Assessment undertaken in 2009. That assessment does not identify this land as open space. Whilst the site does provide an incidental green area which can be seen by nearby residents which would be lost as a result of the development it is not defined as open space. The development proposals include indicative landscaping proposals and the applicant has indicated a commitment to plant further trees in the local area. It is considered necessary therefore to attach relevant conditions to ensure the delivery of a full detailed soft landscaping scheme and the off-site tree planting. It must also be noted that the application site is not accessible from any public areas.

Residential Amenity – Concerns have been raised with regards to the impacts of the proposals on residential amenity in particular in relation to loss of privacy, overlooking and overshadowing.

*Overlooking and loss of privacy* - The applicant has sought to overcome a number of these concerns through amendments to the arrangements to a number of upper floor windows that would be in relatively close proximity to the rear gardens of properties on Darley Avenue and Ennerdale Avenue. These amendments include:

- A bay window to the rear elevation to plots 1 and 2 and 6 with those panes of glass looking towards existing neighbouring gardens being obscurely glazed
- Bedroom window moved to side elevation on plot 5.



**Distances between proposed properties and rear of properties on Darley Avenue (21m) to the north and the side gable of number 18 Elswick Avenue (13.5m) to the northwest**



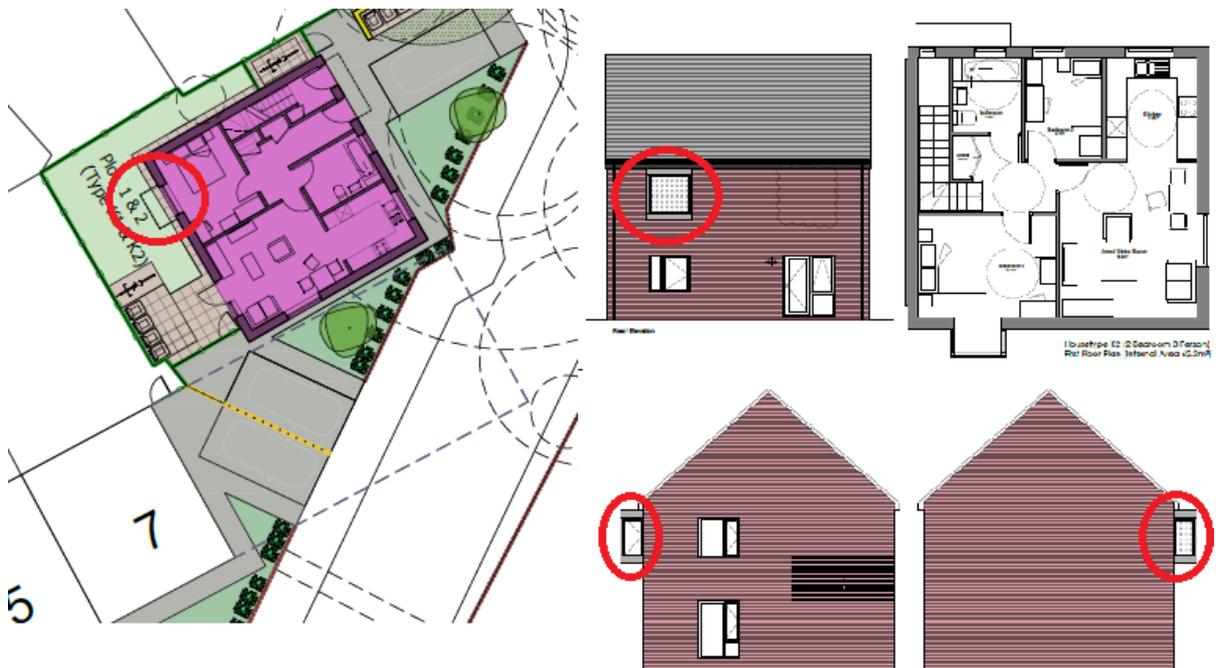
**Distances between the proposed properties and the rear of existing properties on Elswick Avenue to the northeast (13.5m), the rear of number 13 Ennerdale Avenue (13.6m) and to the rear of the closest property on Manor Drive to the southwest (21.9m)**

The amendments set out above would remove the potential for direct overlooking of a number of rear gardens which has been raised as a concern by residents on Darley Avenue. It is acknowledged that the built form of the proposed dwellings would be in relatively close proximity to the rear boundaries of gardens of properties on Darley Avenue, however the distance between rear walls of proposed and existing dwellings would range between 19 and 21 metres. These separation distances are considered to be acceptable in this context.



Plot 5 facing towards the rear of properties on Darley Avenue has a first floor high level and side facing bedroom window , Plot 6 would have a projecting bay window at first floor with obscurely glazed panes on the rear and side facing panes towards the rear gardens on Darley Avenue

The proposals would also introduce a built form in proximity to other existing residential properties on Ennerdale Avenue and Elswick Avenue. With the amendments to upper floor windows of the cottage flats as described above it is not considered that the proposals would give rise to concerns with regards to overlooking or perception of overlooking particularly on number 7 Ennerdale Avenue.



Layout plan for property to the north of number 7 Ennerdale Avenue. Note inclusion of first floor bay with obscure glazing on the pane facing towards the rear garden of 7 Ennerdale and north west facing side pane facing towards rear of property at 10 Elswick Avenue

The distance between the rear wall of the closest property on Manor Drive to the proposed dwellings is approximately 21 metres. Given this distance and the siting of the proposed cottage flats to the north west it is not considered that the proposed cottage flats would give rise to unacceptable impacts in terms of privacy or overlooking.

*Loss of daylight and overshadowing* - The proposed dwellings closest to the boundary with properties on Darley Avenue would be located to the south of the rear gardens to those properties. As a result of the proposed development a number of trees within the application site would require removal. These trees are presently unmanaged and of a height that would cause some overshadowing and loss of light to these existing garden areas. Whilst there may be some improvement in terms of light to these garden areas as a result of the removal of a number of trees it is acknowledged that the positioning of dwellings would lead to some loss of light and overshadowing of a section of the rear gardens closest to the application site.

Given the distance and the siting of the proposed cottage flats to the north west of the nearest existing property on Manor Drive it is not considered that the proposed cottage flats would give rise to unacceptable impacts in terms of loss of daylight or overshadowing.

The closest proposed buildings to the retained properties on Ennerdale are located to the north and east, they are therefore not considered to give rise to a loss of daylight or overshadowing to the existing properties. There would be some loss of light and overshadowing of rear gardens to properties on Elswick Avenue as a result of the proposed development. These impacts would be predominantly for the morning period but are considered to be similar to other such relationships in the immediate area and by the current unmanaged trees on the application site. These impacts are not considered to be so significant as to warrant refusal of the proposals.

Backland development – Concern has been raised that the proposals are contrary to saved Unitary Development plan policy DC6 as a result of the application site being located within a backland location by virtue of it being land that is enclosed and surrounded by existing residential properties. It is not considered that the proposal would be contrary to this policy. As set out above the proposals have been amended to ensure that there is no loss of privacy to adjoining dwellings and associated rear gardens and all properties would have a road frontage. The provision of two storey properties is considered to be entirely compatible with the character of the area. The contemporary design utilising traditional materials would assist in ensuring that the proposals successfully assimilate into the area.

It is acknowledged that the proposals would result in the loss of trees and habitat, however, the trees are not considered to be of high amenity value confirmed in the response of MCCs arborist who considered the trees to not be worthy of statutory protection through a Tree Preservation Order. In addition, the habitat of the site has not been identified as one that is locally important or that is statutorily or non-statutorily protected. As set out in the below consideration of the impacts on trees and ecology the application proposals if approved would be subject of appropriately worded conditions to ensure mitigation is achieved as part of the development.

The applicant is, as part of the proposal, utilising their ownership of the application site and adjacent residential properties to provide highway access to the site through the demolition of two existing dwellings. Whilst the loss of two existing properties is regretted this allows the provision of further additional residential properties on land in the applicant's ownership. As set out above it is considered that the proposal accords with the requirements of policy DC6 in this instance.

Noise - It is considered that the introduction of additional dwellings in this residential area would not generate unacceptable levels of noise and disturbance to existing residential properties. General activity associated with the proposed residential dwellings would be of a similar nature to those residential properties already in the area and would not be expected to lead to unusual or unacceptable levels of noise.

The introduction of additional car parking would create associated movements and noise with motor vehicles along Ennerdale Avenue and the new section of highway. The proposals would introduce boundary treatments in the form of 2.1 boundary fences around the site that would assist in reducing such impacts however, such activity is not considered to be so significant given the relatively small number of proposed dwellings to warrant refusal of the proposals.

Design - The application proposals would provide a contemporary addition to the area. The design approach and detailing together with the use of traditional construction materials (brick and tiled roof) is considered to add a positive addition to the area and the mix of housing types and design that are evident in this area.



**Elevations of one of the proposed house types (Type A)**



**Front and rear elevations of one of the proposed Cottage flats house type**

Boundary Treatments – The proposals include the installation of boundary fencing around the site which would enable a uniformed and secure boundary treatment to be erected. All rear gardens would be secured by a 2.1 metre high timber fence and trellis arrangement. In addition, the proposals include robust front boundary treatments of a combination of low-level wall and railings and railings with an upstand. The indicative landscaping scheme also indicates hedge planting behind the front boundary treatments. The proposed boundary treatments are considered acceptable.

Affordability - The applicant has indicated that they are looking to replenish social housing stock within their core area wherever possible and increase the amount of social and affordable rented stock and has confirmed that the 8 proposed properties would be provided as Social Rent and on completion would be owned by the applicant. Information submitted also indicates that demand for these properties would be very high with an average of 100 bids per property.

The applicant has confirmed that funding from Homes England has been secured for this development based on the unit type and tenure submitted for planning permission.

Accessibility - The proposed house types have been designed to meet Manchester Space Standards. Additionally, the proposals have been designed to enable installation of lifts and tracking for future adaptations, all door widths would meet recommended clear openings to allow for an accessible approach and level access.

Trees – The applicant has undertaken an Arboricultural Impact Assessment (AIA) and Tree Survey that has been submitted alongside the application proposals. This has been assessed by the Council's Arborist who confirm that no trees on the site would warrant protection through Tree Preservation Orders. However, irrespective of the quality of the trees on the site they do provide amenity for existing residents who have gardens adjacent the application site. Public viewing points of the trees are generally limited to those views between gaps of existing houses and some treetops are also viewable above the roofs of existing houses.

The application proposals would result in the removal of 8 individual trees and 6no. groups of trees on the site. None of the trees on site have been classified in the highest category (A) within the submitted Tree survey. The trees to be removed fall in the following categories:

- Category B – 1 no. individual tree
- Category B/C - 2 no. individual trees
- Category C - 5 no. individual trees and 6 groups of trees

The tree survey identifies the retention of 2no. group of trees and 3no. individual trees. One group of trees to be retained is classified as B/C whilst the rest are classified as category C. The retained trees are predominantly located on the boundary of the site to the east and south-east. The submitted AIA indicates that the development does have the potential to impact on these retained trees and it is recommended that an Arboricultural Method Statement be prepared via an appropriately worded condition.

Some landscaping proposals are included within the application and as indicated above some trees are identified as being retained, however, the mitigation required for the loss of these trees is not considered to be able to be successfully accommodated on the site alone as clusters of trees are required rather than individual street trees or trees within gardens. Following discussions, the applicant has confirmed that they are willing to bring forward a tree replacement scheme for 3 new trees to be replanted for each 1 lost on the site. An indicative scheme for off-site 'woodland' and understorey planting has been put forward by the applicant on land adjacent Wintermans Road which is located elsewhere within the Chorlton Park ward. Whilst this proposed off-site mitigation is welcome - as it would provide an area of woodland rather than individual trees - additional details of the number of trees, type and species is required to ensure the appropriate compensatory planting is achieved.

It is acknowledged that the existing trees do have an amenity value to existing residents who have direct views of the application site. The loss of trees proposed is regretted and on balance it is considered that the provision of affordable housing in an area of the city where such a need has been identified as a priority, together with a tree replacement scheme secured by way of appropriately worded conditions is acceptable and would provide the opportunity to introduce woodland tree planting within the wider area.

Ecology – The proposals include the demolition of 2 no. existing dwellings in order to facilitate the development together with the development of land that has been unmanaged and comprises vegetation and trees. As such the applicant has undertaken ecology surveys of the site, these surveys have been assessed by the Councils specialist ecological advisors at the Greater Manchester Ecology Unit. A number of concerns were raised by objectors with regards to the ecology of the site and the impacts from the development together with criticism of the submitted information.

The application site is not a statutory or non-statutory protected site for ecological purposes, and it does not contain any designated or priority habitats. The nearest such site is Chorlton Water Park local nature reserve which is within 500 metres of

the site but is separated by the city's urban environment and is therefore not considered to be affected by the application proposals.

*Bats* - The submitted Bat Surveys conclude that no bats were seen to emerge or re-enter the buildings due to be demolished as part of the development and therefore bats are not considered to be using the buildings as a roost at the time of the surveys. However, the buildings provide a moderate bat roosting potential and therefore bats may use the buildings as a roost in the future. The site is set within a residential area but there are areas of open green space within the vicinity of the site and it is considered that there is good connectivity within the residential setting for commuting bats to forage although it is considered that the site itself only provides a low foraging habitat for bats. The majority of trees on the site have been assessed as having a low bat roost potential.

The nocturnal surveys indicated that bats are commuting over the site to forage with these habitats. As the proposals would result in the loss of young trees the survey recommends that compensatory tree planting is provided to mitigate this loss. In addition to this mitigation the submitted report identifies a number of additional enhancements that should be brought forward as part of the development in the form of a bat box within each of the proposed buildings together with landscaping that incorporates suitable species that provide food or shelter resource for wildlife. These mitigation measures would be required to be secured by way of appropriately worded condition.

*Birds* - The submitted information indicates that the buildings to be demolished do provide bird nesting opportunities and mitigation will be required to ensure no net loss of nesting habitat following development. Breeding birds are protected and should not be disturbed during building works. In order to avoid harm to nesting birds, vegetation clearance and building works should not be undertaken during the bird breeding season (between 1 March and 31 August). As a result in order to provide mitigation and opportunities for bird nesting a bird box on each building is expected to be secured by way of condition attached to any approval together with conditions to ensure vegetation and tree clearance is undertaken outside of bird breeding season.

Other measures are proposed as suggested by ward members to introduce measures to ensure installed boundary treatments as part of the development facilitate movement by hedgehogs and this is reflected in the proposed conditions appended to the end of this report.

Whilst the application proposals would result in the removal of land that contains vegetation and trees, the site is not identified as being a priority habitat. As identified above, compensatory tree planting together with other biodiversity enhancements in the form of bird and bat boxes together with landscaping on site incorporating species providing food and shelter to wildlife is considered to be required to meet the requirements to enhance and protect biodiversity. This mitigation is to be secured by way of conditions attached to any planning approval.

Ground conditions – The application is supported by a Preliminary Risk Assessment of the ground conditions of the site. Taking into account the past use of the site, it is

thought unlikely that contamination will be present on the site at high levels. It is anticipated that the area where the two properties are proposed to be demolished would require an intrusive investigation is required, consisting of boreholes/trial holes and tests to confirm the presence/absence and extent of any contamination on the site. These further investigations would be secured by way of appropriately worded planning conditions and this has been confirmed in the response of the Council's Environmental Health department. It is considered that ground conditions of the site do not prohibit its development for residential use.

Drainage - The site is not within an area of greatest risk from flooding but details of the drainage from the site have been recommended by the Council's Flood Risk Management Team and United Utilities and appropriately worded conditions are proposed for further details to be submitted and approved prior to works commencing on site.

Air Quality – The applicant has prepared an Air Quality Assessment to accompany the application. This confirms that during the construction phase there is the potential for air quality impacts as a result of dust emissions from the site although it is confirmed if good practice dust control measures are implemented the impacts from demolition, earthworks and construction are predicted to be not significant.

In terms of the operational phase (occupation of the new dwellings) the assessment indicates that traffic movements associated with the new dwellings would result in negligible impacts given the low number of vehicle trips anticipated. In terms of air quality impacts on future residents the site has been assessed as being suitable for residential use as the site is not located within an air quality management area and is considered to be located an adequate distance from existing pollution sources such as Princess Road which is approximately 290 metres to the east.

Highways – The proposals would introduce a new section of highway to connect with the existing Ennerdale Avenue cul-de-sac, a footpath would be provided to serve each of the proposed properties. The proposals provide for secure cycle storage provision for each property and in addition to this each proposed property would have off-street car parking provision, with the larger 4 bedroom properties having two spaces. An off-street car parking space is also to be provided to the existing and retained dwelling at number 7 Ennerdale Avenue.

Highway Services raise no objection to the proposals on highway or pedestrian safety grounds. The proposals would introduce a new section of highway connected to the Ennerdale Avenue, the final technical details of this new section of road are to be secured by way of condition and would be delivered through a section 278 highways agreement with the Council as Highway Authority.

Crime – A number of objections have been received from residents concerned that the proposals would lead to an increase in crime and anti-social behaviour in the area. Examples of past experiences of nefarious activities including unauthorised access to rear gardens and assault are referred to by objectors. The land is currently unused, provides opportunity for concealment and is poorly overlooked. The introduction of new dwellings across the site together with new boundary treatments

would assist in providing greater natural surveillance of this area and introduce legitimate activity associated with the new properties.

The proposals are also supported by a note from Greater Manchester Police's Design for Security Team. They raise no objections to the proposals on crime and disorder grounds although recommendations are made in respect of the measures that should be introduced in order that the proposals achieve Secured by Design accreditation such as they types of doors, windows, external light sensors. Following further correspondence from an objector they have confirmed that the site layout is acceptable but note that a bin store proposed to the front of two of the properties on the east side of the site would need relocating further away from the site boundary so as not to create opportunity to aid the climbing of the boundary fence. It is understood that such a relocation could be undertaken as part of the process of reviewing and achieving Secured by Design Accreditation. GMP have confirmed that the development should achieve Secured By Design accreditation subject to including to the above revision to the location of a bin store and this should be secured by way of appropriately worded condition.

Waste Management – The applicant has provided a waste management strategy and each property has its own dedicated bin storage area for the provision of up to 4 external bins which can be easily accessed from each property allowing future occupiers to be able to ensure waste is disposed of within appropriate waste streams. All of the proposed dwellings meet the Manchester Residential Space Standards and have adequately sized kitchen areas to allow internal storage of waste prior to disposal to the external bins. The collection of waste would take place via the new constructed access road and these would reflect the current arrangements for collection that takes place along Ennerdale Avenue.

The general arrangements for the storage and collection of waste are considered acceptable. As set out in the above 'Crime' section one of the proposed bin stores would require relocating away from the site boundary and it is considered that this can be achieved through post decision discussions in the scheme achieving secured by design accreditation together with a condition for the final location of bin stores to be submitted for final agreement.

Conclusion - As outlined in this report the proposals are considered acceptable and would provide much needed affordable housing in South Manchester an area of the City which is identified as requiring such types of residential accommodation in a sustainable location.

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control &

Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

**Recommendation**      APPROVE

### **Article 35 Declaration**

The application has been considered in a positive and proactive manner as required by The Town and Country Planning (Development Management Procedure) (England) Order 2015 and any problems and/or issues arising in relation to dealing with the application have been communicated to the applicant.

### **Condition(s) to be attached to decision for approval**

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:

GA Plan Housetype A reference 3.04 Rev F

GA Plan Housetype B reference 3.06 Rev B

GA Plan Housetype J reference 3.08 Rev B

GA Plans Housetype K reference 3.11 Rev C

Block Plan and Elevations reference 3.09 Rev C

Proposed roof plan reference 3.03 Rev H

Proposed site plan reference 3.02 Rev H

Boundary treatments reference 3.07 Rev B

Preliminary Risk Assessment (Desk Study) prepared by Worms Eye reference Ennderdale Avenue/M21 7NR/2019

Arboricultural Impact Assessment November 2019 prepared by Ascerta

Bat Nocturnal Surveys September 2020 prepared by Ascerta

Preliminary Ecological Appraisal September 2020 prepared by Ascerta

Waste Management Strategy reference PP-07952618

Transport Note prepared by Mode reference J324416

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) a) Prior to the commencement of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by

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

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

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

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

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

4) No development shall take place until surface water drainage scheme has been submitted to and approved in writing by the City Council as Local Planning Authority.

The submitted drainage scheme shall include:

- Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible or infiltration is not feasible on site, evidence of alternative surface water disposal routes is required.
- Surface water drainage layout including discharge points, proposed attenuation and proposed overland flow routes for extreme events (up to a 1 in 100 year including 40% climate change allowance).
- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment. Provide at least a 50% reduction in runoff rate compared to the existing rates with the aim of achieving greenfield runoff rates.
- Hydraulic calculations to support the drainage proposal.
- Details of how the scheme shall be maintained and managed after completion.

The development shall be subsequently carried out in accordance with the agreed scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

5) Prior to the commencement of any development a Construction Management Plan 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 agreed plan and where appropriate shall include:

- The routing of construction traffic;

- The hours of site working;
- Detail the vehicular activity associated with the construction including appropriate swept-path assessment;
- Details of the location and arrangements for contractor parking;
- The identification of the vehicular access points into the site;
- Identify measures to control dust and mud including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;
- A highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.

Reason - In the interests of residential amenity, highway safety pursuant to policy DM1 of the Core Strategy.

6) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

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

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.

7) Prior to the commencement of any works on site, including demolition works and vegetation or tree clearance, an Arboricultural Method Statement for works in the vicinity of trees to be retained on the site as identified in the submitted Arboricultural Impact Assessment shall be submitted and approved in writing by the City Council. The development shall be carried out in accordance with approved details and until the completion of works on the site.

Reason - In order avoid damage to trees/shrubs to be retained on 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.

8) 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.

9) No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the local planning authority.

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

10) Within 1 month of the clearance of any vegetation, shrubs or trees in order to facilitate the development hereby approved, a scheme for replacement trees indicating the location, species and size of tree to be planted shall be submitted to and approved in writing by the City Council as local planning authority. The submitted scheme shall include the timescales for planting the trees together with confirmation of the agreement of any landowner where the trees are to be planted and details of the maintenance and management regime of the trees. 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 tree replacement scheme for the development is carried out to that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

11) Above-ground construction works shall not commence until samples and specifications of all materials to be used in the external elevations (including those for the new gable wall to number 7 Ennerdale Avenue) and hard landscaping around the buildings as detailed on the approved drawings have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those 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 and DM1 of the Core Strategy.

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

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

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

13) Within three months of the commencement of development a scheme to enhance the biodiversity of the site including the provision of nest boxes and bat boxes on site, together with measures to allow the movement of hedgehogs through the site and a timescale for their installation shall be submitted to and approved in writing by the City Council as local planning authority. The measures shall be subsequently undertaken in accordance with the approved details.

Reason – To enhance the biodiversity of the site pursuant to policy EN9 of the Core Strategy.

14) Within three months of the commencement of development a hard and soft landscaping treatment scheme based upon section 6.3 of the P.1206.19 Preliminary Ecological Appraisal September 2020 prepared by Ascerta 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.

15) Notwithstanding the approved plans, within three months of the commencement of development details of the car parking and road layout for the site including provision of the following shall be submitted to and approved in writing by the City Council as local planning authority:

- electric vehicle charging points;
- details of the measures to protection of access and turning heads to avoid obstruction.
- Confirmation that a section 278 agreement has been entered into for the completion of highway works and associated Traffic Regulation Orders.
- Timescales for the implementation of the scheme.

The development shall be subsequently carried out in accordance with the agreed details.

Reason – To ensure that there is adequate car parking available for residents of the development and neighbouring residential properties and in the interests of sustainability and air quality pursuant to policy DM1 and EN16 of the Core Strategy.

16) Notwithstanding the approved plans and approved Waste Management Strategy the final details and location of bin stores to be provided to serve the dwellings shall be submitted to an approved in writing prior to the first occupation of the development. The approved details shall remain in situ whilst the development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

17) The boundary treatment details as set out on drawing reference 18-021/3.07 Rev B and 18-021/ 3.02 Rev H shall be carried out in accordance with the agreed details and the boundary treatment to each residential unit shall be completed prior to their first occupation.

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 development is located in order to comply with policy DM1 of the Core Strategy.

18) 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 policy DM1 in the Core Strategy Development Plan Document for the City of Manchester.

19) Before first occupation the windows as identified on the approved drawings shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

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

20) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification) none of the dwellinghouses 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).

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.

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

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

### **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: 126142/FO/2020 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

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

**Highway Services  
Environmental Health**

**Neighbourhood Team Leader (Arboriculture)**  
**MCC Flood Risk Management**  
**Housing Strategy Division**  
**Greater Manchester Police**  
**United Utilities Water PLC**  
**Greater Manchester Ecology Unit**

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

**Relevant Contact Officer :** Robert Griffin  
**Telephone number :** 0161 234 4527  
**Email :** robert.griffin@manchester.gov.uk

