

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130931/JO/2021

Date registered valid: 15 July 2021

Proposal: Variation of condition nos. 2 (Specified plans), 8 (Additional windows), 9 (Obscured glazing), 11 (Cycle storage), 12 (Car parking), 13 (Boundary treatment), 14 (Bin Storage enclosure), 15 (Waste management), 19 (EV charging points), 22 (Environmental standards statement), 24 (Landscaping) and 25 (Bat and bird boxes) attached to planning permission ref: 125803/FO/2019 to amend cycle storage arrangements, removal of PV panels to roof of apartment block and amendments to landscaping in response to amended street boundary

Address: Land Bounded By Abbey Hey Lane And Battersby Street , Manchester

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Jon Benson Mosscafe St Vincents Housing Group 7th Floor
Trafford House, Manchester, M32 0RW

Agent (if any): Mr Michael Stewart Michael Stewart Architecture 75 Parsonage Road,
Stockport, SK4 4JL

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 13 October 2021

Application details

Type of application: Variation or Removal of Condition

Development type: Smallscale Major Dwellings

Date of site visit: 8 August 2021

Standard consultations:

Printed: 22 July 2021 Expired: 12 August 2021

Neighbour notifications

Printed: 22 July 2021 Expired: 12 August 2021

Site notice

Posted: 9 August 2021 Expired: 30 August 2021

Press advert

Published: 3 August 2021 Expired: 24 August 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

This planning application relates to a formerly Council owned triangular parcel of grassed open space with some mature tree planting. It has an area of 0.27 Ha. The site is bounded by Battersby Street to the north, Abbey Hey Lane to the west and terraced housing to the east. St Clement Primary School is located on Abbey Hey Lane and is directly opposite the site. The site is close to Openshaw District Centre and is therefore in a sustainable location, in terms of access to public transport, shops and services. The Higher Openshaw Health Centre is located to the north of the site along with a screen printing business.

The site is the subject of the following planning permission granted on 1 May 2020 by the Planning and Highways Committee under ref: 125803/FO/2019 - Erection of 13 x two storey dwellinghouses and 1 x two storey block of 2 apartments with garden areas, boundary walls, fencing, gates and landscaping and the formation of an internal road to in-curtilage car parking spaces accessed via Battersby Street.

The development involves the formation of 2-storey red brick houses with grey tiled pitched set between gable elevations roof tiles and contrasting brick detailing. A private access road would be taken from Battersby Street to facilitate in-curtilage car parking via an internal service road.

Pedestrian access to the proposed houses and apartments would be taken from Battersby Street and Abbey Hey Lane. Work has commenced on site and is nearing the completion of house building.

Minor amendments to the development have been previously approved under application ref: 130929/NMC/2021 - Non material amendment to planning permission ref: 125803/FO/2019 to allow elevational alterations and changes to boundary treatment.

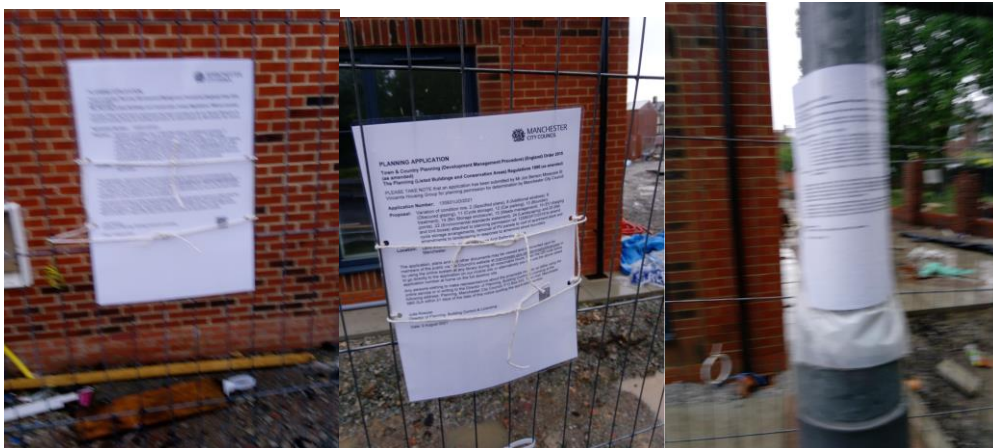


Fig. 1 Site notices to Battersby Street and Abbey Hey Lane dated 9 August 2021

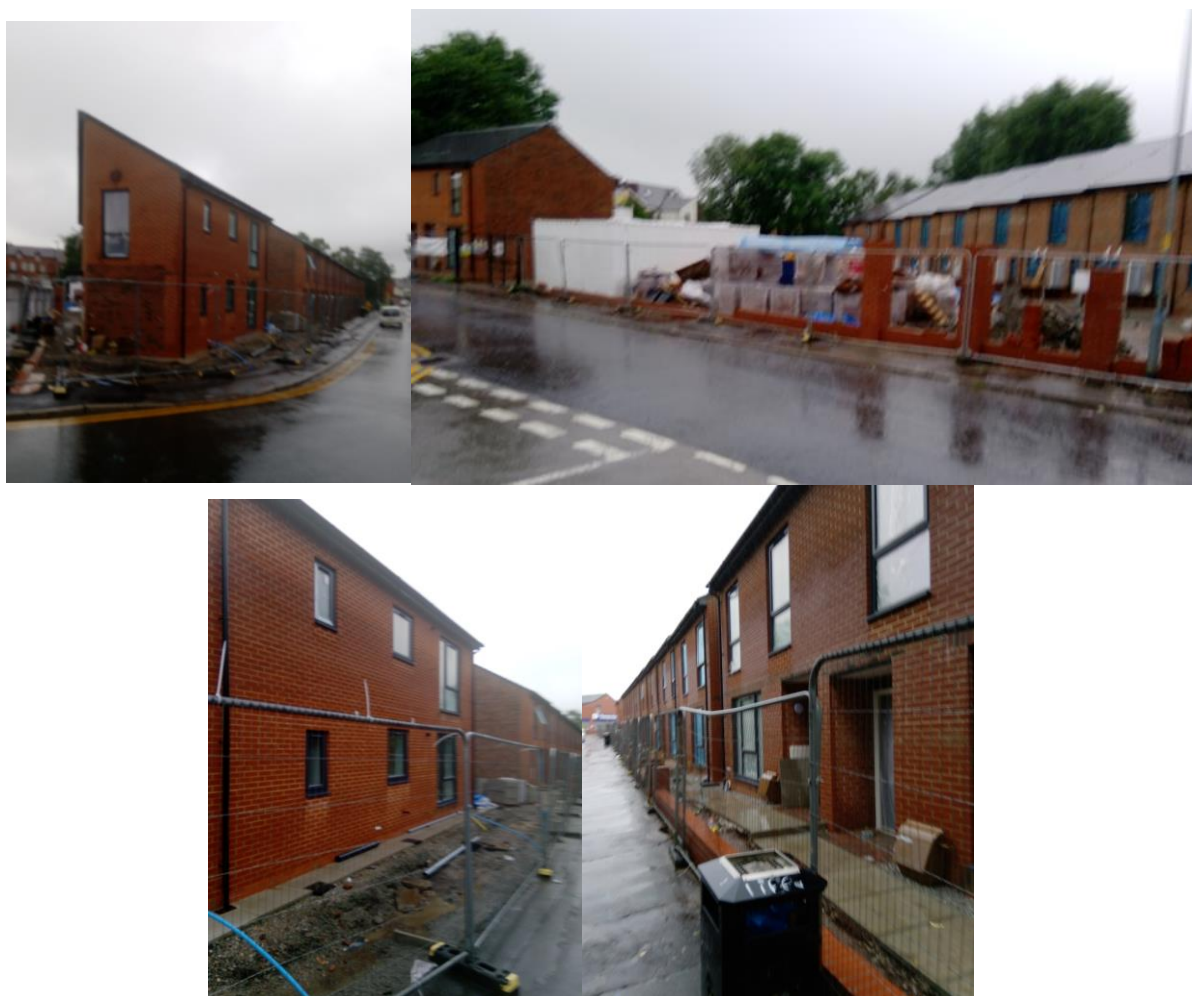


Fig. 2 – Views of implemented development.

