

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138348/FO/2023

Date registered valid: 17 October 2023

Proposal: Erection of 4 storey building to form 37 residential apartments (Use Class C3) with associated car parking, amenity space and access

Address: 112 Kenyon Lane, Manchester

Ward(s): Moston Ward

Applicant: Hutchinson Adelphi (Kenyon Lane) Developments Limited and Housing 21

Agent (if any): Mrs Deborah Baker Barnett, Zerum

Case officer: Steven McCoombe
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Recommendation: Approve

Date of recommendation: 22 December 2023

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 10 November 2023

Standard consultations:

Printed: 25 October 2023 Expired: 15 November 2023

Neighbour notifications

Printed: 25 October 2023 Expired: 15 November 2023

Site notice

Posted: 10 November 2023 Expired: 1 December 2023

Press advert

Published: 31 October 2023 Expired: 14 November 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building and surroundings

The application site was formerly occupied by large, detached, three storey, Art Deco style building, formerly home to Adelphi Cinema and until recently, a DIY store.

Due to its poor structural condition, the building has now been demolished, with the site now comprising building rubble associated with the demolition and is fenced off from the southern side of Kenyon Lane by metal fencing.



View of the application site from Kenyon Lane

The site is bounded by Kenyon Lane to the north, opposite of which is a relatively recent part three, part four storey apartment development. To the east is a church (Lightbowne Evangelical Church) and Sunday school. To the west, the site is adjoined by a plumbing supplier, associated service yard and single storey garage buildings. To the south (rear), the site is

neighbouring by a redundant scout hut and two storey, semi-detached dwellinghouses along Brendan Avenue.

The wider area is largely characterised by residential dwellinghouses and apartments, with a small number of local businesses situated on the opposite side of Kenyon Lane.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of development

Planning permission is sought for the erection of a 4 storey, flat roof building to form 37 residential apartments (Use Class C3) with associated car parking, amenity space and access.

The development comprises 34 x 1 bedroom apartments and 3 x 2 bedroom apartments and follows approval of a recent (2021), similar proposal for 33 units.

The current proposals would be let as retirement accommodation for the over 55s. The scheme is to be operated by Housing 21 – a registered provider who seek to provide 100% affordable units to be let on a social rent basis.



CGI of proposed building when viewed from Kenyon Lane

The ground floor comprises 4no. one bed apartments and a resident's lobby which fronts onto a resident's garden area to the south of the building. An access road dissects the building and offers vehicular access to the resident's parking to the south of the site.

The upper floors each contain 11no. apartments comprising 1no. two bed apartment and 10no. one bed apartments. Access to these floors is from the ground floor resident's lobby via a circulation core containing lifts and a staircase.

Vehicular access into the development is proposed from Kenyon Lane via an undercroft leading to a resident's car park containing 15no. car parking spaces. The rear of the building also includes landscaped grounds, communal garden area, cycle and waste storage.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Environmental Health – No objection. Conditions are advised with respect to waste management, acoustic insulation, air quality, ground conditions and construction management.

Highway Services – The following comments area made:

Trip Generation and Junction Capacity - The TRICS database has been used to assess the predicted two-way trips generated by the proposals based on the 'Residential - Retirement Flats' land-use category. The assessment shows that the site will generate 4no. two-way trips during the conventional highway AM and PM peak periods respectively. This level of trips is not expected to impact local highway safety or operation. 'Crashmap' has been used to assess the accident history in the vicinity of the site from 2017 to 2021. The results indicate no significant accident history or pattern resulting from highway layout.

Vehicle Access - Vehicle access to the site is proposed to be taken from Kenyon Lane via a priority-controlled junction. The junction is to be located in the approximate same location as the existing access which serves the site. Dropped kerbs and tactile paving should be provided across the car park entrance. Plans indicate that an existing access at Kenyon Lane will be made redundant as part of the scheme - Highways therefore request full footway reinstatement at this location. It is recommended that the Kenyon Lane footway adjacent to the site is also resurfaced on completion of the development as part of the S278 agreement.

Car Parking - The development will provide 15no. car parking spaces, including 2no. disabled bays equating to 41% parking provision. The level of provision is noted by Highways to be considerably lower than the level of provision associated with the site's previous approval, however, it is recognised that the level of parking demand is likely to reduce in consideration to the approved scheme as the proposals will now comprise retirement accommodation.

4no. Electric Vehicle charging bays will be provided within the car park with passive provision for 2no. further spaces, should further spaces be required in the future. This level of EV provision is considered acceptable. The car park layout appears acceptable in principle.

Cycle Parking - The proposed development is to provide a cycle parking store which will accommodate 38 cycles, achieving the minimum 100% level of provision. The sheltered cycle store is located within the rear garden area. It is recommended that the cycle store is adequately secured in order to encourage use by residents.

Servicing - The proposed development will provide a dedicated refuse/recycling store, which will be located at the front of the site, to the east of the proposed building. Refuse collections will be made direct from Kenyon Lane. This arrangement is similar to existing and is considered appropriate. The level of deliveries/other servicing trips are anticipated to be low, given the scale of the proposals. Highways accept that such vehicles could be accommodated on-street.

