



Evan Kellie
PROPERTY SOLUTIONS

Crabtree Lane, Openshaw

Planning Policy Compliance Statement

April 2025



Neo
9 Charlotte Street
Manchester
M1 4ET



Contents

1.	Introduction and Executive Summary	4
	About the Applicant	4
	Executive Summary	4
	Application Documentation.....	6
	Contact Details	7
2.	The Site and Surroundings.....	8
	Accessibility	8
	Planning Policy Designations	9
	Designated Heritage Assets.....	9
	Environmental Designations	10
	Planning History	10
3.	The Proposed Development	13
	Application Proposals	13
	Affordable Housing Provision.....	15
	Stakeholder Engagement	15
4.	Local Planning Policy	17
	Adopted Local Plan	17
	Supplementary Planning Documents and Planning Guidance.....	18
	Other Relevant Planning and Regeneration Documents.....	19
	Strategic Housing Land Availability Assessment (“SHLAA”)	20
	Statement of Community Involvement	20
5.	National Planning Policies.....	21
	National Planning Policy Framework	21
	National Planning Practice Guidance	21
6.	Appraisal of Planning Policy Compliance	22
	Principle of Residential Development.....	22
	Commitment to High Quality Design and Public Realm	25
	Impact on Amenity of Users and Neighbours	28
	Accessibility and Highways	29
	Heritage Impacts	30
	Other Considerations.....	31
7.	Summary and Conclusions	35
	Conclusions	35

Appendix 1: Local Planning Policy 37

Adopted Local Plan 37

Supplementary Planning Documents and Planning Guidance..... 45

Other Relevant Planning and Regeneration Documents..... 46

Appendix 2: National Planning Policy 47

Final	
Author	Katie Daniels MRTPI
Reviewer	Ellie Philcox MRTPI
Issued	11 April 2025

1. Introduction and Executive Summary

- 1.1 This Planning Policy Compliance Statement (referred to hereafter as the ‘Statement’) has been prepared by Euan Kellie Property Solutions (“EKPS”) on behalf of the applicant, Keepmoat Homes Limited (hereafter referred to as “Keepmoat”), in support of an application which seeks full planning permission for the redevelopment of the land at Crabtree Lane, Openshaw, Manchester (hereafter referred to as “the Site”).
- 1.2 The application seeks full planning permission for the redevelopment of land, comprising the erection of 194 no. properties with associated parking. The description of development is as follows:
- “Full Planning Application for the development of 194 dwellings (Class C3) with new vehicular accesses from Crabtree Lane and associated parking, landscaping and open space.”*
- 1.3 The purpose of this Statement is to provide a clear justification for the proposals by demonstrating compliance with the relevant Development Plan, along with other material considerations.

About the Applicant

- 1.4 Keepmoat, a leading UK housebuilder, specialises in delivering affordable, quality homes, primarily on brownfield sites. With a focus on first-time buyers, roughly 70% of their homes are to help people onto the property ladder.
- 1.5 Keepmoat fosters sustainable communities by creating local employment and skills training opportunities through apprenticeships and subcontractor partnerships. They work closely with schools, community leaders, and groups to support local priorities and leave a positive legacy. Their social value initiatives provide valuable skills training and generate significant community impact.
- 1.6 Furthermore, they engage in biodiversity projects, construction workshops, and provide funding advice, demonstrating a holistic approach to community development. Keepmoat work alongside local authorities to support projects surrounding their developments, reinforcing their commitment to creating lasting positive change.

Executive Summary

- 1.7 The Site is located in a highly sustainable location within East Manchester, within an area prioritised both within national policy, Places for Everyone and Manchester City Council’s Core Strategy and Manchester’s Residential Growth Strategy and Housing Strategy for residential growth.
- 1.8 The Site is located within walking distance to a wide range of shops, services, employment opportunities and public transport. The Site is a vacant brownfield site within a mixed residential and commercial area and within an area of high housing demand.
- 1.9 The Site has most recently been in employment use and the previous buildings on the site are currently being demolished, having reached the end of their economic life. The Site has also been targeted by anti-social behaviour. As a result, the Site currently makes a negative contribution to the character and appearance of the area and has a detrimental impact on surrounding residential amenity and safety.

- 1.10 There is therefore a clear case for the rationalisation of land uses to create a more attractive and sustainable neighbourhood, in line with the East Manchester Strategic Regeneration Framework and Section 11 of the NPPF which seeks the effective use of land in meeting the need for homes and other uses, whilst safeguarding the environment.
- 1.11 Turning to the Proposed Development, this application seeks permission for a well-designed, high-quality residential development. The design has been progressed over a number of months in close liaison with technical consultants, local residents and stakeholders, and Manchester City Council Officers. The scheme seeks to improve the amenity and safety of the area. Extensive landscaping and public realm improvements are also proposed within the Site.
- 1.12 It is clear that the proposed redevelopment of the Site for residential use will result in numerous and substantial benefits which will improve the socio-economic and environmental conditions of the area. This includes:

Socio-economic Benefits

- 1.13 The development will lead to economic benefits by delivering residential development that meets locally identified housing needs (family and affordable housing) whilst supporting growth, as well as creating new jobs throughout the construction and operation of the development.
- 1.14 The Social benefits will be delivered by way of ensuring that a sufficient number and range of homes will be provided to meet the needs of present and future generations, supporting a strong, vibrant and healthy community within East Manchester.
- The delivery of 194 new homes of which 62 (32%) will be new affordable homes managed by a Registered Provider.
 - All new homes have been designed to meet the required standards for accessible and adaptable dwellings.
 - The new homes will generate additional annual Council tax revenue for the local authority.
 - There will be new direct and indirect construction jobs generated in the delivery of the Proposed Development.

Environmental Benefits

- 1.15 The proposals will ensure consistency with the surrounding natural and built environment, reflected by the nature of the proposed design and the findings of the associated technical studies prepared and submitted in support of the planning application.
- The provision of new planting, minimal use of resources during operation, and improved ground conditions and not resulting in any long-term significant adverse environmental effects.
 - The improved appearance of the Site which will completely transform the outlook and setting for local residents and workers.
 - The proposed landscape design will provide an attractive and welcoming environment for the new neighbourhood, with naturalistic public open spaces and focal features to enhance key routes through the site, including informal play areas and seating.

- Native and wildlife-friendly planting is proposed for biodiversity and wildlife value, offering habitat, foraging, and pollinating opportunities, and Sustainable Urban Drainage features.
 - Promote active travel through the provision of secure cycle storage for all residents and providing an attractive frontage onto the Ashton Canal.
- 1.16 Turning to the technical considerations, a detailed suite of reports have been undertaken by appropriately qualified consultants and have been submitted with the application. The reports confirm that there are no technical considerations which would preclude the granting of planning permission.
- 1.17 The Proposed Development accords with the relevant and up to date Development Plan policies as a whole and is offered significant support by a number of other material considerations including National Planning Policy. No adverse impacts of granting planning permission have been identified however there are numerous and substantial benefits resulting from the Proposed Development. Consequently the development should consequently be supported and permission granted without delay.

Application Documentation

- 1.18 This Statement should be read alongside all other documents submitted with the planning application which, at the time of writing, comprises:
- Architectural Drawings, prepared by JTP;
 - Design & Access Statement (including Waste Management Strategy and Proforma), prepared by JTP;
 - Landscape Proposals, prepared by Urban Green;
 - Landscape Management Plan, prepared by Urban Green;
 - Planning Policy Compliance Statement (including Affordable Housing Statement), prepared by EKPS;
 - Acoustic Assessment, prepared by E3P;
 - Heritage Statement, prepared by Kathryn Sather & Associates;
 - Archaeological Desktop Study, prepared by Archaeological Research Services;
 - Environmental Standards Statement, prepared by PB Sustainability;
 - Phase I and II Contamination Assessment (Jackson Land), prepared by Betts Geo Environmental Limited;
 - Phase I and Phase II Contamination Assessment (Connell Land), prepared by E3P;
 - Air Quality Impact Assessment, prepared by Redmore ;
 - Flood Risk Assessment and Drainage Strategy, prepared by Betts Hydro Limited;
 - Preliminary Ecological Appraisal prepared by Collington Winter;
 - Aquatic Flora and Fauna Technical Note prepared by Biora Nature Gain;

- Biodiversity Net Gain Assessment, prepared by Collington Winter;
- Transport Statement and Travel Plan, prepared by Curtins;
- Arboricultural Impact Assessment, prepared by Collington Winter;
- Broadband Connectivity Assessment, prepared by GTech Surveys Limited;
- Crime Impact Statement, prepared by Greater Manchester Police;
- Local Labour Agreement, prepared by Keepmoat;
- Statement of Community Involvement, prepared by Cavendish Consulting;
- Viability Statement prepared by Roger Hannah;
- Construction Management Plan, prepared by Keepmoat;
- EV Charger Layout Plan, prepared by Keepmoat; and;
- Managed Area Plan, prepared by Keepmoat.

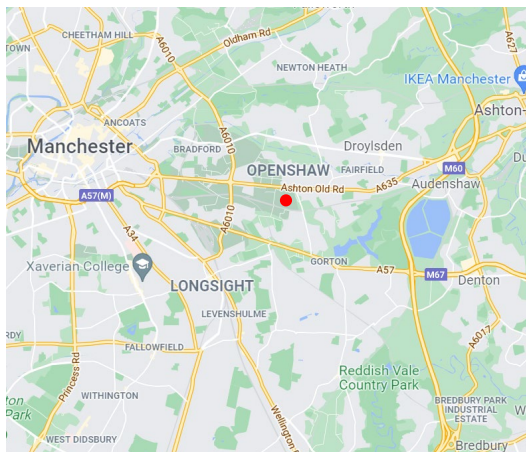
Contact Details

1.19 For further information in respect of this Statement please contact:

Katie Daniels MRTPI
 Director
 Euan Kellie Property Solutions
 Neo, 9 Charlotte Street
 Manchester
 M20 4ET
 Email: katie@euankellie.co.uk

2. The Site and Surroundings

- 2.1 The Site is approximately 2.8 hectares in size and falls within the administrative boundary of Manchester City Council (“MCC”). The Site is located within Openshaw in East Manchester, approximately 5 km to the east of Manchester City Centre.
- 2.2 **Figure 2.1** shows the Site location (Site identified with a red dot) whilst **Figure 2.2** shows the Site in its immediate context (both images taken from Google Maps).



^ Figure 2.1



^ Figure 2.2

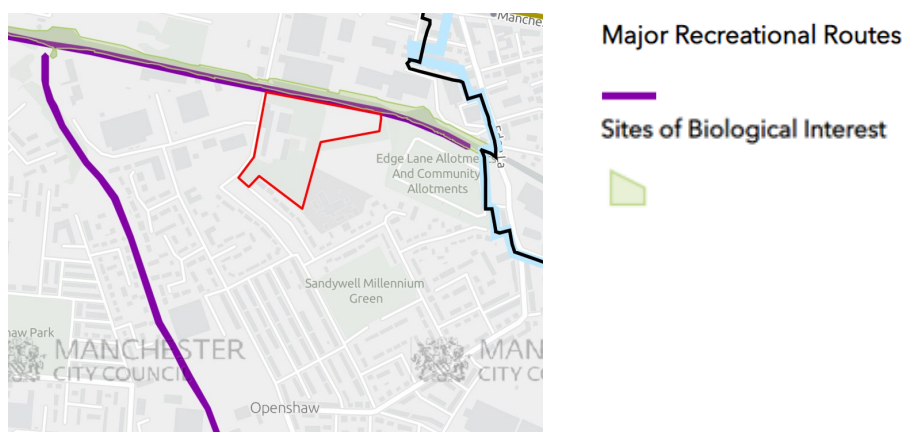
- 2.3 The Site is bound by the Ashton Canal to the north, scrubland to the east, Openshaw Community School to the southeast, residential properties to the south, and Crabtree Lane to the east, beyond which is an industrial estate.
- 2.4 The Site currently partially accommodates overgrown vegetation and vacant industrial buildings, which were previously occupied by a traditional forge works specialising in stainless steel and nickel forging. The remainder of the Site currently comprises land previously in use as part of the Connell Brothers operations. The demolition of the existing buildings on the site is permitted under a Prior Approval for Demolition (see below).

Accessibility

- 2.5 The Site is currently accessed off Crabtree Lane, to the east of the Site and also via an access road to the north, immediately alongside the Canal.
- 2.6 The Site is located in a highly sustainable location, with a range of local shops, services and facilities located within close proximity, including a selection of food stores situated less than 0.5km to the north of the Site.
- 2.7 Large areas of green space, including Sandywell Millennium Green and Copperas Field are also accessible within 1km of the Site.
- 2.8 Gorton Train Station is situated approximately 1km to the south of the Site, and Edge Lane Tram stop is approximately 800m to the north of the Site. There are a number of bus stops located along Ashton New Road (circa 750m to the north of the Site) providing services to Manchester City Centre, Droylsden, Ashton-under-Lyne, Stalybridge and beyond.

Planning Policy Designations

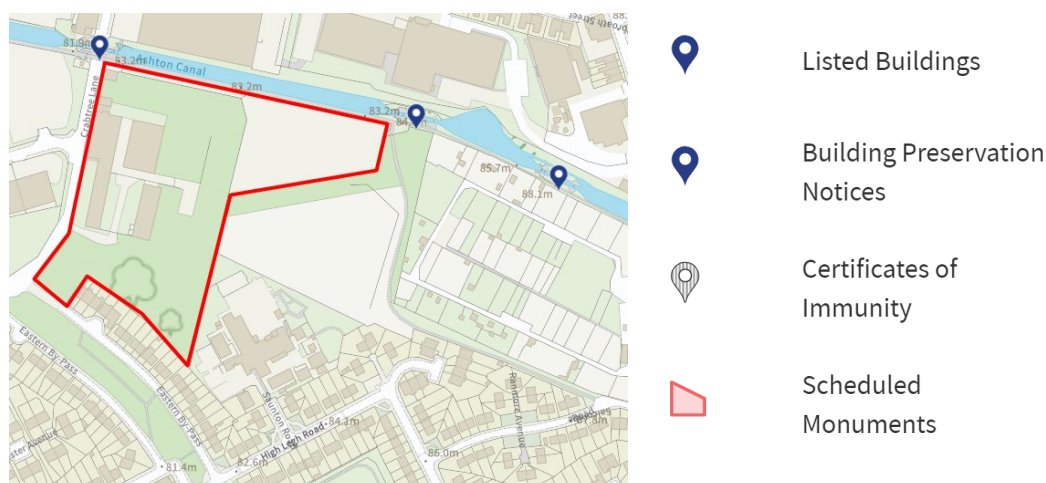
- 2.9 **Figure 2.3** illustrates the relevant site-specific planning policy allocations (taken from the MCC Interactive Map website¹).
- 2.10 The Site (identified by a red dot) is located within ‘East Manchester’ as defined by MCC Core Strategy (“CS”) Policies EC5 and H4, and the ‘Inner Areas’ (MCC CS Policy SP1). These policies are presented in more detail in **Chapter 4** of this report. The Site is also located adjacent to a ‘Major Recreational Route’ and the Ashton Canal, which is a Site of Biological Interest.



^ Figure 2.3

Designated Heritage Assets

- 2.11 The Site is not located in a Conservation Area, however there are a number of Grade II listed Canal locks at several locations along the Ashton Canal as identified in **Figure 2.4** below.



^ Figure 2.4

- 2.12 The Grade II listed Locks 13 and 14 are located immediately adjacent to the Site.

¹<https://mcr-council.maps.arcgis.com/apps/webappviewer/index.html?id=565a33eaba904b2dabf4c3dd8685db80>

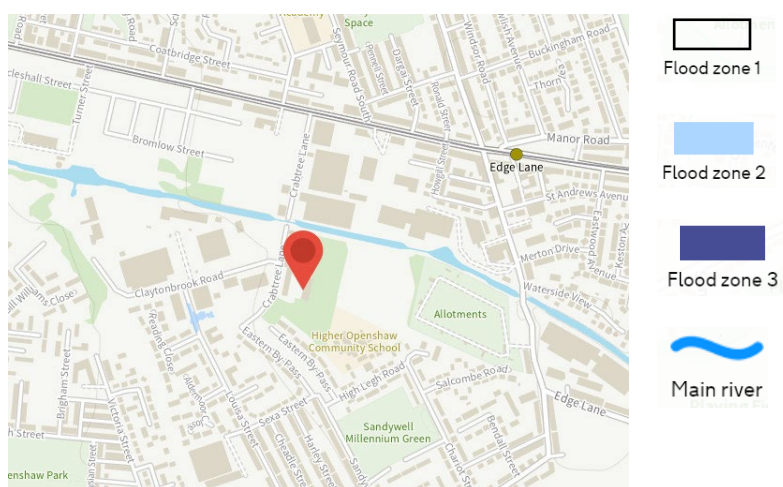
Environmental Designations

Ecology

- 2.13 The stretch of Canal immediately adjacent the Site is the Ashton Canal East, which has non-statutory designation as a Site of Biological Importance. The site was designated in June 1985, however importantly - following re-survey in 2014, it was downgraded from Grade A to Grade B in-line with SBI selection criteria, due to a decline in its aquatic flora. GMEU have further confirmed that the SBI was reviewed again last year, but that no change was recommended to its status and grade as a result.

Flood Risk

- 2.14 Having consulted the Environment Agency website, the Site is in Flood Zone 1, which means there is a low probability of flooding, as illustrated in **Figure 2.5** below.



^ Figure 2.5

Planning History

The Site

- 2.15 Prior Approval for demolition of the existing buildings on the Site (ref. 141725/DEM/2024) was approved 8 January 2025.
- 2.16 A Full Planning Application was submitted by MCI Developments for the following development in August 2022 (ref. 134463/FO/2022):
- “Erection of 3 x 3 storey apartment blocks comprising 45 apartments and erection of 70 x two storey dwellinghouses (Class C3) together with new vehicular accesses from an upgraded Crabtree Lane and associated works, following the demolition of all existing buildings/structures”*
- 2.17 A number of consultation responses were received in respect of the application, from Statutory Consultees, and these can be summarised as follows:
- Cadent Gas - No objection, informative note required
 - Canals and Rivers Trust – No objection, planning conditions required

- MCC Drainage – No objection, planning conditions required
- MCC Environmental Health Officer - No objection, planning conditions required
- Environment Agency – No objection, planning conditions required
- MCC Flood Risk – No objection, planning conditions required
- Greater Manchester Archaeological Advisory Service (“GMAAS”) - No objection, planning conditions required
- Greater Manchester Ecology Unit (“GMEU”) – Requested some additional planting be included in the scheme to ensure a betterment of the BNG to be achieved on the site.
- United Utilities - No objection, planning conditions required
- MCC Work and Skills team – No objection, planning conditions required
- MCC Highways – No objection, planning conditions required along with S278 Agreement to secure off-site highways works

2.18 Following receipt of the initial statutory consultee responses, an objection was received to the application from the neighbouring operational industrial yard to the immediate east of the site (Connell Brothers Ltd). The objection raised concerns that the application has not adequately considered the impacts of the existing operations on the Connell Brothers site upon future residents, which includes the unrestricted use of a brick crusher on the site.

2.19 In response, some further analysis was undertaken by the project team on the likely impacts of the unrestricted operations on the Connell Brothers site upon the proposed future residents of the application site, including noise, dust, light pollution, as well as vibration and traffic from HGVs and diggers and a series of mitigation measures were explored. Unfortunately a satisfactory solution was unable to be agreed with MCC and the application was subsequently withdrawn in June 2023. Subsequently, the applicant has acquired this land, and this now forms part of the Site subject to this application.

2.20 **Table 2.1** below provides an overview of the Site’s other planning history.

Reference	Description	Status
F14220	Installation of an additional petrol pump for company vehicles	Approved 19 Sept 1980
F06288	Erection of a liquid oxygen storage tank	Approved 15 Apr 1977
F05235	Erection of a single-storey showroom to replace existing	Approved 24 Sept 1976
F02435	Erection of a single storey building to form toilet, locker and shower facilities.	Approved 04 Apr 1975

^ Table 2.1

Surroundings

- 2.21 There are also several planning applications within close vicinity of the Site, which are worth noting, as set out in **Table 2.2** below.

Reference	Address	Description	Status
099994/FO/2012/N2	Higher Openshaw Community School	Retrospective application for the installation of new temporary classroom and MUGA pitch with associated 3.0m high fencing.	Approved 23 Jan 2013
099617/FO/2012/N2	Higher Openshaw Community School	Erection of single storey rear extension to form additional classroom space.	Approved 1 Aug 2012
070456/FO/2003/N2	Land Between Louisa Street/Eastern Bypass and Crabtree Lane	Residential development of 21 dwellings comprising a three-storey terrace of 2 x 5 bedroom and 8 x 4-bedroom houses; three pairs of semi-detached and one detached x 3-bedroom two storey houses and two pairs of two-bedroom semi-detached bungalows.	Withdrawn 19 Feb 2004
069365/FO/2003/N2	Vacant Site Comprising of Area to Side of 160 Eastern Bypass Bounded By Crabtree Lane	Erection of two pairs of bungalows and a detached 3-bedroom house on vacant land between 160-170 Eastern Bypass.	Approved 5 Dec 2003

^ Table 2.2

- 2.22 Having introduced the Site and surroundings, **Chapter 3** will provide details of the Proposed Development.

3. The Proposed Development

Application Proposals

- 3.1 The application proposals present an opportunity to deliver 194 new homes, including those suitable for family housing and affordable housing, in a sustainable location within Openshaw, East Manchester.
- 3.2 The application proposes the following:
- “Full Planning Application for the development of 194 dwellings (Class C3) with new vehicular accesses from Crabtree Lane and associated parking, landscaping and open space” (“the Proposed Development”).*
- 3.3 The Proposed Site Plan is shown in **Figure 3.1** below.



^ Figure 3.1 Proposed Site Plan

- 3.4 The Proposed Development includes the following:
- The provision of 124no. one and two bedroom apartments within four separate four-storey apartment blocks at the northern end of the site looking over the Ashton Canal designed in accordance with MCC’s Residential Quality Guidance and Nationally Described Space Standards (“NDSS”), with 62 no. car parking spaces (50% provision).

- The provision of 70no. two and three storey houses in a range of house types comprising mix of two, three and four bedroom houses designed in accordance with MCC's Residential Quality Guidance and Nationally Described Space Standards ("NDSS"), all with private gardens and off-road car parking (144% provision).
- The provision of 62 no. affordable homes (32%), comprising one and two bedroom apartments within two of the apartment blocks in the northern part of the site and will be tenure blind to be managed by a Registered Provider.
- All new homes will be compliant with Part M(4)2 of the Building Regulations and 3% will meet the requirements of Part M(4)3 of the Building Regulations.
- Upgrade works to Crabtree Lane to MCC Adoptable Standards, including delivering a 6.0m wide carriageway plus 2.0m wide footways along the full frontage of the Proposed Development. This would also entail the relocation of existing lampposts and trimming/management of dense vegetation if a footway is provided on the western side of Crabtree Lane. The adoptable highway network will extend up to and include the Proposed Development.
- Two separate new access points into the Proposed Development from Crabtree Lane, creating a permeable development. The internal access roads have been designed to adoptable standards and includes a 5.5m-wide carriageway with a 2m-wide footway on both sides of the road throughout the scheme. There would also be dropped kerbs and tactile paving at the junctions where the access road meets Crabtree Lane to facilitate pedestrian access.
- Enhancements to pedestrian and cycle access to the site with 2.0m-wide footways throughout the internal road network and Crabtree Lane with dropped kerbs and tactile paving at junctions. Pedestrian and cycle permeability is to be maintained onto Eastern Bypass, along the Ashton Canal and across the bridge to the northern section of Crabtree Lane.
- Provision for a total of 176no. car parking spaces across the site, including 12no. visitor spaces and 1no Car Club space. All the allocated parking spaces for the houses and a minimum of 20% of the spaces for the flats would be equipped with EV chargers from the outset, with ducting incorporated so the remaining spaces for the flats could be equipped with chargers, if necessary, in the future.
- Active travel initiatives include provision of three dedicated secure cycle parking stores will be provided within the parking court for the apartments accommodating 124 cycles and secure cycle parking facilities will be provided within the curtilage of each house.
- The proposed landscape design will provide an attractive and welcoming environment for the new neighbourhood, with naturalistic public open spaces and focal features to enhance key routes through the site. Protection and enhancement of existing landscape features on site such as trees and hedges have been retained where possible and enhanced, with native and wildlife-friendly planting for biodiversity and wildlife value, offering habitat, foraging, and pollinating opportunities.

3.5 The proposals are presented in further detail in the Design & Access Statement, prepared by JTP Architects, submitted in support of the application.

Affordable Housing Provision

- 3.6 As is set out with the accompanying Affordable Housing Statement prepared by Keepmoat, the Proposed Development would deliver 62 dwellings (32%) for affordable housing. The affordable homes are made up of 50% Rent to Buy (31 apartments), and 50% Social Rent (31 apartments).
- 3.7 The tenure of each home will be visually indistinguishable to ensure a tenure blind development and Keepmoat will appoint a Registered Provider who will own and manage the affordable dwellings in perpetuity.

Stakeholder Engagement

- 3.8 In accordance with local and national planning policy, pre-application discussions have taken place with MCC and relevant key stakeholders, throughout the design evolution of the Proposed Development, as summarised below.

MCC Planning Officers

- 3.9 Several meetings were held with MCC Planning Officers prior to the submission of the planning application, and the matters discussed at these meetings have included:
- Proposed site layout and scheme design
 - Highways and parking
 - Pre-application consultation that should be undertaken with other parties
 - Schedule of application documents
 - Affordable housing and Section 106

Greater Manchester Archaeological Advisory Service

- 3.10 A meeting was held with Benjamin Dyson at Greater Manchester Archaeological Advisory Service ('GMAAS') on Thursday 12 December 2024, where the following was discussed:
- GMAAS confirmed they were comfortable with the initial findings and proposed methodology for the Archaeology Desk Based Assessment as set out in the Technical Advice Note by Archaeological Research Services ('ARS') and welcomed the pre-application consultation on the proposals.

Greater Manchester Ecology Unit

- 3.11 Several meetings have been held with Emma Marston at Greater Manchester Ecology Unit ('GMEU'), where the following was discussed:
- GMEU confirmed they were comfortable with the findings of the Preliminary Ecological Appraisal prepared by Collington Winter and welcomed the pre-application consultation on the proposals.
 - GMEU did however request an assessment of the impact of the development on the Ashton Canal, and specifically the SBI.

- This was undertaken by Biora Natura Gain and the findings of the assessment, concluding there would be no impact on the SBI, presented back to GMEU. GMEU reviewed the draft report and confirmed agreement with the findings. As such it was agreed no further survey work would be required.
- Further discussion has subsequently taken place regarding the biodiversity net gain, and specifically off-site watercourse credit requirements.

Canals and River Trust

3.12 A meeting was held with Tim Bettany-Simmons from the Canal and River Trust ('C&RT') on 19 December 2024, where the following was discussed:

- C&RT welcomed the pre-application engagement on the proposals.
- The discussions were primarily focussed on the site layout / scheme design as follows:
 - Welcomed proposed scale and mass of apartment blocks fronting onto the Canal, which would provide surveillance along the towpath and are supportive of proposed brick detailing and reveals along Canal frontage, and use of red brick.
 - C&RT are supportive of proposed landscaping and boundary treatment alongside the Canal and are happy to see the direct pedestrian access from the scheme onto the Canal towpath.
 - C&RT welcome the retention of the cobbles at the north end of Crabtree Lane as part of any highways upgrade works as these contribute positively to the character of the approach to the canal. They would welcome the opportunity to review the proposed lighting strategy alongside the Canal in due course.
 - C&RT are supportive of the proposed strategy to drain away from Canal, towards Crabtree Lane.

Ward Councillors

- 3.13 Details of the application proposals have been shared with Clayton and Openshaw Ward Councillors and Neighbourhood Officers in advance of the planning application submission.
- 3.14 Public consultation has also been undertaken ahead of the planning application submission. Details of the consultation and associated feedback have been included within the Statement of Community Involvement prepared by Cavendish Consulting and submitted with the application.
- 3.15 **Chapter 4** will now outline the local planning policy considerations that should be taken into consideration when determining the planning application.

4. Local Planning Policy

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.2 The Site is located within the administrative control of MCC. The relevant Development Plan therefore comprises:
- MCC Core Strategy 2012-2027 ('CS');
 - The 'saved' policies of the Unitary Development Plan ('UDP'); and
 - Places for Everyone 2024.

Adopted Local Plan

MCC Core Strategy

- 4.3 The Manchester CS was adopted in July 2012 and is the key, overarching Development Plan Document ('DPD') within the Local Development Framework ('LDF').
- 4.4 As set out in **Chapter 2**, the site-specific policies which are relevant to the site include CS Policies EC5 and H4 for 'East Manchester' and Policy SP1 'Inner Areas'.
- 4.5 **CS Policy EC5 'East Manchester'** states that East Manchester is expected to provide approximately 80-85ha of employment land, the majority of which will be in the Regional Centre. Development will also be supported in existing employment and economic development areas, including Alan Turing Way, along key radial routes and Ardwick Goods Yards.
- 4.6 Outside of the Regional Centre the district centres will provide opportunities for small scale mixed use local employment opportunities. Larger scale proposals will be considered if good transport links exist to the City Centre/Regional Centre.
- 4.7 The supporting text states:
- "The wide scale regeneration in East Manchester particularly at the neighbourhood level has led to the relocation of businesses which are incompatible with residential and vibrant neighbourhoods."*
- 4.8 **CS Policy EC2 'Existing Employment Space'** is also relevant due to the Site having last been in employment use. Policy EC2 states that "the Council will seek to retain and enhance existing employment space and sites". It continues, "Alternative uses will only be supported if it can be demonstrated that:
- *The existing use is unviable in terms of business operations, building age and format;*
 - *The existing use is incompatible with adjacent uses;*
 - *The existing use is unsuitable for employment having regard to the Manchester-Salford-Trafford SFRA; or*
 - *On balance, proposals are able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives than the existing use.*

- 4.9 **CS Policy H4 ‘East Manchester’** states that East Manchester will assist with the delivery of around 30% of new residential development (approximately 8,280 residential units) between 2009-2027. It is noted that priority will be given to family housing and other high value, high quality development where this can be sustained.
- 4.10 **CS Policy SP1 ‘Spatial Principles’** states that beyond the Regional Centre, the emphasis is 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.
- 4.11 The majority of new residential development in these neighbourhoods will be in the Inner Areas (where the Site is located), defined by the North Manchester, East Manchester (where the Site is located) and Central Manchester Regeneration Areas.
- 4.12 Other policies relevant to the Proposed Development are set out in **Appendix 1**.

Saved Policies of the Manchester Unitary Development Plan

- 4.13 Several of the policies set out in the UDP adopted in July 1995 were ‘saved’ in 2012 and are still in effect today. The policies relevant to the Proposed Development are summarised in **Appendix 1**.

Places for Everyone

- 4.14 Places for Everyone (“PfE”) is a plan of nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) for jobs, new homes, and sustainable growth that covers the period from 2022 up to 2039. The plan was adopted on 21 March 2024 and comprises of the following documents:
- Places for Everyone Joint Development Plan Document
 - Places for Everyone Policies Map
 - Places for Everyone Adoption Statements
 - Schedule of minor non material editorial amendments
 - Integrated Assessment Reports (including the Sustainability Assessment).
- 4.15 A list of Policies within PfE that are relevant to the Proposed Development are set out in **Appendix 1**.

Supplementary Planning Documents and Planning Guidance

- 4.16 In addition, MCC has also adopted a number of Supplementary Planning Documents (“SPD”), which will be considered in turn below.

Guide to Development in Manchester SPD

- 4.17 The Guide to Development in Manchester SPD was adopted in April 2007 and the SPD sets out the design principles and standards that MCC expects new development to achieve. The key principles and standards relevant to the Proposed Development are set out in **Table 4.1** overleaf.

Guidance	Summary
Areas of change should promote a sense of place	In areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development of new buildings relates well to, and helps to enhance, areas that are likely to be retained and contributes to the creation of a positive identity
Neighbourhoods should contain a mix of housing	Successful neighbourhoods offer a choice of housing to enable residents to continue to live in an area as their needs and aspirations change. Social and private housing should complement each other to deliver choice and balance.
New developments should maximise access for disabled people	The Council will expect developers to comply with the standards detailed in its "Design for Access 2" Manual, and to produce an access statement, with identifies their philosophy and approach to inclusive design.
Environmental Standards	The Council is committed to making Manchester 'the Greenest City in Britain' so developers are expected to submit a Statement on how their proposal will achieve the environmental standards required.

^ Table 4.2

Manchester Residential Quality Guidance

- 4.18 MCC has prepared the Residential Quality Guidance (July 2016) for use by architects and developers, to seek to achieve design excellence in all new housing to be built in the City. The document is a material consideration in the determination of planning applications, providing guidance on a range of details including minimum space standards and high environmental standards.
- 4.19 The guidance states that space standards within dwellings should comply with the National Described Space Standards as a minimum. In assessing space standards for a particular development, consideration is to be given to the planning and laying out of the home and the manner in which its design creates distinct and adequate spaces for living, sleeping, kitchens, bathrooms and storage. The size of rooms should be sufficient to allow users adequate space to move around comfortably, anticipating and accommodating changing needs and circumstances.

Other Relevant Planning and Regeneration Documents

Residential Growth Strategy

- 4.20 Manchester's Residential Growth Strategy recognises the critical relationship between housing and economic growth. The right mix of housing is needed to support growth and ensure that the growing population can live and work in the City and enjoy a good quality of life.
- 4.21 The Strategy sets out six housing growth priorities to meet the City's ambitions for sustainable growth in terms of appropriate locations, type, quality and sustainability credentials as well as anticipating 25,000 homes will be built over the next ten years from 2015 until 2025.
- 4.22 The Strategy provides a framework for action and will be followed by a detailed implementation plan that sets out the short to medium term actions that the City will take to deliver these priorities.

East Manchester Strategic Regeneration Framework 2008-2018

- 4.23 The East Manchester Strategic Regeneration Framework ('SRF') 2008-2018 encompasses the Ancoats, Miles Platting, Beswick, Openshaw, Clayton, Newton Heath, and Gorton neighbourhoods of East Manchester. The SRF establishes principles and objectives to secure long-term, successful and sustainable regeneration. Specifically, it sets out a strategic vision for the neighbourhoods to become attractive places to live that are supported by well-functioning schools, good quality facilities and a reinvigorated housing market.
- 4.24 In terms of housing, one of the aspirations of the SRF is to provide higher quality family housing. The current housing supply in East Manchester does not provide a sufficient diversity of housing types and quality to support a range of people and families at various stages of life and income levels.
- 4.25 The SRF promotes neighbourhood-focused growth through the provision of high-quality housing and services to give existing and new residents the confidence to raise their families in the neighbourhoods in East Manchester. The key actions for housing development have been identified as:
- Prioritise development of high-quality, owner occupied family housing;
 - Promote neighbourhood development; and,
 - Promote family residential neighbourhoods and discourage apartment development.
- 4.26 Amongst the key priorities, the SRF focusses on continuing the process of establishing distinct, sustainable neighbourhoods which each provide a suitable mix of housing types with access to excellent education and healthcare facilities. The SRF acknowledges Openshaw as a suitable location for apartment development.

Strategic Housing Land Availability Assessment ("SHLAA")

- 4.27 The Site is partially identified within MCC's SHLAA for 115 no. new homes in a mix of apartments (45 no.) and houses (70 no.) under site reference Clay2100.

Statement of Community Involvement

- 4.28 On 11 June 2018 the Council adopted a refreshed Statement of Community Involvement ('SCI') which sets out how residents and other stakeholders can get involved in the preparation of planning policies, frameworks and neighbourhood planning processes in Manchester and also how interested parties can make comments on planning applications received by the Council.
- 4.29 **Chapter 5** will summarise relevant national planning policy.

5. National Planning Policies

- 5.1 As outlined in **Chapter 4**, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the determination of planning applications must be made in accordance with the 'Development Plan' unless 'material considerations' indicate otherwise.
- 5.2 The Courts have held that the Government's statements of planning policy are such 'material considerations' which must be taken into account, where relevant, in decisions on planning applications.

National Planning Policy Framework

Background

- 5.3 The revised National Planning Policy Framework ('NPPF') was published by the Department for Levelling Up, Housing & Communities ('DLUHC') on 19 December 2024, and most recently updated in February 2025, and is a significant material consideration in planning decisions.
- 5.4 The relevant sections of the NPPF are set out in **Appendix 2**.

National Planning Practice Guidance

- 5.5 On 6 March 2014 the DCLG published the National Planning Practice Guidance ('NPPG') web-based guidance. In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004 this guidance is a material consideration that should be taken into account during the determination of planning applications.
- 5.6 The following sections of the NPPG are relevant:
- Before submitting an application;
 - Consultation and pre-decision matters;
 - Design;
 - Determining a planning application;
 - Housing and Economic Development Needs Assessments;
 - Housing and Economic Land Availability Assessment; and,
 - Travel Plans, Transport Assessment and Statements.
- 5.7 Having introduced the Application Site and the Proposed Development along with the relevant Local and National Planning Policy, **Chapter 6** will now appraise the Proposed Development against the relevant planning policies.

6. Appraisal of Planning Policy Compliance

- 6.1 Having introduced the Site, along with the Development Plan, and other relevant material considerations it is prudent to outline in this Chapter the suitability of the Proposed Development in planning terms.
- 6.2 The following matters will be considered in turn:
- The Principle of Residential Development
 - Commitment to High Quality Design and Public Realm
 - Residential Amenity
 - Accessibility and Highways
 - Other Technical Considerations

Principle of Residential Development

Provision of New Housing

- 6.3 Section 5 of the NPPF relates to delivering a sufficient supply of homes and highlights the importance of supporting the Government's objective of significantly boosting the supply of homes, recognising that a sufficient amount of variety of land can come forward where it is needed (Paragraph 61).
- 6.4 CS Policy SO3 seeks to provide for a significant increase in quality housing provision in sustainable locations across the City. Further, CS Policy H1 outlines MCC's intention to enable the delivery of 60,000 new homes across the City over the plan period. This is supported by PfE Policy JP-H1 which sets out the need for c. 175k additional dwellings to be delivered across Greater Manchester during the Plan period to 2039.
- 6.5 According to the latest published figures (1 April 2023) MCC has a 6.12 year housing land supply, however this should not be viewed as a 'cap' or a 'maximum' and new housing development should be supported where it will meet an identified local need.
- 6.6 CS Policy H4 states that 18,280 should be delivered in East Manchester. The delivery of 194 new homes on the Site will assist in the delivery achieving these targets.
- 6.7 CS Policy SP1 'Spatial Principles' acknowledges that the Inner Areas will be the focus for the majority of new residential development, and this will be defined by the East Manchester Regeneration Areas. The East Manchester Strategic Regeneration Framework seeks to provide higher quality family housing, acknowledging that the current housing supply in East Manchester does not provide a sufficient diversity of housing types and quality to support a range of people and families at various stages of life and income levels.
- 6.8 CS Policy H4 'East Manchester' further states that priority will be given to family housing in East Manchester, as well as other high value, high quality development where this can be sustained. The Proposed Development will meet the requirements of CS Policy H4 by providing new family housing, including 70 no. new houses comprising a range of 2, 3 and 4-bedroom properties, as well as 124 no. apartments providing both 1 and 2-bedroom properties. The housing mix has been carefully considered to maximise the redevelopment opportunity presented by the Site, and to meet local need.

- 6.9 Manchester Residential Growth Strategy acknowledges that the right mix of housing is needed to support growth and ensure that the growing population can live and work in the City, whilst enjoying a good quality of life. The Proposed Development includes a broad mix of housing types to provide for the differing needs of people wanting to live and work in the City.
- 6.10 CS Policy H1 'Overall Housing Provision' establishes that 90% of residential development within Manchester will be on previously developed land. As set out in **Chapter 2**, the Site is previously-developed and the Proposed Development will therefore assist in achieving the key objective of this policy.
- 6.11 CS Policy H8 'Affordable Housing' requires affordable housing to be provided on all residential developments that propose 15 or more units; with the proportion of affordable housing units reflecting the type and size of the development as a whole. PfE Policy JP-H2 also promotes the affordability of housing across Greater Manchester.
- 6.12 The Proposed Development includes provision of 62 no. affordable homes (32%), comprising one and two bedroom apartments within two of the apartment blocks in the northern part of the site and be managed by a Registered Provider.
- 6.13 The affordable houses are inclusively designed to reflect the character of the proposed site and are integrated well into the development, providing an essential contribution of affordable homes within East Manchester.
- 6.14 An Affordable Housing Statement has been prepared by Keepmoat and is submitted with the Planning Application. The provisions of CS Policy H8 have therefore been given due consideration.
- 6.15 UDP Policy DC7 'New Housing Development' requires new housing to be accessible at ground floor level to disabled people, as well as family housing to be designed to include safe areas where children can play.
- 6.16 Access to and within the external environment is designed to ensure that there are no excessive changes in level between the highway and the private spaces. Houses are to be constructed at a minimum standard of latest Building Regulations ensuring each property has level access for ease of wheel chairs. (as defined in Section 1, Approved Document M, Access to and Use of Buildings, Building Regulations 2013). Where parking is not within curtilage, footpaths and gates are provided to ease access and create a direct route.
- 6.17 In addition, provision has been made to ensure comfort for all pedestrians using the public realm within the proposed layout, including:
1. Clear visual links between the entrances to the site and entrances to buildings;
 2. A legible layout for visitors;
 3. A safe pedestrian/cycle network to provide a physical pedestrian connection on site. All pedestrian circulation routes to be level or gently-sloping (as defined in Section 1, Approved Document M, Access to and Use of Buildings, Building Regulations 2013)
- 6.18 As illustrated in **Figure 2.2** part of the immediate surrounding context of the Site includes residential uses and the redevelopment of this site for residential will therefore complement the existing area.

Loss of Employment Land

- 6.19 CS Policy EC2 states that alternative uses will be supported on previous employment sites, where it can be demonstrated that the existing use is unviable, it is incompatible with adjacent uses, or on balance, the proposals offer greater benefits in terms of the Core Strategy's vision.
- 6.20 Section 11 of the NPPF focusses on making effective use of land, specifically stating that strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or brownfield land. Moreover, CS Policy H1 recognises that 90% of residential development within Manchester will be on previously developed land.
- 6.21 The Site has been vacant since September 2020 following an arson attack two months prior which caused widespread damage to the property and its infrastructure. Notably, the electricity connection was damaged to a degree that it was considered too costly to repair and the business was re-located to an alternative site in Miles Platting. There have been ongoing instances of anti-social behaviour at the Site since it has been vacant.
- 6.22 No formal marketing of the Site has taken place, but over the last 20 years the landowner has received several offers for re-developing the Site. These offers have predominantly been from residential developers with the exception of two, one from an energy provider in 2016 and the other from a church in 2020.
- 6.23 As such the Site is not in an active employment use, nor has there been any demand to re-occupy the Site over this period. It is therefore necessary to consider a more effective use of the Site, in accordance with Paragraph 125 (Section 11 'Making Effective Use of Land') of the NPPF which states that planning decisions should give **substantial weight** to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.
- 6.24 Furthermore, Paragraph 124 (Section 11) of the NPPF also states that planning decisions should promote an effective use of land in meeting the need for homes, while safeguarding and improving the environment, and ensuring safe and healthy living conditions; specifically, there is a requirement for local planning authorities to set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-development or brownfield land.
- 6.25 The Proposed Development will bring life to a currently underutilised and vacant plot of brownfield land, it is therefore considered that the principle of redeveloping the Site for a more effective, residential use, should be supported, in accordance with CS Policies EC2, H1 and Section 11 of the NPPF, and the East Manchester SRF.

Regeneration Benefits

- 6.26 The redevelopment of the Site for residential purposes would bring a range of benefits to Manchester's residential market and to the local area, including:
- **Regeneration** – The redevelopment of the Site for a residential development will bring a currently underutilised site back into productive use, improve the physical appearance of the site and provide the opportunity for a new development of high architectural quality. The Proposed Development will complement the existing mix of residential accommodation offer elsewhere within East Manchester in line with Core Strategy Policies SP1, SO3, H1 and H4. Policy JP-S1 of Places for Everyone also supports sustainable development of previously developed sites.

- **Contribution to the Economy** – There is a direct link between economic growth, regeneration and the provision of housing and new homes are required to fuel and complement economic growth.
- **Job Creation** – The development’s construction will deliver a temporary economic uplift, supporting a number of new construction jobs both directly and indirectly. This will accord with the provisions of Core Strategy Policy EC1 and Section 2 of the NPPF which outlines that one of the overarching objectives of the planning system is to “*help build a strong, responsive and competitive economy*”. A Local Labour Agreement has been prepared by Keepmoat and is submitted as part of the application which confirms their commitment to working with Manchester City Council, their Registered Provider partner and other local partners, to help maximise local employability and skills of local people.
- **Contribution to the City** – The Proposed Development will also generate additional Council Tax and also household spend, further benefitting the local economy. The completed development will bring new residents into to the area who will support the local economy.

Summary

- 6.27 The proposals therefore accord with the Sections 5 and 6 of the NPPF, Policies EC2, SP1, SO3, H1 and H4 of the Core Strategy, along with PfE Policies JP-S1, JP-H1 and JP-H2. In terms of national planning policy, the scheme is consistent with the objectives outlined in the NPPF, in particular the need to provide sustainable development in the right locations.

Commitment to High Quality Design and Public Realm

- 6.28 Section 8 of the NPPF seeks to achieve healthy, inclusive and safe places and Section 12 of the NPPF provides design guidance, stating that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.
- 6.29 In respect of design, CS Policy EN1 expects all development in Manchester to follow the principles of urban design and identifies the Site within the ‘Central Arc’ which is acknowledged to be experiencing regeneration. UDP Policy DC7 states that all new family housing will be expected to be designed so as to be safe areas within which children can play.
- 6.30 Manchester’s Guide to Development SPD states that it is important that new developments are of an appropriate height, having regard to location, character of the area, specific site circumstances and local effects.
- 6.31 The Proposed Development has been designed to deliver a high-quality scheme in this part of East Manchester. As set out in the Design and Access Statement, the fundamentals of the Proposed Development have been directly influenced by the site context, as well as the opportunities and constraints associated with the Site. The character and needs of the area and the principles set out in the Manchester Residential Design Guidance have also been given due consideration.
- 6.32 Specifically, the type, amount and layout of the scheme has evolved over time resulting in a scheme which is now considered to be optimum to address the specific character of the Site, as well as the relevant policy requirements.
- 6.33 Each house has access to a private rear garden, providing sufficient safe areas for children to play, as in accordance with UDP Policy DC7. The apartments will benefit from car parking and amenity space around the apartment blocks, alongside the proposed areas of public open space to the site.

- 6.34 The Manchester Residential Quality Guidance states that space standards within dwellings should comply with the Nationally Described Space Standards, as a minimum, and particular consideration should be given to the planning and layout out of the home and the manner in which its design creates distinct and adequate spaces for living, sleeping, kitchens, bathrooms and storage. The proposed dwellings have been influenced by Manchester's space standards, and Nationally Described Space Standards, and all areas of the Proposed Development exceed current standards. PfE Policy JP-H3 also requires that new dwellings comply with NDSS and Part (M(4)2 of the Building Regulations.
- 6.35 As such, all new homes will also be compliant with Part M(4)2 of the Building Regulations and 3% will meet the requirements of Part M(4)3 of the Building Regulations.
- 6.36 The Proposed Development has also been designed in accordance with "Secured by Design" security specification and with the pre-application consultation and advice received by Greater Manchester Police in their Crime Impact Statement (CIS) - submitted as part of this application.
- 6.37 The CIS confirms that there are a number of positive aspects of the proposal, including bringing legitimate activity to a currently vacant site that is a generator of disorder; improved natural surveillance to Crabtree Lane and the canal towpath in places where currently there is little overlooking of these routes; good provision of bin storage areas to the rear of each house; and overlooking of apartment car parking spaces.
- 6.38 Several recommendations are also proposed, which have been addressed in the scheme as follows:

- **Passageways**

Comment:

In a number of locations there are passageways which provide access to rear gardens of dwellings. These passageways should be restricted to residents with a full height gate. Gates should be a minimum of 1.8m high, of robust construction, and, lockable from both sides. The gate into the passageway should be positioned as close to the entrance as possible.

Response:

Passageways for shared residents access have been minimised wherever possible with individual access used where space permits. Where passageways are required they will be restricted to residents access only with a full height gate.

- **Apartment Windows and Defensible Space**

Comment:

Any ground floor apartment windows not within the secure rear boundary should be afforded defensible space either with a low boundary or with shrubbery - to prevent would be offenders, or those antisocially minded, from easily accessing ground floor windows.

Response:

Appropriate defensible planting has been provided around ground floor apartment windows. Where ground floor terraces are provided for private external amenity space these are bound by railings.

- **Car Park Illumination**

Comment:

Apartment car parking areas should be illuminated to a high standard to deter offenders and to facilitate surveillance.

Response:

Noted. A suitable lighting strategy will be developed.

- **Parking to the rear / side of dwellings**

Comment:

Where car parking spaces are located to the rear of a dwelling it is highly recommended that a more visually permeable boundary treatment is used, such as railings or the incorporation of trellis in the fence, so that residents can view parked vehicles. These spaces must be illuminated, and any rear garden gates should be capable of being locked from both sides.

Any parking spaces positioned at the side, or rear, of dwellings should be illuminated with dusk-til-dawn lighting.

Response:

Rear parking has been designed out across the site with the exception of two plots which have side/rear parking. These spaces are accessed directly off the street and well overlooked by surrounding homes.

- **Access Road Standards and illumination**

Comment:

The proposed access roads should be illuminated to adoptable standard, to reduce the potential for crime and fear of crime. The apartment car parking areas and any pedestrian routes in the site should be illuminated in accordance with BS 5489.

Response:

Noted. A suitable lighting strategy will be developed.

- **Cycle Stores**

Comment:

The proposed cycle stores should be a robust, weatherproof enclosure, with access restricted to residents.

Response:

Cycle stores for houses will be in rear gardens within covered lockable shelters. Cycle stores for apartments will be internal to the building in a lockable room with restricted access to residents. Apartment cycle stores are located adjacent to the primary building entrances which will be lit and well overlooked.

- 6.39 CS Policy EN19 requires all developers to demonstrate consistency with the principles of the waste hierarchy. As illustrated on the Architectural Drawings, sufficient space will be provided on each driveway for suitable refuse storage. As required by MCC, a Waste Management Proforma has been submitted in support of the planning application and the DAS includes the Waste Management Strategy.

Summary

- 6.40 It is concluded that the Proposed Development will provide a healthy, inclusive and safe place for all future and existing residents, which has been designed to the highest quality to reflect the character of the local area, in accordance with the principles set out in the NPPF, in particular section 12, Manchester's Guide to Development SPD, Manchester's Residential Quality Design, CS Policies EN1, EN19, and UDP Policies DC7 and DC19 and PfE Policies JP-C5, JP-H3 and JP-H4.

Impact on Amenity of Users and Neighbours

- 6.41 In line with Core Strategy Policies DM1 and EN16 and UDP Policy DC26, a Noise Assessment and Air Quality Assessment have been undertaken in order to understand the impact the Proposed Development will have on the amenity of users of the development itself as well as neighbouring properties, residents and businesses.

Noise

- 6.42 Paragraph 198 of the NPPF states that planning decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development and states that proposals should seek to mitigate any adverse impacts arising from noise.
- 6.43 This is further supported by guidance within the PPG which outlines details for the assessment of any potential noise impact and clarifies that the NPPF picks up on the objectives of the Defra Noise Policy Statement for England (2010).
- 6.44 Accordingly, a Noise Impact Assessment has been prepared by E3P and is submitted in support of the application. The assessment found that the main sound source was found to be activity associated with SGB which operates a scaffolding yard to the west of the Site. No commercial sound was noted from the units on the other side of the canal to the north nor from those to the west. Measurements of school playground usage was also conducted.
- 6.45 The report concludes that the Proposed Development will have no significant effect in terms of construction, noise, building plant and traffic noise. The report also concludes that with appropriate mitigation measures in place, the surrounding noise environment is suitable for residential development.
- 6.46 The required mitigation is as follows:
- Whole dwelling ventilation is recommended for all plots so that residents need not open windows for background ventilation. Openable windows are considered acceptable to mitigate overheating in relation to internal noise levels only.
 - A 1.8 m close boarded fence (as specified by E3P) is recommended along the garden edges on the western areas in order to provide a level of protection against potential noise from the industrial premises. The proposed fencing is shown on the submitted Boundary Treatments Plan prepared by JTP.
- 6.47 The Proposed Development is therefore in accordance with Core Strategy Policy DM1, Saved UDP Policy DC26, as well as Paragraph 198 of the NPPF.

Air Quality

- 6.48 An Air Quality Assessment has been prepared by Redmore to support the application proposals. This is in line with the requirements of the NPPF which states, at Paragraph 199 that, *‘Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones’*. This is supported by Places for Everyone Policy JP-S5 - Clean Air.
- 6.49 The assessment considers the air quality impacts as a result of fugitive dust emissions as a result of demolition, earthworks, construction and trackout activities. It is concluded that the use of good practice control measures would provide suitable mitigation for a development of this size and nature and reduce potential impacts to an acceptable level. Such measures can be included in a Construction Management Plan, secured via a suitably worded condition.
- 6.50 The assessment also considers potential impacts during the operational phase of the development as a result of road traffic exhaust emissions associated with the proposals. Dispersion modelling has been undertaken to predict pollutant concentrations at sensitive locations as a result of emissions from the local highway network both with and without the development in place, and results were subsequently verified using local monitoring data.
- 6.51 It was concluded that predicted air quality impacts as a result of traffic generated by the development were not significant at any sensitive location in the vicinity of the site.
- 6.52 It is considered that the development proposals adhere to Core Strategy Policy EN16, PforE Policy JP-C5 and Paragraph 199 of the NPPF.

Accessibility and Highways

- 6.53 A Transport Statement (“TS”) and Interim Travel Plan has been prepared by Curtins to support the planning application.
- 6.54 A review of baseline conditions and highway safety in the vicinity of the site has been undertaken. It is not considered that there is an existing highway safety issue that is likely to be exacerbated by the Proposed Development.
- 6.55 The TS identifies that the Site is accessible by sustainable modes of transport. The surrounding area exhibits good levels of pedestrian and cycling infrastructure, and there are several public transport opportunities within acceptable walking distance of the site.
- 6.56 The traffic impact assessment shows that all of the junctions in the vicinity of the site are forecast to operate within capacity without and with the proposed development. The impact of the development traffic passing through the junctions is minor and it is reasonable to conclude that the impact is not significant or severe in the context of the NPPF.
- 6.57 Additionally, measures are proposed in the accompanying Interim Travel Plan to increase the level of walking, cycling and public transport use to and from the site, and to reduce reliance on the private car.
- 6.58 The TS concludes that having regard to traffic and transportation matters, there are no reasons why the Proposed Development should not be granted planning approval.
- 6.59 The proposals are therefore considered to be in accordance with all relevant local and national transport planning policy, including Core Strategy Policies T1 and T2, PforE Policies JP-C1, JP-C6 and JP-C8 and Section 9 of the NPPF.

Heritage Impacts

- 6.60 CS Policy EN3 encourages development to complement and take advantage of the distinct historic and heritage features of specific districts and neighbourhoods. UDP Policy DC19 requires planning applications to consider any impact on buildings of Special Architectural or Historic Interest.
- 6.61 The Proposed Development does not lie within a Conservation Area, and there are not any listed buildings or structures located on the Site. However, the Site is located adjacent to Ashton Canal Lock Number 13 at Crabtree Lane Swing Bridge which is Grade II Listed. Accordingly, Kathryn Sather & Associates (“KSA”) has been appointed to prepare a Heritage Statement to set out the significance of the heritage asset and assess whether the Proposed Development is likely to have any impact on this significance.
- 6.62 The Heritage Statement concludes the following:
- As a Grade II listed structure, restored and in working order, Lock 13 and Lock Number 14 are of national significance, illustrating the successful engineering of man-made waterways to connect industrial sites and transport raw and finished materials through an environment which changed from rural to industrial. With reference to the ICOMOS guidance, this listed structure would be afforded a significance level of medium.
 - The Proposed Development has the potential to impact on the setting of the listed structures. The setting today of Ashton Canal Lock Number 13 at Crabtree Lane Swing Bridge and Lock Number 14 Between Crabtree Lane and Edge Lane is characterised by its recreational use and experienced by walkers on the tow path, boaters and those at the historic public house. The wider setting has altered significantly from the post-war period and is largely surrounded by modern structures which have replaced former industrial structures.
 - The significance of the heritage assets will not be harmed by the development of the apartment blocks and houses on the derelict site of the former foundry and adjacent industrial site. This assessment finds that the proposed works at Ashton Canal Lock Number 13 at Crabtree Lane Swing Bridge and Lock Number 14 Between Crabtree Lane and Edge Lane, constitute a slight positive or neutral impact. Therefore, there is no harm to the heritage assets.
- 6.63 The application is also supported by an Archaeology Desk Based Assessment prepared by Archaeological Research Services. This recommends that a Level 2 historic building recording is undertaken on any existing structures on site relating to Crabtree Forge prior to any demolition works, and that archaeological and structural monitoring in the form of a watching brief should be carried out during further site investigation works.
- 6.64 Therefore, the Proposed Development will not have a slight positive or neutral impact on The Grade II listed Lock 13 and is therefore acceptable in accordance with CS Policy EN3 and UDP Policy DC19 and DC20 as well as Section 16 of the NPPF.

Other Considerations

Energy and Sustainability

- 6.65 An Environmental Standards Statement have been prepared by PB Sustainability and has been submitted in support of the application. This concludes that the Proposed Development includes features which will meet the requirements set out within MCC's adopted Guide to Development in Manchester, as follows:
- Thermal performance of construction elements which exceeds Building Regulations in combination with renewable technologies to further reduce energy demand (i.e. photo voltaic roof panels) aspiring to achieve not less than 15% reduction in CO2 emissions compared with Building Regulations 2010;
 - Internal water use within all dwellings to be reduced to 105 litres per person per day through the provision of water saving fittings;
 - Waste minimisation principles adopted both during construction and in the lifespan of the development through provision of recycling/composting facilities.
 - Waste minimisation principles adopted both during construction and in the lifespan of the development through promotion of recycling/composting measures; and,
 - Use of materials in the construction process which have a low environmental impact as determined by the BRE's Green Guide.
- 6.66 The proposals will therefore accord with Core Strategy Policies EN4, EN6, EN8 SO6, PfE Policy JP-S2 and Section 14 of the NPPF, and the Guide to Development in Manchester SPD.

Land Contamination

- 6.67 In terms of ground conditions and pollution the NPPF states in paragraph 196 that planning policies and decisions should ensure that a '*site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination*'.
- 6.68 A Phase 1 Ground Conditions Report has been prepared by Betts Associates for the western extent of the Site, and is submitted in support of the application. The Report concludes out that the Site is suitable for redevelopment subject to a number of recommendations which have been considered during the design process and will continue to inform the development process. This includes undertaking a fully intrusive Phase 2 site investigation and any required remediation works for this part of the Site.
- 6.69 A Phase 1 and Phase II Ground Conditions Report has also been prepared by E3P for the western extent of the Site and is submitted in support of the application. The Report outlines that elevated arsenic, lead, zinc and asbestos as well as elevated PAH compounds are widespread throughout the Made Ground. Notwithstanding, it is noted that this can be mitigated through the installation of a suitable cover system in all proposed private gardens, landscaping and public open space to remove any potential for direct exposure to impacted soils.
- 6.70 A Remediation Strategy will therefore be required for the development and can be secured by an appropriately worded condition. This will ensure the site is suitable for the proposed use.
- 6.71 On the basis of these findings it is considered that the proposals accord with Core Strategy Policy EN18 and Paragraph 196 of the NPPF, and the PPG.

Flood Risk and Drainage

- 6.72 The Site and surrounding area lie within Flood Zone 1 where there is a low risk of flooding from rivers or sea. Further within Flood Zone 1, all development is deemed to be appropriate and neither the sequential nor exception test is required to be undertaken to support the application, in line with Section 14 of the NPPF.
- 6.73 A Flood Risk Assessment and Drainage Strategy has been undertaken by Betts Hydro and is submitted as part of the application. The FRA demonstrates that flood risk from all sources has been considered in the Proposed Development.
- 6.74 The whole development lies in an area designated by the EA as Flood Zone 1, outlined to have a chance of flooding of less than 1 in 1,000 (<0.1%) in any year.
- 6.75 The NPPF sets out a Sequential Test, which states that preference should be given to development located within Flood Zone 1. This flood risk assessment demonstrates that the requirements of the Sequential Test have been met, with the developable area of the site located within Flood Zone 1 and 'More Vulnerable' classification of the development.
- 6.76 This flood risk assessment has considered multiple sources of flooding and concludes that the proposals are at 'low' flood risk. Appropriate mitigation will be put in place to ensure that there is no increase in flood risk because of the proposals.
- 6.77 The proposals are therefore consistent with Core Strategy Policies EN14, EN17, PfE Policy JP-S4 and NPPF, Section 14, Meeting the challenge of climate change, flooding and coastal change.

Ecology and Biodiversity

Ecology

- 6.78 A Preliminary Ecological Appraisal ("PEA") of the Site and Proposed Development has been undertaken by Collington Winter. As part of this, the Site was subject to an extended phase one habitat survey and a preliminary bat roost assessment of all buildings.
- 6.79 It is noted that Ashton Canal (West) is located adjacent to the northern boundary of the site. The site falls within the SSSI Impact Risk Zone for Hollinwood Branch Canal SSSI, Huddersfield Narrow Canal and Rochdale Canal SAC and SSSI.
- 6.80 The PEA identifies that notable species present include woodland and scrub, and that the site has value or potential value for bats, birds, reptiles and terrestrial mammals. The site has therefore been assessed with consideration to impacts on bats, breeding birds, common amphibians, badger and hedgehog.
- 6.81 The PEA includes a number of recommendations to avoid impact on these species, including (inter alia):
- Construction and Environment Management Plan (CEMP).
 - Nesting bird check prior to vegetation removal.
 - Any proposed lighting/existing lighting should follow the guidance outlined in the Institute for Lighting Engineers document "Guidance for the Reduction of Obtrusive Lighting" (2005) and BCT's "Bats and Artificial Lighting at Night" (2023).
 - Any areas of dense vegetation should first be carefully hand searched to check for hedgehog.

- Precautionary Working Method Statement (PWMS) for badgers
 - Reasonable Avoidance Measures (RAMs) for reptiles; and
 - Invasive non-native species method statement.
- 6.82 The PEA concludes that provided the recommendations detailed are followed, there would be very limited impacts on the local ecology as a result of the Proposed Development.
- 6.83 Whilst the demolition of the existing buildings on the site will proceed under Prior Approval application ref: 141725/DEM/2024, and therefore demolition does not form part of this proposal, it should be noted that a nocturnal survey for bats has been carried out for Buildings B1, B2 and B3 by Collington Winter (and was submitted as part of the Prior Approval). This identified that a moderate level activity was recorded throughout the survey and no bats were recorded emerging from the buildings.
- 6.84 Furthermore, in addition to the above, a technical note has been prepared by Biora Nature Gain, in respect of the flora and fauna within the Ashton Canal (designated as a Site of Biological Interest) to understand any potential for impacts to occur from the development.
- 6.85 The technical note considers protected aquatic vegetation populations in the stretch of the Ashton Canal adjacent to this site, however the assessment concludes that with consideration to the declining populations of the species, the conditions required for the flora and fauna to grow, and the existing condition of the canal, including the water quality and Canada goose, it is unlikely that the species are present. Notwithstanding, the technical note has also provided a consideration of the development and overshadowing, and determined the development would not impact any remaining species.
- 6.86 Subsequently it is therefore concluded that the Proposed Development is highly unlikely to negatively impact this SBI or the species for which it has been designated.
- 6.87 Within the Proposed Development, trees and hedges have been retained where possible and enhanced, with a mix of native species proposed. There will also be the provision of wall mounted bat and bird boxes across the site to provide invaluable support to our urban wildlife, along with the inclusion of 'hedgehog highways' as part of the boundary treatment strategy.

Biodiversity Net Gain

- 6.88 The submitted Biodiversity Net Gain Report and the Statutory Biodiversity Metric submitted have demonstrated that the proposed habitat creation and enhancements create a net loss of biodiversity within the site of -65.17% in Habitat Units and no net gain of Watercourse Units. In addition, the trading rules have not been satisfied due to the loss of habitats including scrub and woodland.
- 6.89 Given the net loss achieved on site relating to the Habitat Units and not get gain in Watercourse Units, and the lack of opportunity within the current scheme to provide sufficient habitat quality to achieve a net gain, offsetting will be required. The 'Unit Shortfall Calculations' tab with the Statutory Biodiversity Metric 2.79 Habitat Units relating to Heathland and Shrub, 6.95 Habitat Units relating to Woodland and Forest and 0.04 Watercourse Units will be required to meet the trading rules and achieve a minimum of 10% net gain. These will be purchased from a Habitat Bank with credits within the Manchester City Council Local Authority Area prioritised.
- 6.90 In line with these findings the proposals accord with Core Strategy Policy DM1, SO6 and Policy EN15 and PfE Policies JP-G6 and JP-G8. The scheme is also consistent with the paragraphs set out in Section 15 of the NPPF, Conserving and enhancing the natural environment.

Trees

- 6.91 Paragraph 136 of the NPPF recognises the important contribution that trees make to the character and quality of urban environments. In order to assess any impact that the Proposed Development will have on existing trees across the Site, Collington Winter has been instructed to prepare an Arboriculture Impact Assessment.
- 6.92 The assessment concludes that of the trees which will be affected by the Proposed Development (those which need to be removed as well as those on adjacent sites where there may be an impact on root coverage) all are category C and U trees, with a life expectancy of less than 10 years respectively (or in need of removal). All trees designated for removal lack significant arboriculture value and none of the trees proposed for removal are considered aged or veteran.
- 6.93 Tree replacement and enhanced landscaping will be provided as part of the Proposed Development, and therefore the Proposals are consistent with the requirements of Section 15 NPPF; Paragraph 136 NPPF
- 6.85 **Chapter 7** will now outline the key conclusions.

7. Summary and Conclusions

- 7.1 The planning application seeks to gain consent for the redevelopment of a brownfield site, within East Manchester and the Inner Areas, an area that is identified as suitable for residential development.
- 7.2 The Proposed Development will provide 194 no. residential dwellings within Manchester's Strategic Housing Location, a key location for new residential development. Each property will provide suitable accommodation for a family, a housing priority for East Manchester.
- 7.3 The Site is in a highly accessible location, with an excellent level of public transport provision in the vicinity of the Site, with easy walking access to the Metrolink. Additionally, there are a wide range of amenities and services within easy walking or cycling distance from the Site.
- 7.4 The planning application has been supported by a comprehensive suite of technical documents, all of which demonstrate that there will be no detrimental impacts as a result of the Proposed Development, specifically relating to highways, ecology, residential amenity, noise, and trees.

Conclusions

- 7.5 As the Proposed Development comprises residential dwellings it is relevant to consider the proposals against the provisions of the 'presumption in favour of sustainable development' as outlined in Paragraph 11 (Section 2) of the NPPF. For decision-taking this means:

"c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

- 7.6 As MCC have an up-to -date Development Plan, this is the starting point for decision making in this instance.
- 7.7 As outlined within **Chapter 6** of this Statement, the Proposed Development represents sustainable development and clearly accords with the Development Plan. Consequently, Paragraph 11c of the Presumption in Favour of Sustainable Development is engaged.
- 7.8 Accordingly, and as the Proposed Development will not result in any adverse impacts of granting permission, which would significantly and demonstrably outweigh the benefits of the development in this instance, in line with Paragraph 11 of the NPPF, it is respectfully requested that permission be granted without delay.

7.9 The proposals accord with the three overarching objectives of the planning system as set out within the NPPF:

- The development will lead to economic benefits by delivering residential development that meets locally identified housing needs (family and affordable housing) whilst supporting growth, as well as creating new jobs throughout the construction and operation of the development.
- Social benefits will be delivered by way of ensuring that a sufficient number and range of homes will be provided to meet the needs of present and future generations, supporting a strong, vibrant and healthy community within East Manchester.
- The proposals will ensure consistency with the surrounding natural and built environment, reflected by the nature of the proposed design and the findings of the associated technical studies prepared and submitted in support of the planning application.

7.10 Therefore, turning to Paragraph 11 of the NPPF, it is evident that the proposals accord with an up-to-date Development Plan and other relevant material considerations; clause 11(c) is therefore engaged and the planning application should be approved without delay.

Appendix 1: Local Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the Development Plan unless material considerations indicate otherwise.

The Site is located within the administrative control of MCC. The relevant Development Plan therefore comprises:

- MCC Core Strategy 2012-2027 ('CS'); and
- The 'saved' policies of the Unitary Development Plan ('UDP').

Adopted Local Plan

MCC Core Strategy

The Manchester CS was adopted in July 2012 and is the key, overarching Development Plan Document ('DPD') within the Local Development Framework ('LDF'). The CS has replaced significant elements of the Manchester UDP, and the CS is the document that sets out the long-term strategic policies for Manchester's future development.

The relevant saved policies of the Manchester Core Strategy are set out in **Table A1-1** below.

Policy	Summary
Policy SO1: Spatial Principles	Provides a framework within which the sustainable development of the City can contribute to halting climate change.
Policy SO3: Housing	Policy SO3 seeks to provide for a significant increase in high quality housing provision at sustainable locations throughout the City, to both address demographic needs and to support economic growth.
Policy SO6: Environment	Policy SO6 seeks to protect and enhance both the natural and built environment of the City and ensure the sustainable use of natural resources.
Policy SP1: Spatial Principles	States that the Regional Centre will be the focus for economic and commercial development, retail, leisure and cultural activity, alongside high-quality city living. Notes that the majority of new residential development in these neighbourhoods will be in the Inner Areas, defined by the North Manchester, East Manchester and Central Manchester Regeneration Areas.
Policy H1: Overall Housing Provision	Approximately 60,000 new dwellings will be provided for in Manchester between March 2009 and March 2027; predominantly to be provided in the North, East, City Centre and Central Manchester. The Policy states that 90% of residential development will be on previously developed land.
Policy H4: East Manchester	This policy states that East Manchester will assist with the delivery of around 30% of new residential development (approximately 8,280 residential units) between 2009-2027. It is noted that priority will be given to family housing and other high value, high quality development where this can be sustained.
Policy H8: Affordable Housing	Affordable housing is required on all residential developments that propose 15 or more units. New development will contribute to the City-wide target of 20% of new housing provision to be affordable and it is envisaged that 5% of new housing provision will be social or affordable rented and 15% will be intermediate housing, delivering affordable home ownership options. The proportion of affordable housing units will reflect the type and size of the development as a whole.

Policy	Summary
Policy EC1: Employment and Economic Growth in Manchester	Policy EC1 sets out the priorities for delivering economic growth within Manchester. The focus for new employment uses is to be the Regional Centre. Development proposals are required to demonstrate how CO2 emissions will be minimised with an aim of zero carbon emissions, through energy efficiency, renewable energy and contributing to low and zero carbon decentralised energy infrastructure and ensuring design makes the best possible use of a site or building in terms of efficient use of space, enhancing the sense of place of the wider area and minimising detrimental impacts on adjacent uses, considers the needs of users/employees of a site/building for access via walking, cycling and public transport and reduction of opportunities for crime by applying current best practice in security design.
Policy EC2: Existing Employment Space	Policy EC2 states that “the Council will seek to retain and enhance existing employment space and sites”. It continues, “Alternative uses will only be supported if it can be demonstrated that: • <i>The existing use is unviable in terms of business operations, building age and format;</i> • <i>The existing use is incompatible with adjacent uses;</i> • <i>The existing use is unsuitable for employment having regard to the Manchester-Salford-Trafford SFRA; or</i> <i>On balance, proposals are able to offer greater benefits in terms of the Core Strategy’s vision and spatial objectives than the existing use.</i>
Policy T1: Sustainable Transport	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: Promote regeneration and economic viability by relieving traffic congestion and improving access to jobs and services, particularly for those 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. Facilitate modes of transport that reduce carbon emissions e.g. by incorporating charging points for electric vehicles subject to appropriate design and location. Take account of the needs of road users accordingly to a broad hierarchy.
Policy T2: Accessible Areas of Opportunity and Need	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 to ensure that new development is easily accessible by walking, cycling and public transport, connecting residents to jobs, centres, health, leisure, open space and educational opportunities. All development should provide appropriate car parking facilities.
Policy EN1: Design Principles and Strategic Character Areas	All development in Manchester will be expected to follow the seven principles of urban design and have regard to the strategic character area in which the development is located.

Policy	Summary
Policy EN3: Heritage	Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods.
Policy EN4: Reducing CO2 Emissions by Enabling Low and Zero Carbon Development	The Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO2 emissions, and rising fossil fuel prices, through several actions, including the requirement for all new development to follow the principle in the Energy Hierarchy.
Policy EN6: Target Framework for CO2 reductions from low or zero carbon energy supplies	Applications for residential development of 10 or more units will be expected as a minimum to meet the targets set out in this policy unless this can be shown to be unviable. This should be demonstrated through an Energy Statement. This Energy Statement will be expected to set out the projected regulated energy demand and associated CO2 emissions for all phases of the development.
Policy EN8: Adaptation to Climate Change	All development will be expected to be adaptable to climate change in terms of design, layout, siting and function of buildings and external spaces.
Policy EN14: Flood Risk	Development should be directed away from sites at the greatest risk of flooding, and towards sites with little or no risk of flooding, this should take account of all sources of flooding identified in Manchester-Salford-Trafford SFRA. All new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of Green Infrastructure. Developers should have regard to the surface water run-off rates in the SFRA User Guide.
Policy EN15: Biodiversity and Geological Conservation	The Council will seek to maintain or enhance sites of biodiversity or geological value throughout the City. 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.
Policy EN16: Air Quality	The Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas.
Policy EN17: Water Quality	With reference to the Manchester-Salford-Trafford SFRA and other relevant documents: Development should avoid any adverse impacts on water quality, including during the construction phase, and wherever possible should seek to enhance water quality, both chemical and ecological. Development should minimise surface water run-off from development and associated roads, and minimise groundwater contamination, and to avoid pollutants reaching watercourses. Development close to a water course should also ensure that waste or litter cannot enter the watercourse from the site. Development should, where feasible and appropriate, see to open up and culverted or hidden watercourse beneath the site to improve the ecological status of that watercourse.
Policy EN18: Contaminated Land and Ground Stability	The Council will give priority for the remediation of contaminated land to strategic locations as identified in the Core Strategy. Any proposal for development of contaminated land must be accompanied by a health risk assessment.
Policy EN19: Waste	The Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy. All developers will

Policy	Summary
	be required to submit a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled wherever possible and how the sustainable waste management needs of the end user will be met.
Policy PA1: Developer Contributions	Where needs arise as a result of the development, the Council will seek to secure planning obligations in line with Circular 5/2005, Community Infrastructure Levy regulations or successor regulations/ guidance. The nature and scale of any planning obligations sought will be related to the form of development and its potential impact upon the surrounding area.
Policy DM1: Development Management	All development should have regard to the following specific issues including: appropriate siting, layout, scale, form, massing, materials and detail; effects on amenity such as noise, light, air quality, road safety and traffic generation; accessibility; community safety and crime prevention; vehicular access; refuse storage and collection; vehicular access and car parking; effects on biodiversity, archaeological or built heritage; flood risk and drainage; and green infrastructure.

^ Table A1-1

Saved Policies of the Manchester Unitary Development Plan

Several of the policies set out in the UDP adopted in July 1995 were ‘saved’ in 2012 and are still in effect today. The policies relevant to the Proposed Development are summarised in **Table A1-2** below:

Policy	Summary
Policy DC7: New Housing Development	The Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, including those who use wheelchairs, wherever this is practicable. All new developments containing family homes will be expected to be designed so as to be safe areas within which children can play.
Policy DC19: Listed Buildings	In determining applications for development that would involve or have an impact on buildings of special architectural or historic interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting.
Policy DC20: Archaeology	The Council will give particular consideration to development proposals which affect sites of archaeological interests, to ensure their preservation in place.
Policy DC26: Development and Noise	The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both: - The effect of new development proposals which are likely to be generators of noise; and - The implications of new development being exposed to existing noise sources which are effectively outside planning control. New noise-sensitive developments (including large-scale changes of use of land or buildings) such as housing, schools, hospitals, or similar activities, will be permitted subject to them not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this Policy, the Council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.

Policy	Summary
	Where the Council believe that 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, it will in either case require the applicant to provide an assessment of the likely impact and of the measures proposed to deal with it satisfactorily.

^ Table A1-2

Places for Everyone

Places for Everyone (“PfE”) is a plan of nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) for jobs, new homes, and sustainable growth that covers the period from 2022 up to 2039. The plan was adopted on 21 March 2024 and forms part of the Development Plan for each of the nine Local Planning Authorities.

Policy	Title
JP-S1 - Sustainable Development	The Policy seeks to help tackle climate change, development should aim to maximise its economic, social and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives. In bringing forward previously developed sites for development, particular attention will be paid to tackling land contamination and stability issues, ensuring that appropriate mitigation and remediation is implemented to enable sites to be brought back into use effectively.
JP-S2 - Carbon and Energy	Development proposals should set out how this has been achieved in an energy statement in accordance with the energy hierarchy, which in order of importance seeks to: i. Minimise energy demand; ii. Maximise energy efficiency; iii. Use renewable energy; iv. Use low carbon energy; and v. Utilise other energy sources. From 2025 any residual carbon emissions that cannot be fully mitigated on-site should be offset, in agreement with the relevant local planning authority through a financial contribution to a carbon offset fund. a. As an interim measure, development should be consistent with the 2022 Part L Building Regulations unless superseded by changes to building regulations and/or national or local planning policies. b. Incorporate adequate electric vehicle charging points, in line with Part S of the Building Regulations, unless superseded by relevant Local Plan policies, to future proof for the likely long-term demand, taking account of the potential maximum energy demand for the site; c. Where practicable, prioritise connection to a renewable energy/heating/cooling network in the first instance or a low carbon energy/heating/cooling network that is adaptable to non-fossil fuels at a later date; d. In residential developments, achieve energy demand reductions in terms of space heat demand; hot water energy demand and the delivery of on-site renewable energy generation,

Policy	Title
JP-S4 - Flood Risk and the Water Environment	An integrated catchment-based approach will be taken to protect the quantity and quality of water bodies with reference to the North West River Basin Management Plan and managing flood risk, by: 1. Returning rivers to a more natural state, where practicable; 2. Working with natural processes and adopting a natural flood management approach to slow the speed of water drainage and intercept water pollutants; 3. Locating and designing development so as to minimise the impacts of current and future flood risk, including retrofitting or relocating existing developments, infrastructure and places to increase resilience to flooding; 4. Expecting developments to manage
JP-S5 - Clean Air	A comprehensive range of measures will be taken to support improvements in air quality, focusing particularly on locations where people live, where children learn and play, where there are impacts on the green infrastructure network and where air quality targets are not being met.
JP-H1 - Scale, Distribution and Phasing of New Housing Development	A minimum of 175,185 net additional dwellings will be delivered over the period 2022-2039, or an annual average of around 10,305. The new homes will be of good quality and design, adaptable, supported by the necessary infrastructure and amenities.
JP-H2 - Affordability of New Housing	Substantial improvements will be sought in the ability of people to access housing at a price they can afford, including through: • Significantly increasing the supply of new housing, in accordance with Policy JP-H1 'Scale, Distribution and Phasing of New Housing Development', thereby reducing the potential for a shortfall to lead to large house price and rent increases • Support provision of affordable housing as part of new developments (avoiding where possible clusters of tenure to deliver mixed communities)
JP-H3 - Type, Size and Design of New Housing	Residential developments should provide an appropriate mix of dwelling types and sizes reflecting local plan policies, and having regard to masterplans, guidance and relevant local evidence. Housing provision to accommodate specific groups, such as students and travelling people, will be addressed through district local plans. All new dwellings must: 1. Comply with the nationally described space standards; and 2. Be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable. Innovation in housing development will be supported where it is consistent with the principles of good design and contributes to local distinctiveness, including the use of modern methods of manufacturing that can help to improve the speed of delivery and increase building standards.

Policy	Title
JP-H4 - Density of New Housing	New housing development should be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high-quality design.
JP-G6 - A Net Enhancement of Biodiversity and Geodiversity	Development should be designed to support the positive use of nearby green spaces, such as by offering a high-quality setting, providing natural surveillance, and facilitating easy access by walking and cycling.
JP-G8 - A Net Enhancement of Biodiversity and Geodiversity	Development will be expected to: a. Follow the mitigation hierarchy of: i. Avoiding significant harm to biodiversity, particularly where it is irreplaceable, through consideration of alternative sites with less harmful impacts, then ii. Adequately mitigating any harm to biodiversity, then iii. Adequately compensating for any remaining harm to biodiversity b. Avoid fragmenting or severing connectivity between habitats; c. Achieve a measurable net gain in biodiversity of no less than 10% d. Make appropriate provision for long-term management of habitats and geological features connected to the development; e. Where appropriate, development should: mitigate air pollution impacts on Manchester Mosses SAC; mitigate urban edge, functionally linked land and recreation disturbance impacts on the South Pennine Moors SAC/SPAs; and assess and potentially mitigate boat movement, water pollution, and light spillage and shading impacts on the Rochdale Canal SAC; and f. Development proposals should be informed by the findings and recommendations of the appropriate biodiversity/ecological assessment(s) in the PfE evidence base and/or any updated or appropriate biodiversity/ecological assessments submitted as part of the planning application process.
JP-P6 - Health	To help tackle health inequality new development will be required, as far as practicable, to: A. Maximise its positive contribution to health and wellbeing, whilst avoiding any potential negative impacts of new development; B. Support healthy lifestyles, including through the use of active design principles making physical activity an easy, practical and attractive choice; and C. Be supported by a Health Impact Assessment for all developments which require to be screened for an Environmental Impact Assessment, and other proposals which, due to their location, nature or proximity to sensitive receptors, are likely to have a notable impact on health and wellbeing.
JP-C1 - An Integrated Network	This Policy supports delivering a pattern of development that minimises both the need to travel and the distance travelled by unsustainable modes to jobs, housing and other key services, including healthcare, education, retail, recreation and leisure facilities, green space and green infrastructure. Development and transport investment should ensure that they fully consider the needs of all people and those modes which make most

Policy	Title
	efficient and sustainable use of limited road space, by following the hierarchy set out below (highest priority first): - Pedestrians (and people using mobility aids); - Cyclists, powered two-wheelers, and public transport users; - People doing business or providing services (such as taxis/private hire, deliveries or waste collection) - People in personal motorised vehicles
JP-C2 - Digital Connectivity	The Policy requires all new development to have full fibre to premises connections, unless technically infeasible and/or unviable, and to incorporate multiple-ducting compliant with telecoms standards, to facilitate future-proof gigabit-capable network connections. It is expected that internet connections will be operational and immediately accessible to network providers when occupiers move into new properties.
JP-C5 - Streets for all	Streets will be designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport. Targeted improvements to the highway network will be supported through studies and scheme development, where they complement the aim of securing a significant increase in the proportion of trips made by walking, cycling and public transport.
JP-C6 - Walking and Cycling	In order to help deliver a higher proportion of journeys made by walking and cycling, we will support a range of measures, including: - Creating safe, attractive and integrated walking and cycling infrastructure, connecting every neighbourhood and community with reference to national and locally adopted design guidance; - Ensuring routes are direct, easily navigable and integrated with the street and public transport network; - Creating active neighbourhoods and street networks which are more permeable to walking and cycling than to the private car, creating an incentive to walk and cycle; - Creating, where needed, dedicated separate space for people walking and cycling, with pedestrians and cyclists given priority at junctions and crossings; - Increasing the capacity and quality of walking and cycling infrastructure in locations where significant growth in the number of short journeys is anticipated, and where quality of place improvements are proposed; - Utilising and enhancing green infrastructure, including canals, parks and recreation grounds, to create opportunities for walking and cycling.
JP-C8 - Transport Requirements of New Development	New development is required to be located and designed to enable and encourage walking, cycling and public transport use, to reduce the negative effects of car dependency, and help deliver high quality, attractive, liveable and sustainable environments.
JP-D2 - Developer Contributions	The Policy requires developers to provide, or contribute towards, the provision of mitigation measures to make the development acceptable in planning terms. These will be secured through the most appropriate mechanism, including, but not limited to, planning conditions, Section 106 planning obligations, agreements made under Section 278 of the

Policy	Title
	Highways Act 1990 (as amended), or CIL (or any subsequently adopted planning gain regime). If an applicant wishes to make a case that a development is not viable, they should provide clear evidence at the planning application stage, identifying the specific issues and/or changes in circumstance which would create barriers to delivery in a transparent manner and reflecting national guidance. Where it is accepted that viability should be considered as part of the determination of an application, the Local Planning Authority should determine the weight to be given to a viability assessment alongside other material considerations.

^ Table A1-2

Supplementary Planning Documents and Planning Guidance

In addition, MCC has also adopted a number of Supplementary Planning Documents (“SPD”), which will be considered in turn below.

Guide to Development in Manchester SPD

The Guide to Development in Manchester SPD was adopted in April 2007 and the SPD sets out the design principles and standards that MCC expects new development to achieve. The key principles and standards relevant to the Proposed Development are set out in **Table A1-3**:

Guidance	Summary
Areas of change should promote a sense of place	In areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development of new buildings relates well to, and helps to enhance, areas that are likely to be retained and contributes to the creation of a positive identity
Neighbourhoods should contain a mix of housing	Successful neighbourhoods offer a choice of housing to enable residents to continue to live in an area as their needs and aspirations change. Social and private housing should complement each other to deliver choice and balance.
New developments should maximise access for disabled people	The Council will expect developers to comply with the standards detailed in its “Design for Access 2” Manual, and to produce an access statement, with identifies their philosophy and approach to inclusive design.
Environmental Standards	The Council is committed to making Manchester ‘the Greenest City in Britain’ so developers are expected to submit a Statement on how their proposal will achieve the environmental standards required.

^ Table A1-3

Manchester Residential Quality Guidance

MCC has prepared the Residential Quality Guidance (July 2016) for use by architects and developers, to seek to achieve design excellence in all new housing to be built in the City. The document is a material consideration in the determination of planning applications, providing guidance on a range of details including minimum space standards and high environmental standards.

The guidance states that space standards within dwellings should comply with the National Described Space Standards as a minimum. In assessing space standards for a particular development, consideration is to be given to the planning and laying out of the home and the manner in which its design creates distinct and adequate spaces for living, sleeping, kitchens, bathrooms and storage. The size of rooms should be

sufficient to allow users adequate space to move around comfortably, anticipating and accommodating changing needs and circumstances.

Other Relevant Planning and Regeneration Documents

Residential Growth Strategy

Manchester's Residential Growth Strategy recognises the critical relationship between housing and economic growth. The right mix of housing is needed to support growth and ensure that the growing population can live and work in the City and enjoy a good quality of life.

The Strategy sets out six housing growth priorities to meet the City's ambitions for sustainable growth in terms of appropriate locations, type, quality and sustainability credentials as well as anticipating 25,000 homes will be built over the next ten years from 2015 until 2025.

The Strategy provides a framework for action and will be followed by a detailed implementation plan that sets out the short to medium term actions that the City will take to deliver these priorities.

East Manchester Strategic Regeneration Framework 2008-2018

The East Manchester Strategic Regeneration Framework ('SRF') 2008-2018 encompasses the Ancoats, Miles Platting, Beswick, Openshaw, Clayton, Newton Heath, and Gorton neighbourhoods of East Manchester. The SRF establishes principles and objectives to secure long-term, successful and sustainable regeneration. Specifically, it sets out a strategic vision for the neighbourhoods to become attractive places to live that are supported by well-functioning schools, good quality facilities and a reinvigorated housing market.

In terms of housing, one of the aspirations of the SRF is to provide higher quality family housing. The current housing supply in East Manchester does not provide a sufficient diversity of housing types and quality to support a range of people and families at various stages of life and income levels.

The SRF promotes neighbourhood-focused growth through the provision of high-quality housing and services to give existing and new residents the confidence to raise their families in the neighbourhoods in East Manchester. The key actions for housing development have been identified as:

- Prioritise development of high-quality, owner occupied family housing;
- Promote neighbourhood development; and,
- Promote family residential neighbourhoods and discourage apartment development.

Amongst the key priorities, the SRF focusses on continuing the process of establishing distinct, sustainable neighbourhoods which each provide a suitable mix of housing types with access to excellent education and healthcare facilities. The SRF acknowledges Openshaw as a suitable location for apartment development.

Statement of Community Involvement

On 11 June 2018 the Council adopted a refreshed Statement of Community Involvement ('SCI') which sets out how residents and other stakeholders can get involved in the preparation of planning policies, frameworks and neighbourhood planning processes in Manchester and also how interested parties can make comments on planning applications received by the Council.

Appendix 2: National Planning Policy

Background

The revised National Planning Policy Framework (“NPPF”) was published by the Ministry of Housing, Communities & Local Government (“MHCLG”) on 12 December 2024 and is a significant material consideration in planning decisions.

Introduction (Section 1: ¶ 1 to 6)

The NPPF Introduction (Section 1) sets out the Government’s planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. The policies in the Framework should be taken into account in dealing with applications from the day of its publication [paragraph 231].

The NPPF is set out over 17 Sections along with Annex 1, Implementation; Annex 2, Glossary; and Annex 3 Flood Risk Vulnerability Classification, and covers 243 paragraphs. Paragraph 3 states that ‘the Framework should be read as a whole (including its footnotes and annexes)’.

It is relevant to note that the NPPF goes on to outline in paragraph 6 that other statement of government policy may be material when preparing plans or deciding planning applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission.

Achieving Sustainable Development (Section 2: ¶ 7 to 14)

Three Overarching Objectives

Paragraph 7 of the NPPF informs that the United Kingdom, as a member of the United Nations, has agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and, achieving this means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that objectives can be taken to secure net gains across each of the different objectives. These objectives are defined as follows:

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed, beautiful and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Importantly the NPPF states that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in so doing “take local circumstances into account, to reflect the character, needs and opportunities of each area”.

Presumption in favour of sustainable development

Paragraph 11 of the NPPF states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

“c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date [in line with Footnote 8]., granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance [in line with Footnote 7]. provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination [in line with Footnote 9].”

Footnote 7, Footnote 8 and Footnote 9 relates to the provisions of paragraphs 11d (i) and 11d and respectively; they state:

“Footnote 7: The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.

Footnote 8: This includes, for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. See also paragraph 227.

Footnote 9: The policies referred to are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12. “

Decision-Making (Section 4: ¶ 39 to 60)

Section 4 of the NPPF provides guidance regarding the decision-making process. It states, in paragraph 39, that Local Planning Authorities should approach decisions on proposed development ‘in a positive and creative way’, and should look to use the full range of planning tools to secure developments ‘that will improve the economic, social and environmental conditions of the area.’

Pre-application engagement and front-loading

The NPPF promotes pre-application engagement and front-loading and states that “early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties”.

Determining applications

Paragraph 49 of Section 4 provides guidance regarding the weight that should be given by LPAs when determining applications against emerging plans; it states:

“a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given) [in line with Footnote 23].

Planning conditions and obligations

Paragraphs 56 to 59 of Section 4 provide guidance regarding the use of planning conditions and obligations, along with the submission of viability assessments.

Paragraph 58 provides guidance on when planning obligations should be sought, stating that this is only necessary where they meet the following tests:

“a) Necessary to make the development acceptable in planning terms;

b) Directly related to the development; and

c) Fairly and reasonably related in scale and kind to the development”

Delivering a sufficient supply of homes (Section 5: ¶ 61 to 84)

Section 5 of the NPPF states that 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 63 outlines that “the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.” This includes but is not limited to:

“those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing with care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.”

Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required (including the minimum proportion of Social Rent homes required), and expect it to be met on-site unless:

“a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and

b) the agreed approach contributes to the objective of creating mixed and balanced communities.”

Identifying land for new homes

Paragraph 72 states that planning policies should identify a supply of:

- a) specific, deliverable sites for five years following the intended date of adoption; and
- b) specific, developable sites or broad locations for growth, for the subsequent years 6-10 and, where possible, for years 11-15 of the remaining plan.

The delivery of 'small and medium sized sites' are also promoted in paragraph 73 of the NPPF on the basis that they can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.

Maintaining supply and delivery

Paragraph 79 outlines that to maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below the local planning authority's housing requirement over the previous three years, the following policy consequences should apply:

"a) where delivery falls below 95% of the requirement over the previous three years, the authority should prepare an action plan to assess the causes of underdelivery and identify actions to increase delivery in future years;

b) where delivery falls below 85% of the requirement over the previous three years, the authority should include a buffer of 20% to their identified supply of specific deliverable sites as set out in paragraph 78 of this framework, in addition to the requirement for an action plan;

c) where delivery falls below 75% of the requirement over the previous three years, the presumption in favour of sustainable development applies, as set out in footnote 8 of this Framework, in addition to the requirements for an action plan and 20% buffer."

Paragraph 81 states that, to help ensure that proposals for housing development are implemented in a timely manner, LPAs should consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability. For major development involving the provision of housing, local planning authorities should also assess why any earlier grant of planning permission for a similar development on the same site did not start.

Paragraph 83 states that in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 84 goes on to set at the parameters whereby the development of isolated homes in the countryside is permitted.

Promoting Healthy and Safe Communities (Section 8: ¶ 96 to 107)

Section 8 seeks to achieve healthy, inclusive and safe places which:

"a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and

c) enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”

In order to provide the social, recreational and cultural facilities and services that community needs, the NPPF states that planning policies and decision should plan positively for the provision of shared spaces, community facilities (including local shops, sports venues, open spaces, and other meeting places including public houses and places of worship) and other local services. It also seeks to guard against the unnecessary loss of valued facilities and services, and ensure that established shops, facilities and services are able to develop and be modernised and retained for the benefit of the community (paragraph 98).

It also sets out a requirement to ensure that a sufficient choice of school places available to meet the needs of existing and new communities (paragraph 100).

Specifically:

“100. It is important that a sufficient choice of early years, school and post-16 places are available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

a) give great weight to the need to create, expand or alter early years, schools and post-16 facilities through the preparation of plans and decisions on applications; and

b) work with early years, school and post-16 promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

Paragraph 104 is also relevant as it discusses open space and recreation, specifically stating that existing open space, sports and recreational buildings should not be built on unless:

“a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

b) the loss resulting from the Proposed Development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use”.

Paragraph 106 to 108 provides guidance on Local Green Spaces, including the merits for their designation and policies for managing development within a Local Green Space.

Promoting sustainable transport (Section 9: ¶ 109 to 118)

Section 9 seeks to ensure that sustainable transport modes are promoted through both the plan making process as well as in the determination of planning applications.

Paragraph 109 states that transport issues should be considered at the earliest stage of plan making, and paragraph 110 advises that the planning system should actively manage patterns of growth, including limiting the need to travel, offering a genuine choice of modes, as well as helping to reduce congestion and emissions to improve air quality and public health.

Paragraphs 112-113 provide guidance in relation to car parking policies, and confirms that local set standards should take account of accessibility; type, mix and use of the development; availability of public transport; local car ownership levels; and the need for adequate spaces where electric cars can be charged.

In terms of decision-making, paragraph 110 confirms that proposals should be assessed on the basis that sustainable transport modes are prioritised, safe and suitable access can be achieved for all users, and that any significant impacts on the highway network or on highways safety can be cost effectively mitigated.

Importantly paragraph 116 states:

“Development 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, taking into account all reasonable future scenarios.”

In light of this, paragraph 117 states that development should: give first priority to pedestrian and cycle movements as well as high quality public transport; address the needs of people with disabilities and reduced mobility; create places that are safe, secure and attractive; allow for the efficient delivery of goods and access by emergency service vehicles; and, be designed to allow for electric cars to be charged.

Paragraph 118 also requires all developments that will generate significant amounts of movement to provide a travel plan, and be supported by a vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored.

Making Effective Use of Land (Section 11: ¶ 124 to 130)

Section 11 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding the environment and ensuring safe and healthy living conditions. Strategic policies should set a clear strategy for accommodating objectively assessed needs, in a way that “makes as much use as possible of previously-developed or ‘brownfield land’ [in line with Footnote 49]”.

Paragraph 125 is noteworthy and states that planning policies and decisions should:

“a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;

b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)⁵⁰; and

e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions – including mansard roofs – where the development would be consistent with the prevailing form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers. A condition of simultaneous development should not be imposed on an application for multiple upward extensions unless there is an exceptional justification. “

Guidance in respect of ‘achieving appropriate densities’ is set out in paragraphs 129 and 130 of Section 11; the latter stating that planning policies and decisions should support development that makes efficient use of land.

Paragraph 130 specifically states that “*area-based character assessments, design guides and codes and masterplans can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. Where there is an existing or anticipated shortage of land for 37 meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances”.*

Achieving Well-Designed Places (Section 12: ¶ 131 to 141)

Section 12 of the NPPF explains that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (Paragraph 131).

Paragraphs 133 and 134 provides guidance for Local Planning Authorities in terms of creating local design guides and codes. The NPPF advises that design guides “*can be prepared at an area-wide, neighbourhood or site-specific scale*” and that “*landowners and developers may contribute to these exercises but may also choose to prepare design codes in support of a planning application for sites they wish to develop*”.

Paragraph 135 is noteworthy and states that planning policies and 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;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 136 outlines the importance of tree contributing to character and quality of urban environments, as well as mitigating and adapting to climate change. Specifically it states that “planning policies and decisions should ensure that new streets are tree-lined [in accordance with footnote 52]” and applicants and local planning authorities should work with tree officers to ensure this.

Paragraph 139 outlines that “*significant weight should be given [when determining applications] to a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings*”.

Meeting the challenge of climate change, flooding and coastal change (Section 14: ¶ 161 to 186)

Section 14 sets out guidance for ensuring the planning system supports the transition to a low carbon future in a changing climate, taking into account flood risk and coastal change. This specifically includes supporting the transition to net zero by 2050, encouraging the re-use of existing resources, including the conversion of existing buildings, and supporting renewable and low carbon energy and associated infrastructure.

Planning for climate change

Paragraph 162 expects new development to take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating and drought from rising temperatures.

It is advised that new development should be planned to avoid increased vulnerability to impacts arising from climate change; incorporating green infrastructure and sustainable drainage systems; and reduce greenhouse gas emissions including through location, orientation and design.

Paragraph 167 requires Local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights).

Paragraph 168 also requires that in determining planning applications, local authorities give significant weight to the benefits associated with renewable and low carbon energy generation and the proposed contribution to a net zero future.

Planning and flood risk

Paragraph 170 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future) noting where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraph 173 states that a sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding with the aim of the test being to steer new development to areas with the lowest risk of flooding from any source.

To this end paragraph 174 confirms that development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding, and that the strategic flood risk assessment will provide the basis for applying this test.

Where having applied the sequential test, if it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied dependant on the need for the exception test will depend on the potential vulnerability of the site and of the development proposed.

Conserving and enhancing the natural environment (Section 15: ¶ 187 to 201)

Paragraph 187 introduces Section 15 and sets out that planning policies and decisions should contribute to and enhance the natural and local environment. This paragraph goes on to explain that one way in which this should be achieved is through minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 187 goes to state that planning decisions should be preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should also be remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Habitats and Biodiversity

The NPPF states at Paragraph 193(a) that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Paragraph 195 also states that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

Ground conditions and pollution

In terms of ground conditions and pollution the NPPF states in paragraph 196 that planning policies and decisions should ensure that a 'site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation)'.

Paragraphs 197 goes on to state that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

More generally, the NPPF reports that planning policies and decisions should also ensure that new development is appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health and the quality of life, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development (Paragraph 198).

Paragraph 199 states that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.

Similarly paragraph 200 is relevant:

“Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.

Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”

Conserving and enhancing the historic environment (Section 16 ¶ 202:221)

Paragraph 207 of the NPPF sets out that an applicant should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 210 is also of relevance to this application and states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

Considering potential impacts

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance (Paragraph 212).

Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Linked to the above, Paragraph 214 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.