Description of development

The following amendments are sought:

- i. Amend cycle storage arrangements involving the replacement of the previous requirements for cycle sheds with 'Sheffield' style cycle stand within the rear garden areas of the houses and apartments;
- ii. Removal of PV panels to roof of apartment block. The design of the fabric of the overall development has been reviewed and it has been demonstrated that a satisfactory standard of environmental design can be achieved without the inclusion of PV panels. These details have been related to an amendment to the environmental statement previously approved and related to Condition 22;
- iii. Amendments to landscaping in response to amended street boundary. This involves a marginal set bet of the street boundary within the site edged red to facilitate off-site highways works.

The following conditions have been varied to allow the substitution of drawings amended by the above revisions: Conditions 2 (Specified plans); 8 (Additional windows); 9 (Obscured glazing); 11 (Cycle storage); 12 (Car parking); 13 (Boundary treatment); 14 (Bin Storage enclosure); 15 (Waste management); 19 (EV charging points); 24 (Landscaping) and 25 (Bat and bird boxes).

As part of the variation of condition 2, a minor amendment has been sought to the detail of the street boundary, involving the inclusion of grey concrete capping stones to brick piers.

Consultations & Notification Responses

Local residents – No comments received.

Highway Services – No objection. The revised cycle storage arrangements are considered to be acceptable.

Environmental Health – No objection subject to the implementation of the previously agreed arrangements for segregated waste storage and collection. Environmental have been advised that the previously approved arrangements would be retained and no further comments have been received.

Neighbourhood Team Leader (Arboriculture) – The proposed planting layout and specification is considered to be acceptable.

Flood Risk Management Team (FRMT) – The details relating to site drainage have been previously approved. Notwithstanding the above the FRMT have indicated that a culvert may exist across the application site. This issue was not identified as part of the previous consultation response. The development has been implemented in accordance with approved details and the applicant has indicated that it would be unreasonable to request additional works at this stage. The request of addition ground surveys would also exceed the scope of this s.73 application.

Greater Manchester Police Design for Security – No objection to the variation of conditions 11, 12 and 13.

United Utilities Water PLC – No comments received. The revisions the development do not affect the consideration of the issues previously considered by UU.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It provides a mechanism through 'which locally-prepared plans for housing and other development can be produced.' It states that 'at the heart of the Framework is a presumption in favour of sustainable development.' However, the Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Furthermore, the statutory status of the development plan remains as the starting point for decision making. In 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The development has been previously assessed to determine its compliance with the NPPF and the following criteria are considered to be relevant to the proposed amendments and have been positively responded to for the specified reasons:

- i. Chapter 5 Delivering a sufficient supply of homes – The development continues to be appropriately related to the objectives of:
 - Significantly boosting the supply of homes;
 - Responding to local housing need, including the provision appropriate size, type and tenure of housing;
 - Providing affordable housing;
 - Delivering houses on brownfield sites;
 - Supporting the development of entry-level exception sites, suitable for first time buyers.
- ii. Chapter 8: Promoting healthy and safe communities – The following criteria continue to be positively responded to:
 - Contributing to the delivery of healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion. This has been achieved through the layout and design of the proposed development and the incorporation of measures to address issues of security and potential opportunities for criminal and anti-social behaviour.
 - The loss of open space has been previously assessed and considered to be justified.
- iii. Chapter 9: Promoting sustainable transport – The amendments would not affect the previously assessed generation of traffic and vehicular movement, which would continue to be capable of being accommodated within the local highway infrastructure. Satisfactory off-street car parking would also be achieved in-curtilage cycle storage being provided to promote more sustainable transportation options.
- iv. Chapter 11: Making effective use of land – The development would continue to positively contribute to the re-use of previously developed land and securing housing with a high quality of urban design. It is also considered that the development would be appropriately related to the scale, proportions and character of development in the surrounding area.

- v. Chapter 12: Achieving well-designed places – The revised layout maintains its appropriate relationship to the surrounding context and neighbourhood character. The design of the development has not been significantly affected by the revisions to the development.
- vi. Chapter 14: Meeting the challenge of climate change, flooding and coastal change – The development would continue to incorporate design techniques that reduce the potential for carbon emissions and measures to managed surface water drainage and capable of being finalised through conditions. Similarly, the development has been support with a flood risk assessment and drainage plan that demonstrates that satisfactory drainage would be achieved. The design of the proposed houses has been related to a revised environmental assessment, which indicates that the proposed house would deliver a strong environmental performance.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In the following assessment of the proposed development has been given to the following aspects of the PPG, which have been positively responded to:

- i. Consultation and pre-decision matters;
- ii. Design;
- iii. Flood Risk Planning and Flood Risk;
- iv. Health and well;
- v. Air quality;
- vi. Land affected by contamination;
- vii. Noise;
- viii. Travel plans and traffic / transport assessments.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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) as the document that 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.'

The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles)

Policy SP1 specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

c. 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.

It is considered that the proposed development would contribute positively to the formation of a sustainable community, which would be beneficial to the quality of the living environment experienced by existing and future residents. This would be achieved through the development of a high quality and sustainable design that would respond to the on-going need for housing in the local area and add vibrancy to its character. Policy SP1 would therefore be positively responded to.

Policy EN 8 (Adaptation to Climate Change)

Policy EN8 states that all new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces. In this case of this application reference has been given to the adaptability of the development to climate change with particular reference to:

- i. Minimisation of flood risk by appropriate siting, drainage, and treatment of surface areas to ensure rainwater permeability;
- ii. The need to control overheating of buildings through passive design;
- iii. The opportunity to provide linked and diverse green space to enhance natural habitats, which will assist species adaptation.

Policy EN8 has been related to the proposed sustainable design of the proposed houses and arrangements to secure appropriate drainage management. The development would incorporate individual garden areas along with retained public open spaces that would further enhance drainage in and around the application site. The omission of previously approved photovoltaic (PV) panels has been justified through a revised It is considered that policy EN8 would be responded to satisfactorily.

Policy EN 9 (Green Infrastructure)

Policy EN 9 states that new development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Trees removed by the development will be replaced through the landscaping scheme. Rear gardens would be presented to the open space thereby increasing the sense of spaciousness across the development. On balance, it considered that development would be appropriately related to policy EN9.

Policy EN 14 (Flood Risk)

Policy EN 14 states that in line with the risk-based sequential approach, development should be directed away from sites at the greatest risk of flooding and towards sites with little or no risk of flooding. The applicant has provided a flood risk assessment that is considered to be acceptable. A condition has been recommended to ensure that the development is designed to incorporate a sustainable drainage system. On this basis policy EN14 would be complied with.

Policy EN15 (Biodiversity and Geological Conservation)

Policy EN15 states, amongst other things, that the 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. A condition has been included to ensure the implementation of

the development in accordance with the ecology report, which includes recommendations for the provision of bat and bird boxes and native tree and plant provision that would benefit wildlife. Policy EN15 would therefore be complied with.

Policy EN 16 (Air Quality)

An air quality assessment was submitted as part of the previous the previous permission, which was assessed and considered to be appropriate. It is accepted that impacts on air quality would be mainly related to the construction stage and that impacts during the operational stage would be limited to residential traffic movement. A pre-occupation condition requiring the provision of an electric vehicle charging points for each bungalow has been agreed. It is considered that these measures would help to maintain and / or improve future localised air quality pursuant to policy EN16.

Policy EN18 (Contaminated Land and Ground Stability)

Policy EN18 states that any proposal for development of contaminated land must be accompanied by a health risk assessment. The previous permission was related to ground condition survey and remediation strategy that has been conditioned to the development, along with a requirement for the submission and approval of a verification statement. On this basis policy EN81 would be complied with.

Policy EN19 (Waste)

Policy EN19 requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. The sustainable waste management needs of the end user will be met.

The development would continue to be related to a construction management and waste and recycling plan that would ensure compliance with policy EN19.