Travel Plan - It is recommended that a Full Travel Plan is conditioned with any approval to encourage sustainable travel.

Construction Management Plan - A Construction Management Plan is requested prior to construction detailing any impacts on the highway including, routing, access, swept paths, contractor parking arrangements.

Greater Manchester Archaeological Advisory Service (GMAAS) – are satisfied that there are no remaining archaeological implications within the site. On this basis there is no reason to seek to impose any archaeological requirements upon the applicant.

Greater Manchester Ecology Unit (GMEU) - An updated ecology report has been submitted which found the site to be largely hardstanding/rubble with some areas of ephemeral vegetation and scattered scrub on the boundary's. The only associated ecological constraint on the site is relating to the protection of bird nests (Wildlife and Countryside Act, 1981 as amended).

It is recommended that works are carried outside the peak bird nesting season, new external lighting be in accordance with best practice guidelines and bio-diversity enhancement be achieved.

Cadent – No objection.

Other matters

Consultation & Publicity

The proposal, by virtue of the number of units created has been classified as a small-scale major development. As such, the proposal has been advertised in the local press (Manchester Evening News) as a major development as well as affecting the setting of a Conservation Area. A site notice has been displayed at the application site.

Planning History

127669/FO/2020

Erection of 4 storey building to form 3 x 1 bedroom and 30 x 2 bedroom residential apartments (Use Class C3) together with associated car parking, landscaping and access following demolition of existing building. *Approved 9 November 2021.*

044279/FU/NORTH2/93

Change of use to plumbers and builders' merchants. *Approved 6 December 1993.*

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

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

A number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy H1 (Overall Housing Provision) states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors. New housing will be predominantly in the North, East, City Centre and Central Manchester, these areas falling within the Regional Centre and Inner Areas of Manchester.

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

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

Policy H2 (Strategic Housing Location) states that the key location for new residential development throughout the plan period will be within the area to the east and north of Manchester City Centre identified as a strategic location for new housing. Land assembly will be supported in this area to encourage the creation of large development sites or clusters of sites providing the potential for significant regeneration benefits.

Developers should take advantage of these opportunities by:-

- Diversifying the housing offer with particular emphasis on providing medium density (40-50 dwellings per hectare) family housing including affordable housing. In locations which

are close to the City Centre, such as the Lower Irk Valley and Holt Town, higher densities will be appropriate. However, the provision of family homes should remain an emphasis in these areas, too.

- Including environmental improvements across the area.
- Creating sustainable neighbourhoods which include complementary facilities and services.
- Considering the scope to include a residential element as part of employment-led development.

The proposal will comply with the densities identified within this policy and bring about significant regeneration in an area identified for change.

Policy H3 (North Manchester) – relates to new housing in north Manchester and states that over the lifetime of the Core Strategy, north Manchester will accommodate around 20% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within or adjacent to the parts of North Manchester that fall within the Regional Centre (Strangeways and Collyhurst area) and within Cheetham Hill and Harpurhey district centres as part of mixed use schemes, as well as along high frequency public transport routes.

Policy T2 (Accessible Areas of Opportunity and Need) states that the Council will actively manage the pattern of development to ensure that new development: is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international connections. Is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities.

Policy EN1 (Design Principles and Strategic Character Areas) - All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Policy EN3 (Heritage) – states that the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre. New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Policy EN4 (Reducing CO₂ Emissions by Enabling Low and Zero Carbon Development) concerns reducing CO₂ emissions and states that where possible, new development and retrofit projects must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies. The use of building materials with low embodied carbon in new development and refurbishment schemes is also sought.

Policy EN14 (Flood Risk) – refers to flood risk and amongst other issues states that all new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of green infrastructure.

Policy EN16 (Air Quality) – states that the Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes. Developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself.

Policy EN17 (Water Quality) states that developments should minimise surface water run-off and minimise ground contamination into the watercourse construction.

Policy EN18 (Contaminated Land and Ground Stability) - The Council will give priority for the remediation of contaminated land to strategic locations as identified within this document. Any proposal for development of contaminated land must be accompanied by a health risk assessment.

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

Policy PA1 (Developer Contributions) – states that where needs arise as a result of development, the Council will seek to secure planning obligations. Through such obligations, the Council may seek contributions to amongst other matters, affordable housing and will be assessed on a site by site basis.

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. Where appropriate, any such provision will be required to be provided on site.

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policies of the Unitary Development Plan are also considered relevant:

Policy DC7.1 (New Housing Development) state that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disable people, including those that use wheelchairs wherever this is practicable.

Policy DC26 (Noise) states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise.

The Guide to Development in Manchester (SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Manchester Residential Quality Guidance (2016)

The City Council's Executive has endorsed the Manchester Residential Quality Guidance. As such, the document is now a material planning consideration in the determination of planning applications and weight should be given to this document in decision making.

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

The document outlines nine components that combine to deliver high quality residential development, and through safe, inviting neighbourhoods where people want to live. These nine components are as follows:

- Make it Manchester;
- Make it bring people together;
- Make it animate street and spaces;
- Make it easy to get around;
- Make it work with the landscape;
- Make it practical;
- Make it future proof;
- Make it a home; and
- Make it happen.

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

The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development. Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is: By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

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

Greater Manchester Spatial Framework (GMSF)

GMSF is a joint plan for Greater Manchester that seeks to provide land for jobs and new homes across the city region and will ensure that the right land is available in the right places for such needs.

National Planning Policy Framework (2019)

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

The Framework underlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Relevant to this application, Section 11 underlines the need to ‘Make Effective Use of Land, whilst Section 12 provides design guidance – ‘Achieving Well-Designed Places’

Issues

Principle

The principle of the proposal has largely been established by the granting of recent, previous permission for similar development comprising 33 units for the general population (Ref: 127669/FO/2020).

The current proposal is of a similar scale, footprint, layout and design, albeit with a slight increase in units and a focus on affordable provision for the over 55 market.

The proposed development would make efficient use of a previously developed site, currently a blight on the area following the demolition of the previous building and would contribute to local and national residential growth objectives.

Policy H1 outlines the strategic approach to housing growth in the City. Approximately 60,000 new homes need to be provided in the city between 2009 and 2027. This growth is expected to be accommodated principally within the North, East, City Centre and central areas of Manchester which fall within the Regional Centre and inner areas of Manchester. This is as a direct response to Manchester’s growing economy and population growth the later which is expected to rise significantly over the next 20 years.

New developments in the city will therefore be expected to contribute towards this growth strategy, ensuring that development takes place within the right areas to meet demands along with creating high quality places and neighbourhoods of choice.

Policies SP1 and H1 seek to encourage development on previously developed land, including the renewal of areas characterised by poor quality housing.

Policy H3 which specifically relates to housing in this part of the city, states that whilst priority will be given to family housing and other high value, high quality developments where this can be sustained. High density housing will be permitted within or adjacent to the regional centre, within district centre or along high frequency public transport routes.

The proposed development represents the opportunity to regenerate an untidy site, remove a non-conforming use from a principally residential area and to diversify the housing stock in the area, including offering an affordable element.

The highly sustainable and accessible nature of the site means the site is well connected to employment, educational and recreation opportunities.

Consideration of the more specific planning issues and the impact of the proposal upon its surroundings and adjoining occupiers, as well as the loss of the existing building is outlined further below.

Redevelopment of the Site and Contribution to Regeneration

The proposed development would regenerate an derelict, brownfield site and would significantly improve the appearance of a site which could otherwise be left to further deteriorate. The proposal would provide much needed affordable provision to the area and substantially uplift the appearance of the area, by providing a high-quality development which would enhance the appearance of the street-scene and immediate context.

Site Layout

The proposed building presents its primary frontage to Kenyon Lane. This has informed the building's orientation and position on the site, as well as the internal layout.

The four storey, rectangular shaped block spans almost the full width of the site to maximise the frontage and provide continuity in the street scene. The block is interspersed by an access route leading to a rear car park area, utilising an existing access point off Kenyon Lane.

The building would be softened by perimeter planting, which also serves to provide defensible space to all side of the building, including the main street frontage and entrance. A communal garden area is proposed to the rear, which will be edged with further planting and provides a landscaped buffer between the site and residential properties along Brendan Avenue

It is considered that the proposed layout provides a satisfactory balance between built form, off road car parking and amenity space/soft landscaping.

The arrangement maximises the main street frontage that the development addresses, reinforces the suburban grain and fulfils the potential of the site, without compromising the character and appearance of the area, or the setting of adjoining buildings.

Design, Scale and Appearance

In comparison to the recently approved scheme, the mass of the proposal is in keeping with the site's surroundings. The proposed four-storey height is comparable in height to the existing building and responds to the three- to four-storey apartment block directly opposite the site on the other side of Kenyon Lane and the neighbouring church which neighbours the site to the east.

The proposed building's footprint lies more centrally in the plot than the existing built form and is focused to the street edge. This results in the reinstatement of a building line across the site frontage, thereby repairing the gaps in the streetscape which are presented by the current built form. This allows for increased continuity of the street-scene.

The height and mass is similar to that of the existing building and the differing building heights along Kenyon Lane would still allow the building to respond appropriately and sympathetically into the immediate street-scape which contains a variety of building heights

The context surrounding the site has been referenced when developing the form, proportions and material pallet of the proposal's facades.

The proposed building adopts a traditional approach using a selection of high-quality materials to present a contemporary look, whilst referencing the traditional brick. The proposed building generally comprises recessed red multi brickwork. The overall impact would result in a high-quality design which would significantly improve the appearance of the site in the street-scene, without being strident or out of character.

Access

The proposed building incorporates measures to aid ease of access for all. The site itself is relatively flat, providing no obstacles to level access across the site and to the entrance doors themselves.

The apartments themselves are of a good size and offer satisfactory circulation space. Level access will be afforded to all entrance doors to incorporate level thresholds. Two lifts serve the upper floors.

Vehicular access to the application site would be gained via Kenyon Lane, with a main parking areas to the rear and up to 6 accessible parking spaces provided close to the rear of the building.

The principal pedestrian entrance lead into a resident's lounge directly off Kenyon Lane. The lifts and stair core can be accessed directly from the lounge, providing vertical circulation to the floors above. An additional entrance is included for the two apartments to the east of the plan which are separated from the main core due to the access road dissecting the plan at ground floor. The pedestrian routes continue through the site to the resident's car park to the rear and the landscaped resident's garden beyond.

The proposal would accord with current access standards contained within Part M of the Building Regulations.

Residential Amenity

The proposal would redevelop a unsightly vacant site and former commercial use within the setting of a principally residential area, whilst creating of a use more in keeping with the local

context. Potential levels of activity and associated noise and disturbance would therefore be replaced with activity levels associated within a residential use, and appropriate within the context of a predominantly residential area.

Whilst activity in the form of the car park, cycle store and bin store would be introduced to the rear of the site, frequency of movements for a development containing 37 apartments with 15 parking spaces is unlikely to be significant and soft landscaping and a garden area forms an effective buffer between such areas and the common boundaries.

In term of any overlooking or loss of privacy issues, it is considered that due to the relationship between the proposed building and the nearest, neighbouring residential occupiers, it is not considered that there would be any undue overshadowing, over-dominance or overlooking, as a consequence of the size, design and situation of the building - including the positioning of windows.

The proposed building is focused to the front of the site and replaces a building of similar proportions. The separation distance between the nearest residential properties to the rear will increase in contrast to that of the existing building.

The dwellinghouses and their associated gardens to the rear would enjoy a greater separation from the apartments than they do at present which would ensure adequate levels of privacy.

To the front, the distance between the proposed development and the properties opposite, the distance varies to approximately between 22.5 to 23 metres. This again exceeds a usual requirement of around 21 metres between habitable room windows and therefore affords a decent level of amenity for existing and proposed residents.

The dwellings to the west of the cinema would enjoy slightly greater separation from the proposed building than it experiences from the existing building at approximately 20 metres. As this is a gable-to-gable relationship, this is considered to be satisfactory.

In terms of any impacts associated with any over-dominance, overshadowing or loss of the light, the impact would be lesser than is currently the case. The proposed building is of a similar scale to the existing building and does not project as far to the rear. The relationship between the proposed building and the nearest residential property to the rear is unlikely therefore to undermine levels of amenity as a consequence of its scale and position within the site. Similarly, to the front, the building is set back further from the back of the pavement along Kenyon Lane and therefore allows for a greater separation between the proposed building and the part four, part three storey apartment building on the opposite side of Kenyon Lane. As these buildings are of a similar scale and the separation distance is proposed to be increased, no undue impact in terms of over-dominance or overshadowing would result.

Whilst the proposed building is of a wider footprint than the existing building due to the incorporation of the yard area to the east, this part of the site is neighboured by a church and Sunday school along its eastern boundary and by redundant scout hall to the south. As such, there would be no impact upon residential amenity as a consequence of the wider footprint.

Impact upon the Highway

The site is considered suitably accessible by public transport via bus services along Kenyon Lane.

In terms of off-road parking provision, 15 off road car parking spaces are provided within the proposed rear car park, equating to 41% provision. These encompass 4 visitor spaces and 6

accessible spaces. A proportion of these spaces are to be served by electric charging points which is a requirement of an attached planning condition. The spaces are complemented by 38 secure cycle parking spaces to the rear of the building.

It is considered that the proposal is unlikely to generate a significant increase in the level of vehicular trips which would impact unduly on network capacity.

The TRICS database has been used to assess the predicted two-way trips generated by the proposals based on the 'Residential - Retirement Flats' land-use category. The assessment shows that the site will generate 4no. two-way trips during the conventional highway AM and PM peak periods respectively. Highways consider that this level of trips is not expected to impact local highway safety or operation. Similarly, no concerns are raised with respect to access or servicing arrangements.

In terms of parking, Highways initially expressed concerns regarding the relative under provision of parking spaces for the number of units proposed.

However, further details have been submitted by the applicant in relation to car parking provision, parking demand and car ownership information obtained from a number of their other operational sites for over 55's accommodation. The information demonstrates that the proposed level of provision would cater for demand, which is expected to reach around 15no. spaces (as provided). The proposed level of car parking provision is therefore considered acceptable by Highways in this instance.

It is maintained that an acceptable level of provision has been proposed and any uplift in on-street car parking is unlikely to be significant. To lessen any potential impact, a condition has been included which requires the submission and approval of a Travel Plan to promote alternative means of travel other than by private car. 100% cycle storage has also been provided. On this basis and given the sustainable location of the site, the impact to the highway and considered satisfactory.

Waste Management

The bin store is proposed to the rear of the building. Internally, the proposed apartments incorporate sufficient storage space to accommodate waste, food caddies and recycling containers, until the need to transport the waste by residents to the dedicated waste stores. Bins would be managed by an appointed management company.

Whilst the general principle of the arrangement is considered acceptable, Environmental Health have requested further details in relation to recycling, the location of the proposed collection point, details of the route the collection vehicle will take, details of how waste will be transferred between stores and to the collection location and details of the number and capacity of bins proposed and collection frequency. An appropriate planning condition is included.

Landscaping and Trees

The application includes an Arboricultural Impact Assessment. The report indicates that there are two small groups of trees located within or adjacent to the site. These trees are self-seeded, low-quality specimens that have colonised the area due to lack of use and maintenance and comprise mainly Goat Willow rooted in a waste area. One group of trees situation within the site and would require complete removal, whilst the other group lies outside of the site and will be unaffected by the proposal.

A total of two groups were surveyed and plotted in order to assess their health and dimensions in accordance with the British Standard and the results are clearly detailed within the submitted report.

The City Council's Arboriculturalist has previously reviewed the assessment and concurs that the existing trees are in a poor condition.

It is considered that whilst the loss of any tree is regrettable, the removal of the existing trees would not adversely affect the amenity of the area.

In mitigation 13 replacement trees are proposed, along with extensive shrub planting. It is believed that such a landscaping scheme would compensate for the proposed tree loss.

Ecology

The site largely comprises hardstanding/rubble with some areas of ephemeral vegetation and scattered scrub. It is therefore considered to be of low ecological value.

It is considered that the proposed development would not result in any significant or unduly harmful impacts to local ecology given the current condition of the site.

As advised by Greater Manchester Ecology Unit, a condition has been included which will require measures to be incorporated within the development to promote and enhance biodiversity.

It is also advised that no site clearance works should take place due the peak bird nesting season. An appropriate condition is included.

Flood Risk/Surface Water Drainage

The application site is located in flood zone 1 '*low probability of flooding*'.

In line with Government guidance relating to the provision of sustainable drainage systems (SuDs) for major planning applications, it will be necessary to incorporate appropriate surface water drainage.

A drainage statement has been considered by the Council's flood risk management which shows that proposed system will be designed to control surface water run-off for all storms up to and including the 100 year plus climate change event. Water will be stored on site below ground before being discharged at the agreed flow rate. The proposed development is demonstrated to be safe from flooding and will not increase flood risk elsewhere. In order to satisfy the provisions of policy EN14 of the Core Strategy, it is recommended that a more detailed design of the surface water drainage scheme is submitted as part of the approval, including verification and subsequent monitoring and maintenance.

Boundary Treatment

The site frontage is enclosed by a low brick wall, with perimeter planting behind. A gate encloses the under-croft access to the rear car park. The remainder of the site will be fenced and also includes perimeter planting along the site boundary. Full details and the specification of the boundary treatment are to be agreed by an attached condition.

Ground Conditions

Policy EN18 of the Core Strategy requires that consideration should be given to potential sources of ground contamination and the effect on new development.

Whilst a Phase 1 Desktop Study was submitted as part of the application, the conclusion of which is accepted by Environmental Health, it is advised that a Phase 2 Assessment should be completed in accordance with the recommendations contained within Phase 1 assessment. An appropriate condition has been included, which will require the submission and approval of a more detailed site investigation report and any subsequent remediation strategy prior to the commencement of development. A further condition requiring a verification report to demonstrate the work is completed in accordance with agreed methodology is also included

Archaeology

Since the former cinema building has now been demolished Greater Manchester Archaeology Advisory Service (GMAAS) advise that there are no remaining archaeological implications within the site.

Affordable Housing

Policy H8 of the Core Strategy requires that consideration be given to the provision of affordable housing within all new residential developments on sites of 0.3 hectares and above or where 15 or more units are proposed for development to contribute to the City-wide target for 20% of new housing provision to be affordable.

In this case, 100% of the units are to be offered on an affordable basis. The joint applicant, Housing 21 intends for the development to cater for over 55s retirement accommodation available for social rent.

The proposal has identified a demand for such accommodation in the area and the proposed provision complies with development plan policy. On this basis, the proposal is acceptable. A condition is included to ensure compliance with the submitted affordable housing statement which details the level and type of provision.

Environmental Standards

The submitted Energy Statement indicates that the design principles for the development adopt a “fabric first” approach, with the intention of limiting energy demand and CO2 emissions at source and provide a development which reduces consumption of energy resources over the long term. Measures comprise the construction of the thermal envelope which meet or exceed the requirements of current Building Regulations; a design air permeability of 3.5m3/m2.hr; 65% lower than the Building Regulations requirements; installation of highly efficient space and water heating systems with user controls that further improve efficiency; installation of 100% low energy lighting throughout the development; use of renewable technologies in the form of domestic pv panels providing a peak output of 0.25kw per apartment.

These factors would allow the proposed development to exceed the CO2 targets of 2010 Building Regulations by 16.5%.

As such, the proposed Environmental Standards are considered satisfactory. A condition is included which requires verification that the measures have been incorporated into development post implementation.

Climate Change

As the proposal would result in a modest number of additional of residential units within the context of a principally residential environment and will also result in the removal of a commercial use, the impact upon climate change is considered negligible and likely to be lesser than if a commercial operation was reintroduced to the site.

The site is located close to a busy, main arterial route and transport corridor, and is therefore unlikely that there would be any significant or harmful contribution to air quality or climate change as a consequence of vehicular movements or ongoing activity.

The submitted Air Quality Assessment summarises that whilst there would be some limited impact upon air quality during the construction phase, the impact during the operational phase of the development post implementation, is not considered significantly harmful. Through effective mitigation and construction management during the construction phase, the impact upon air quality will be further controlled.

The proposal includes the provision of 6 electric car charging points, cycle storage and would require a Travel Plan. Such measures will serve to limit the impact the upon climate change.

The development will also incorporate energy efficient measures as part of the development, as outlined in the section below relating to environmental standards.

Crime and Disorder

The applicant in partnership with Greater Manchester Police (Design for Security) has provided a 'Crime Impact Statement' as part of the application. This enables measures to be incorporated within the scheme in order to be able to design out crime.

In order to ensure design measures are introduced to limit the potential for crime and to enhance security for prospective occupiers, a condition has been included to ensure the proposal achieves 'Secured by Design' accreditation.

Construction Management

To ensure construction is effectively controlled and to prevent any disruption to existing occupiers in the area, a condition is included which requires the submission and approval of a construction management plan which details working practices, working hours, dust suppression, the parking of construction vehicles and the removal of waste.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter. The proposal is considered to be acceptable and therefore determined within a timely manner.

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

11) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

Drawings referenced P19008-FCH-XX-XX-DR-A-1101/P01, P19008-FCH-XX-XX-DR-A-1200/P04, P19008-FCH-XX-XX-DR-A-1300/P03, P19008-FCH-XX-XX-DR-A-1301/P03, P19008-FCH-XX-XX-DR-A-1303/P02, P19008-FCH-XX-XX-DR-A-1400/P02, P19008-FCH-XX-XX-DR-A-1401/P02, P19008-FCH-XX-XX-DR-A-1402/P02, P19008-FCH-XX-XX-DR-A-1403/P03, P19008-FCH-XX-XX-DR-A-1600/P02, 01/G and 02/G, received by the City Council as Local Planning Authority on 17 October 2023.

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.

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

- Measures to control noise and vibrations;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

The development shall only be carried out in accordance with the approved construction management plan.

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

4) No above ground development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed materials.

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, pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy.

5) Prior to above ground works commencing, full details of the proposed window design of the buildings hereby approved (including section drawings), shall be submitted to and approved in writing by the City Council as Local Planning Authority. This should include details of window reveal depths and brick soffits. The development shall only be implemented in accordance with the agreed details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as Local Planning authority, in the interests of the visual amenity, pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy.

6) Prior to first occupation of the development hereby approved, the City Council as Local Planning Authority must acknowledge in writing that it has received written confirmation of a 'Secured by Design' accreditation.

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

7) Notwithstanding detail submitted, no development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems or any subsequent replacements national standards and details that have been submitted to and approved in writing by the City Council as Local Planning Authority.

In order to discharge the above drainage condition the following additional information has to be provided:

- Consideration of alternative green SuDS solution if practicable;
- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building.
- Hydraulic calculations of the proposed drainage system;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site;
- As the proposed development would cause unusual pollution risk to surface water (large car park areas, evidence of pollution control measures (preferably through SuDS) is required.
- Construction details of flow control and SuDS elements.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN8 and EN14 of the Manchester Core Strategy.

8) The development hereby approved shall not be occupied until details of the implementation, maintenance and management of a sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- A verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system, pursuant to policy EN17 of the Manchester Core Strategy.

9) The car parking area (including accessible parking spaces) indicated on drawing numbered P19008-FCH-XX-XX-DR-A-1200/P04 received by the City Council as Local Planning Authority on 17 October 2023 shall be surfaced, demarcated and made available for use prior to any of the residential units hereby approved being occupied. The parking areas shall be for the sole use of residential occupants of the development and shall be available for use at all times whilst the apartments are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

10) The development hereby approved shall be implemented in accordance with the submitted 4Geo-Environmental Desk Study, (Ref: 10/1559/001 Rev. 04, July 2020) prepared by Clancy, received by the City Council as Local Planning Authority on 17 October 2023. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

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

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

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

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

11) When the development commences, the development shall be carried out in accordance with a previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority. No occupation of the development shall take place until the completion/verification report is submitted to and approved by the City Council as local planning authority.

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

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

12) The development hereby approved shall be carried out in accordance with details contained with the Environmental Standards Statement produced by Progressive Services Design Ltd (Ref: CF/EF/2062_ Issue 1) dated March 2023 and received by the City Council as Local Planning Authority on 17 October 2023. A post construction review certificate/statement shall be submitted for approval prior to first occupation of the development hereby approved.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Manchester Core Strategy and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

13) The development hereby approved shall include a lighting scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme shall be submitted to and approved in writing by the local planning authority prior to commencement of any lighting works. The approved scheme shall be implemented in full before the development is first occupied and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

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

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

15) The hard and soft landscaping scheme (including tree planting) shown on drawings referenced 01/G and 02/G received by the City Council as Local Planning Authority on 17 October 2023 shall be implemented not later than 12 months from the date of commencement of works. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the City Council as Local Planning Authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy.

16) Notwithstanding details contained within the submitted Extended Phase 1 Habitat Survey prepared by Penny Anderson Associates Ltd, received by the City Council as Local Planning Authority on 17 October 2023, prior to first occupation of the apartments hereby approved, a scheme for the enhancement of the site for biodiversity purposes shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

Reason -To mitigate the loss of vegetation and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

17) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

18) Prior to any site clearance or earthworks a reasonable avoidance measures method statement for hedgehog and other mammals shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be carried out in accordance with the agreed details.

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

19) No works to trees or shrubs should take place during the optimum period for bird nesting (March to August inclusive) unless a detailed bird nest survey undertaken by a suitably experienced ecologist, has been carried out immediately prior to clearance and which has been submitted to and agreed in writing by the City Council as Local Planning Authority.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policies EN9 and EN15 of the Manchester Core Strategy.

20) Notwithstanding details submitted, the apartments hereby approved shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of all boundary treatment to be erected. The boundary treatment shall be completed prior to first occupation of the apartments hereby approved. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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, pursuant to policies SP1 and DM1 of Manchester the Core Strategy.

21) Notwithstanding the bicycle storage areas indicated on drawing numbered P19008-FCH-XX-XX-DR-A-1200/P04 received by the City Council as Local Planning Authority on 17 October 2023, full details of the cycle parking provision and cycle stores, including security measures, shelter and means of enclosure, shall be submitted to and agreed in writing by the City Council as Local Planning Authority prior to first occupation of any of the residential apartments hereby approved. The approved scheme shall remain available for use whilst the apartments are occupied and retained thereafter.

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

22) Prior to the first occupation of the residential development full details of electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the apartments.

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

23) Before the development hereby approved is first occupied a Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

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

The agreed Travel Plan shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel, pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy and the Guide to Development in Manchester SPD (2007).

24) The development hereby approved shall only be carried out in accordance with details and mitigation measures contained within the submitted Air Quality Assessment produced by Redmore Environmental (Ref: 3331-1r1 dated 29 September 2022 and received by the City Council, as Local Planning Authority on 17 October 2023.

Reason - To minimise the impact upon air quality and In order to minimise the environmental impact of the development, pursuant to policy EN16 of the Manchester Core Strategy, National Planning Guidance and National Planning Policy Framework (NPPF).

25) Any externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. The scheme shall be submitted to and approved in writing by the City Council as Local Planning authority in order to secure a reduction in the level of noise emanating from the site. The approved scheme shall be completed before the apartments are occupied.

Upon completion of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria has been met. Any instances of nonconformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenity of existing and future occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

26) Notwithstanding the details contained within the submitted report by RBA Acoustics (Ref: 11977.RP)1.AAR.0 rev 0) dated 1 November 2022 and received by the City Council as Local Planning Authority on 17 August 2023, the apartments hereby approved shall be acoustically insulated and treated to limit the break out of noise in accordance with a updated noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as Local Planning Authority. The scheme shall be implemented in full before the apartments are occupied.

Upon completion of the development and within 3 months of first occupation, a Verification Report will be required to validate that the work undertaken throughout the development

conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenity of existing and future occupiers of nearby residential accommodation and as more detail is required with regard to overheating, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1, H1 and DM1 of the Manchester Core Strategy.

27) Notwithstanding details submitted, the development hereby approved shall not be occupied until a more detailed scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as Local Planning Authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of public health and residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

28) Prior to occupation, full details of all necessary off-site highway works to be implemented via a S.278 agreement, shall be submitted to and approved in writing by the City Council as Local Planning Authority and be implemented in accordance with a timescale to be agreed by the City Council as Local Planning Authority. Such works should include:

- The resurfacing of the footway adjacent to the development on Kenyon Lane, together with the reinstatement of any redundant vehicle crossovers adjacent to the application site on Kenyon Lane.

- The provision of dropped kerbs and tactile paving to be provided across the car park entrance off Kenyon Lane.

The development shall not be occupied until all the necessary off-site highway works have an agreed timescale for implementation. The development shall only be occupied in accordance with the agreed works.

Reason - In the interests of highway safety, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

29) The development hereby approved shall be carried out in accordance with the Affordable Housing Statement prepared by Housing 21, received by the City Council, as Local Planning Authority on 17 October 2023.

Reason - In the interest of providing affordable housing at the site, pursuant to policy H8 of the Manchester Core Strategy.

30) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the apartments hereby approved shall not be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

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

31) The residential apartments hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as short-term lets, serviced apartments/apart hotels, do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework.

32) Each residential unit of the development hereby approved shall be occupied only by:

- Single persons not less than 55 years of age;

- Joint residents of whom the head of the household is not less than 55 years of age and the spouse, partner or cohabitee not less than 55 years of age;

- Persons living as part of a single household with such a person or persons;

- Persons who were living as part of a single household with such a person or persons who have since died.

Reason - In the interest of amenity and to allow diversification of the housing stock, pursuant to policies DM1, SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Housing Strategy Division
Greater Manchester Police
Greater Manchester Archaeological Advisory Service
Greater Manchester Ecology Unit

32 Brendon Avenue, Manchester, M40 9DN
Moston Dental Practice, 155 Kenyon Lane, Manchester, M40 9DJ
34 Brendon Avenue, Manchester, M40 9DN
36 Brendon Avenue, Manchester, M40 9DN
159 Kenyon Lane, Manchester, M40 9DJ
4 Deanway, Manchester, M40 9JH
2 Deanway, Manchester, M40 9JH
139B Kenyon Lane, Manchester, M40 9DJ
28 Brendon Avenue, Manchester, M40 9DN
Site Of Century Hall, Brendon Avenue, Manchester, M40 9DN
6 Brendon Avenue, Manchester, M40 9DW
9 Douglas Street, Manchester, M40 9DS
139A Kenyon Lane, Manchester, M40 9DJ
1 Bacup Street, Manchester, M40 9HF
3 Bacup Street, Manchester, M40 9HF
98 Kenyon Lane, Manchester, M40 9DH
108 Kenyon Lane, Manchester, M40 9DH
106 Kenyon Lane, Manchester, M40 9DH
100 Kenyon Lane, Manchester, M40 9DH
104 Kenyon Lane, Manchester, M40 9DH
102 Kenyon Lane, Manchester, M40 9DH
110 Kenyon Lane, Manchester, M40 9DH
18 Brendon Avenue, Manchester, M40 9DN
24 Brendon Avenue, Manchester, M40 9DN
22 Brendon Avenue, Manchester, M40 9DN
20 Brendon Avenue, Manchester, M40 9DN
30 Brendon Avenue, Manchester, M40 9DN
8 Brendon Avenue, Manchester, M40 9DW
2 Brendon Avenue, Manchester, M40 9DW
4 Brendon Avenue, Manchester, M40 9DW
4 Chinley Avenue, Manchester, M40 9HT
14 Brendon Avenue, Manchester, M40 9DN
26 Brendon Avenue, Manchester, M40 9DN
1 Chinley Avenue, Manchester, M40 9HT
Flat 1, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
Flat 22, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
139 Kenyon Lane, Manchester, M40 9DJ
Flat 2, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
Flat 18, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
Flat 13, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
Flat 21, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
Flat 7, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
Flat 6, 130A Kenyon Lane, Manchester, M40 9DF
Flat 9, 130A Kenyon Lane, Manchester, M40 9DF

5 Douglas Street, Manchester, M40 9DS
 16 Brendon Avenue, Manchester, M40 9DN
 Flat 3, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
 Flat 14, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
 Flat 5, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
 Flat 4, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
 Flat 10, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
 Flat 8, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
 Flat 12, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
 Flat 19, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
 Flat 15, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
 Flat 9, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
 Flat 20, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
 157 Kenyon Lane, Manchester, M40 9DJ
 Flat 6, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
 Flat 11, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
 Flat 16, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
 Flat 17, Kenyon Court, 141 Kenyon Lane, Manchester, M40 9DJ
 LIGHTBOWNE EVANGELICAL CHURCH, 120 Kenyon Lane, Manchester, M40 9DF
 Flat 10, 130A Kenyon Lane, Manchester, M40 9DF
 Flat 8, 130A Kenyon Lane, Manchester, M40 9DF
 Flat 1, 130A Kenyon Lane, Manchester, M40 9DF
 Flat 2, 130 Kenyon Lane, Manchester, M40 9DF
 1 Douglas Street, Manchester, M40 9DS
 Flat 3, 130B Kenyon Lane, Manchester, M40 9DF
 Flat 2, 130B Kenyon Lane, Manchester, M40 9DF
 Flat 3, 130 Kenyon Lane, Manchester, M40 9DF
 Flat 1, 130 Kenyon Lane, Manchester, M40 9DF
 Flat 4, 130B Kenyon Lane, Manchester, M40 9DF
 Flat 1, 130B Kenyon Lane, Manchester, M40 9DF
 Flat 3, 130A Kenyon Lane, Manchester, M40 9DF
 Flat 3, 130C Kenyon Lane, Manchester, M40 9DF
 Flat 2, 130C Kenyon Lane, Manchester, M40 9DF
 Flat 5, 130A Kenyon Lane, Manchester, M40 9DF
 11 Douglas Street, Manchester, M40 9DS
 7 Douglas Street, Manchester, M40 9DS
 Flat 2, 130A Kenyon Lane, Manchester, M40 9DF
 Flat 4, 130C Kenyon Lane, Manchester, M40 9DF
 Flat 4, 130 Kenyon Lane, Manchester, M40 9DF
 Flat 7, 130A Kenyon Lane, Manchester, M40 9DF
 Flat 1, 130C Kenyon Lane, Manchester, M40 9DF
 Flat 6, 130C Kenyon Lane, Manchester, M40 9DF
 Flat 5, 130C Kenyon Lane, Manchester, M40 9DF
 Flat 4, 130A Kenyon Lane, Manchester, M40 9DF
 3 Douglas Street, Manchester, M40 9DS

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
 Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
 Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
 Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
 Historic Landfill Site 250m Buffer -
 Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA