

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142021/NMC/2025

Date registered valid: 31 January 2025

Proposal: Non-material amendment to reserved matters approval 137751/MO/2023 to allow: reduction of footway widths /service strip to the turning head; reduction of the length of the turning head; land outside of the highway boundary to the turning head to be incorporated into private gardens for maintenance purposes or hard surfaced, and minor amendments to landscaping details and boundary treatments in connection of the proposed revisions.

Address: Land Opposite 83-87 Vine Street, Manchester, M18 8SR

Ward(s): Gorton & Abbey Hey Ward

Applicant: Kirkland Developments

Agent (if any): Miss Ailsa Goudie, NJL Consulting

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approved

Date of recommendation: **24th February 2025**

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Standard consultations:

Printed: 31 January 2025 Expired: 21 February 2025

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The site is bounded by the Manchester to Marple railway to the north, a recently built housing development comprising 46 dwellinghouses to the south (planning ref 104855/FO/2014/N2), traditional terraced housing to the east, and the Enterprise Trading Estate to the west. With the exception of the small trading estate and a terrace of small local shops on Constable Street further to the west, the area is largely residential. The topography of the developable area of the site is predominantly flat. The site is irregular in shape and is a brownfield site. The land has no buildings, and has been vacant since railway maintenance buildings have been removed and the branch railway line dismantled with the subsequent infilling of the cutting, in approx. 1999. The previous use of the land was an electricity transformer and railway maintenance buildings used by British Rail/ Rail track until the 1990's. The northern area of site comprises a steeply sloping embankment running from east to west (which falls away to the Manchester to Marple rail line), which cannot be developed. There is also a 10m no build zone required by Network Rail, which is measured from the fence line forming the boundary to Network Rail's land at the bottom of the embankment. Access is currently provided from Vine Street directly to the south of the railway cutting. The site is not located within a Conservation Area, and there are no listed buildings in close proximity to the site. The site has previously been granted planning approval for a part single part two storey specialist rehabilitation and recovery facility (Class C2) in July 2013 (ref: 102193/FO/2013/N2), but this development was not implemented.

128864/OO/2020- Outline planning permission for access and layout only, in connection with the development of 25 two storey houses accessed from Vine Street, with all other matters are reserved was approved subject to a section 106 agreement in relation to the delivery of affordable housing on 10th March 2023.

137751/MO/2023 - Reserved Matters for consideration of appearance, landscape and scale following outline planning permission referenced 128864/OO/2020 for 25 x 2 storey dwellinghouses (Class C3) was approved on 9th November 2023.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Previously approved scheme

Consent for reserved matters for consideration of appearance, landscape and scale was approved in November 2023, following outline planning permission referenced 128864/OO/2020 for 25 x 2 storey dwellinghouses (Class C3) which approved the layout of the site and access to it from Vine Street in March 2023. A variety of house types were approved, comprising a mix of 15 two bedroom, 9 three bedroom and 1 four bedroom houses, in the form of 12 no. 2 bedroom 3 person semi-detached, 3 no. 2 bedroom 3 person terrace, 6 no. 3 bedroom 4 person semi-detached, 3 no. 3 bedroom 4 person terrace, and 1 no. 4 bedroom 5 person detached. The proposed two storey houses were to be contemporary in appearance, but were to be formed with traditional materials. Each house had a front and rear garden. The tenure for all the proposed houses was affordable rent being delivered through a registered provider (Southway Housing). Access was approved at the Outline stage of the planning process, being taken from Vine Street at a location to the south of the existing access to the site, with the existing dropped cross over being reinstated. The access and layout in the form of a spine road running east west from Vine Street through the centre of the site, which terminates in a turning head at the western end of the site, with houses located to the north and south of the proposed road, orientated to face onto the street as the approved scheme at the outline stage of the planning process.

Description of development

The proposed amendments seek to update the approved plans under Condition nos. 2, 33 and 34 to reflect minor design changes to the turning circle area. During a recent review of the land titles for the site, it was discovered that two small parcels of land, located to the east of the turning head area and shown on the original plans, do not form part of the Applicant's land title. The scheme has therefore been amended by the applicant to address the impact of these parcels and facilitate a scheme that is both constructible and meets the requirements for highway adoption.

Revisions to the previously approved scheme include:

- Reduction in footway/service strip width to 1m only in the immediate vicinity of the turning-head (2m footways retained along the remainder of footway to both sides of the new access road).
- Reduction of the length of the turning head to 12.75m.
- Land beyond the end of the revised turning head to form rear /side garden area to plot no.10.
- Land to the east of the footway/service strip to the turning head to be hard surfaced in bitmac.
- Incorporation of low black railing fence above a conservation kerb (overall height 600mm) along land ownership boundary to the east of the turning head.
- Installation of a 1.8m close boarded fence to the end of the turning head and eastern boundary to extended garden to plot no.10 to enclose resultant enlarged garden area.

Consultations & Notification Responses

Highway Services - Have advised that the submitted plan VSG-RDG-XX-XX-DR-C-0050-P10 shows:

- Swept-path assessment which demonstrates adequate manoeuvring space for a refuse vehicle:
- Provision of service-strip around turning-head;

- Minor reduction in footway width only in the immediate vicinity of the turning-head (2m footways retained along the remainder of footway to both sides of the new access road.
- Retention of 5.5m carriageway.
- Areas of landscaping around the revised turning-head configuration are shown to be private/incorporated into gardens or formed of hardstanding for maintenance purposes. Highways have no objection to the proposals.

Issues

Policy Context

These include Core Strategy policies SP1 (Spatial Principles); Policy DM1 (Development Management); Policy H1 (Overall Housing Provision); Policy H4 (East Manchester); Policy H8 (Affordable Housing); Policy T1 (Sustainable Transport); Policy T2 (Accessible areas of opportunity and needs); Policy EN1 (Design principles and strategic character areas); Policy EN4 (Reducing CO2 emissions by enabling low and zero carbon development); Policy EN5 'Strategic areas for low and zero carbon decentralised energy infrastructure'; Policy EN6 (Target framework for CO 2 reductions from low or zero carbon energy supplies); Policy EN 8 (Adaptation to Climate Change); Policy EN9 (Green Infrastructure); Policy EN14 (Flood Risk); Policy EN15 (Biodiversity and Geological Conservation); Policy EN16 (Air Quality); Policy EN18 (Contaminated Land); and Policy EN19 (Waste); Saved UDP policies DC7 (disabled access) , and DC26 (noise), and the guidance provided within the Places for Everyone Plan, the National Planning Policy Framework, NPPG, , the Guide to Development in Manchester Supplementary Planning Document, Manchester Residential Quality Guidance (2016), Providing for Housing Choice – Supplementary Planning Document and Planning Guidance (2008), Residential Growth Strategy (2016) , Strategic Housing Land Availability Assessment (2022), Manchester's Great Outdoors – a Green and Blue Infrastructure Strategy for Manchester (2015), East Manchester Strategic Regeneration Framework (2008 – 2018), Eastlands Regeneration Framework (March 2019), and Manchester Climate Change Framework: 2020-2025 and Manchester Zero Carbon Framework (2020).

Non-material change

The proposed amendments have been assessed, and it can be confirmed that the changes are considered to be of a non-material nature and are considered to be acceptable to the City Council as the Local Planning Authority. The revisions to the approved scheme relate to :

- Reduction in footway/service strip width to 1m only in the immediate vicinity of the turning-head (2m footways retained along the remainder of footway to both sides of the new access road.
- Reduction of the length of the turning head to 12.75m.
- Land beyond the end of the revised turning head to form rear /side garden area to plot no.10.
- Land to the east of the footway/service strip to the turning head to be hard surfaced in bitmac.
- Incorporation of low black railing fence above a conservation kerb (overall height 600mm) along land ownership boundary to the east of the turning head .
- Installation of a 1.8m close boarded fence to the end of the turning head and eastern boundary to extended garden to plot no.10 to enclose resultant enlarged garden area.

It is considered that the proposed revisions would not have a detrimental impact in terms of the visual appearance of the proposed residential development, or the visual and residential amenity of the residential properties in proximity to the site.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

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

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

Recommendation: Approve

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

Paragraph One

The revisions to the approved scheme relate to:

- Reduction in footway/service strip width to 1m only in the immediate vicinity of the turning-head (2m footways retained along the remainder of footway to both sides of the new access road.
- Reduction of the length of the turning head to 12.75m.
- Land beyond the end of the revised turning head to form rear /side garden area to plot no.10.
- Land to the east of the footway/service strip to the turning head to be hard surfaced.
- Incorporation of low black railing fence above a conservation kerb (overall height 600mm) along land ownership boundary to the east of the turning head .
- Installation of a 1.8m close boarded fence to the end of the turning head and eastern boundary to extended garden to plot no.10 to enclose resultant enlarged garden area.

It is considered that the proposed revisions would not have a detrimental impact in terms of the visual appearance of the proposed residential development, or the visual and residential amenity of the residential properties in proximity to the site.

Paragraph Two

Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will not result in any significant material alterations to the planning approval.

Condition no.2 (Specified plans)

2) The development hereby approved shall be carried out in accordance with the following drawings and documents: Drawing ref: 18.13 PL01 (Location Plan); 1813 SA 01 (Site Analysis Plan); 18.13 PL05 (Layout Strategy) received 11th December 2021; as revised by layout shown on 18.13.PL02 rev.G;

Site Analysis photographs 1 of 4; 2 of 4, 3 of 4 and 4 of 4:

Plan ref: 18-442 rev.C (Topographical Land Study);

Planning Statement from NJL Consulting. Ref. December 2020 2020-040;

Design and Access Statement dated December 2020; Mapping information in regard to utilities;

Letter from GMAAS to the developer dated 26th November 2020 confirming the site contains no heritage assets and has a very low potential for archaeological remains;

Air Quality Assessment ref: 4039 r2 dated 4th December 2020;

Preliminary Ecological Appraisal 7 th December 2020 (including plan ref: SE0920-01_ECOP01);

Crime Impact Statement VERSION B: 10th December 2020 Ref: 2020/0631/CIS/01;

Outdoor Lighting Report dated 3 rd December 2020 (including plan ref: 22050-D01(Section 38 Proposed Lighting and Installation Design Layout));

Structural Design Philosophy by Scott Hughes:

Broadband Connectivity Assessment Issue 01:Noise and Vibration Assessment for Planning Purposes dated 7th December 2020 Ref: AEC REPORT: P4238/R1c/RDC;

Arboricultural Impact Assessment 10th December 2020;

Flood Risk Assessment and Drainage Strategy; revision 2 December 2020;

Desk Top Report in relation to ground conditions (including coal mining report)ref: AG3211-20-AL43 Issue 2 dated December 2020;

Waste Management Strategy;

Transport Statement ref: VN 201796 Issue 2 10th December 2020 (including swept path and sightline plans);

Energy and Sustainability Statement dated 1st December 2020; Received 11th December 2020

Drawing ref: 18.13 SX01A (Site Cross Sections).;

and 18.13 SX02A (Site Long Section) received 17th December 2020;

Land ownership plan ref: 7790160 dated 22nd December 2020 to show no land within the site edged red is in Network Rail ownership received 23rd December 2020;

Southway Affordable Housing Mix Statement dated 3rd December 2020 received 18th January 2021;

Plan ref: S18-442 rev.A (Topographical Land Survey showing Trial trench for culverted watercourse) received 18.03.2021;

Affordable Housing Statement dated 25th March 2021 ;

Plan ref: 18.13 PL02 rev.G (site plan for outline planning) and plan ref: 18.13 PL05 rev.A (Layout Strategy)received 21st May 2021;

Design and Access Statement dated May 2023

Preliminary Bat Roost Appraisal and Update Badger Survey Report ref: SE0920-04_G01_DH dated 24th May 2023

Energy Statement ref; Z58150 rev.1

Remediation and Enabling Works Strategy report ref: 14-944-R2 (June 2023) Version 1 dated 19th June 2023

Sheet Piling Works Method Statement

Location Plan ref: PL01

Layout Strategy plan ref: PL 02 A

Site Plan Ground floor plan ref: PL03 D

Site Roof plan ref: PL 05A

Site Plan Ground plan ref: PL06B

House Plans sheet 1 plan ref: PL07B

House Plans sheet 2 plan ref: PL08B

Block Plans and Elevations Sheet 1 plan ref: PL09B

Block Plans and Elevations Sheet 2 plan ref: PL10B

Block Plans and Elevations Sheet 3 plan ref: PL11B

Block Plans and Elevations Sheet 4 plan ref: PL12B

Block Plans and Elevations Sheet 5 plan ref: PL13B

Site Cross Sections SX01

Site Cross Sections SX01

Typical External Works details ref: VSG-RDG-XX-X-DR-C-0010 rev.P02

Earth Works Cut and Fill Isopachytes plan ref: VSG-RDG-XX-X-DR-C-0002 rev.P04

Proposed finished levels plan ref: VSG-RDG-XX-X-DR-C-0001 rev.P05

Biodiversity Enhancements plan ref: SE0920-04_D02 _GS rev.B

Section 278 Works - Proposed External Works plan ref: VSG-RDG-XX-X-DR-C-0014 rev.P01

Section 278 Works - General Arrangement plan ref: VSG-RDG-XX-X-DR-C-0011 rev.P01

Section 278 Works - Proposed Finished Levels plan ref: VSG-RDG-XX-X-DR-C-0012 rev.P01

Section 278 Works - Site Clearance plan ref: VSG-RDG-XX-X-DR-C-0013 rev.P01

Topographical Land Survey S18-442

Received 2nd August 2023

Building for a Healthier Life Assessment received 18th August 2023 (notwithstanding any reference to a community green space);

Email from planning agent dated 23rd August 2023 advising that a substation will not be required.

Garden elevations plan ref: 23.01 EL02 B received 22nd August 2023.

Materials Schedule rev.B received 24th August 2023

Landscape proposals plan ref: SE0920-04_D01 _GS rev.C received 18th September 2023 annotated to reference that 'Any trees lost due to engineering and construction work within the buffer zone between the development and the Network Rail site boundary, will be replaced to avoid the risk of significant tree clearance'.

Street elevations plan ref: 23.01 EL01 D received 29th October 2023

Site layout plan ref: PL02 G and Site Plan First floor plan ref: PL04 B received 1st November 2023

External works layout plan ref: VSG-RDG-XX-XX-DR-C-0009 P03 received 4th November 2023

Site Plan Ground plan ref: PL06 C

Boundary Treatment Sheet 1 Boundary types 1-3 ref: BDT 01 B

Boundary Treatment Sheet 2 Boundary types 4-7 ref: BDT 02 B

Received 6th November 2023

Phase II Geo environmental Site Assessment ref: 14-944-R1 (October 2023) Version 3 dated 11th October 2023 received 8th November 2023

AS AMENDED BY:

Site Plan Layout plan ref: 18.13 PL02H

Layout Strategy plan ref: 23.01 PL02B (in regard to the changes to rear garden to plot 10 surfacing treatment between plot nos.9 and 10)

Site plan ground plan ref: 23.01 PL03 F (in regard to the changes to rear garden to plot 10 surfacing treatment between plot nos.9 and 10)

Site Plan First floor plan ref: PL04 C (in regard to the changes to rear garden to plot 10 surfacing treatment between plot nos.9 and 10)

Site roof plan ref: 23.01 PL05B (in regard to the changes to rear garden to plot 10 surfacing treatment between plot nos.9 and 10)

Site plan boundary plan ref: 23.01 PL06D (in regard to the changes to rear garden to plot 10 surfacing and boundary treatment between plot nos.9 and 10)

Boundary details Sheet 1 Boundary types 1-3 (including Boundary type 3a rev. B) plan ref: 23.01 BDT01C.

Vehicle Tracking (Refuse vehicle 11.220m long) plan ref: VSG-RDG-XX-XX-DR-C-0050 rev. P11

Landscape Proposals Plan SE0920- 05_F3_01_GS_Rev D

Received 29th January 2025

Biodiversity Enhancements Plan ref: SE0920- 05_F3_02_GS_Rev D (solely in regard to the changes to surfacing treatment between plot nos.9 and 10) received 6th February 2025

Proposed external works layout VSG-RDG -XX-XX-DR-C-0009 rev. P07 received 21st February 2025.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) .

Condition no. 33 – Boundary treatment

33) The location, heights, and type of boundary treatment on plan refs: Site Plan Ground plan ref: PL06 D; Boundary details Sheet 1 Boundary types 1-3 (including Boundary type 3a rev. B) plan ref: 23.01 BDT01C; and Boundary Treatment Sheet 2 Boundary types 4-7 ref: BDT 02 B received 6th November 2023 shall be implemented in full before any property is first occupied and retained as such thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, and to prevent unauthorised access to the adjacent railway, in order to comply with Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

Condition no. 34 – Acoustic fencing

34) The location, heights, and type of acoustic fencing boundary treatment on plan refs: Site Plan Ground plan ref: PL06 D (including annotated reference that the nature of the acoustic boundary treatment measures to be installed are to satisfy the noise and vibration survey assessment); Boundary details Sheet 1 Boundary types 1-3 (including Boundary type 3a rev. B) plan ref: 23.01 BDT01C; and Boundary Treatment Sheet 2 Boundary types 4-7 ref: BDT 02 B Received 6th November 2023 shall be implemented in full before any property is first occupied and retained as such thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with Policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), and the guidance provided within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH AREA