Policy H1 (Overall Housing Provision)

Policy H1 relates to the City Council strategy for the delivery of new housing between March 2009 and March 2027. The proposed development would continue to respond positively to policy H1 by:

- i. Contributing to the creation of mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- ii. Supporting growth on previously developed sites in sustainable location;
- iii. Ensuring that the design and density of the a scheme contributes to the character of the local area;
- iv. Making appropriate provision for parking cars and appropriate levels of sound insulation;
- v. Being designed to give privacy to both its residents and neighbours.

Policy H 4 East Manchester

The proposed development would accord with Policy H4 and its aspiration for the delivery of new housing in East Manchester and the delivery of high quality and sustainable family housing.

Policy H 8 Affordable Housing

Policy H8 sets the requirements for affordable housing or an equivalent financial contribution. It is relevant in this case as development would exceed the 15 or more threshold for affordable housing provision. In this case, the applicant as a social housing provider would deliver and manage the development to provide 15 social rented units. These arrangements would be delivered through the transfer of the application land from the Council to the applicant. On the basis policy H8 would be accorded with.

Policy H11 (Houses in Multiple Occupation)

Policy H11 has been related to a condition to ensure that the proposed housing is retained as Class C3 accommodation. This accords with the requirement of policy H11, of securing a sustainable supply of family housing and maintaining an appropriate mix housing type and tenure.

Policy T1 (Sustainable transport)

Policy T1 relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport. Policy T1 is complied with through the provision of in curtilage car parking and cycle storage.

Policy T2 (Accessible areas of opportunity and need)

Policy T2 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 and access to services, including health care, recreation and educational facilities. The sustainable location of the application site, in terms of access to public transport and proximity to services within Openshaw District Centre centres would ensure that the development would be suitably related to policy T2.

Policy DM1 (Development Management)

Policy DM1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. Relevant considerations in this case are:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- c. Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- d. Accessibility: buildings and neighbourhoods should be fully accessible to disabled people with new development providing access to all via sustainable transport modes;
- e. Community safety and crime prevention;
- f. Design for health;
- g. Adequacy of internal accommodation and external amenity space;
- h. Refuse storage and collection.

Policy DM1 points a - h (inclusive) have been related to the assessment of the revised proposals with regard to its potential impact on residential amenity and the contextual

relationship of the new housing to the local built environment. It is considered that, for the reasons set out in this report, the above points have been responded to satisfactorily.

Unitary Development Plan (Saved UDP) Policies -The following saved Unitary Development Plan policy is also considered to be relevant:

Policy DC7 (New Housing Development)

Policy DC7.1 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. Policy DC7 also requires that a satisfactory quality of development is achieved. In this case the layout of the proposed houses and the quality of design would accord with residential quality guidance. It is also considered that satisfactory access for people with disabilities would be achieved. Policy DC7.1 would therefore continue to be complied with.

Policy DC26 (Development and noise)

The following elements of policy DC26 are considered to be relevant:

Policy DC26.1 has been related to the proposals contribution to the local noise environment and how existing noise sources, including noise from neighbouring industrial / commercial uses, may impact on the proposed housing.

Policy DC26.4 requires that where an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, consideration is given to measures to deal with it satisfactorily. This is particularly relevant given the proximity of the site to established industrial uses.

Policy DC26.5 has been related to the assessment of the development, in terms of measures to minimise the impact of noise on future residents, including the incorporation of noise insulation.

Although the site is close to Openshaw District Centre and St Clement's School, the surrounding area is predominantly residential. Noise levels are therefore predictable and capable of being attenuated through design measures to secure compliance with policy DC26 is capable of being accorded with.

Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance - The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester.

The following paragraphs are of particular relevance:

- i. Section 2 Design
- ii. Section 3 Accessibility
- iii. Section 4 Environmental Standards
- iv. Section 7 Housing Density and Mix
- v. Section 8 Community Safety and Crime Prevention

Compliance with the above sections of the Guide have been previously assessed and would continue to be complied with.

Providing for Housing Choice Supplementary Planning Document (SPD) and Planning Guidance (adopted 2nd September 2008) - This document provides planning guidance about the mix of new housing provision required in Manchester to meet the requirements of the City's planning policies and government guidance about planning policies for housing provision. The City Council is committed to establishing a strategy for affordable housing provision in Manchester. It is important that everyone living in Manchester has the opportunity of a decent, affordable and accessible home and that the range of available housing both supports the City's economic growth and develops and sustains neighbourhoods, attracting families and workers.

The proposed development would meet the 15 unit threshold for the provision of affordable housing. The development would continue to be delivered by the applicant, as a social housing provider with a stated commitment to progressing new proposals in Openshaw for social rent, affordable rent, shared ownership and rent to buy tenures. The applicant has indicated that all of the proposed units would be made available for social rent, which would be acceptable in this location.

Manchester Residential Quality Guidance (MRQG) - Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester. It was approved by the Executive at its meeting on 14 December 2016. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management. It is considered that the proposed housing layout would achieve appropriate standards of internal space and a quality of design that would contribute to the character of the local area and thereby would encourage sustained long term occupation. MRQG would thereby continue to be complied with.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application.

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. A dialogue was undertaken with the applicant to ensure that the environmental performance of the development would be maintained following the omission of previously approved photovoltaic panels. On the basis of the submitted and supplementary details sufficient information was made available to allow the proposed amendments to be appropriately assessed.

Principle of the development – The submitted amendments do not affect the character or appearance of the development. The amendments are therefore consistent with the objective of delivering the appropriate residential development of the site.

Affordable housing – The following arrangements would continue to apply:

- Rent levels for the social rent units will be set in line with the national rent regime;
- The ownership of the social rented properties by Mosscafe St Vincent's Housing Group as an affordable housing provider, will ensure that those units remain affordable in perpetuity,

unless disposed of under an affordable housing provider's statutory obligation of right to buy or acquire and subject to mortgagee exemptions.

The above provisions are to be delivered through the contractual arrangements relating to the transfer the application site from the Council to Mosscares St Vincent's Housing Group.

Impact on local infrastructure - The development would continue to relate to 15 units with a limited impact on local education and health care provision. It is understood that the local health providers have care capacity, in terms of accepting new patients. Notwithstanding, the above it is the case that there is a need for new housing accesses the city and other agencies will be responsible for ensuring that appropriate infrastructure provision is made.

Future use of the development - A condition has again been included for purposes of clarity and to confirm that the authorised development relates to the formation of 2 x one bedroom, apartments, 2 x two bed, 3 person houses and 11 x three bedroom, 4 person houses. A separate condition has been included to limit their future occupation to Class C3 (a) not precluding occupation by two unrelated people sharing a property. This condition is considered necessary to secure the appropriate and sustainable occupation of the proposed houses.

Residential amenity - It is considered that the development would continue to deliver high quality housing with an appropriate balance of built form and garden / amenity space. The authorised design would be replicated with the exception of the omission of PV panels to the apartments. An appropriate relationship to the neighbourhood would be maintained, including distances to adjoining houses. Residential amenity would not be unduly harmed by the development and any marginal impact would be offset by the delivery of new houses.

Permitted development restrictions - In order to maintain and safeguard residential amenity and in response to the constraints of the substantive site, it has been considered appropriate to restrict the permitted rights that would otherwise be available to householders. Conditions have therefore been included requiring planning permission in respect of the following:

- i. The erection of extensions, porches and outbuildings;
- ii. The replacement of authorised boundary treatments;
- iii. The insertion of additional windows.

Residential space standards – The layout of the houses and apartments would not be affected by the revisions to the development. The proposed development would thereby positively contribute to sustainable growth in Manchester and thereby respond positively to the Manchester Residential Quality Guidance.

Magnitude of development – Unaffected by the revisions to the development.

Siting – With the exception of the minor change to the boundary positions the siting of the development would be unaffected by the development.

Height, scale and massing – Unaffected by the revisions to the development.

Design - The design has been previously assessed and considered to be acceptable. The amendments to the development would not materially affect the composition and appearance of the residential units. The omission of PV panels would relate the roof of the apartments more closely to the neighbouring houses, in relation to the formation of the streetscape. The inclusion of pre cast natural grey cast stone pier cappings to the street boundaries is considered to be

acceptable. The authorised materials have been related to the development as a condition. The design of the development continues to be acceptable.

Accessibility – Unaffected by the revisions to the development.

Crime and Security – The layout of the development has been previously assessed in consultation with GMP Design for Security and remains acceptable. A condition has been included to ensure the implementation of the development in accordance with the approved details, including the security and crime reduction measures set out in the CIS.

Boundary treatment – The boundary treatment to Battersby Street and Abbey Hey Lane would be marginally repositioned in response required off-site highways works. The design of the boundary treatment would be retained as previously approved with the exception of amendments to the pier capping details, i.e., pre cast natural grey cast stone pier cappings. As stated, these details would not depart from the character of the development and are considered to be acceptable.

Reducing carbon emissions and sustainable design – The applicant has submitted a revised environmental performance statement which seeks to justify the omission of PV and demonstrates that improvements can be made to previously approved carbon reduction and insulation measures. This includes a review of: U-values, thermal bridging, ventilation, primary heating, flue gas heat recovery and lighting. The applicant's statement argues that the original environmental statement adopted a 'modest set of U-values for the external fabric and a gas combination boiler of modest performance. The efficiency of the scheme as a whole is then 'topped up' with the installation of photovoltaic panels on the roof of the two flats.' In these circumstances, although an overall 17.9% improvement over Part L1A (2013), would be achieved, the majority of houses would underperform whilst the apartments would over perform.

The revised statement adopts a 'fabric first' approach that relates more closely to Core Strategy policy. The revised approach demonstrates that an improvement over 20.17% would be achieved through the improvement in each heading as set out above. On the basis, it is considered that the omission of the PV panels is justified and added value can be added to the development through the implementation of the proposed measures. These details are therefore conditioned with a requirement for a post implementation verification report.

Air quality - The previously assessed air quality report identified, the construction period as the most likely source of air pollution. The implementation of development in accordance with the conditioned construction management plan, has delivered satisfactory air quality controls. The air quality report also considers that the occupation of the proposed houses would have limited scope for traffic generation as the development would be limited to 13 houses and 2 apartments. However, to off-set any potential future impact on air quality, a pre-occupation condition would be re-attached to the development to ensure the delivery of electric vehicle charging points for each property to an agreed specification. Given, the magnitude of the development, such measures are considered to be an appropriate and proportionate response to the maintenance of air quality.

Electric vehicle (EV) charging points – A condition has been included to ensure the installation of in-curtilage EV charging point to each house and apartment at the time of first occupation and retention in situ thereafter.

Car parking and highways issues – Amendments to the boundary positioning have involved a minor contraction of the application site at the junction of the Battersby Street and Abbey Hey

Lane to facilitate a widening of the public footpath, i.e., a requirement the off-site highways agreement. The arrangements for car parking would be retained as previously approved.

Off-site highways works - A condition has been included to ensure that all necessary works to the adjacent highways that are related previously agreed measures. These measures shall be implemented prior to the occupation of the houses and apartments.

Cycle storage – The applicant has provided a statement to justify the replacement of cycle sheds with steel cycle stands on the basis that:

- i. The cost of providing and maintaining cycle sheds would be prohibitively expensive;
- ii. The cycle sheds would cover a significant area of the garden area and would thereby reduce the space available to residents.

As the cycle stands would be located within secure and enclosed garden area thereby responding to potential security concerns. It is noted that the provision of a cycle stand rather than a shed may add flexibility to the space available within the garden, which would be significant to the enjoyment of the garden by future residents. On balance the revised cycle storage arrangements are considered to be appropriate and are conditioned to the development.

Construction Management Plan (CMP) – The development has been related to the agreed CMP, which shall remain in situ until the completion of the construction phase. On this basis, it is considered that measures can be put in place to satisfactorily safeguard residential amenity and highway safety.

Waste management - The changes to the site layout would not affect the arrangement for waste management and recycling. The development is conditioned to ensure the delivery of:

- i. The following bins and containers to be positioned rear gardens and screened from the street by garden fences:

1 x mixed waste bin (grey);
1 x glass and plastic (green);
1 x cardboard / paper (blue);
1 x food caddy.

- ii. A communal point has been identified within the application site for waste transit adjacent to the Battersby Street private access road. The semi-detached houses to Abbey Hey Lane would present segregated waste containers from their front gardens (following transit via the rear garden storage area).

The condition ensures that development is fully implemented in accordance with the submitted waste management arrangements, including the provision of the bin storage structures prior to the first occupation of the residential units and their maintained in situ thereafter.

Noise – The development has been conditioned to ensure its implementation in accordance with an agreed acoustic assessment. The condition includes a requirement for the submission and approval of a verification statement.

Land conditions – Conditions relating the remediation of historic land contamination and verification of implemented works, in accordance with approved measures, have been re-attached.

Flood risk and site drainage - It is recommended that the development be related to the flood risk assessment, which has been previously assessed and considered to be acceptable. It would be unreasonable to request further work to be undertaken at this stage without definitive evidence relating to the potential position of the culvert. It is also the case that the applicant has lawfully implemented the development and the local planning authority is not in position to pursue the request of the FRMT. The applicant has been made aware of FRMT comments and advise that its may be prudent to undertake further investigations. Relevant drainage conditions have been related to the development.

Tree removal and landscaping – Required tree removal has been implemented. A condition has been included to ensure the on -going provision of tree protection measures in the final stages of the construction phase of the development. The landscaping scheme has again been related to the development to ensure that delivery of 24 replacement trees, including native species. Landscaping management arrangement have also been conditioned.

Ecology and bio-diversity - The development would deliver:

- i. Bat and bird boxes;
- ii. Replacement tree planting;
- iii. Incorporation of native planting species within the landscaping scheme.

Conditions have been re-attached to ensure:

- i. The full implementation of the landscaping scheme as part of the development to secure for bio-diversity enhancement.
- ii. Tree removal is undertaken outside the bird nesting season unless it can be demonstrated that nesting birds are not present within the site.

Conclusion - The revised details would facilitate the delivery of new houses within a brownfield site. It is considered that a satisfactory quality of design and the proposed internal space would meet the Council's space criteria. Conditions would manage the implementation of the development and, where appropriate its future occupation. The development would positively contribute to the supply of affordable family housing in the local area and the loss of open space has been previously assessed and considered to be justified due to local access to Delamere Park. The proposed development therefore considers to be acceptable.

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 a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

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

decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

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. A dialogue was undertaken the applicant to ensure that the environmental performance of the development would be maintained following the omission of previously approved photovoltaic panels. On the basis of the submitted and supplementary details sufficient information was made available to allow the proposed amendments to be appropriately assessed.

Condition(s) to be attached to decision for approval

1) The development hereby approved shall be carried out in accordance with the following drawings and documents and stamped as received by the City Council as local planning authority on 23 December 2019, 8 January 2020, 19 February 2020, 28 February 2020, 13 March 2020, 30 March 2020, 4 November 2020, 2 July 2021, 15 July 2021, 22 July 2021, 25 August 2021, 10 September 2021 and 12 October 2021 and referenced:

Application forms for non-material amendment following grant of planning permission

18.07 EL01 B	Proposed Street Elevations
18.07 PL01	Location Plan
18.07 PL02	Concept Plan
18.07 PL03 H	Proposed Site Ground Plan
18.07 PL04	Proposed Site First Floor Plan
18.07 PL05 P2	Proposed Site Roof Plan
18.07 PL06 P1	Proposed Boundary Plan
18.07 PL07 P2	Proposed 3B 4P House plans and Elevations
18.07 PL08 D	Proposed 2B 3P House and 1B 2P Flat Plans and Elevations
18.07 SA01	Site Analysis Plan
S19-1110 - REV B	Topographical Land Survey
S19-1110 - 2 REV B	Existing Street Scenes

20.03 BDT01E	Proposed Boundary Details Sheet 1
20.03 BDT02G	Proposed Boundary Details Sheet 2
20.03 PL03 H	Proposed Site Ground Plan
20.03 PL08E	Boundary plan

SE0892-01 LP REV D Proposed Landscape Proposal

SE0892-01_BABP REV B Proposed Bat and Bird Box Location and Specifications Plan

Design & Access Statement New Housing Abbey Hey Lane and Battersby Street Hr Openshaw Manchester M11

Affordable Housing Statement by MSV

Supplementary Affordable Housing Statement for Land bounded by Abbey Hey Lane and Battersby Street Manchester by MSV (Planning approval reference 125803/FO/2019) dated 11 February 2020

Air Quality Assessment Abbey Hey Lane, Manchester Client: Mosscafe St Vincent's Housing Group Reference: 3201r1Dated: 6 December 2019 by Redmore Environmental

Broadband Connectivity Assessment Abbey Hey Lane dated 18 December 2019 (First draft issue) by GTech Surveys Limited

Crime Impact Statement: Site at Abbey Hey Lane/Battersby Street 2 No. Apartments & 13 No. Houses For: MSV Housing Group Version A: 17 December 2019 Reference: 2019/0919/CIS/01 by GMP Design for Security

Open Space Assessment MSV Housing Group Abbey Hey Lane / Battersby Street Hr Openshaw dated December 2019 by NJL Consulting.

Planning Stage Environmental Noise Report Ref: Z35145 Rev B Proposed Residential Development Abbey Hey Lane / Battersby Street, Openshaw. Manchester, M11 1LY for Mosscares St Vincents (MSV) dated 27 March 2020

Arboricultural Impact Assessment Abbey Hey Lane Battersby Street Op Openshaw. Manchester dated December 2019 Ref: UG339 by Urban Green

Preliminary Ecological Appraisal Report Land off Battersby Street Manchester M11 1LD Prepared on behalf of MSV Housing Group dated 17 December 2019 by Biora

Drainage Strategy and Flood Risk Assessment for Proposed Development Abbey Hey Lane Openshaw Manchester Client Name: MSV Housing Group Ref: LRD30727 Revision: 001 dated: December 2019 by Sutcliffe

Phase I Preliminary Risk Assessment at Abbey Hey Lane, Hr Openshaw Manchester Client Name: MSV Housing Group Ref: 30727-SUT-ZZ-00-RP-G-701-0001 Issue P02 dated December 2019 by Sutcliffe

Transport Statement Ref: VN91471 Mosscares St Vincent's Housing Group: Residential Development, Abbey Hey Lane, Manchester dated 17 December 2019 by Vectos

Waste Management Proforma Ref: PP-08330275 dated 19 December 2019

Site Analysis Photographs Analysis Sheets 1 - 6 (inclusive)

Document Ref: Non-material amendment to external doors with central vision panel Ref: Rev A 22.07.21 - Front door: GRP 0X5 and rear door GRP21 - Colour: Black.

Energy Statement for 15 new build dwellings at Abbey Hey Lane / Battersby Street Openshaw Manchester M11 1 JW by Lancaster Maloney Date November 2020 Ref: 2011/20 Rev. A

Secure Cycle Store Galvanised Sheffield Stand details with dimensions of 750 mm (height) x 750 mm (width) x 48.3 mm (deep).

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 for the City of Manchester.

2) The authorised development shall be undertaken in accordance with the following materials and specifications as set out in document referenced: Proposed materials schedule, Project: MSV 20.03, Abbey Hey Lane/ Battersby St, Hr Openshaw, Manchester received 22 July 2020, amended by emails with materials specifications from Michael Stewart Architecture Ltd dated 30 July 2020, 20 August 2020, 7 September 2020, 28 October 2020 and 13 August 2021:

Roof Tiles.

Northstone Causeway slate effect roof tile Colour: Grey.

External walls

Mortar - Natural colour

Bricks -

65mm SHAKESPEARE RED RG 1616 - Main facing brick, front elevations, gable return, rear string courses and cills, gable cills. Details as shown on architect's drawings.

65mm BLUNDELL WEATHERED RED RG 1984 - Rear elevation and gable elevations, front string course, living room window surround, details as shown on architect's drawings.

Wall air bricks to match colour of facing bricks: Colour - Terracotta

Pre cast natural grey cast stone pier cappings

Boundary Type 1

65mm SHAKESPEARE RED RG 1616 - Abbey Hey Lane and Battersby Street front boundary brickwork

Pre cast natural grey cast stone pier cappings

Railings: Steel polyester powder coated Colour: Black

Boundary type 2

Front fencing between dwellings - Railings: Steel polyester powder coated Colour: Black

Boundary Type 3

Closed boarded timber fencing, trellis and timber gates between gables, between gardens.

Natural colour preservative finish with pre cast concrete posts and base board.

Boundary Type 4

Closed boarded timber fencing between rear gardens. Natural colour preservative finish with pre cast concrete posts and base board.

Boundary Type 5

65mm SHAKESPEARE RED RG 1616 - Battersby Street boundary. Low brick wall and piers with timber panels

Pre cast natural grey cast stone pier cappings

Timber panels.

Boundary Type 6.

65mm SHAKESPEARE RED RG 1616 - Abbey Hey Lane brick boundary wall

Pre cast natural grey cast stone pier cappings

Boundary Type 7

65mm SHAKESPEARE RED RG 1616 - Battersby Street boundary

Pre cast natural grey cast stone pier cappings

Railings: Steel polyester powder coated Colour: Black.

Boundary Type 8 .

65mm SHAKESPEARE RED RG 1616 - Abbey Hey Lane brick boundary wall

Pre cast natural grey cast stone pier cappings

Railings: Steel polyester powder coated Colour: Black.

Boundary Type 9

65mm Blundell WEATHERED RED RG 1964 - East boundary boundary. Low brick wall and piers with timber panels.

Pre cast natural grey cast stone pier cappings.

Timber panels.

Closed timber boarded fence panels including 300 mm trellis

Boundary Type 10

65mm BLUNDELL WEATHERED RED RG 1984 -Boundary type 1. Inside development boundary brickwork.

Pre cast natural grey cast stone pier cappings

Railings and gates: Steel polyester powder coated Colour: Black

Roof fascias and soffits - Upvc Colour: Anthracite grey

Gutters and rwps - Upvc Colour: BLACK.

Windows. Upvc frames Colour: RAL 7016 Anthracite grey.

External doors. Composite GRP with glazed vision panel.

Front door GRP 20 with vision panels set 140mm above door lever handle. Colour: Black.

Rear door GRP 05. Colour: Black.

Obscured glazing to WC, bathroom, front door vision panels, and other windows as shown on architects drawings. Pilkington level 5 Cotswold specification.

Canopy specification above apartment entrances as reference in document LA canopy (standard projection) dimensions: 3200 mm (l) x 715 mm (d) Colour: RAL 7016 Anthracite grey

Front access paths concrete permeable brick pavers Colour: Natural grey permeable key block.

Front car parking spaces off Battersby Street bit mac Colour Black

New access road and parking spaces at rear of dwellings bit mac Colour Black.

Rear paths 600mm x 600mm or 600mm x 900mm pre cast concrete paving Colour: Natural

External meter cupboards paint to match surrounding brickwork.

Drained small stone boundaries against houses pea gravel or equivalent.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

3) The authorised development shall be designed and constructed in accordance with the recommendations contained within section 3.3 of document referenced: Crime Impact Statement: Site at Abbey Hey Lane/Battersby Street 2 No. Apartments & 13 No. Houses For: MSV Housing Group Version A: 17 December 2019 Reference: 2019/0919/CIS/01 by GMP Design for Security. The development shall only be carried out in accordance with these approved details and occupation or use shall not commence until the City Council as local planning authority has acknowledged, in writing, that it has received written confirmation of 'Secured by Design' accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

4) The planning permission hereby granted relates to the formation of: 2 x one bed, 2 person apartments; 2 x two bed, 3 person houses and 11 x 3 bed, 4 person houses (Class C3) as shown on the approved drawings.

Reason - For the avoidance of doubt and in the interests of residential amenity, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment)

(England) Order 2015 (as amended), The Town and Country Planning (Use Classes) (Amendment) (England) Order 2020 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 of C3(a) not precluding occupation by two unrelated people sharing a property.

Reason - In the exceptional circumstances of a proliferation of HMOs restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through the provision of accommodation that is suitable for people living as families pursuant to paragraph 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

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

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

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows shall be inserted into the elevations of the dwellinghouses and apartments hereby approved other than those shown on the approved drawings referenced:

18.07 PL04	Proposed Site First Floor Plan
18.07 PL05P2	Proposed Site Roof Plan
18.07 PL07P1	Proposed 3B 4P House plans and Elevations
18.07 PL08 D	Proposed 2B 3P House and 1B 2P Flat Plans and Elevations
20.03 PL03 H	Proposed Site Ground Plan

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

8) Before the occupation of the development windows to bathrooms as so indicated on the approved drawings ref:

18.07 PL04	Proposed Site First Floor Plan
18.07 PL05P2	Proposed Site Roof Plan
18.07 PL07P1	Proposed 3B 4P House plans and Elevations
18.07 PL08 D	Proposed 2B 3P House and 1B 2P Flat Plans and Elevations
20.03 PL03 H	Proposed Site Ground Plan

shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

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

9) Before the first occupation of the authorised development, related off-site highways works shall be fully implemented accordance with the following documents and drawings stamped as received by the City Council as local planning authority on the specified dates:

- i. Drawing Ref: S.278 Highways Layout 1281-901 Rev. P3 by Building Vision received 19 August 2020;
- ii. Drawing Ref: Hard paving specification 1281-902 Rev. P2 by Building Vision received 19 August 2020;
- ii. Email dated 14 September 2020 from BV Consulting confirming that footpath reinstatement will be submitted for approval under an application required by S.278 of the Highways Act.

Reason - In the interest of pedestrian and highway safety and in the interests of local amenity, as specified in policies SP1, T2 and DM1 of the Core Strategy for the City of Manchester and guidance contained within the National Planning Policy Framework.

10) The development shall be implemented in accordance with the following drawings and documents relating to the siting and specification of cycle storage arrangement relating to the proposed houses and apartments:

- i. Drawing Ref: 20.03 PL03 H Proposed Site Ground Plan;
- ii. Secure Cycle Store Galvanised Sheffield Stand details with dimensions of 750 mm (height) x 750 mm (width) x 48.3 mm (deep).

The approved details shall be fully implemented as part of the agreed waste management strategy prior to the occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage of cycles, pursuant to policies SP1, T1 and DM1 of the Core Strategy for the City of Manchester.

11) Before the occupation of the authorised development, car parking areas shown on drawing referenced: 20.03 PL03 H Proposed Site Ground Plan shall be surfaced and made available for use. The car parking spaces shall be maintained in situ prior to the occupation of the authorised houses and remain in situ thereafter.

Reason - In the interest of residential amenity and pedestrian and highways safety, pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

12) Before the occupation of any part of the authorised development, the details of wall, railings fencing gates as detailed on the following drawings shall be fully implemented and maintained in situ thereafter:

- | | |
|---------------|-----------------------------------|
| 18.07 PL06 P1 | Proposed Boundary Plan. |
| 20.03 BDT01E | Proposed Boundary Details Sheet 1 |
| 20.03 BDT02G | Proposed Boundary Details Sheet 2 |

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

13) The authorised development shall be implemented in accordance with the following drawings relating to the enclosure of the bin collection area to be sited adjacent to the Battersby Street boundary:

20.03 PL03 H	Proposed Site Ground Plan
20.03 PL08E	Boundary plan (Layout plan)
20.03 BDT02G	Proposed Boundary Details Sheet 2

The agreed details shall be fully implemented prior to the first occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

14) The development is to be undertaken in accordance with the waste management strategy comprising document and drawing referenced: Waste Management Proforma Ref: PP-08330275 dated 19 December 2019 and 20.03 PL03 H Proposed Site Ground Plan.

The agreed arrangement including the associated bin storage structures shall be implemented in full prior to the first occupation of the authorised houses and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

15) The authorised development shall be implemented in accordance with the following documents stamped as received by the City Council as local planning authority on the specified dates:

- i. Phase I Preliminary Risk Assessment at Abbey Hey Lane, Hr Openshaw, Manchester Ref: 30727-SUT-ZZ-00-RP-G-701-0001 Revision: P03 Dated: December 2019 by Sutcliffe and received 23 December 2019;
- ii. Abbey Hey Lane Phase II Interpretative Ground Assessment Ref: 30727-SUT-ZZ-00-RP-G-702-0002 Revision: P01 Dated: February 2020 by Sutcliffe and received 22 July 2020;
- iii. Proposed Residential Development at Abbey Hey Lane, Battersby Street, Openshaw, Manchester - Remediation Strategy Ref: 1281/SJG dated 20 July 2020 by Build Vision Consulting Engineers received 12 August 2020.

Following the implementation of the development, in accordance with the previously agreed remediation strategy, a completion / verification report shall be submitted to and approved in writing by the City Council, including any related revisions to the remediation strategy, which shall take precedence over any previous 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 for the City of Manchester and guidance contained within the National Planning Policy Framework.

16) The construction phase of the authorised development shall be fully implemented in accordance with construction management plan (CMP) comprising of the following documents and drawings stamped as received by the City Council as local planning authority on the specified dates:

- i. Construction Method Statement - Site Name Battersby St & Abbey Hey Land off Battersby Street, Abbey Hey Manchester by Wiggett Construction Rev A received on 1 September 2020;
- ii. Drawings attached to email received from MS Architecture on 1 September 2020 and referenced:
 - Condition 17 Site set up drawing;
 - Condition 17 Scaffold plan;
 - Condition 17 Transport plan;
 - Condition 17 Piling plan.

The agreed CMP shall remain in operation until the completion of construction works.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

17) No removal or other work to trees and or hedges shall be undertaken in the main bird breeding season (March to July inclusive), unless nesting birds are found to be absent, by a suitably qualified person.

Reason - To safeguard local bio-diversity and nature conservation, pursuant to policy EN15 of the Core Strategy for the City of Manchester.

18) Before the occupation of the development, electric vehicle charging points shall be installed in accordance with the details specified on drawing referenced: 20.03 PL03 H Proposed Site Ground Plan, which shall maintained in situ thereafter.

Reason - In the interests of residential amenity and the contribute to the reduction of carbon emissions and improve air quality, pursuant to policies SP1, EN16 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

19) The authorised development shall be fully implemented in accordance with the following documents and drawings stamped as received by the City Council as local planning authority on the specified dates:

- i. Proposed Residential Development at Abbey Hey Lane, Battersby Street, Openshaw
- ii. Drainage Strategy Ref: 1281/SJG by Build Vision dated 21 July 2020 received on 22 July 2020;
- iii. Post development areas drawing Ref: 1281-70 Rev P1 by Build Vision on 22 July 2020;
- iv. Overland flood routes and emergency access and egress routes Ref: 1281 - 701 Rev P1 by Build Vision on 22 July 2020;
- v. Drainage Layout drawing Ref: 1281-900 Rev P3 by Build Vision dated July 2020 received on 19 August 2020;
- vi. Hard paving specification drawing Ref: 1281-902 Rev. P2 by Building Vision received on 19 August 2020;
- vii. Document: Storm Sewer Design by the Modified Rational Method File 1281 SW DRAINAGE.MDX Network 2019.1 by Micro Drainage BV Consulting dated 15 July 2020 on 22 July 2020;
- viii. Application to connect to a public sewer Approval notice United Utilities Ref: EC5166 dated 10 September 2020;
- ix. United Utilities approval letter Ref: 4200033378 dated 11 September 2020.

Reason: To reduce the risk of flooding, pursuant to policies EN8 and EN14 of the Core Strategy for the City of Manchester and the guidance within the National Planning Policy Framework.

20) The authorised development shall be undertaken in accordance with the following documents and drawings stamped as received by the City Council as local planning authority on the specified date:

- i. Proposed Residential Development at Abbey Hey Lane, Battersby Street, Openshaw - Drainage Strategy Ref: 1281/SJG by Build Vision dated 21 July 2020 and received 22 July 2020;
- ii. Battersby & Abbey Hey SUDS Management & Maintenance Plan by Wiggett Construction received on 22 July 2020.

