

| <b>Application Number</b> | <b>Date of Appln</b> | <b>Committee Date</b> | <b>Ward</b>      |
|---------------------------|----------------------|-----------------------|------------------|
| 122042/00/2018            | 4th Dec 2018         | 30 May 2019           | Levenshulme Ward |

**Proposal** Outline planning application for the erection 57 dwellings, with all matters reserved expect for access, with associated access off Cringle Road, car parking, landscaping and other associated works

**Location** Land Off Cringle Road, Manchester,

**Applicant** Towerhouse Systems Ltd, C/o Agent,

**Agent** Mr Julian Austin, Paul Butler Associates, 31 Blackfriars Road, Salford, M3 7AQ

## **Background**

Members will recall this application was reported to the Committee at the meeting on the 30 May 2019. The Committee resolved it was minded to refuse the application due to the loss and harm to the existing recreational land together with the harmful impact on Highfield Country Park and were of the opinion that the proposed financial contribution offered to mitigate the harm to Highfield Country Park would not be sufficient to overcome the harm caused.

Members made specific reference to the following reasons:

*1)The proposal to create a residential development will result in the loss and harm to an area of open space and recreation land which forms part of a local landscape by built development. This would diminish the recreational value of the site which would therefore be unduly harmful to the recreational, health and wellbeing needs of the local community. The site is not considered to be surplus to local requirements in quantitative or qualitative terms and there has been no consideration of alternative uses of the site that would fulfil an open space, sport or recreational function. The proposal is therefore contrary to saved policy LL3 of the Unitary Development Plan for the City of Manchester (1995), policies SP1 and EN10 of the Manchester Core Strategy (2012), the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).*

*2) The creation of 57 residential dwellings would have an unduly harmful impact on the visual amenity value of the application site and in the wider open space context of Highfield Country Park and other open spaces. The proposal would therefore erode local character and fail to integrate successfully into the local area. It is not considered that the proposed financial contribution to improving the facilities at Highfield Country Park is sufficient to mitigate this significant harm. As such, the proposal will be unduly harmful to the visual amenity of the site and the local landscape character. The proposal is therefore contrary to policies SP1, H1, EN1, EN9, EN10 and DM1 of the Manchester Core Strategy (2012, saved policy LL3 of the Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD (2007), the Residential guide (2016) and the National Planning Policy Framework and National Planning Policy Guidance.*

The addendum report provided for the 30 May 2019 Committee detailed that the matters raised about the loss of the application site for housing were covered by the recent appeal. In particular, the policies Members have requested are used in this reason for refusal were used to refuse the previous planning application and were fully tested at appeal. This included whether the site has any open space or recreational value.

The principle of the need to protect the land from development was not sustained, despite the appeal being dismissed. The only grounds for this was that there was no agreement in place between the parties with regards to a financial contribution to mitigate against the additional pressures the development would have on the adjacent Park.

The addendum report for the 30 May 2019 Committee, detailed that the applicant had increased the financial contribution to mitigate against the impact on Highfield Country Park. This was considered appropriate to mitigate against the impacts of this development on the park area and therefore satisfies the reason why the Inspector dismissed the previous appeal.

### Recommendation

The concerns of Members and residents are recognised. The development of the site which has a close relationship with the Country Park would inevitably bring about change in the site.

However, having tested relevant policies relied on in the earlier refusal of permission it is not considered this could be used to sustain the same decision.

The mitigation outlined would secure significant improvements to the Country park meeting the residual concerns set out by the Inspector and would deliver community and environmental benefits.

Members should also be aware that the City Council has now been notified of an appeal against non-determination. Members cannot now determine the application but a resolution is required as to what decision Committee would have made if it was still within its power to determine the application.

### **Background – 30 May 2019**

Members will recall this application was reported to the Committee at the meeting on 11 April 2019. The Committee resolved it was minded to refuse the application and deferred the item requesting officers bring back a report which addressed concerns relating to the loss of the facilities at the farm together with impacts on ecology, the local highway network and ground conditions

Each of these concerns is addressed below.

#### Loss of facilities

The report to Committee in April 2019 (which is attached) sets out a recent appeal decision for the development of this site. The concern raised by Members at last month's Committee about the loss of the site to housing is at the heart of the appeal; those policies used to refuse permission were tested and this included whether the site has any open space or recreational value.

The principle of the need to protect the land from development was not sustained, despite the appeal being dismissed. The only grounds for this was that there was no

agreement in place between the parties with regards to a financial contribution to mitigate against the additional pressures the development would have on the adjacent Park. The Inspector stated:

*“A grant of planning permission without the necessary planning obligations in place would result in significant harm to the Country Park through additional use of that area and the consequential pressure on facilities that already in need of improvement”*

This current application has offered to enter into a legal agreement which would secure the sum of £60,000 to allow improvements and enhancements to be undertaken at the Country Park. Since the previous planning committee, the applicant has agreed to increase this sum to £150,000.

Following discussions with Neighbourhoods and Park Services, the monies will be used to increase the provision of natural play and educational facilities for children, families and the wider community at the Park. Specific schemes would include improving entrances and boundaries, improving and creating pathways, nature walks and pond dipping facilities, improving and creating outdoor seating/class room areas, installing a 'roundhouse' for use as a classroom/environmental education facility and accessible and environmentally friendly toilets.

It is considered that the increase in monies available will help secure the above measures including providing facilities and initiatives that are aimed at improving access and learning within the park area for young people, their families and the wider community. This would help to mitigate against the loss of the facilities once provided by the farm.

### Ecology

Although ecology had been a key factor addressed in the initial committee report, residents presented the Local Planning Authority, with an ecology report they had commissioned for consideration.

The potential ecology value of the site and the wider area is clearly of importance to residents and officers share this view. The Greater Manchester Ecology Unit (GMEU) have therefore been asked to review the report presented by residents; the only real dispute is the bat roosting potential of the stables. This was assessed as moderate by the resident's ecologist. Under best practice this would require 2 emergence surveys prior to the determination of any planning application. However, the local resident's ecologist did not have access to the interior of the building; the ecologist appointed by the applicant had access and GMEU have reconfirmed that as a precautionary approach, an emergence survey should be undertaken prior to the demolition of the building.

It is therefore recommended that the following condition is imposed should planning permission be granted:

*No demolition of existing buildings at the application site shall be undertaken until a precautionary bat emergence survey has been undertaken and submitted for approval in writing*

*by the City Council, as Local Planning Authority. Should and mitigation be necessary as a result of this survey, timescales shall be agreed in writing by the City Council, as Local Planning Authority, for the implementation of any measures. The mitigation measures shall be implemented in accordance with the previously agreed timescales and retained and maintained at all times.*

It is also noted that condition 28 of the printed report outlines measures to secure bat and bird boxes as part of future development at the application site.

### Highways

Local residents have raised concerns about the impact of the development on the local highway network, particularly along Cringle Road. As part of the consideration of the planning application, traffic calming measures were agreed along a short section of Cringle Road in order to slow traffic together with introducing a 20 mph speed limit and appropriate traffic regulation orders.

Following the comments raised during the last planning committee, officers have undertaken a further review with the applicant to determine if the off site highways measures are appropriate to mitigate against any harm resulting from this development.

As a result of this review, traffic calming measures previously agreed should be extended further along Cringle Road together with improvements to the pedestrian environment by providing a safe pedestrian crossing across Cringle Road.

In addition, the road entrances on the south side of Cringle Road which do not have dropped kerbs. These will be upgraded with dropped kerbs, tactile paving and build outs to minimise crossing distances.

Condition 29 within the printed report below would require amendment to take account of the above proposal. Condition 29 should be amended as follows:

*Prior to the first occupation of the development hereby approved, a scheme of highway works in relation to the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.*

*For the avoidance of doubt this shall include the following:*

- *traffic calming and raised table pedestrian crossing measures along Cringle Road;*
- *pedestrian improvements along Cringle Road in the form of dropped kerbs, tactile paving and build outs;*
- *Traffic calming within the proposed development;*
- *Amendments to highway along Cringle Road to form new access and driveway(s) as indicated on drawing L(-)012 stamped as received by the City Council, as Local Planning Authority. On the 5 March 2019*
- *Junction protection measures to new junction and Cringle Road in association with the new access in the interest of visibility and associated highway works*
- *20 mph speed limit for the new access road including associated amendments to the highway in order to facilitate this.*

*The approved scheme shall be implemented and be in place prior to the first occupation of the residential element of the development hereby approved and thereafter retained and maintained in situ.*

### Ground Conditions

A further concern outlined at the April meeting was the potential contamination of the site and risks associated with this. The report itself recognised that the site is contaminated.

The applicant has prepared an assessment of the site to consider the risks and impacts associated with this. The findings of this report have been considered by the Environmental Protection Unit who have considered the principle of development to be acceptable and as with other sites which are contaminated require further information with regards to this matter following further investigations at the site.

Condition 8 detailed within the printed report should be amended as follows:

*Notwithstanding the Geo-Environmental site assessment report (ref. 102978P1R1) stamped as received by the City Council, as Local Planning Authority, on the 4 December 2018, a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).*

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

*The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.*

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

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

This approach is not unusual in decision making of planning applications.

## Recommendation

The concerns of Members and residents are recognised. The development of the site which has a close relationship with the Country Park will inevitably bring about change in the site.

However, having tested relevant policies relied on in the earlier refusal of permission it is not considered this could be used to sustain the same decision. The status of the site and its value as open space/recreational land could not now be sustained.

The mitigation outlined would secure significant improvements to the Country park meeting the residual concerns set out by the Inspector and would deliver community and environmental benefits.

The question raised about ecological impact has been reviewed and further advice from GMEU sought which confirms the site has low ecological value but suggests a precautionary approach to building demolition which can be secured by a planning condition.

Additional highway mitigation measures can also be secured which will minimise the impact on the development on the local highway network.

## **Background – Report of the 11 April 2019 Committee**

The application site has been the subject of a previous planning application for outline consent for 57 dwellings, with all matters reserved except for access, under reference number 116474/OO/2017.

The application was refused at the meeting of the Planning and Highways Committee on the 24 August 2017 for the following reasons:

*1) The proposal to create a residential development will result in the loss and harm to an area of open space and recreation land which forms part of a local landscape by built development. This would diminish the recreational value of the site which would therefore be unduly harmful to the recreational, health and wellbeing needs of the local community. The site is not considered to be surplus to local requirements in quantitative or qualitative terms and there has been no consideration of alternative uses of the site that would fulfil an open space, sport or recreational function. The proposal is therefore contrary to saved policy LL3 of the Unitary Development Plan for the City of Manchester (1995), policies SP1 and EN10 of the Manchester Core Strategy (2012), the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).*

*2) The creation of 56 residential would have an unduly harmful impact on the visual amenity value of application site and in the wider open space context of Highfield Country Park and other open spaces. The proposal would therefore erode local character and fail to integrate successfully into the local area. As such, the proposal will be unduly harmful to the visual amenity of the site and the local landscape character. The proposal is therefore contrary to policies SP1, H1, EN1 and DM1 of the Manchester Core Strategy (2012, saved policy LL3 of the Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD (2007), the Residential guide (2016) and the National Planning Policy Framework and National Planning Policy Guidance.*

Following the refusal of planning permission, an appeal to the Planning Inspectorate was submitted under reference number APP/B4215/W/18/3196113. This was subsequently dismissed.

Although the appeal was dismissed, the Inspector considered that there was very limited recreational activity associated with the site and as it had not been designated within the City Council's open space study in 2009, it was held the land had no formal recreational status.

Further the Inspector considered that there was no harm to the landscaped character of the wider area as a result of development at the application site.

The reason for dismissing the appeal was solely on the grounds that there had been no suitable mitigation agreed between the City Council and the applicant to minimise the wider impacts on the Country Park. On this basis the proposal was deemed to be in conflict with policies EN9 and EN10 of the Core Strategy and saved policy LL3 of the UDP.

## **Description**

The application site is approximately 1.66 hectares and forms an area of open land which is used for the grazing of animals. The land also forms part of a wider area of semi natural open space 'Highfield Country Park', together with open space which straddles the Manchester and Stockport administrative boundaries.

There are two main plots of land which form part of this planning application:

- Plot 1 to Cringle Road which is approximately 0.3 hectares and consists of a series of low rise buildings and associated structures forming a small enclosure where animals are grazed. There is a public entrance to the site during the summer months as part of an animal farm. The site is secured by a low boundary fence;
- Plot 2 (to the rear of plot 1) is approximately 1.3 hectares and is used for equestrian grazing.

The plots are bounded by Cringle Road to the south, a footpath to the east and Highfield Country Park to the north and west.

The topography of the site is relatively flat. There is currently no formal means of vehicular access to the site with minor servicing taking place from Nelstrop Road North. There is a significant and mature tree line which bounds the site to the north of the site together with more limited coverage to the east, south and west boundaries. This tree and vegetation coverage form a mature landscape setting to the application particularly when viewed in the context of the wider Highfield Country Park.

Beyond the Country Park, the surrounding area is characterised by two storey residential properties. The properties located along Cringle Road, Wilsthorpe Close, Red Rose Crescent, and Lingcrest Road are semi-detached in nature. Immediately to the east of the site (beyond the eastern footpath and into Stockport's boundary) there is also an area of open land which forms part of a 'green chain' and strategic open space within the Stockport Development Plan.

The Highfield Country Park, which bounds the site to the north and west, forms part of an area identified as an area of Natural and Semi-natural open space within the Manchester City Wide Open Spaces, sports and recreation study. The entire area (including the application site) is subject to a saved policy LL3 within the Unitary Development Plan for the City of Manchester (1995).

## **The proposal**

The proposal seeks to demolish and remove the existing low rise buildings on the site and grazing land and its redevelopment for 57 dwelling houses. These would be arranged around a new internal road, accessed off Cringle Road forming a loop.



### *Indicative layout*

The indicative layout shows that the 57 properties could consist of a number of 3, 4 and 5 bedroom family properties either detached or semi-detached with associated car parking and private gardens.

The layout shows that Cringle Road could be activated through the fronting of a dwelling onto this road at the access to the site. The dwellings would then be arranged around the new access road. Front and rear garden areas will be provided along with driveways providing in-curtilage car parking.

As part of this current proposal an offer to mitigate against the impact on the Country Park has been made through a financial contribution together with a 20% affordable on site housing provision by virtue of a S106 legal agreement.

## **The planning submission**

This planning application has been supported by the following information:

- Design and access statement;
- Crime Impact Statement;
- Transport statement;
- Flood risk and drainage strategy;
- Ecology survey;
- Tree survey;
- Air Quality report;
- Sports scoping study;
- Tree survey;
- Ground conditions report; and
- Affordable Housing Statement;

## **Consultations**

**Local residents/public opinion** – Given the scale of the development, the proposal has been classified as a major development. In addition, the proposal is a departure from the Development Plan. The proposal has therefore been advertised as a major development and departure from the Development Plan in the local press and site notices displayed at various locations around the application site. An extensive area of residential properties around the application site (including those within the Stockport MBC boundary) have been notified about this planning application.

Due to the submission of further information during the course of the planning application two rounds of neighbour notification and consultation with statutory consultees has been carried out.

### **First notification**

The proposal has been advertised as a major development and of being of public interest together with being a departure to the development plan. A site notices was displayed at the application site. In addition, notification letters have been sent to an extensive area, local residents and businesses.

Two separate notifications with local resident have been carried out. The comments from each notification are detailed below.

### **First Notification**

A total of 96 individual objections have been received in respect of this planning application. The comments can be summarised as follows:

- The proposal will take away much needed green space in the area;
- The farm is an asset to the community;
- The proposed development will impact on ecology and destroy habitats particularly in mature trees and hedgerows;
- There will be noise and traffic from the development;
- The surrounding highway network is already congested;
- The improvements to the wider park area are not acceptable;

- The proposal will impact on availability of school places and doctors surgeries;
- The proposal will impact on air quality;
- The proposal will impact on pedestrian safety in the local area;
- Drainage in the area will be affected;
- The entrance to the development will affect the houses on Wilsthorpe Close
- The affordable homes provision within the scheme is unacceptable;
- Traffic calming should be introduced to Cringle Road;
- The inspectors decision fails to give sufficient weight to the interaction the community has with this local farm;
- There will be light pollution from the development;
- The farm should be gifted to the local community if they no longer have a use for it;
- This housing development would be out of character in this countryside/parkland setting;
- There will be increased criminal activity in the area;
- Reduction in value of existing houses;
- This will set a precedent for future housing in the area;
- This development will affect underground contamination;
- The size of the houses will mean they will be turned into HMOs

Three comments have been received from residents who neither support or object to the proposal. Their comments can be summarised as follows:

- The site is next to a nature reserve and therefore it would be expected that stronger measures would be put in place for enhancement and biodiversity net gain than that which is suggested in the ecology report.
- A sensitive lighting plan should be prepared in order to minimise the impact on bats;
- Traffic calming measures should be introduced along Cringle Road together with improvements to street lighting;
- There should be more litter bins introduced in the park area;
- It is welcomed that there are proposals to make improvements to Highfield Country Park;
- There should be a replacement facility created within the park area to mitigate against the loss of the application site, for example a new children's play area;
- Air quality is poor in the area so measures to encourage walking and cycling from the development should be introduced;
- There will be impact on local schools as a result of the development.

## **Second Notification**

21 letters of objection have been received. The comments can be summarised as follows:

- Impact on the character of the park and loss of enjoyment;
- Impact on losing access to grazing fields and the community farm;
- Impact on local wildlife in particular bats and badgers;
- Impact on health due to more cars;
- More traffic at the junction to the A6;

- Only 6 of the homes will be affordable;
- Part of the site was funded by the National lottery to support locals with disabilities;
- Public green spaces should not be built upon;
- Cringle Road is already dangerous as a result of cars speeding up and down the road;
- The scheme underestimates the number of cars that will be on the road;
- The provision of monies to improve the park will not outweigh the harm to the area;
- The development will impact on surrounding air quality;
- The park is an important part of the community;
- The landscape character of the development will mean the development is not in keeping with the area;
- There will be disruption and noise from the development;
- The entrance to the estate will be close to neighbouring driveways at number 1 and number 2 Wilsthorpe Close and the general entrance to Wilsthorpe Close. This closeness will cause collisions. The entrance should be moved;
- There will be construction management issues and parking on Cringle Road;
- The green space should be preserved. There is an opportunity to use the farm in a much better way to educate and support the community;
- The Planning Inspector was incorrect when it says there isn't sufficient community interaction with the farm.

44 objections have been received from local school children. Notes from the children have been provided which provide evidence that the farm is largely considered as a recreational facility, specifically by the younger generation of the area that the farm is targeted at.

A local resident has also had an independent ecologist report carried out by a bat specialist. This independent report states that the report prepared by the applicant did not access the building on the site and the survey was carried out outside of the optimum survey period for bat assessment. They also state that the ecologist who carried out the report was not a bat specialist and were not regulated by CIEEM.

The independent report carried out by the local resident states that *Shores Fold Community Farm is located within the study area and consists of a complex of buildings and stables. No access was possible at the time of survey. An external building survey was carried out from the site's boundary. The majority of structures consisted of breeze blocks with plaster cladding and tin roofs. Numerous gaps were noted on the structures, the majority of the gaps being where the roof meets the breeze blocks, mortar cladding and/or insulation materials (Photographs 5-9). Due to the suitable foraging and commuting habitat surrounding the survey area and gaps, the structures have moderate potential to support roosting bats. This assessment is made according to Table 4.1 from the Bat Conservation Guidelines (2016)"*

It can therefore not be certain there are no bat roosts on site and that planning permission cannot be granted as the Council have a legal obligation to consider protected species and act to save them.

The Inspector report is also incorrect that it does not consider the site should properly as a recreational facility for the purposes of the policy EN10. It is evident that the land owner has mis-represented the recreational element of the farm purposefully to benefit from the sale of the land. There is evidence to support the site being highly recreational.

One comments have been received from residents who neither support or object to the proposal. Their comments can be summarised as follows:

- If planning permission is granted it is conditional on upgrading of the access to the walking/cycling path adjoining the south end which currently lacks a dropped kerb for access from Cringle Road together with minor resurfacing and improved lighting.

**Cllr Basat Sheikh (Levenshulme ward Member)** – Objects to the planning application. The residents have serious concerns regarding this development. The development would visually impact the adjoining Highfield Country Park and would affect access to the park along with increased traffic in the area. This is a very quiet area and the increased traffic would impact on the local neighbourhood and also on the Country Park. The mitigation offered is not satisfactory or enough to warrant building on this land.

**Cllr Noor (Levenshulme ward Member)** – The Highfield Park is a nature reserve. This development falls in violation of this status. The development would have a detrimental impact on the natural habitat for birds and insect life in the area.

The lack of school places for children in the ward means the schools are already under pressure. The 57 new homes on the site would put further pressure on already over stretched services and budgets.

There are also pressures on other services such as doctors and transport which are at times over stretched with current demands and lack of funding.

The development will add more to traffic congestion.

There are already high levels of air pollution and the development will increase this.

**Cllr Bernard Stone (Levenshulme ward Member)** – The proposed development has already been rejected by the City Council and there is no reason for it to be granted this time. There would be a great loss of amenity to the local community if this development was built. The land adjoins Highfield Country Park and the development would impact on the site – both visually and loss of access to the Park. There would be an increase in traffic in the area. It is noted that the developer is offering mitigation but this is not enough to warrant building on this land. The loss of the land far outweighs the mitigation proposals in the application.

**Highway Services** – The indicative layout is considered to be appropriate with all new internal access roads maintaining a 5.5 m carriageway width. This is supported by 2 metre footways to accommodate double buggies and other residents/visitors with restricted mobility.

The new layout should accommodate a 20 mph speed restriction similar to the new roads which will require a new TRO. Appropriate traffic calming features should be introduced within the new highway layout. It is also recommended that there is the introduction of traffic calming features on Cringle Road to re-enforce the 20mph limit and deter vehicle speeds.

The traffic calming to Cringle Road has been discussed in detail. It is proposed to include 2 sets of speed cushions, either side of central flat top hump in an appropriate location respective of pedestrian desire lines. Given the width of the road, 3 cushions are included per set to fully deter vehicle speeds.

The traffic calming is unlikely to create a rat run along Milford Drive as an alternative route simply to avoid the features. The introduction of traffic calming on Cringle Road will deter speeds, improve highway safety for both vehicles and pedestrians and is considered appropriate for this location.

The extent of adoption of the new access road should be clarified.

Off site highways works will be required as a result of amendments to the adopted highway which will be necessary to achieve the new vehicular access from Cringle Road and driveway accesses on Cringle Road. In order to maintain visibility and access, the new junction access should be protected by a Traffic Regulation Order (TRO) in the form of no waiting restrictions.

There will be a maximum of 31-32 two way vehicle movements in both the AM and PM peak hours to be generated by the development. The traffic impacts on the surrounding highway can be accommodated within the existing highway network.

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

The proposed new vehicular access is gained from Cringle Road to the south of the site which is acceptable. Visibility splays at the new junction access into the site is acceptable. The new junction should incorporate dropped kerbs and tactile paving to maintain appropriate pedestrian safety.

Swept path analysis has been provided which indicates that an 11.3 m refuse vehicle can safely access/egress the site in a forward gear, which is acceptable.

The indicative layout shows 88 car parking spaces for the scheme which equates to 154%. Given the size of some of the dwellings this level of parking would seem appropriate.

All individual driveway parking spaces should be a minimum of 3 metres by 6 metres to ensure that vehicles/pedestrians do not impact on the adopted highway. Electric car charging points should also be incorporated into the scheme.

A secure and weather proofed cycle storage should be provided for each dwelling.

All boundary treatments with frontage to the adopted highways will require visual permeability from a height of 600mm upwards in order to maintain appropriate sight lines. Vehicle gates will need to open inwards so they do not impact on the highway.

The waste collections should take place from the highway and a construction management plan should be prepared for this development together with a travel plan.

**Environmental Health** – Planning conditions should be imposed on any planning permission with regards to the acoustic insulation of the proposed dwellings, refuse arrangements, ground conditions and air quality.

**Flood Risk Management Team** – Planning conditions should be imposed on any planning permission with regards to surface water runoff and management.

**Environment Agency** – No objection in principle to the proposed development. Cringle Road is immediately adjacent to a known historic landfill. As the site is located above a Principal Aquifer associated with the underlying bedrock deposits.

If planning permission is to be granted conditions should be imposed in respect of ground conditions.

**Neighbourhoods (Arboriculture)** – The proposal will involve the removal of low quality trees with some amenity value to allow for access roads into the proposed development. The proposed layout will have little to no impact within the root protection zones of the offsite trees. There are no objections to the proposed development subject to mitigation planting to offset the loss of the onsite trees.

**Greater Manchester Ecology Unit (GMEU)** – There are no significant ecological constraints in respect of this site. Issues relating to nesting birds and ecological mitigation can be resolved through planning condition including no removal of vegetation during bird nesting season. There were no protected species found in the site assessment and therefore there is low risk of all species being found at this site.

The existing site consists primarily of habitats of low ecological value, with modest to high value ecological features such as trees and hedgerows potentially retained and mitigated for the outline site layout.

Improvement works to Highfield Country Park are proposed to alleviate the additional recreational pressure the development would cause, with enhancement works proposed for the existing pond. These works are welcomed but more enhancement is encouraged as part of any off site works. Given the main ecological impact is the loss of the low value grassland, the most appropriate management works would be to restore an area of grass land within the Country Park many of which have been lost to scrub and tall ruderal habitat.

It is recommended that the landscaping proposals for the development include a proportion of native tree species and bird and bat boxes in line with the recommendations of the ecology report.

**Design for Security at Greater Manchester Police** – The proposed development should be constructed in accordance with the submitted Crime Impact Statement

**Greater Manchester Archaeology Advisory Service (GMAAS)** – The report submitted within the application has been considered. The report suggests that, in order to protect archaeological interests, an archaeological watching brief should be undertaken during development ground works. GMAAS concur with this recommendation. A Written Scheme of Investigation should be approved as part of the planning conditions.

## **Policy**

### **The Development Plan**

The Development Plan consists of:

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

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) and sets out the long term strategic planning policies for Manchester's future development.

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

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

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

The relevant policies within the Core Strategy are as follows:

Policy SP1 '*Spatial Principles*' states that one of the key spatial principles is the emphasis on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

All development should have regard to the character, issues and strategy for each regeneration area – in this case East Manchester. In addition, new development will be encouraged that maximises the potential of the City's transport infrastructure, in particular promoting walking, cycling and the use of public transport.

The policy goes on to state that development in all parts of the City should:

- Make a positive contribution to neighbourhoods of choice including;
  - Creating well designed places that enhance or create character.
  - Making a positive contribution to the health, safety and wellbeing of residents;
  - Considering the needs of all members of the community;
  - Protect and enhance the built and natural environment.
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

The proposal will have impacts on the natural environment including the loss of green infrastructure, which will affect the visual amenity and character of the area.

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, to support the needs of residents and businesses and to prepare for carbon free modes of transport. The Council will support proposals that:

- Improve choice by developing alternatives to the car;
- Promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services, particularly for those most in need and for those without a car;
- Improve access to transport services and facilities in order to enable disabled people and people with mobility impairments to participate fully in public life;
- Improve pedestrian routes and the pedestrian environment;
- Improve and develop further Manchester's cycle network;
- Contribute to improvements to the extent and reliability of the public transport network through safe and attractive waiting facilities, better priority and information provision,
- Would reduce the negative impacts of road traffic.

It is not considered that the proposal will not have a detrimental impact on the capacity of the local highway network. There are, however, opportunities to improve access to public transport in the area together with having access to adequate cycle provision.

Policy T2 '*Accessible areas of opportunity and needs*' states that the Council will actively manage the pattern of development to ensure that new development:

- Is located to ensure good access to the City's main economic drivers, including the regional centre and to ensure good national and international connections;
- Is easily accessible by walking, cycling and public transport; connecting residential to jobs, centres, health, leisure, open space and educational

opportunities. Particular priority will be given to providing all residents access to strategic employment sites including – links with East Manchester to employment locations such as Eastlands.

Applications should include appropriate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

A transport assessment and travel plan have been prepared in respect to this planning application. This demonstrates that there are no unacceptable impacts on the local highway network. However, there are opportunities to increase the sustainability of the scheme.

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 goes on to state that new residential development should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed site in sustainable locations and which takes account of the availability of developable sites in these areas;
- Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. Schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours.

The Council had previously argued that this is a green field site thereby conflicting with the provisions of policy H1. However, this has been tested at appeal where the Inspector clearly came to the conclusion that subject to suitable mitigation the principle of development would be acceptable.

Policy H4 '*East Manchester*' states in East Manchester, over the lifetime of the Core Strategy, will accommodate around 30% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within the parts of East Manchester that fall within the Regional Centre which are adjacent to the City Centre.

The proposal would seek to provide new family accommodation in an area where there is demand.

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

Policy EN1 '*Design principles and strategic character areas*' states that all development in Manchester will be expected to follow the seven principles of urban design. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes. Proposals for new development must clearly detail how the proposed development addresses the design principle, reinforces and enhances the local character of that part of the City and supports the achievement of the Core Strategic objectives.

The proposed layout appears to be acceptable and this is covered in more detail below.

EN4 '*Reducing CO<sub>2</sub> emissions by enabling low and zero carbon development*' states that 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, through the following actions:

All development must follow the principles 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

Policy EN5 '*Strategic areas for low and zero carbon decentralised energy infrastructure*' states that with the regional centre (which includes the application site) will have 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 development is considered to comply with policies EN4 – EN6 in that clear consideration has been given to how the buildings functions to reduce overall energy demands. The proposed dwellings will be appropriate standards as outlined in the environmental standards report.

Policy EN9 '*Green Infrastructure*' states that new development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in accordance with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to

demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

This issue was tested at appeal and whilst developing this site would result in the loss of open space the Inspector considered the principle of new homes to be acceptable subject to suitable mitigation.

Policy EN10 '*Safeguarding open space, sport and recreation facilities*' states that the Council will seek to retain and improve existing open spaces, sport and recreation facilities to an appropriate standard. Proposals will be supported that:

- Improve the quantity and quality of accessible open space, sport and recreation in the local area;
- provide innovative solutions to improving the network of existing open spaces, increase accessibility to green corridors, and enhance biodiversity;
- improve access to open space for disabled people.

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 and the City wide standards set out above are maintained, and it could not fulfil other unsatisfied open space, sport or recreation needs, and a proposed replacement will remedy a deficiency in another type of open space, sport or recreation facility in the local area; or
- The development will be ancillary to the open space, sport or recreation facility and complement the use or character.

As noted and set out in the report this goes to the heart of the Council's earlier refusal which was tested at the appeal.

Policy EN12 '*Area priorities for open space, sport and recreation*' states that in East Manchester the priority will be to enhance existing facilities and provide new spaces and facilities in accessible locations.

Policy EN14 '*Flood Risk*' states that all new development should minimise surface water run off. In addition, an appropriate Flood Risk Assessment (FRA) will also be required for all development proposals on sites greater than 0.5ha within critical drainage areas. Consideration has been given to the surface water run off from the site and a scheme will be agreed which minimises the impact from surface water run off.

Policy EN15, '*Biodiversity and Geological Conservation*', states that developers will be expected 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 of local ecological value, however, it is not considered that there will be any detrimental impact on the ecology of the site subject to suitable mitigation.

Policy EN16 '*Air Quality*' states that the Council will seek to improve the air quality within Manchester. The proposal is not considered to compromise air quality.

Policy EN17 '*Water Quality*' states that developments should minimise surface water run off and minimise ground contamination into the watercourse. Consideration has been given to minimising the impact of the adjacent canal particularly during construction.

Policy EN18, '*Contaminated Land*', states that any proposal for development of contaminated land must be accompanied by a health risk assessment. The applicant has provided provisional details relating to ground conditions.

EN19 '*Waste*' states that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). Developers will be required to submit a waste management plan to demonstrate how construction and demolition waste will be minimised and recycled.

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.

These matters are set out in more detail within the report.

### 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.

Saved Policy LL3 '*Environmental Improvements and Protection*' states that the Council will protect from development and improve the major existing areas of open land on the boundary of the area with Stockport. Priority will be given to upgrading Highfield Country Park'

Saved Policy 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.

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.

### **National Planning Policy Framework (2018)**

The revised NPPF was adopted in July 2018. 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 homeownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.

Section 8 '*Promoting Healthy and Safe Communities*' states that *planning policies and decisions should aim to achieve healthy, inclusive and safe places* (paragraph 91).

Paragraph 96 states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

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).

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)

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.

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 sol, air, water or noise pollution or land instability and remediating contaminated land.

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:

*Open space, sports and recreation facilities, public rights of way and local green space* states that open space should be taken into account in planning for new development and considering proposals that may affect existing open space. It is advised that Sport England are consulted where the loss of major sporting facilities is proposed.

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

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

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location.

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

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

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

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

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

### **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:

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

The City Council's Executive has endorsed the Manchester Residential Quality Guidance. As such, the document is now a material planning consideration in the

determination of planning applications and weight should be given to this document in decision making.

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

## Principle of development

Within the proposals map within the development plan, the application site is allocated as an 'Environmental Improvement Area' to which saved policy LL3 of the UDP applies. This policy states:

*"The Council will protect from development and improve the major existing areas of open land on the boundary of the areas with Stockport. Priority will be given to upgrading Highfield Country Park"*

The purpose of the policy is to safeguard the amenity of valuable open space.

The City Council has previously argued that developing this site would be contrary to this saved policy LL3 of the UDP. The City Council also relied on Policy EN10 of the Core Strategy which seeks to retain and improve existing open spaces, sports and recreational facilities and states that proposals on such land will only be permitted in a limited range of circumstances. However, both policies in relation to this site have been tested at appeal, the decision being a material consideration in the determination of this current application.

The Inspector appointed to determine the appeal considered that the application site was grazing land that forms part of a larger site which is not accessible to the public. He concluded that the site had no value as open space or recreational land, as such only limited weight could be attached to the policies outlined above. A significant factor as noted by the Inspector is that the site had not been identified within the City Council's 2009 open space audit (particularly as the rest of the policy LL3 allocation, which covers Highfield Country Park had been).

The Inspector noted that *'the decision not to designate the appeal site as open space in the 2009 study leads me to conclude that only limited weight should be given to the conflict with that policy...the community farm should not be regarded as a recreational facility and that the redevelopment of the site does not give rise to any conflict with policy EN10'*

The weight was further limited as the Council could not demonstrate at that time a 5 year housing supply. Ultimately, the Inspector considered that the appeal should be determined in line with the 'presumption in favour of development' as outlined in paragraph 11 of the NPPF particularly sub-paragraph (d) (ii) where the tilted balance was in favour of granting planning permission as there were no adverse impacts that would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Although matters surrounding the City Council's land supply have improved, with the City now being able to demonstrate a five year supply, the Inspectors decision remains a material consideration particularly in relation to the status of the land being of limited recreational use.

What is clear is that the principle of developing the site has been established through the appeal decision subject to suitable mitigation and the more detailed merits of the scheme. In this regard the proposal would provide 57 new family homes in a range

of sizes in a highly accessible location. Manchester's population continues to grow and is expected to increase considerably by 2030. This and changes in household formation, requires additional housing.

The proposal would contribute to a target of providing around 2500 homes each year. It would provide larger accommodation for families. The new homes would be consistent with growth priorities and would meet the objectives of policies H1 and H3 of the Core Strategy which should be given considerable weight in the consideration of this planning application.

Importantly the proposal includes a 20% on site affordable housing provision which is fully compliant with policy.

Mitigation is being offered through a financial contribution towards enhancing and improving access to Highfield Country Park. It is considered that the proposed scheme fulfils the reason why the Inspector dismissed the appeal.

The proposal is therefore considered to be consistent with the National Planning Policy Framework, and Core Strategy policies H1, H3, SP1, EC3, EN1, EN9 and DM1.

### **Material planning considerations**

Whilst the principle of the development is considered to have been established through the appeal decision there are, however, other detailed matters that require particular attention. This report will therefore consider the following material considerations and determine whether any other unduly harmful impacts that will arise as a consequence of the development:

- Affordable housing;
- Type of residential development;
- Visual amenity;
- Ecology;
- Effect of the development on the local environment and existing residents;
- Effect of the development on the proposed residents;
- Trees coverage;
- Landscaping and amenity space /boundary treatment;
- Impact on the highway network/car/cycle parking;
- Flood Risk/surface drainage;
- Waste management;
- Sustainability;
- Designing out crime;
- Ground conditions; and
- Construction management.

The above matters will be considered in turn below.

### **Affordable Housing**

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

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

The application proposes 57 new family homes on a for sale basis. The applicant's viability report has been tested by the City Council which demonstrates in this instance the proposal can sustain a full 20% contribution to affordable housing without undermining the viability or deliverability of the scheme or the schemes ability to mitigate against other factors such as the impact on the country park.

The applicant has agreed to provide the 20% affordable housing on site on a shared ownership basis.

This is welcomed and would be secured by a legal agreement which would also ensure that a variety of property types and sizes would be made available on an affordable basis (at a price equivalent to at least 20% below local market value). These homes would be 'pepper potted' throughout the site and retained at the affordable price in the future. It is understood that the applicant is in discussion with a registered provider in respect of how the shared ownership would be provided at the site and this will be secured as part of the legal agreement.

### **Residential development - density/type/accommodation standards**

The 57 residential units represents a development of 33 units per hectare. Policy H1 states that within the inner areas of north, east and central Manchester densities will be around 40 units per hectare. The proposed development density is therefore consistent with this element of the policy H1.

In terms of the type and standard of accommodation, policies SP1, H1, H2 and H4 of the Core Strategy seek to ensure that the right type and standard of accommodation is created in the City. Policies H1 and H4 in particular, place emphasis on increasing the availability of family housing.

The proposal would provide the following accommodation schedule:

- 31 x 4 bedroom dwellinghouses;
- 26 x 3 bedroom dwellinghouses.

There is a broad mix of dwellings across the application site which could contribute positively to the housing mix and available standard of accommodation. A condition is recommended to secure this mix.

## **Visual amenity and character of the area**

Policies EN1 and DM1 of the Core Strategy, along with the Guide to Development in Manchester SPD and the Residential Quality Guide, requires consideration be given to the 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 in order to create neighbourhoods of choice and a sense of place.

Access to the site would be retained from Cringle Road via a new vehicular access. The indicative layout shows that natural surveillance is provided to Cringle Road through the siting of a dwelling house fronting this road.

From Cringle Road, the new access road will create a loop road and all of the proposed new homes will fronting this road which is welcomed. There will be only one 'in and out' as part of the indicative layout. However, this represents an appropriate layout as it provides permeability and makes the most efficient use of the application site.

Car parking is shown as being accommodated within the curtilage of each plot which is welcomed. The indicative plan shows in part car parking situated at the front of each dwellinghouse which will need to be considered further at the detailed reserved matters stage to ensure that an appropriate balance is created in terms of parking, landscaping and space between properties.

Indicative details have also been provided for the scale of the dwellings which range between two stories. This is considered to be appropriate and would ensure that the dwellings complement the wider area which is dominated by two storey properties.

As noted conditions are recommended in relation to design parameters including height.



*Indicative image of the dwellings*

One of the key reasons for refusal of the previous application was the visual impact on the landscaped setting of the application site. The application site is situated within a landscaped setting with mature vegetation and trees. There is a built settlement to the south.

The inspector within the appeal noted that the application site landscape quality was low given it consisted of rough grazing land and poor quality structures. The Inspector also noted that there was a visual break between the application and the Country Park as a result of a mature band of trees.

In considering the harm developing the application site for new housing would have on the landscaped character of the site, the Inspector noted that the development would represent a “*substantial change to the landscape but the effects of the change would be very localised*” and noted that improvements to the landscaping within the development itself would help soften the overall effect of the new buildings.

The inspector concluded that:

*“...the proposal would cause minimal harm to the landscape of the site and no harm to the landscape character of the wider area. the effect on view from a small number of viewpoints would be moderate or substantial but these would be localised and the overall harm to the visual amenity of the area would be moderate. Given the absence of any harm to landscape character and the localised visual effects, the proposal would cause no detriment to policy EN1”*

## Disabled access

Although the residential element is only at outline, with limited information in this regard, it is anticipated that all the dwellings will meet current building regulations to ensure the accommodation is accessible and adaptable for the house hold needs.

## Tree coverage

There are 12 individual trees at the application site and 4 groups of trees. In terms of the trees quality, there are 5 category B trees (*Trees where retention is desirable*), 8 category C trees (*trees which could be retained*) and 1 category U tree (*Trees of such a condition that they cannot be realistically retained*). With regards to the group trees, there 2 category B groups and 2 category C groups.

The tree coverage is principally around the perimeter of the site and helps add to the quality of the green infrastructure and amenity value of the application site.

Policy EN9 states that new developments will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. The policy goes on to state that the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

The need to retain trees and existing landscapes is reiterated within paragraph 2.38 of the Guide to Development in Manchester SPD which states that '*new development will fit more easily into their surroundings if they incorporate existing landscapes, and there will be a presumption to retain existing trees and planting with a high amenity and ecological value*'

The proposed development will involve the removal of a group of trees, a Hawthorn Elder, category C group, from the frontage of the site to Cringle Road.

The remainder of the trees would be retained which includes a series trees along the northern boundary to the wider part of the Highfield Country Park would be retained. Whilst the removal of the existing green infrastructure and tree coverage from Cringle Road is regrettable, often some vegetation does have to be removed for future development to take place. Given the remainder of the tree coverage around the site will be retained, it is not considered that the tree removal alone would warrant refusal of this planning application. Appropriate mitigation will be secured as part of the landscaping proposals for the site which will include the provision of street trees.

The indicative layout shows in excess of 50 trees can be replaced at the site together with the retention of the majority of the trees at the site. These trees will be located in the front gardens and along road frontages together with provision within rear gardens particularly where it is visible from the public domain.

This mitigation will be secured by planning condition.

### **Landscaping and amenity space /boundary treatment**

Policy DM1 of the Core Strategy requires that green infrastructure including open space (both public and private) is a key consideration in the determination of planning applications. Further detail in this regard is provided by the Guide to Development in Manchester SPD which outlines the need for high quality public realm and together with creating a sense of place and spaces having purpose.

Private rear gardens would be created for the new dwelling houses. These vary in size depending on their position within the application site. In line with paragraph 10.9 of the Guide to Development in Manchester, it is considered that the amenity spaces provided would allow the residents to enjoy useable private amenity space and the size of the spaces appear to be consistent with the character of the area. In addition, it is considered that the gardens would be functional allowing for children to play, outside storage, drying of the clothes and a place to relax.

Whilst the amount of private amenity space for each dwelling appears to be acceptable, consideration should be given at the reserved matters stage to ensure that car parking and boundary treatments are appropriately designed as part of the scheme to ensure a high quality development. In addition, incidental areas of open space would not be acceptable as such spaces prove difficult to maintain.

At this stage, the indicative information submitted does not appear to show any boundary treatment to the front of the properties.

Paragraph 2.16 of the Guide to Development in Manchester SPD states that *'the impact of site boundaries can be significant and must be taken into account and incorporated into the design of the new development...well designed new treatment such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment'*.

Paragraph 2.19 goes on to state that *'developments should have a clear edge'* with the boundary walls creating this. The guidance goes on to state that *'street design should help create the clear definition identifying public areas whilst marking and protecting private spaces'*.

The need to provide *'safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space'* is a key requirement of paragraph 69 of section 8 of the NPPF.

It is essential that provision of appropriate boundary treatment, particularly to the site frontages are agreed in the interest of visual amenity and ensuring a high quality development is created. This must include a clear provision between the public and private spaces. Therefore a condition is recommend to ensure that appropriate boundary treatment is provided.

The Inspector in the recent appeal noted that the provision of the additional homes as part of this development would bring new visitors to the park. Accordingly, without appropriate mitigation, the development would cause further deterioration to the park. As part of this planning application, further discussions have taken place with the applicant and an appropriate sum has been agreed for improvements to the Country Park. This mitigation will be secured through a legal agreement. Overall, whilst the private amenity space for the dwelling is comparable with the local context. Further consideration should be given to landscaping, site layout and boundary treatment at the reserved matters stage to ensure a high quality development.

Appropriate conditions are recommended to cover these important aspects of the scheme.

## **Ecology**

The planning application has been accompanied by an ecological appraisal which assesses the potential impact of the development on local ecology and nature conservation. This is a key requirement of policies EN15 and DM1 which seeks to ensure that applicants identify, enhance and restore impacts from developments on local habitats.

The report has identified that the application site is of low ecological value. An assessment of protected species has taken place which found there to be no evidence of such species were found and therefore the impacts on habitats is considered to be low risk.

Greater Manchester Ecology Unit have assessed the ecology report and concur with the findings of the report submitted. Had the principle of the development been acceptable, it would have been necessary to condition any planning approval to avoid tree and vegetation removal during bird nesting season along with securing suitable mitigation to ensure biodiversity improvements across the application site.

The ecology report commissioned by the local resident is noted. The report states that the applicant's ecologist did not enter the site and is unified to undertake such an assessment.

The applicants ecologist undertook the first daytime bat inspection of the buildings in 2017 as well as the wider site. A follow up survey visit of the whole site was carried out in 2018. The ecologist was able to survey the exteriors and interiors of the structures through open stable doors and windows. Extensive photographs were not taken due to children using the buildings and the land immediately outside of the buildings.

The buildings are classed as having negligible bat potential, a conclusion that Greater Manchester Ecology Unit agrees with, given the type of construction, open nature and use of the buildings, plus the surveyor's expertise at assessing buildings for bats. Moreover, there has never been a record of a bat roost being present in these structures.

In respect of any anecdotal claims regarding bat activity in the area, the applicants ecologist advises that foraging and commuting over and around a site like this is not surprising, given the open land to the north. However, it is the bat roost that is protected and there is no evidence of a bat roost on the site.

The applicant has confirmed that they well aware of their responsibilities in respect of protected species and often a toolbox talk with an ecologist will take place at the outset of the development. As always, should any protected species be found on site during construction, then work on site would stop immediately and further advice taken from a licensed specialist.

The local resident's survey was also done from outside of the application site (with no access to the buildings) on a Sunday afternoon. The applicant's ecologist advises that it would be unprofessional and misleading for a licensed ecologist to assume there is potential for bats to be present from a remote survey with no access.

The impact of the development on the ecology and biodiversity of the site has been carefully considered together with an assessment of the site for protected species. No evidence of any such species was found and the site was assessed as low risk for all such species including the risk of bats roosting within the building to be demolished.

Greater Manchester Ecology Unit (GMEU) concur with the findings of the ecology assessment as did the Inspector in the recent appeal who commented that '*no protect species were found in the site assessment and an appropriate range of ecological measures could be secured through planning conditions*'.

Should there any protected species be found during the any works, then works should cease and an appropriately qualified ecologist should be brought to site to inspect the building. This is a requirement of the Habitat regulations. This should form part of an informative of the approval.

### **Effect of the development on the local environment and existing residents**

Policies SP1 and DM1 seek to ensure that new developments have a positive impact on existing residents together with creating places that make a positive contribution to neighbourhoods of choice by creating well designed placed. Policy DM1 goes further by stating that the effect on amenity is a key consideration particularly effects on privacy and noise.

It is considered that there are three potential impacts for consideration:

- a loss of privacy from overlooking;
- any overbearing or overshadowing impacts; and
- any unacceptable noise and disturbance from comings and goings.

It is noted that there are existing residential properties to the south the site along and off Cringle Road. The application site itself, however, is immediately surrounded on all sides by the Highfield Country Park and the green open space allocated in Stockport.

Due to this relationship the proposed development would not give rise to any unacceptable impacts with regards to overlooking, overbearing/overshadowing or undue noise and disturbance.

The proposed dwellings fronting Cringle Road have the closest relationship to the existing residential properties. These would look onto the gables of properties along Wilsthorpe Close and Red Rose Crescent with a distance of 25 metres. It is not considered this would result in any unacceptable loss of amenity.

With regards to comings and goings, whilst it is inevitable residents would notice some increased comings and goings along Cringle Road, it is not considered that this will lead to any unacceptable levels of harm.

It is noted that residents are concerned about the impact of the development on local school places and GP surgeries. It is considered that the number of new homes created at this site will not be excessive and place undue pressure on local amenities and resources and will easily be absorbed into the local population.

### **Effect of the development on the proposed residents**

#### a) waste management

A major residential development of this nature would generate waste which would need to be managed. Policies EN19 and DM1 of the Core Strategy require that applicants show consistency with the waste hierarchy which principally seeks applicants to re-use and recycle their waste.

The applicant has committed to providing the required number of bins (including those for recycling) as part of the development proposals. There is sufficient room to accommodate the bin storage area within the development plots. These can be accommodated behind the building line to minimise the visual impact of the refuse area on the street scene.

It is considered that the development would be able to suitably accommodate its waste management requirements within the curtilage of each dwellinghouse.

It is recommended that a detailed waste management strategy should be agreed at the reserved matters stage including details of an appropriate refuse storage area

#### b) Acoustic insulation

The application site is not located near noise sources that requires the properties to be acoustically insulated against.

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

Policy SP1 of the Core Strategy states that new developments should maximise the potential of the City's infrastructure, in particular promoting walking, cycling and use of public transport. Policies T1 and T2 go on to state that there will be modal shifts away from the car and to locate new development that are accessible by walking,

cycling and public transport in line with SP1. Policy T2 also states that new developments should provide adequate car parking provision for their needs. The need to assess traffic generation and road safety is a key consideration with policy DM1.

A transport statement has been submitted which considers the sites sustainability in terms of proximity to public transport, together with an assessment of the impact of the proposal on the local highway network.

It is not considered that there will be any detrimental impacts associated with the trip generation from the application site on the adjacent highway network. In addition, the indicative layout indicates that car parking could be accommodated within the curtilage of each dwellinghouse.

The indicative road layout also indicates that servicing requirements for the development would not be an issue.

Access to the site is shown off Cringle Road. There is no objection to this in principle and the applicant has suitably demonstrated that there would be adequate visibility for vehicles entering and exiting the site. Two dwellings with driveways have been shown on the indicative layout fronting onto Cringle Road, this would need further consideration at the reserved matters stage to ensure there is no conflict with highway safety.

It is noted that residents have raised concern about the position of the access in relation to Wilsthorpe Close. Highway Services have assessed this and it is not considered there will be any conflict with highway and pedestrian safety with regards to the position of the access.

Consideration has been given to the potential impact on Cringle Road. In this instance it is considered appropriate to introduce traffic calming measures along a section of Cringle Road. Details at this stage include the provision of 2 sets of speed cushions, either side of central flat top hump in an appropriate location respective of pedestrian desire lines. Given the width of the road, 3 cushions are included per set to fully deter vehicle speeds.

Electric vehicle charging and cycle parking will be key components of the scheme and appropriate conditions will be imposed on the planning permission.

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

The application site is located in flood zone 1 '*low probability of flooding*'. However, the site lies within a critical drainage area (an area where there are complex surface water flooding problems from ordinary watercourses, culverts and flooding from the sewer network). These areas are particularly sensitive to an increase in rate of surface water run off and/or volume from new developments which may exasperate local flooding problems. As such, policy EN14 states that developments should seek to minimise the impact on surface water run off in a critical drainage area.

The applicant has prepared a drainage statement which requires further clarity as to how the drainage systems at the site will work in order to prevent surface water run off along with examination of the implementation of sustainable urban drainage principles at the site along with their future management.

These are matters that are capable of being conditioned as part of any planning approval.

### **Air quality**

The main impacts during the operational phases would be from vehicle movements and servicing requirements. The impacts associated with dust and emissions can be carefully controlled through the construction management plan which would form part of the conditions of the planning approval.

There will be on site cycle parking and electric car charging points will also be secured through planning conditions.

Environmental Health concur with the conclusions and recommendations within the air quality report. In light of the mitigation measures proposed above, which will be secured by planning conditions, it is considered that 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 will be no detrimental impact on existing air quality conditions as a result of the development.

### **Sustainability**

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.

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.

The Code for Sustainable Homes has now been revoked. The homes will be designed so that they are energy efficient and compliant with relevant regulation. As the application is for outline only, further details will be required once the homes have been designed in detail. It is recommended that such details are obtained as part of the conditions of the planning 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. A condition of the planning approval shall be that the development achieves 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. Initial site investigation work has been carried out by the applicant. This found a large amount of made ground at the site.

The initial site investigation report has been considered by Environmental Health and the Environment Agency. The site is known to have been historically used as landfill. They have recommended that further consideration be given to this matter, including preparation of a remediation strategy.

The appropriate remediation of the site will be secured through an appropriately worded planning condition.

### **Construction management**

The work would take place close to homes and comings and goings from the site are likely to be noticeable. However, these impacts should be short in duration and predictable. A condition requires a construction management plan to be agreed which would include details of dust suppression measures, highways management plan and details of use of machinery. Wheel washing would prevent any dirt and debris along the road and beyond.

Limited information has been provided about routing but construction vehicle will use Cringe Road and connect to Stockport Road. There is unlikely to be any cumulative impact from construction activity.

Provided the initiatives outlined above are adhered to, it is considered that the construction activities are in accordance with policies SP1 and DM1 of the Core Strategy and extant policy DC26 of the Unitary Development Plan. However, it is recommended that a condition of the planning approval is that the final construction management plan is agreed in order to ensuring the process has the minimal impact on surrounding residents and the highway network.

### **Permitted Development**

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

It is recommended that the permitted development rights that would normally allow the change of use of a property to a HMO falling within use classes C3(b) and C3(c)

be restricted and that a condition ne attached to this effect. This is important given the emphasis and need for family housing in the city.

It is also considered appropriate to remove the right to remove boundary treatments as these would, it is envisaged, form an important feature in the street scene.

## **Conclusion**

The proposal would result in the loss of a low quality landscape which has been determined to have a limited recreational value through the recent appeal decision. The provision of 57 new homes at the application site is therefore considered to be acceptable and would contribute positively to the new homes required in the City.

Provision of 20% affordable housing, provided on a shared ownership basis, will provide access to affordable home ownership at the application site together with monies to make improvements at the adjacent Highfield Country Park. These obligations will be secured by a legal agreement.

The indicative layout for the residential element demonstrates that it is possible to achieve a suitable development at the application site arranged around the new road network. The indicative scale of these properties would respond positively to the character of the area.

The proposal is not expected to create any unduly harmful impacts as a result of traffic on the local highway network. Appropriate provision for car parking can be created at the development together with electric car charging and cycle provision. Traffic calming will be provided on Cringle Road as part of the planning conditions.

**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 Head 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 in order to secure monies associated with mitigating and improving access to Highfield Country Park as a result of the development together with**

**securing 20% on site affordable housing on a shared ownership basis.**

**Article 35 Declaration**

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where early discussions took place regarding appropriate mitigation for Highfield Country Park. Further work and discussion have taken place with the applicant through the course of the application, particularly in respect of the affordable housing, site layout and traffic calming. The proposal is considered to be acceptable and therefore determined within a timely manner.

**Reason for recommendation**

**Conditions to be attached to the decision**

1) Applications for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission. The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2) Approval of the details of the layout, scale, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Plans and particulars of the reserved matters shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason - To ensure the satisfactory development of the site and because this application is in outline only.

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

Drawings

stamped as received by the City Council, as Local Planning Authority, on the 5 March 2019

Supporting information

Design and access statement, crime impact statement, planning statement, transport assessment, travel plan, noise impact assessment, ground investigation

assessment, ecological report, tv reception study, flood risk/drainage assessment, air quality assessment, daylight and sunlight report and environmental standards report stamped as received by the City Council, as Local Planning Authority, on the 8 March 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.

4) Any application for reserved matters relating to scale and layout shall follow the principles and parameters set out in the approved plans, in particular drawings L(--)-012 stamped as received by the City Council, as Local Planning Authority, on the 5 March 2019 and shall include:

- A maximum height of the residential dwellings 2 storeys;
- No more than 57 dwellings
- No more than 31 x 4 bedroom houses (between 107 and 124 sqm)
- No more than 26 x 3 bedroom houses (between 96-102 sqm)

Reason: To ensure the development does not exceed the parameters disclosed in the planning application, pursuant to policies DM1 and SP1 of Manchester Core Strategy.

5) No development 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 a Written Scheme of Investigation (WSI) submitted to and approved in writing by Manchester Planning Authority. The WSI shall cover the following:

(a). A phased programme and methodology of investigation and recording to include:  
- an archaeological watching brief

(b). A programme for post investigation assessment to include: - production of a final report on the significance of the below-ground archaeological interest.

(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.

(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 investigate the archaeological interest of the site and record and preserve any remains of archaeological interest, pursuant to policy EN3 of the Manchester Core Strategy (2012) and saved policy DC20.1 of the Unitary

Development Plan for the City of Manchester and guidance in the National Planning Policy Framework.

6) 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).

7) a) The development shall not commence until a scheme for the drainage of surface water for the development has been submitted for approval in writing by the City Council as the Local Planning Authority. This shall include:

- 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, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
- Hydraulic calculation of the proposed drainage system;
- Construction details of flow control and SuDS elements.

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

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

8) a) The development shall be carried out in accordance with the Geo-Environmental site assessment report (ref. 102978P1R1) stamped as received by the City Council, as Local Planning Authority, on the 4 December 2018

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

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

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

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

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

The development within 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).

10) (a) Prior to any above ground works associated with the development, a programme for the issue of samples and specifications of all material to be used on all external elevations of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority, the programme shall include timings for the submission of samples and specifications of all materials to be used on all external elevations of the development along with jointing and fixing details, details of the drips to be used to prevent staining in and a strategy for quality control management.

(b) All samples and specifications shall be submitted to and approved in writing in accordance with the programme as agreed under part (a). The approved materials shall then be implemented as part phase one of the development.

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

11) Prior to the first occupation of the development hereby approved, details of the implementation, maintenance and management of the sustainable drainage scheme have been 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 for phase one shall then be implemented in accordance with the details and thereafter managed and maintained for as long as the development remains in use.

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

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

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

13) Prior to the first use of the development details of a hard and soft landscaping treatment (including tree planting and street trees) 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) Prior to the first occupation of the development, details of the siting, scale and appearance of the boundary treatment shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall then be implemented and be in place prior to the first use of the development. The boundary treatment shall be retained and maintained in situ thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification) no boundary treatment shall be erected on site, other than that shown on the approved plans.

Reason – To ensure that appropriate boundary treatment is put in place in the interest of visual amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

14) The development shall be carried out in accordance with the Environmental Standards report stamped as received by the City Council, as Local Planning Authority, on the 4 December 2018. 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 for each phase.

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.

15) (a) Prior to the first occupation of development, details of the siting, scale and appearance of the waste storage area together with a waste management strategy shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) The approved waste storage and strategy shall be implemented in accordance with the approved details and be put in place prior to the occupation of the residential development within phase two and thereafter retained and maintained in situ for as long as the development remains in use.

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

16) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority prior to the first occupation of the development.

The approved scheme shall be implemented in full prior to the first occupation of the development and shall remain in operation for so long as the development is occupied.

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

17) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

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

18) The development shall be carried out in accordance with the Crime Impact Statement prepared by Design for Security at Greater Manchester Police stamped as received by the City Council, as Local Planning Authority, on the 4 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.

19) (a) The development hereby approved shall be carried out in accordance with the travel plan framework stamped as received by the City Council, as Local Planning Authority, on the 4 December 2018

In this condition a Travel Plan means a document which includes:

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

(b) Within six months of the first occupation of the development, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

20) Prior to the first occupation of the development, details of a secure cycle store (including capacity) for each property shall be submitted for approval in writing by the City Council, as Local Planning Authority.

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

Reason - To ensure there is sufficient cycles stand provision at the development pursuant to policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012).

21) Prior to the first occupation of the development, the car parking layout shall be laid out, demarcated and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

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

22) Prior to the first occupation of the development, details of electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall then be implemented as part the development and be in place prior to the first occupation of the development.

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

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

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

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

24) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages or extensions (including roof alterations); shall be erected other than those expressly authorised by this permission in relation to the residential element of this development within phase two.

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

25) 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.

26) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no additional glazing, windows or doors, other than those shown on the approved plans, shall be inserted at the property unless Planning Permission is specifically granted in relation to this development.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to policy DM1 of Manchester's Core Strategy and saved policy DC1 of the Unitary Development Plan for the City of Manchester.

27) 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.

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

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

29) Prior to the first occupation of the development hereby approved, a scheme of highway works in relation to the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

For the avoidance of doubt this shall include the following:

- traffic calming measures along Cringle Road as indicated on drawing SCP/17029/SK01 stamped as received by the City Council, as Local Planning Authority, on the 5 March 2019;
- Traffic calming within the proposed development;
- Amendments to highway along Cringle Road to form new access and driveway(s) as indicated on drawing L(--)-012 stamped as received by the City Council, as Local Planning Authority. On the 5 March 2019
- Junction protection measures to new junction and Cringle Road in association with the new access in the interest of visibility and associated highway works
- 20 mph speed limit for the new access road including associated amendments to the highway in order to facilitate this.

The approved scheme shall be implemented and be in place prior to the first occupation of the residential element of the development hereby approved and thereafter retained and maintained in situ.

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

### **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: 122042/OO/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.

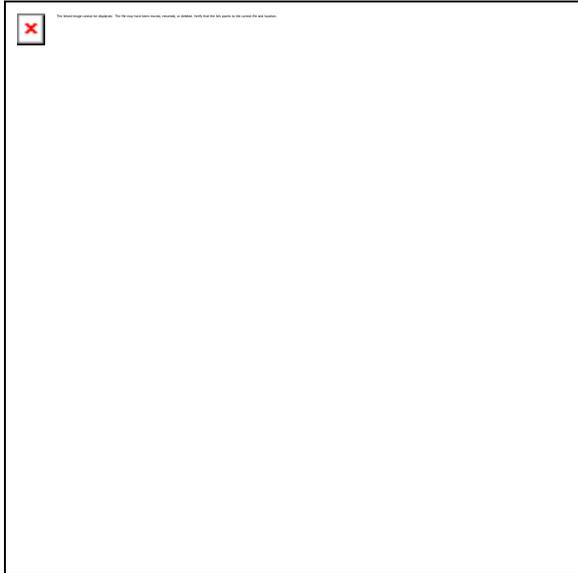
**The following residents, businesses and other third parties in the area were consulted/notified on the application:**

**Highway Services  
Environmental Health  
Neighbourhood Team Leader (Arboriculture)  
MCC Flood Risk Management  
Greater Manchester Police  
Environment Agency  
Greater Manchester Archaeological Advisory Service  
Greater Manchester Ecology Unit  
Stockport Metropolitan Borough Council  
Environmental Health  
MCC Flood Risk Management  
Greater Manchester Ecology Unit  
Highway Services  
Neighbourhood Team Leader (Arboriculture)  
Stockport Metropolitan Borough Council  
Environment Agency  
Greater Manchester Archaeological Advisory Service  
Greater Manchester Police**

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

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

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



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