Before the occupation of the development the following details shall be submitted to and approved in writing by the City Council, as local planning authority, confirming the implementation of the agreed measures shall be maintained in situ thereafter.

- i. Verification report providing photographic evidence of construction as per design drawings;
- ii. As built construction drawings if different from design construction drawings;
- iii. Management and maintenance plan for the lifetime of the development.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development, pursuant to policies EN8 and EN14 of the Core Strategy for the City of Manchester and the guidance within the National Planning Policy Framework.

21) The development hereby approved shall be carried out in accordance with document referenced: Energy Statement for 15 new build dwellings at Abbey Hey Lane / Battersby Street Openshaw Manchester M11 1 JW by Lancaster Maloney Date November 2020 Ref: 2011/20 Rev. A. A post construction review certificate / verification statement shall be submitted for approval, within a timescale previously agreed in writing with the City Council as local planning authority, to demonstrate the satisfactory implementation of the agreed measures, which shall be maintained in situ thereafter.

Reason - In order to minimise the environmental impact of the development, pursuant to policies SP1, T1, T2, EN4, EN8 and DM1 of the Core Strategy for the City of Manchester and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

22) The development hereby approved shall be carried out in accordance with document referenced: Planning Stage Environmental Noise Report Ref: Z35145 Rev B Proposed Residential Development Abbey Hey Lane / Battersby Street, Openshaw. Manchester, M11 1LY for Mosscafe St Vincents (MSV) dated 27 March 2020. A post construction review certificate / verification statement shall be submitted for approval, within a timescale previously agreed in writing with the City Council as local planning authority, to demonstrate the satisfactory implementation of the agreed measures, which shall be maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure satisfactory attenuation of identified noise sources, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester, saved policy DC26 of the Unitary Development Plan and the National Planning Policy Framework.

23) The authorised development shall be fully implemented in accordance with the following landscaping and maintenance documents stamped as received by the City Council as local planning authority on 22 July 2020 and 4 November 2020:

Tree planting and landscaping details as specified on drawing referenced: SE0892-01 LP Rev D Proposed Landscape Proposal

Battersby Street, Abbey Hey - Maintenance of Communal Space by Moss Care St. Vincent's; Email [dated 4 November 2020] from MSV confirming that it will take overall responsibility for the maintenance of external open space.

The approved landscaping scheme shall be fully implemented during the first full planting scheme following the occupation of the development and maintained in situ thereafter in accordance with the approved landscape maintenance scheme. 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 for the City of Manchester.

24) Before the occupation of any part of the development, the arrangements for the provision of bat and bird boxes shall be implemented in accordance with the details of drawing referenced:

SE0892-01_BABP REV B Proposed Bat and Bird Box Location and Specifications Plan

The implemented habitat arrangements shall be maintained in situ thereafter.

Reason - In order to enhance local bio-diversity through the provision of wildlife habitats, pursuant to policy EN15 of the Core Strategy for the City of Manchester and The National Planning Policy Framework.

25) The authorised development shall be implemented in accordance with the methodology and remediation measures relating the removal of Japanese Knotweed as specified in document referenced stamped as received by the City Council as local planning authority on 22 July 2020:

Battersby Street, Abbey Hey - Removal of Invasive Species by Wiggett Construction and the Knotweed Management Plan Ref: JKLE 17102 submitted by Japanese Knotweed Ltd.

Reason - To prevent the spread of Japanese knotweed which has been found on part of the site and in the interests of residential amenity, pursuant to policies SP1, EN18 and DM1 of the Core Strategy for the City of Manchester and The National Planning Policy Framework.

26) The development shall be fully implemented in accordance with the tree protection measures as specified in the following document stamped as received by the City Council as local planning authority on 22 July 2020:

Battersby Street, Abbey Hey - Tree Protection Statement by Wiggett Construction.

The approved measures shall be implemented upon commencement of works and maintained in situ throughout the construction period.

The erected 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.

Reason - In order avoid damage to trees/shrubs within and adjacent to 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 for the City of Manchester.

27) The authorised development shall be fully implemented in accordance with the arrangements to ensure the delivery of a local employment contribution during the construction phase of the development as specified in the following document stamped as received by the City Council as local planning authority on 22 July 2020:

Condition 28 - Wiggett Construction Ltd - Local Employment Strategy.

Reason - To safeguard local employment opportunities, pursuant to policies SP1 of the Core Strategy for the City of Manchester.

28) Before the first occupation of the development the exterior on all timber door frames shall be painted to an Anthracite Grey (RAL 7016) specification with matching sealant around the related frame as specified in Michael Stewart Architecture Ltd email dated 21 September 2021. The doors shall be maintained at all times thereafter in accordance with the approved details.

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

Informatives

1) Guidance for developers can be found via the following:
http://www.manchester.gov.uk/download/downloads/id/15267/controlling_pollution_from_construction_sites.pdf
and IAQM/EPUK Construction Guidance at:<http://iaqm.co.uk/guidance/>

2) The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

3) The Phase I Preliminary Risk Assessment referenced Phase I Preliminary Risk Assessment at Abbey Hey Lane, Hr Openshaw Manchester Client Name: MSV Housing Group Ref: 30727-SUT-ZZ-00-RP-G-701-0001 Issue P02 dated December 2019 is considered sufficient. A Phase II site investigation proposals followed by a full site investigation report will be required to address the next stage of the condition.

4) Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC

5 Ackroyd Ave, Abbey Hey, Manchester, M18 8TZ
76 Jetson Street, Abbey Hey, Manchester, M18 8SZ
30 Capital Road, Openshaw, Manchester, M11 1LA
46 Bowness Rd, Altrincham, Cheshire
21 Cherry Avenue, Manchester, M112LW
7 Lakeside Street, Abbey Hey, Manchester, M18 8QZ
7 Roslin Street, MANCHESTER, M11 4SD
31 Capital Rd, Higher Openshaw, Manchester, M11 1JZ
14 Ackroyd Ave, Abbey Hey, Manchester, M1
7 Highbank Road, Droylsden, Manchester, M43 6fs
35 Claymore Street, Manchester, M18 8SQ
1 Fleet St, Abbey Hey, Manchester, M18 8te
58 Neston Street, Manchester, M11 1HZ
66 Stanley Street, Manchester, M11 1LE
39 Ryan Street, Openshaw, Manchester, M11 1LT
13, Melville Close, Manchester, M111LG
14 Ash Street, Manchester, M345wq
40 Burman St, Higher Openshaw, Manchester, M11 1 Ey
St Clements Rectory, Ashton Old Rd, Openshaw, M111hf
3 Newhaven Ave, Higher Openshaw, Manchester, M111hu
46 Delamere Street, Manchester, M111JY
11 Old Hall Drive, Gorton, Manchester, M187FU
177 Stamford Road, Audenshaw, Manchester, M34 5NP
9 Delamere St, Higher Openshaw, Manchester, M11 1JY
80 Stanley St, Hr Openshaw, Manchester, M11 1LE
20 Wetherby Street, Manchester, M11 1nu
24 Portland House, Ashton, OL6 7BS
3 Audenshaw Hall Grove, Audenshaw, Manchester, M34 5GD

9 Capital Road, Openshaw, MANCHESTER, M11 1JZ
 31 Capital Road, Openshaw, Manchestet, M11 1jz
 9 Capital Road, Higher Openshaw, Manchester, M11
 65 Dawlish Roaf, London, E10 6QB
 79 Longford Street, Manchester, M18 8QG
 Practice Manager, Higher Openshaw Primary Care Centre,, Aston Old Road, M11 1JG
 15 Peterborough Street, Manchester, M18 8TF
 20 Delamere Street, Manchester, M11 1jy
 2 Montana Square, Higher Openshaw, Manchester, M11 1LQ
 24 Sandywell Close, Openshaw, Manchester, M11 1EF
 91 Abbey Hey Lane, Higher Openshaw, Manchester, M11 1jw
 156 Abbey Hey Lane, Abbey Hey, Manchester, M18 8TH
 38 Capital Road, Openshaw, Manchester, M11 1la
 11 Lambeth Avenue, Failsworth, Manchester, M35 9LJ
 1 Tollard Close, Cheadle Hulme, Stockport, Sk8 7rd
 49 Capital Road, Openshaw, Manchester, M11 1jz
 32 Clumber Road, Gorton, M18 7L
 4 Underwood Close, Manchester, M18 8UY
 13 Burstead Street, Abbey Hey Gorton, Manchester, M18 8 ST
 55 Vine St, Openshaw, Manchester, M111lh
 2 Manshaw Crescent, Audenshaw, Manchester, M345qd
 36 Sheerness Street, Gorton, Manchester, M18 8TY
 19 Ashurst Ave, Clayton, Manchester, M114fp
 3 Rosina St, Higher Openshaw, Manchester, M111hx
 24 Newhaven Avenue, Openshaw, Manchester, M111HU
 17 Hobson Street, Openshaw, M11 1ht
 124 Wheler St, Openshaw, Manchester, M11 1dr
 92 Neston Street, Openshaw, Manchester, M11 1HZ
 21 Melville Close, Openshaw, Manchester, M11 1LG
 23 Walter Street, Abbey Hey, Manchester, M188sw
 32, Capital Road, Manchester, M11 1LA
 8 Wentworth Avenue, Abbey Hey, Manchester, M188RD
 17 Cherry Avenue, Manchester, M11 2lw
 118 Wheler Street, Higher Openshaw, M11 1DR
 27 Underwood Close, Abbey Hey, Manchester, M188UY
 65 Wheler St, Manchester, M111dh
 4 Rosina Street, Higher Openshaw, Manchester, M111HX
 15 Limebrook Close, Openshaw, MANCHESTER, M11 1LN
 76, Old Lane, Higher Openshaw, M11 1de
 8 Neston Street, Openshaw, Manchester, M111hz
 68 Stanley Street, Bradford, Manchester, M11 1LE
 84 - 88A Stanley Street, Bradford, Manchester, M11 1LE
 74 Stanley Street, Bradford, Manchester, M11 1LE
 32 Capital Road, Manchester, M11 1LA
 30 Capital Road, Manchester, M11 1LA
 26 Capital Road, Manchester, M11 1LA
 45 Ryan Street, Manchester, M11 1LT
 27 Ryan Street, Manchester, M11 1LT
 70 Stanley Street, Bradford, Manchester, M11 1LE
 33 Ryan Street, Manchester, M11 1LT
 30 Ryan Street, Manchester, M11 1LT
 29 Ryan Street, Manchester, M11 1LT
 26 Ryan Street, Manchester, M11 1LT

25 Ryan Street, Manchester, M11 1LT
 24 Ryan Street, Manchester, M11 1LT
 48 Capital Road, Manchester, M11 1LA
 46 Capital Road, Manchester, M11 1LA
 40 Capital Road, Manchester, M11 1LA
 Flat 2, 1386 Ashton Old Road, Manchester, M11 1JU
 Flat 1, 1386 Ashton Old Road, Manchester, M11 1JU
 15 Swindells Street, Manchester, M11 1LF
 St Clements Sure Start, Abbey Hey Lane, Manchester, M11 1LR
 Flat 2, 1380 Ashton Old Road, Manchester, M11 1JU
 Flat At, Abbey Hey Lane, Manchester, M11 1LD
 Flat Above, 1342 Ashton Old Road, Manchester, M11 1JG
 Citi Place, 1384 Ashton Old Road, Manchester, M11 1JU
 Flat 1, 1380 Ashton Old Road, Manchester, M11 1JU
 64 Stanley Street, Bradford, Manchester, M11 1LE
 Flat 2, 84 - 90 Stanley Street, Bradford, Manchester, M11 1LE
 Flat 1, 84 - 90 Stanley Street, Bradford, Manchester, M11 1LE
 Florence House Surgery, 1344 Ashton Old Road, Manchester, M11 1JG
 St Clements CE Primary School, Abbey Hey Lane, Manchester, M11 1LR
 Flat 9, 1384 Ashton Old Road, Manchester, M11 1JU
 Flat 5, 1384 Ashton Old Road, Manchester, M11 1JU
 Flat 8, 1384 Ashton Old Road, Manchester, M11 1JU
 Flat 7, 1384 Ashton Old Road, Manchester, M11 1JU
 Flat 6, 1384 Ashton Old Road, Manchester, M11 1JU
 Flat 4, 1384 Ashton Old Road, Manchester, M11 1JU
 Flat 3, 1384 Ashton Old Road, Manchester, M11 1JU
 Flat 2, 1384 Ashton Old Road, Manchester, M11 1JU
 Flat 1, 1384 Ashton Old Road, Manchester, M11 1JU
 1336 - 1338 Ashton Old Road, Manchester, M11 1JG
 1342 Ashton Old Road, Manchester, M11 1JG
 1378 Ashton Old Road, Manchester, M11 1JU
 9A Melville Close, Manchester, M11 1LG
 5B Melville Close, Manchester, M11 1LG
 3A Melville Close, Manchester, M11 1LG
 1340 Ashton Old Road, Manchester, M11 1JG
 47 Ryan Street, Manchester, M11 1LT
 41 Ryan Street, Manchester, M11 1LT
 35 Ryan Street, Manchester, M11 1LT
 23 Ryan Street, Manchester, M11 1LT
 New Roundhouse, 1328 - 1330 Ashton Old Road, Manchester, M11 1JG
 80 Stanley Street, Bradford, Manchester, M11 1LE
 78 Stanley Street, Bradford, Manchester, M11 1LE
 76 Stanley Street, Bradford, Manchester, M11 1LE
 72 Stanley Street, Bradford, Manchester, M11 1LE
 66 Stanley Street, Bradford, Manchester, M11 1LE
 62 Stanley Street, Bradford, Manchester, M11 1LE
 Oddfellows Arms, 12 Abbey Hey Lane, Manchester, M11 1LD
 52A Capital Road, Manchester, M11 1LA
 9B Melville Close, Manchester, M11 1LG
 7B Melville Close, Manchester, M11 1LG
 7A Melville Close, Manchester, M11 1LG
 5A Melville Close, Manchester, M11 1LG
 3B Melville Close, Manchester, M11 1LG

1B Melville Close, Manchester, M11 1LG
1A Melville Close, Manchester, M11 1LG
1382 Ashton Old Road, Manchester, M11 1JU
1334 Ashton Old Road, Manchester, M11 1JG
2 Battersby Street, Manchester, M11 1LY
43 Ryan Street, Manchester, M11 1LT
39 Ryan Street, Manchester, M11 1LT
37 Ryan Street, Manchester, M11 1LT
31 Ryan Street, Manchester, M11 1LT
28 Ryan Street, Manchester, M11 1LT
52 Capital Road, Manchester, M11 1LA
38 Capital Road, Manchester, M11 1LA
50 Capital Road, Manchester, M11 1LA
44 Capital Road, Manchester, M11 1LA
42 Capital Road, Manchester, M11 1LA
36 Capital Road, Manchester, M11 1LA
34 Capital Road, Manchester, M11 1LA
28 Capital Road, Manchester, M11 1LA
24 Capital Road, Manchester, M11 1LA
22 Capital Road, Manchester, M11 1LA
56 Ketton Close, Manchester, M11 1na
13 Hobson Street, Manchester, M11 1HT
4 Ryan Street, Openshaw, Manchester, M111WR
44 Capital Road, Manchester, M11 1LA
66 Stanley Street, Manchester, M11 1le
40 Rosina Street, Higher Openshaw, Manchester, M11 1hx
18 Westway, Droylsden, Manchester, M43 6fh
507 Audenshaw Road, Audenshaw, Manchester, M34 5ps
7 Delamere Street, Manchester, M111JY
4 Neston Street, Openshaw, Manchester
96 Neston St, Openshaw, Manchester, M11 1hz
38 Capital Road, MANCHESTER, M111LA

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH2