

Contents

1.	Introduction	3
2.	The Site and Surroundings	5
	Key Planning Designations	6
	Heritage	7
	Flood Risk	7
	Accessibility	7
	Planning History	7
3.	Proposed Development	9
	Context to the Planning Application	9
	Description of Development	9
	Layout, Use & Amount	10
	Accessibility and Parking	10
	Design	11
	Landscaping and Public Realm	12
	Off-Site Public Realm Improvements	12
	Affordable Housing Statement	12
	Sustainability Credentials	13
	Social Value Commitments	14
	Phasing	14
	Draft Heads of Terms for Section 106 Agreement	14
	Statement of Community Involvement	14
4.	Relevant Planning Policies	17
5.	Appraisal of Planning Policy Compliance	19
	(i) Principle of the Proposed Development	19
	(ii) Commitment to High Quality Design	21
	(iii) Impact on Amenity or Users and Neighbours	23
	(iv) Heritage	26
	(v) Highways & Parking	26
	(vi) Climate Change, Sustainability and Energy Efficiency	27
	(vii) Other Technical Considerations	27
6.	Planning Balance and Conclusions	30
	Conclusions	31
	Appendix 1: Relevant Planning Policy	32
	The Development Plan	32
	Other Material Policy Considerations	35

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1. Introduction

- 1.1 This Planning Policy Compliance Statement (the “Statement”) has been prepared by Euan Kellie Property Solutions on behalf of One Manchester Limited (“the Applicant”).
- 1.2 The Statement accompanies an application for full planning permission being submitted to Manchester City Council for a residential development on land bounded by Oldham Road (A62), Old Church Street, the Lidl foodstore and Newton Street in Newton Heath, Manchester (“the Site”).
- 1.3 The proposals would create 109 new residential dwellings (Use Class C3), comprising 28 houses and 81 apartments, together with green spaces, landscaping, boundary treatment, access arrangements, parking and other associated works (“the Proposed Development”).
- 1.4 All of the housing proposed would be affordable accommodation, comprising a mixture of social rented and affordable rented units.
- 1.5 The proposals form Phases 2 & 3 of a wider residential development being delivered by One Manchester on land off Oldham Road in Newton Heath. Construction of Phase 1 of this wider development (originally approved under application ref. 125990/FO/2020) is currently underway on land immediately to the east of the Site.
- 1.6 Further details in respect of the Site and the Proposed Development are set out in within **Chapter 2** and **Chapter 3** respectively.
- 1.7 The purpose of this Statement is to provide a clear planning justification for the Proposed Development and to demonstrate that it accords with the Development Plan, or where this is not the case, that the benefits to be delivered by the Proposed Development would outweigh any adverse impacts which may arise as a result of the Proposed Development not being strictly in accordance with the Development Plan.

Application Documentation

- 1.8 This Statement should be read alongside the plans and documents submitted as part of the planning application, which include the following:
 - Application Forms;
 - Red-edged site location plan prepared by TP Bennett;
 - Architectural Plans and Drawings (including Schedule of Drawings) prepared by TP Bennett;
 - Design & Access Statement prepared by TP Bennett;
 - Landscape Layout and Planting Plan prepared by TPM Landscape;
 - Affordable Housing Statement (included within this Planning Statement) prepared by Euan Kellie Property Solutions;
 - Air Quality Assessment prepared by Wardell Armstrong;
 - Archaeology Assessment prepared by Archaeological Research Services Limited;
 - Broadband Connectivity Assessment prepared by One Manchester Limited;
 - Construction Management Plan (covering the Phase 2 proposals) prepared by Casey;
 - Crime Impact Statement prepared by the Greater Manchester Police;
 - Daylight & Sunlight Assessment prepared by GIA;

- Environmental Standards Statement prepared by Energy Counsel;
- External Lighting Plan prepared by TP Bennett;
- Flood Risk Assessment & Drainage Strategy prepared by Curtins;
- Heritage Assessment, prepared by Kathryn Sather & Associates;
- Local Benefit Proposal / Social Value Statement (comprising a Social Value Statement and corporate brochure) prepared by One Manchester;
- Noise Impact Assessment prepared by Jameson Acoustics;
- Preliminary Risk Assessments and Ground Investigations for Phases 2 & 3 (+ cover note) prepared by Curtins;
- Pre-Construction TV Signal Reception Impact Survey prepared by Astbury;
- Preliminary Ecological Appraisal, Biodiversity Net Gain Design Stage Assessment and Biodiversity Enhancement Management Plan prepared by Urban Green;
- Transport Statement and Travel Plan prepared by Curtins;
- Waste Management Proforma prepared by TP Bennett;
- Draft Heads of Terms for s106 Agreement (included within this Planning Statement); and
- Statement of Community Involvement (included within this Planning Statement).

The Applicant: One Manchester

- 1.9 One Manchester is a provider of housing and community services. Formed in April 2015 following a merger between two of Manchester's largest housing associations (City South and Eastlands Homes), they currently own and manage more than 12,000 homes in central, south and east Manchester.
- 1.10 As an experienced and trusted landlord, One Manchester provides good quality homes that are safe, secure, warm and affordable. However, One Manchester believes that its responsibilities go much further than providing homes. It regularly looks at the issues which go beyond housing and especially those that are specific to each of their communities. It helps people manage their money, find work, start-up businesses and stay healthy and well.

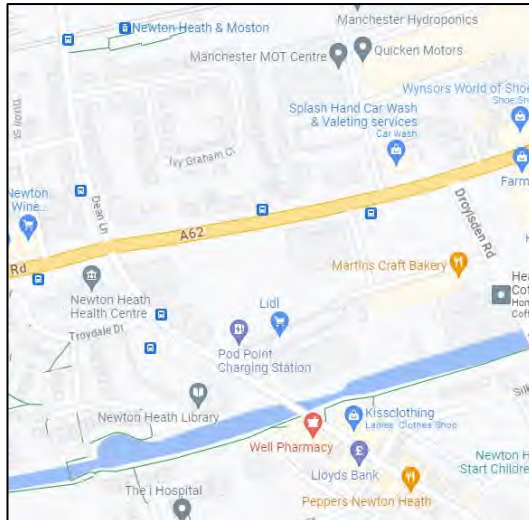
Contact Details

- 1.11 For further information in respect of this Statement please contact:

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2. The Site and Surroundings

- 2.1 The Site is 0.87 Hectares (2.1 acres) in size and located within the administrative boundary of Manchester City Council ("MCC").
- 2.2 It is bounded by Oldham Road (A62), Old Church Street, the Lidl foodstore and Newton Street in Newton Heath, approximately 5.5km to the north west of Manchester City Centre.
- 2.3 **Figures 2.1 and Figure 2.2** show the Site in its immediate context.



^ Figure 2.1: Site Context (Map)



^ Figure 2.2: Site Context (Aerial)

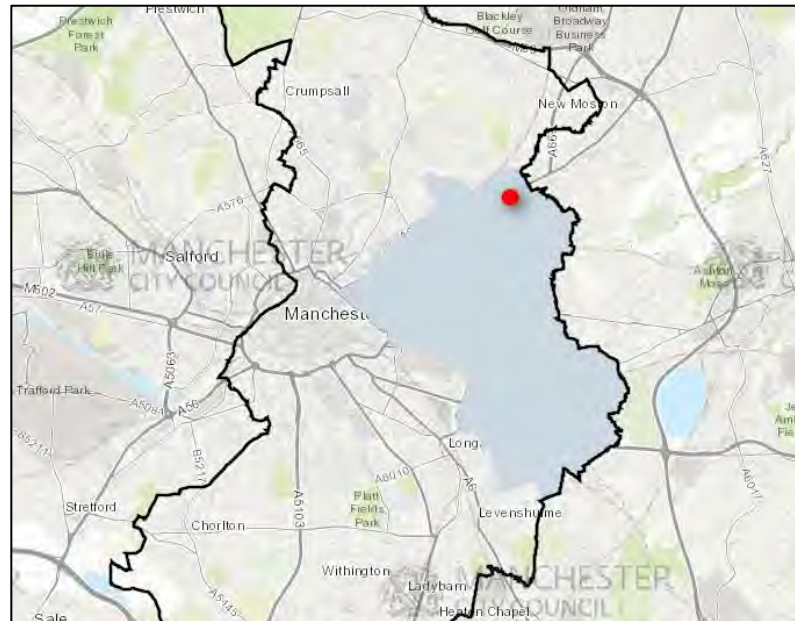
- 2.4 The Site comprises vacant, open land. It was previously occupied by the former Rosedale Building (in the western section) and a two-storey building used by the YES Group (in the eastern section) but both buildings have been demolished in recent years.
- 2.5 It forms part of a wider area of land off Oldham Road in Newton Heath (also including additional land immediately to the east of the Site, bounded by Oldham Road, Droylsden Road and Holyoak Street) that is being developed for housing by One Manchester. Construction of Phase 1 of this wider development is currently underway on the land to the east of the Site.
- 2.6 The area surrounding the Site is characterised by a mix of residential and commercial development.
- 2.7 To the north, across Oldham Road, is an area of existing residential properties.
- 2.8 To the east, beyond the Phase 1 development site, is a Farmfoods foodstore and associated car park.
- 2.9 To the south of the Site is a Lidl foodstore and associated car parking, together with the Newton Silk Mill building (which is Grade II listed), commercial buildings and yard space associated with Martins Craft Bakery and Heart and Graft Coffee. Beyond these buildings is the Rochdale Canal.
- 2.10 To the west is Newton Heath Health Centre, Newton Heath Library and another area of residential properties.
- 2.11 The Site falls within the boundary of the Newton Heath District Centre (as defined by the Adopted Manchester Core Strategy), which is characterised by a number of shops, supermarkets, services and takeaway facilities, located predominantly on either side of Old Church Street.

Key Planning Designations

- 2.12 The purpose of this section is to introduce the key planning designations that are relevant to the Site.

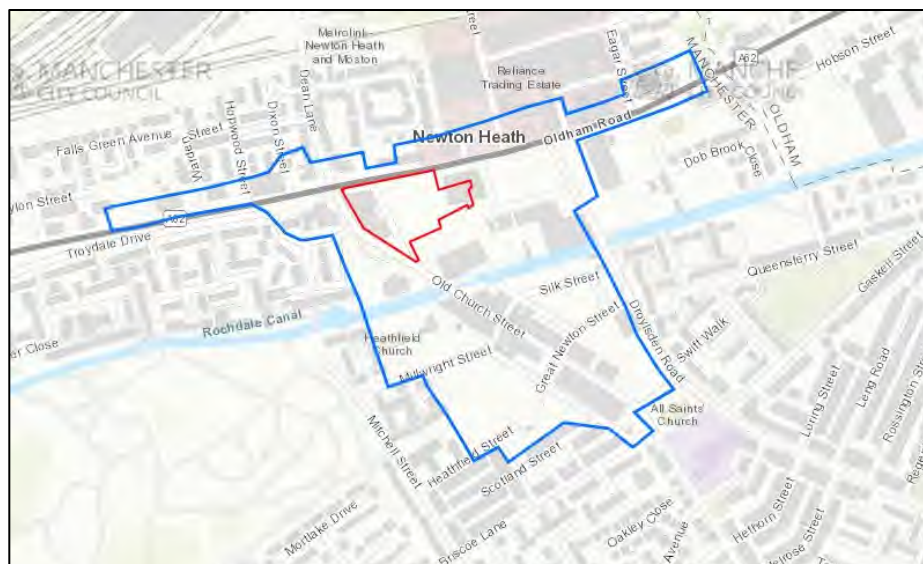
Adopted Planning Policy

- 2.13 The statutory development plan for Manchester comprises the Manchester Core Strategy (Adopted in 2012) and the saved policies of the Unitary Development Plan (UDP) for the City of Manchester (Adopted in 1995).
- 2.14 As illustrated by **Figure 2.3** below, the Site is located within the East Manchester part of the City, as defined by Core Strategy Policy H4.



^ Figure 2.3: Site's Location within East Manchester (Core Strategy Policy H4)

- 2.15 The Site is also located within the boundary of the Newton Heath District Centre, as defined by Core Strategy Policy C4. This is illustrated by **Figure 2.4** below.



^ Figure 2.4: Site's Location within Newton Heath District Centre (Core Strategy Policy C4)

Heritage

- 2.16 The Site is not located within a conservation area and does not contain any listed buildings. It is however situated in close proximity to Newton Silk Mill, which is Grade II listed.

Flood Risk

- 2.17 The “GOV.UK” website indicates that the Site is located within Flood Zone 1 (with a low probability of flooding) but is within a critical drainage area where there are complex surface water flooding problems from ordinary watercourses, culverts and from the sewer network (see **Figure 2.5** below).



^ Figure 2.5: Flood Map

Accessibility

- 2.18 The Site is in a highly sustainable location.
- 2.19 The Newton Heath & Moston Metrolink stop is a short walk away, which provides connections to Manchester City Centre as well as Manchester Victoria Train Station and north towards Oldham and Rochdale Town Centres.
- 2.20 There are several bus stops located within easy walking distance of the Site, providing access to various destinations in and across Greater Manchester, including a wide range of key employment, leisure and educational destinations.
- 2.21 The area surrounding the Site contains good levels of pedestrian and cycling infrastructure.

Planning History

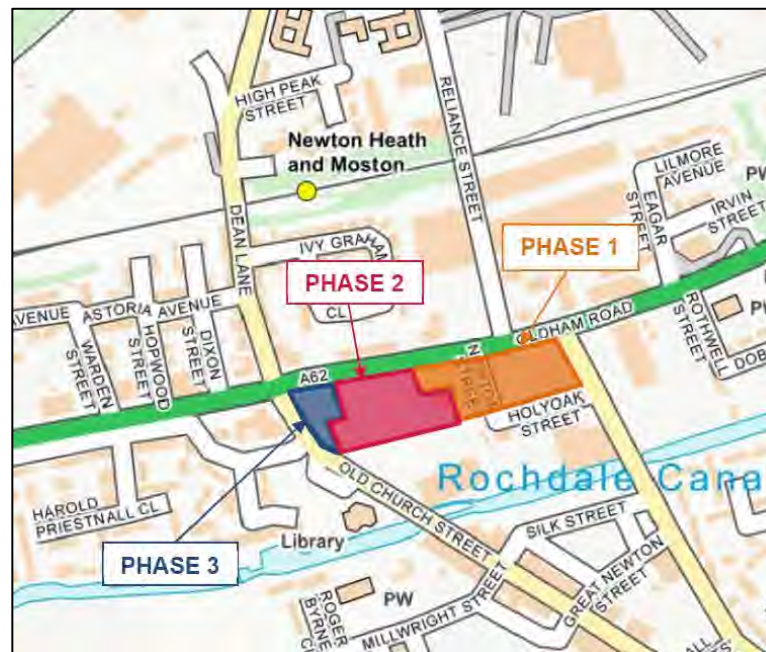
- 2.22 Full planning permission was granted on 29 May 2020 (ref. 125990/FO/2020) for the following development on land bounded by Oldham Road (A62), Dulverton Street, Holyoak Street and Droylsden Road:
- “Erection of a part 4 (plus ground), part 5 (plus ground) storey building to form 100 residential apartments (Use Class C3a) together with ground floor commercial floorspace (Use Classes A1, A2, A3, B1 and D1) (211 sqm) and erection of 39 two and three storey dwellinghouses (Use Class C3a) along with associated access, landscaping, boundary treatment and car parking.”*
- 2.23 This permission provided consent to One Manchester for the construction of for 39 houses on land immediately to the east of the current Application Site (Phase 1) and an apartment building with ground floor commercial floorspace on adjoining land, which forms the eastern part of the current Application Site (Phase 2).

- 2.24 A number of the plans approved as part of this planning permission were amended following the submission of a s73 application, which was approved on 16 January 2023 (ref. 135383/JO/2022).
- 2.25 On 30 June 2022, a 'drop-in' application for full planning permission (ref. 133849/FO/2022) was granted to substitute a pair of two storey semi-detached properties approved under planning permission ref. 125990/FO/2020 for the erection of a two-storey building to form two residential cottage apartments with associated landscaping, boundary treatment and car parking (falling within Phase 1 of the scheme).
- 2.26 Several of the plans approved as part of the 'drop-in' planning permission (ref. 133849/FO/2022) were amended following the submission of a s73 application, which was approved on 16 December 2022 (ref. 135380/JO/2022).
- 2.27 Construction of the 39 homes on the Phase 1 land (comprising 37 houses and 2 cottage apartments) is underway but One Manchester no longer intends to deliver the apartment development previously approved on the Phase 2 land.
- 2.28 **Chapter 3** of this Planning Policy Compliance Statement will now set out details of the Proposed Development.

3. Proposed Development

Context to the Planning Application

- 3.1 One Manchester is in the process of constructing the 37 houses and 2 cottage apartments that were approved by the original planning permission (ref. 125990/FO/2020) and the drop-in permission (ref. 133849/FO/2022), as amended by the s73 applications detailed in paragraphs 2.22 – 2.26.
- 3.2 These units occupy the eastern part of One Manchester's wider development site on the land off Oldham Road in Newton Heath and form Phase 1 of this wider development.
- 3.3 One Manchester no longer intends to construct the approved apartment building with ground floor commercial floorspace on the Phase 2 land. Instead, 28 houses and an apartment building comprising 6 units are now proposed in this area.
- 3.4 The parcel of land that was previously occupied by the Rosedale Building, bounded by Oldham Road to the north, Dulverton Street to the east and Old Church Street to the south west has now been acquired by One Manchester and an apartment building comprising 75 residential units is proposed here as part of Phase 3 of the wider development.
- 3.5 These proposals provide the context and rationale for the planning application being submitted, which seeks permission for Phases 2 and 3 of One Manchester's wider development scheme.
- 3.6 For reference purposes, Figure 3.1 below shows the approximate boundaries of the 3 phases of the wider development proposal being progressed by One Manchester.



^ Figure 3.1: Phasing Plan

Description of Development

- 3.7 The formal description of development, for which full planning permission is being sought, is as follows:

“Construction of a Class C3 residential development comprising 28 houses and 81 apartments, including green spaces, landscaping, boundary treatment, access arrangements, parking and other associated works.”

Layout, Use & Amount

3.8 **Figure 3.2** below shows the proposed site layout designed by TP Bennett.



^ Figure 3.2: Proposed Site Layout

3.9 The mix of units proposed is as presented in Table 3.1 below:

Housing Type	Houses	Apartments
1 bedroom	-	47
2 bedroom	10	34
3 bedroom	18	-

^Table 3.1

3.10 All of the proposed residential units would be let on social rents or affordable rents, such that the proposed development would comprise entirely of affordable housing.

3.11 In combination with the consented Phase 1 proposals, which are currently under construction, the wider development by One Manchester on the land off Oldham Road would provide 148 residential units, broken down as follows:

- Phase 1 – 39 units (37 houses and 2 cottage apartments): planning permission secured and currently under construction.
- Phase 2 – 34 units (28 houses and an apartment building comprising 6 units): permission being sought as part of the current planning application.
- Phase 3 – 75 units (apartment building): permission being sought as part of the current planning application.

Accessibility and Parking

3.12 The Proposed Development would be accessed off Dulverton Street, which would remain a public highway for the majority of its length. The northern section would however be partially 'stopped-up', with a 2m footway retained within the public highway. The existing junction into the Site between Dulverton Street and Old Church Street would be upgraded.

3.13 A new private road is proposed to run through the Phase 2 area of the Site, providing access to driveways and the parking courts of the respective houses.

3.14 A total of 70 parking spaces are proposed, comprising:

- 34 spaces for the proposed Phase 2 houses and apartments (14 in-curtilage spaces and 20 courtyard spaces), proving 100% parking for this phase.

- 25 spaces for the proposed Phase 3 apartments (including 5 disabled spaces).
 - 11 spaces for some of the Phase 1 dwellings that are currently under construction (6 in-curtilage spaces and 5 courtyard spaces).
- 3.15 Where possible, in-curtilage parking is proposed, with secure parking courtyards used to serve the proposed dwellings fronting onto Oldham Road and where in-curtilage parking is unviable.
- 3.16 The main apartment block proposed (Phase 3) would be served by a secure and gated car park directly off Dulverton Street. The gate would be located within the car park, with sufficient space for several cars to queue to ensure no blockages on the public highway.
- 3.17 Electric Vehicle charging would be provided for all of the 28 houses (Phase 2), along with 13 Electric Vehicle charging spaces within the Phase 3 car park and a further 6 dedicated to the apartment building proposed as part of Phase 2.

Design

- 3.18 The design proposals are presented in detail within the Design & Access Statement prepared by TP Bennett that is being submitted in support of the application.
- 3.19 The design proposals aim to integrate Phases 2 and 3 effectively with Phase 1 of the development that is currently under construction.

Phase 2

- 3.20 As indicated previously, the Phase 2 proposals, located in the eastern part of the Application Site, comprise 28 no. houses and 6 no. one-bed two-person apartments.
- 3.21 A contemporary design language is proposed for this element, continuing from Phase 1 in terms of brick facing materials, pitched roofs and verticality to window openings and facade composition. Feature brickwork areas are proposed from projecting stretcher bonds.
- 3.22 A zone of slightly recessed grey brick panels below the windows of the houses is proposed, taking account of durability and sustainability principles. This is intended to achieve a subtle shift in detail between phases of the development whilst keeping the overall principles consistent. The Phase 1 street facing gable ends have been translated into dormer gables, which are used to identify different dwellings and add variety to this principle on the Oldham Road elevation. This all allows Phase 2 to maintain a strong relationship with Phase 1, yet have its own identity.

Phase 3

- 3.23 The proposed apartment building that forms Phase 3 of the scheme would create 75 no. units, comprising 41 no. one-bed two-person units and 34 no. two-bed three-person units.
- 3.24 The building would comprise of two blocks, the first facing onto Oldham Road (six-storeys tall) with the second block running along Old Church Street (five-storeys tall).
- 3.25 Parking would be split between 12 no. undercroft spaces at ground floor level with 13 no. additional spaces proposed externally to the rear of the building.
- 3.26 The main entrance to the building addresses the corner of Oldham Road and Old Church Street, with secondary access proposed to be provided from a side entrance connecting through the two blocks between Old Church Street and former Dulverton Street.
- 3.27 3 no. fully accessible apartments with their own independent on-street entrances are proposed at the ground floor level.
- 3.28 The building has been designed to be sympathetic to the historic site context (in particular the Grade II listed Newton Silk Mill), but interpreted as a modern 'Manchester building'.

Landscaping and Public Realm

- 3.29 The landscape design proposals have been designed to respond to the layout of the proposed residential plots, and to provide a quality environment with both public amenity areas and private gardens.
- 3.30 A public amenity area has been designed as a central courtyard space leading to a gated internal 'garden street' to provide space for the residents to meet and socialise in a landscaped setting, with seating areas located amongst trees and shrubs and quality paving.
- 3.31 The central courtyard space has been designed to provide a lawn space for informal picnics, set on a stepped platform to protect the grass and to provide informal seating around the edge.

Soft Landscape Proposals

- 3.32 Trees are proposed throughout the Site to soften the built form, frame the amenity spaces and to provide summer shade. The proposed species have been chosen to respond to the proximity of dwellings and to provide year round interest. Shrubs have been located to soften the edges of the buildings and frame the amenity areas, and have been selected to provide year round interest, but also to be robust and easily maintained.

Hard Landscape Proposals

- 3.33 Quality paving products are proposed to be used for all amenity areas between the buildings, and the bin areas delineated by contrasting paving products. The rear gardens and front areas are typically modest in scale, and would not support grass, and have therefore been proposed as gravel to reduce maintenance requirements.

Off-Site Public Realm Improvements

- 3.34 The Applicant is proposing to deliver a package of off-site public realm improvements as part of the development, to be secured via a Section 106 Agreement.

Affordable Housing Statement

- 3.35 One Manchester completed the construction of 1,000 new homes in the city between 2016 and 2021. At present, One Manchester has a further 1,500 homes to be developed in line with its business plan, with an emphasis on bringing a high quality and sustainable offer – in terms of both affordable rental and affordable homeownership – into Manchester's neighbourhoods. One Manchester is developing a variety of accommodation suitable for range of family makeups and circumstances.
- 3.36 The proposal for the overall development of the land off Oldham Road is to deliver social rented and affordable rented properties under Homes England's Affordable Housing Programme 2021-26. This is in accordance with Manchester City Council's Planning Guidance, 'Providing for Housing Choice', which identifies that alongside a need for good quality private housing, many more people now need affordable housing options due to the sharply increased market-rent prices.
- 3.37 Phase 1 of the development is currently under construction and One Manchester is due to take handover of 39 homes for affordable rent from this phase by early 2024.
- 3.38 The proposals for Phases 2 and 3 of the development, which are the subject of the planning application being submitted, would create a total of 109 new affordable homes, comprising the following mix:

Phase 2 – 34 homes:

- 10 no. two-bed houses for affordable rent.
- 18 no. three-bed houses for affordable rent.
- 6 no. one-bed apartments for social rent.

Phase 3 – 75 homes:

- 41 no. one-bed apartments for social rent.
 - 34 no. two-bed apartments for social rent.
- 3.39 One Manchester is working with Manchester's delivery partners to ensure the City can meet its housing growth needs over the next 10 years and this includes bringing forward sites (including the land off Oldham Road in Newton Heath) with 100% of the homes to be funded with a Homes England grant. This level of affordable provision can only be offered on the basis that all homes are grant-funded.

Sustainability Credentials

- 3.40 The planning application would deliver a demonstrably sustainable development. The key sustainability credentials of the scheme include the following:
- The approach adopted by One Manchester has been to embed sustainability into the heart of the Proposed Development through a range of measures based on the "Be Lean, Be Clean, Be Green" hierarchy.
 - The Proposed Development would significantly exceed the requirements of Local Plan Policy EN6 in terms of energy demand and associated carbon emissions. This is demonstrated in detail within the supporting Energy & Sustainability Statement.
 - Highly efficient air source heat pumps would be provided for all the proposed houses and hot water heat pumps for all the proposed apartments, which would help to minimise carbon emissions on the site.
 - Each of the proposed 28 houses would be provided with a dedicated Electric Vehicle charging point. A further 19 charging points would be provided for the proposed apartments.
 - A secure cycle store would be provided at the ground floor of the proposed Phase 3 apartment building, comprising 35 no. double tier cycle racks providing 70 no. storage spaces. An additional 62 no. spaces would be provided via secure cycle stores in the rear garden of all the houses and apartments proposed as part of the Phase 2 element.
 - A Travel Plan is being submitted with the planning application, which would encourage residents to take advantage of the excellent public transport links in the area, which would go some way to reducing overall vehicle trips generated by the Proposed Development.
 - The proposed layout and fenestration has been designed to optimise passive solar gain and to provide the potential for overnight purge ventilation.
 - To help preserve water, water butts would be provided to enable rainwater collection for garden use. Smart water meters would also be installed to monitor, record and limit water usage.
 - To help minimise embodied carbon emissions, low carbon materials and high recycled content products would be used for the Proposed Development wherever possible. Locally sourced materials and trade would also be used where possible, with a timber frame proposed for the houses.
 - To enhance biodiversity, new tree planting is proposed and integral bat and bee boxes would be installed throughout the Proposed Development.

Social Value Commitments

- 3.41 One Manchester's vision is to create inclusive, connected and sustainable places where people can thrive and live well. It is a sector leader in embedding social value and aims to make a contribution to the economic, environmental and wider social wellbeing of its communities.
- 3.42 One Manchester prioritises spend with suppliers who share its vision of creating social, environmental and economic value for its customers and communities and who embed social value activities into their operating model.
- 3.43 The planning application is supported by a Social Value Template, identifying a range of social value measures and associated outcomes. Any contractors / suppliers appointed by One Manchester to help to deliver the Proposed Development would be encouraged to sign up to as many of the pledges contained within this template as possible.
- 3.44 A copy of One Manchester's Corporate Plan is also being submitted as part of the planning application, which provides further details of its commitment to deliver great services and quality homes, providing more great places to live, and investing further in communities.

Phasing

- 3.45 Subject to securing planning permission, One Manchester intends to deliver each phase of the Proposed Development (i.e. Phases 2 and 3) under separate contracts.
- 3.46 It is therefore requested that the planning conditions attached to any permission granted are worded in such a way that would enable them to be discharged on a phase-by-phase basis.

Draft Heads of Terms for Section 106 Agreement

- 3.47 The draft Section 106 Heads of Terms relate to the package of off-site public realm improvements that One Manchester is proposing to deliver as part of the development.
- 3.48 We would welcome discussion with the Local Planning Authority on this matter during the determination period, with a view to preparing a Section 106 Agreement.

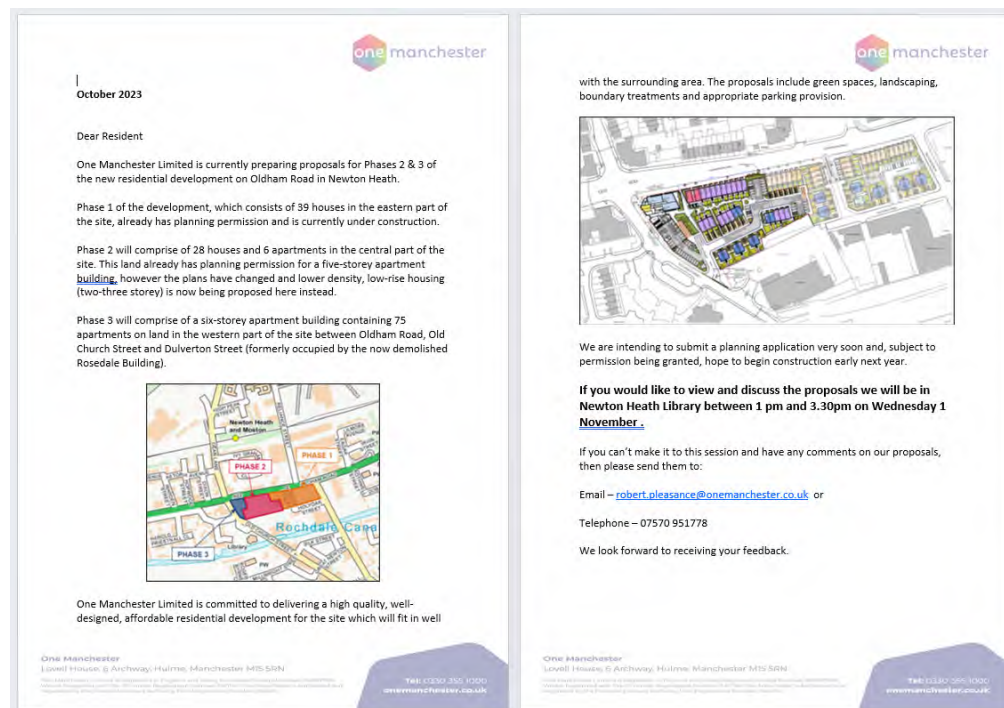
Statement of Community Involvement

- 3.49 In accordance with local and national planning policy, pre-application discussions have taken place with MCC officers throughout the development of the proposals for the Site.
- 3.50 Matters discussed at these meetings have included:
- Draft design proposals;
 - Schedule of application documents;
 - Specific planning policies that need to be addressed by the planning application; and
 - Pre-application consultation that should be undertaken with other parties.
- 3.51 In addition to the above, One Manchester has also liaised with the Newton Heath Ward Councillors on the emerging proposals.
- 3.52 Following on from this, a Public Consultation Event was arranged to take place at Newton Heath Library on Wednesday 1 November 2023.
- 3.53 In advance of this, on Friday 27 October 2023, a leaflet drop was undertaken One Manchester and delivered to residents and businesses within the blue boundary shown on the plan below in **Figure 3.3**.



^ Figure 3.3: Consultation maildrop boundary (taken from Google Maps)

3.54 **Figure 3.4** below presents a copy of the leaflet that was distributed.



^ Figure 3.4: Consultation leaflet

- 3.55 The event was attended by representatives from One Manchester and TP Bennett (scheme architects).
- 3.56 In total there were 12 no. of attendees, the majority of whom responded positively to the proposals. Questions were raised regarding matters including parking arrangements, mix of units, accessibility and design. **Figure 3.5** shows the information that was presented at the event, which included the proposed layout plan.



^ Figure 3.5: Exhibition photograph

3.57 **Chapter 4** will now present a summary of the relevant Local Planning policies.

4. Relevant Planning Policies

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the determination of planning applications must be made in accordance with the 'Development Plan' unless 'material considerations' indicate otherwise.
- 4.2 The relevant Development Plan in this instance comprises the Manchester Core Strategy (Adopted in 2012) and the saved policies of the Unitary Development Plan (UDP) for the City of Manchester (Adopted in 1995).
- 4.3 Relevant policies include:
- SO1: Spatial Principles
 - SO2: Economy
 - SO3: Housing
 - SO6: Environment
 - SP1: Spatial Principles
 - H4: East Manchester
 - H8: Affordable Housing
 - C1: Centre Hierarchy
 - C2: District Centres
 - C4: East Manchester District Centres – Eastlands, Gorton, Newton Heath and Openshaw
 - T1: Sustainable Transport
 - T2: Accessible areas of opportunity and needs
 - EN1: Design Principles and Strategic Character Areas
 - EN3: Heritage
 - EN4: Reducing CO2 Emissions by Enabling Low and Zero Carbon Development
 - EN5: Strategic areas for low and zero carbon decentralised energy infrastructure
 - EN6: Target framework for CO2 reductions from low or zero carbon energy supplies
 - EN9: Green infrastructure
 - EN14: Flood Risk
 - EN15: Biodiversity and Geological Conservation
 - EN16: Air Quality
 - EN17: Water Quality
 - EN18: Contaminated Land
 - EN19: Waste
 - DM1: Development Management
 - Saved UDP Policy DC7: New Housing Developments
 - Saved UDP Policy DC26: Development and Noise

- Saved UDP Policy DC19: Listed Buildings
 - Saved UDP Policy DC20: Archaeology
 - Saved UDP Policy E3.3: Environmental Protection and Improvement
- 4.4 Other relevant policies and documents which form a 'material consideration' to the application include:
- The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007)
 - Providing for Housing Choice Supplementary Planning Document and Planning Guidance (September 2008)
 - Manchester Residential Quality Guide (March 2017)
 - Manchester Green and Blue Infrastructure Strategy (2022)
 - National Planning Policy Framework (NPPF) (September 2023)
 - Planning Practice Guidance (PPG)
- 4.5 Further details of the relevant Local Policies and the other 'material considerations' are included within **Appendix 1** of this document.
- 4.6 **Chapter 5** will now appraise the details of the Proposed Development in the context of the aforementioned policies and considerations.

5. Appraisal of Planning Policy Compliance

- 5.1 Having introduced the Site along with the Development Plan and other relevant material considerations, this Chapter assesses the suitability of the Proposed Development in planning terms.
- 5.2 The principal matters for consideration are as follows:
- (i) Principle of Development and Public Benefits
 - (ii) Commitment to High Quality Design and Public Realm
 - (iii) Impact on Amenity or Users and Neighbours
 - (iv) Heritage
 - (v) Highways & Parking
 - (vi) Climate Change, Sustainability and Energy Efficiency
 - (vii) Other Technical Considerations
- 5.3 Each matter will be considered in turn below.

(i) Principle of the Proposed Development

Acceptability of Proposed Residential Development

- 5.4 Core Strategy Policy H1 ('Overall Housing Provision') aims to provide 60,000 new dwellings for Manchester over the Plan Period, noting that 90% of residential development should be delivered on previously-developed land.
- 5.5 It also highlights the requirement for proposals for new residential development to take account of the need to contribute to creating mixed communities by providing housing types to meet the needs of a diverse and growing Manchester population. In addition, it requires residential proposals to make provision for appropriate usable amenity space, and to prioritise sites which are in close proximity to centres or high frequency public transport routes.
- 5.6 In accordance with the relevant requirements of this policy, the Proposed Development would deliver a new residential development on a site comprising entirely of previously-developed land in a highly sustainable location.
- 5.7 The proposal would contribute 109 homes towards the supply of housing within Manchester. All of the new homes proposed would be affordable (a mixture of social and affordable rented units), thereby enhancing the housing stock for those with specific accommodation requirements.
- 5.8 A communal open green space would be provided for the apartment building and individual private gardens for the dwellings. The layout of the Proposed Development would complement and enhance the linkages to the District Centre, providing footfall and activity. The Applicant is also willing to make an appropriate contribution towards off-site public realm improvements, to be secured via a Section 106 Agreement.
- 5.9 Core Strategy Policy H4 ('East Manchester') identifies East Manchester (within which the Site is located) as a suitable area for high density residential growth, which provides a significant opportunity to expand the housing offer in Manchester and to support the economic growth of the City-region. The Policy states that priority will be given to family housing.
- 5.10 This Policy lends support to the Proposed Development, which would deliver a high density residential scheme on land within East Manchester. 57% of the new homes proposed would have two or more bedrooms, which would be suitable and attractive to families. The remaining one-bedroom accommodation would be aimed at smaller households and those who are able

to downsize, enabling larger homes within One Manchester's portfolio to be made available for families. The space standards for the homes would be consistent with the City's adopted space standards.

- 5.11 Core Strategy C1 ('Centre Hierarchy') identifies district centres as a focus for the City's residential neighbourhoods, providing an important opportunity to define local character, and notes that development in these centres should primarily respond to the needs of the catchment and recognise the need to support the vitality and viability of other centres.
- 5.12 The Proposed Development would accord with this Policy, by supporting the local catchment area and the vitality and viability of Newton Heath District Centre through the introduction of much needed affordable housing in the area.
- 5.13 Core Strategy Policy C2 ('District centres') promotes development which supports thriving district centres, with distinct local character, providing a good range of accessible key services. The Policy explains that new development should positively contribute to the reuse and regeneration of land and premises, noting that housing will also be considered an appropriate use within District Centres, providing it supports the vitality and viability of the centre.
- 5.14 The Proposed Development would contribute positively towards the objectives of this policy, through the delivery of a high quality residential development on the land off Oldham Road, which would regenerate vacant land within the District Centre.
- 5.15 Core Strategy Policy C4 ('East Manchester District Centres - Eastlands, Gorton, Newton Heath and Openshaw') states that, within Newton Heath District Centre, new development should be of a high quality and inclusive design, in order to improve the character and quality of the centre and the way it functions. It also notes that Newton Heath offers significant opportunities for new housing.
- 5.16 The Proposed Development would accord with this Policy, through the delivery of a high quality and inclusive residential development that would improve the character of the District Centre and the way that it functions.
- 5.17 In summary, it is clear that the principle of the residential development proposed is entirely acceptable and would contribute to the objectives of the Development Plan, in particular Core Strategy Policies H1, H4, C1, C2 and C8, through the delivery of a high quality residential development, comprising entirely of affordable homes, which would help to meet the demands of a growing economy and population on a well-connected, highly sustainable brownfield site.
- 5.18 The suitability of the Phase 2 land for residential development has already been established through the recent planning permissions granted on this part of the Site, as outlined in paragraphs 2.22 – 2.27.

Affordable Housing

- 5.19 Core Strategy Policy H8 requires new development to contribute to the City-wide target for 20% of new housing provision to be affordable. Developers are expected to use the 20% target as a starting point for calculating affordable housing provision. The policy states that the proportion of affordable housing units will reflect the type and size of the development as a whole.
- 5.20 The application proposes 109 new homes, 81 of which would be apartments available for social rent and 28 would be houses available for affordable rents. The mixture of social rented and affordable rented accommodation proposed is considered to be an entirely appropriate mix of affordable housing, which would help to meet identified housing needs to East Manchester and would be fully compliant with Policy H8.
- 5.21 The proposal would also contribute positively towards the objectives of the Council's Providing for Housing Choice Supplementary Planning Document and Planning Guidance, which identifies that alongside a need for good quality private housing, many more people now need affordable housing options due to the sharply increased market-rent prices.

Overall Scheme Benefits

- 5.22 One Manchester's proposals for the land off Oldham Road in Newton Heath represent a significant and unique regeneration opportunity for Newton Heath. The Proposed Development

would support economic sustainable growth and enhance the vitality of Newton Heath, the District Centre and the Oldham Road streetscape through the provision of well-designed, sustainable new homes.

- 5.23 The Proposed Development would make a significant contribution towards the delivery of much needed new affordable homes in East Manchester, within a scheme that would be highly sustainable and use high quality materials, thereby reducing carbon emissions.
- 5.24 The Proposed Development would create jobs and support the needs of a skilled workforce through the creation of construction jobs. One Manchester has a strong social value policy which includes ensuring that their development proposals create new jobs in the local economy. This includes creating work placements for local residents including apprenticeships, work experience, career mentoring and opportunities for those people furthest away from the labour market. There is also support for new and small business through workshops and creation of links and support networks within their supply chains and subcontractors.
- 5.25 The planning application is supported by a Social Value Template, identifying a range of social value measures and associated outcomes. The contractors / suppliers appointed by One Manchester to help to deliver the Proposed Development will be encouraged to sign up to as many of the pledges contained within this template as possible.
- 5.26 A copy of One Manchester's Corporate Plan is being submitted as part of the planning application, which provides further details of its commitment to deliver great services and quality homes, providing more great places to live, and investing further in communities.

(ii) Commitment to High Quality Design

High Quality Design

- 5.27 The Proposed Development has been designed to respond positively to Core Strategy Policies EN1 ('Design principles and strategic character areas') and DM1 ('Development Management'), by providing good quality, affordable residential accommodation in a highly sustainable location.
- 5.28 A comprehensive Design & Access Statement has been prepared by TP Bennett which sets out the design principles, concepts and strategy behind the scheme and it should be read in conjunction with the planning drawings, also prepared by TP Bennett. A summary of the Proposed Development is also set out in **Chapter 3** of this Planning Policy Compliance Statement.
- 5.29 The layout of the Proposed Development would utilise the existing road layout, providing natural surveillance to the Oldham Road and Old Church Street. Permeability through the Site for pedestrians would be retained.
- 5.30 The footways and carriageway around the Site would be upgraded to ensure that they are suitable and safe for pedestrians.
- 5.31 A Village Green Space is proposed, which would be of a suitable size for outdoor recreation.
- 5.32 Boundary treatment would be provided to all the key frontages in the form of walls and contemporary style railings against a backdrop of soft landscaping to complement the architecture.

Layout, Scale, External Appearance and Visual Amenity

- 5.33 The layout and scale of the Proposed Development seeks to create a scheme of the highest quality with active street frontages and linkages with the wider Newton Heath District Centre.
- 5.34 The layout of the proposal would complement the Phase 1 development, by providing a strong building line of development along Oldham Road ascending in scale towards the City Centre.
- 5.35 The 6 storey apartment building would anchor the corner of Oldham Road and Old Church Street, announcing the Proposed Development and animating the site/building entrance. Oldham Road would be activated by the main pedestrian entrance to the apartment building together with the individual entrances to the dwellings.

- 5.36 A village green space communal garden area and car park (for the apartments) would be provided to the rear of the apartment building, accessed off Old Church Street.
- 5.37 The proposed layout and scale of Proposed Development would complement the character, scale and order of development in the surrounding area, as well as providing an appropriate response to Oldham Road. The transition in scale, mass and density along Oldham Road to its highest point on the corner of Old Church Street and Oldham Road would form an appropriate architectural response along this key corridor.
- 5.38 Overall the design of the Proposed Development is considered to be high quality, offering an individual and distinctive piece of architecture for Newton Heath. The scale of the proposal is appropriate in this location and the proposed materials would deliver a simple and effective façade treatment.

Housing Mix, Size and Tenure

- 5.39 In accordance with the requirements of Core Strategy Policy H1, the Proposed Development would provide a range of new residential development.
- 5.40 The proposed dwelling mix is as follows:
- 47 no. one-bed apartments;
 - 34 no. two-bed apartments;
 - 10 no. two-bed houses; and,
 - 18 no. three-bed houses.

Landscaping & Public Realm

- 5.41 The landscape design proposals have been designed to respond to the layout of the proposed residential plots, and to provide a quality environment with both public amenity areas and private gardens.
- 5.42 A public amenity area has been designed as a central courtyard space leading to a gated internal 'garden street' to provide space for the residents to meet and socialise in a landscaped setting, with seating areas located amongst trees and shrubs and quality paving.
- 5.43 The central courtyard space has been designed to provide a lawn space for informal picnics, set on a stepped platform to protect the grass and to provide informal seating around the edge.
- 5.44 Trees are proposed throughout the Site to soften the built form and frame the amenity spaces, and to provide summer shade. The proposed species have been chosen to respond to the proximity of dwellings and to provide year round interest. Shrubs have been located to soften the edges of the buildings and frame the amenity areas, and have been selected to provide year round interest, but also to be robust and easily maintained.
- 5.45 Quality paving products are proposed to be used for all amenity areas between the buildings, and the bin areas delineated by contrasting paving products. The rear gardens and front areas are typically modest in scale and would not support grass and have therefore been proposed as gravel to reduce maintenance requirements.
- 5.46 The Applicant is also proposing to deliver a package of off-site public realm improvements as part of the development, to be secured via a Section 106 Agreement.

Overall Design Conclusions

- 5.47 With consideration to the matters presented above, it is clear that the scheme proposed is of the highest design quality and wholly appropriate to the surrounding context.
- 5.48 The Proposed Development therefore responds positively to the objectives of Core Strategy Policies EN1 ('Design Principles and Strategic Character Areas') and DM1 ('Development Management') and Section 12 of the NPPF ('Achieving Well Designed Places').

(iii) Impact on Amenity or Users and Neighbours

Air Quality

- 5.49 An Air Quality Assessment (“AQA”) has been undertaken by Wardell Armstrong. This assessment demonstrates that the Proposed Development would not lead to any unacceptable risk from air pollution, nor would it lead to any breach of national objectives as required by national policy.
- 5.50 A construction phase assessment has been undertaken to determine the risk and significance of dust and fine particulate matter effects from demolition, earthworks, construction and trackout associated with the Proposed Development. This confirms that, with site specific mitigation measures in place, the significance of dust and fine particulate matter effects from earthworks, demolition, construction and trackout is considered to be not significant.
- 5.51 A qualitative air quality screening assessment has been undertaken to consider the potential impact of the Proposed Development on the local air quality during the operational phase. This found that the air quality impacts associated with development-generated road traffic emissions would have a negligible air quality impact at all existing and proposed sensitive receptors. Furthermore, the air quality assessment found that all predicted NO₂, PM₁₀ and PM_{2.5} concentrations remained below the relevant objectives and limit values, when the Proposed Development becomes operational.
- 5.52 Although the impact of the Proposed Development is predicted to be not significant, the Air Quality Assessment recommends that mitigation measures should nevertheless be employed where possible.
- 5.53 In summary, the Proposed Development accords with local policy guidance in relation to Air Quality, namely Core Strategy Policy EN16 (‘Air Quality’), as well as Paragraph 186 of the NPPF.

Noise & Vibration

- 5.54 A Noise Impact Assessment has been undertaken in support of the Proposed Development by Jameson Acoustics Limited. The assessment identifies that the main sources of noise that have potential to impact residents of the Proposed Development are from road traffic on Oldham Road and Old Church Street.
- 5.55 The assessment concludes that that acceptable internal noise levels within new dwellings can be achieved through the appropriate specification of façade elements and appropriate ventilation and overheating mitigation solutions, which removes reliance on openable windows for dwellings overlooking Oldham Road and Old Church Street. Preliminary guidance on suitable specifications and solutions for framed external window/door systems has been provided. Acoustically-enhanced double glazed windows will be required for façades facing the two roads, reducing to more conventional double glazing within the centre of the site.
- 5.56 Plant noise emission limits have been proposed so that future plant installations do not adversely impact neighbouring noise sensitive properties, however it is worth noting that there unlikely to be significant plant associated with the Proposed Development. A substation is proposed to the south-east corner of the Site and the assessment of noise output from this indicates a low risk of adverse noise impact.
- 5.57 It can therefore be concluded that the Proposed Development is in accordance with Saved UDP Policy DC26 (‘Development and Noise’).

Daylight & Sunlight Assessment

- 5.58 A Daylight & Sunlight Assessment has been prepared to support the planning application and also the ongoing design evolution of the Proposed Development.
- 5.59 The technical analysis undertaken by GIA uses the methodologies set out within the Building Research Establishment Guidelines (“BRE”) entitled ‘Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (2022)’.

- 5.60 The BRE Guide provides two methodologies for daylight assessment to surrounding properties, namely:
- The Vertical Sky Component ("VSC"); and
 - The No Sky Line ("NSL").
- 5.61 There is one methodology for sunlight assessment, denoted as Annual Probable Sunlight Hours ("APSH").
- 5.62 A three-dimensional computer model of the Site and surrounding properties was created by GIA to allow for a detailed daylight and sunlight assessment. Those properties surrounding the Site that are thought to have the potential to be impacted by the Proposed Development are:
- 1063-1081 Oldham Road.
 - 59 Ivy Graham Close.
 - 1 Dean Lane.
 - 2-6 Starcross Walk.
- 5.63 In determining the impact of the development on available daylight and sunlight, consideration should be given to paragraph 123 (c) of Section 11 of the NPPF which states that when considering applications for housing, a flexible approach should be taken in terms of applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).
- 5.64 The report draws the following conclusions:
- 1063-1081 Oldham Road**
- 5.65 The assessment indicates that all windows and rooms analysed would continue to meet the daylight targets set out in the BRE Guide following the construction of the Proposed Development.
- 5.66 There are no living rooms that face within 90 degrees of due south and overlook the Proposed Development. As such, no sunlight assessment is required.
- 59 Ivy Graham Close**
- 5.67 There is a single window to 59 Ivy Graham Close that would fall short of the VSC daylight target, with a minor adverse impact.
- 5.68 Paragraph 2.2.8 of the BRE Guide states that if a room has more than one window, an overall VSC to the room can be calculated. The window that falls short of the target in 59 Ivy Graham Close is served by additional windows. When the VSC to the room is considered, the room as a whole would meet the targets.
- 5.69 There is a single room in 59 Ivy Graham Close that falls short of the NSL daylight target, with a minor adverse impact.
- 5.70 This room is a bedroom on the ground floor. The room would be reduced to a direct view of the sky to 78.5% of its room area, against the target of 80%. The BRE recognises that bedrooms have a lesser requirement daylight than living rooms or kitchens. The living kitchen diner of the apartment that this bedroom is within will be unaffected by the proposed development.
- 5.71 Overall, the impact on 59 Ivy Graham Close would therefore be limited and not considered to be unacceptable.
- 1 Dean Lane**
- 5.72 The assessment indicates that all windows and rooms analysed would continue to meet the daylight and sunlight targets set out in the BRE Guide.

2-6 Starcross Walk

- 5.73 The assessment indicates that all windows and rooms analysed would continue to meet the daylight targets set out in the BRE Guide.
- 5.74 There are no living rooms that face within 90 degrees of due south and overlook the proposed development. As such, no sunlight assessment is required.
- 5.75 Overall, and when taking into account paragraph 123 (c) of Section 11 of the NPPF, the impact of the scheme on the surrounding residential properties in daylight and sunlight terms is considered to be acceptable. The assessment demonstrates that surrounding properties would continue to exhibit high levels of daylight and sunlight with the Proposed Development in place.

TV Reception and Broadband Connectivity

- 5.76 The planning application is supported by a Broadband Connectivity Assessment, prepared by One Manchester, and a Pre-Construction TV Signal Reception Impact Survey, prepared by Astbury.
- 5.77 In summary, it is considered that the Proposed Development is unlikely to affect TV reception or broadband connectivity. The Applicant would be willing to undertake a post-completion survey to verify that this is the case and no additional mitigation is required.

Wind

- 5.78 The Manchester area has two primary prevailing wind sectors, from the south and from the west.
- 5.79 To westerly winds, the Proposed Development would not present a significant or wind obstruction, and it is mid-rise at most. There is little reason to expect more than a benign microclimate from that wind sector/direction.
- 5.80 For winds from the south, the height of the Proposed Development is lower still and again, there is no significant frontage that would have a considerable effect on the approaching wind.
- 5.81 Overall, it is clear that the Proposed Development wouldn't have a material adverse effect on adjacent surrounds in terms of wind impacts, and in fact the larger elements of the scheme would provide some shelter from westerly and south-westerly winds.

Waste Management

- 5.82 Bins would be stored in rear gardens within the curtilage of each of the houses proposed as part of Phase 2. Bins would be transferred by residents to centrally located collection points from which they could then be taken to the refuse vehicle by operatives (on Newton Street & Dulverton Street) and returned to the collection point.
- 5.83 A refuse store is proposed at ground floor level of the proposed Phase 3 apartment building. The store would be accessed via a common internal corridor. Collection access would be via external louvred doors with coded locks. It is proposed to have a floor gully and tap for wash down with drainage provided in each store. Ventilation would be provided via louvred panels within the external doors.
- 5.84 Further details are provided in the Design & Access Statement and Waste Management Proforma document being submitted in support of the planning application.

Conclusions

- 5.85 In summary, the Proposed Development has been carefully designed to ensure that it is compatible with surrounding uses and neighbours, and with due regard to the impact on future occupants.
- 5.86 Sunlight, daylight, privacy, aspect and layout have all been given appropriate consideration in the design of Proposed Development and the overall design of the scheme and the relationship with surrounding uses.
- 5.87 The numerous technical assessments which have been prepared and submitted with the planning application (including those covering potential air quality and noise effects) conclude

that there will be no significant impact on the environment as a result of the Proposed Development.

- 5.88 Where minor impacts are expected (e.g. during construction) appropriate mitigation has been proposed in order to minimise impacts.

(iv) Heritage

- 5.89 The planning application is accompanied by a Heritage Statement prepared by Kathryn Sather & Associates.
- 5.90 There are no designated heritage assets located within the boundary of the Application Site. However, the Grade II listed Newton Silk Mill lies a short distance away to the south east.
- 5.91 The Heritage Statement provides an assessment of the significance of Newton Silk Mill and the contribution that the Site makes to the setting of this heritage asset. It also assesses the anticipated impact of the Proposed Development on the setting of the listed building.
- 5.92 The Statement demonstrates that the Site does not contribute to the significance of the Newton Silk Mill, on the basis that its usage has changed significantly over time on several occasions and has never had an association with the building.
- 5.93 The setting of Newton Silk Mill has been altered significantly on several occasions, both through the partial demolition of the building itself (altering the way it is viewed from the south) and through cycles of new building development and demolition occurring to the north and west. One constant feature of the setting of the building has been the view of its north elevation along Newton Street. As such, the Heritage Statement concludes that the Proposed Development would have a neutral impact on the setting of the listed building by reintroducing housing to the Application Site (which was the historical use) and retaining the framing of the view of its north elevation from Oldham Road along Newton Street.

(v) Highways & Parking

- 5.94 A Transport Statement has been prepared by Curtins to support the planning application, which assesses the traffic, transport, safety, and accessibility impact of the Proposed Development, in accordance with the relevant guidance.
- 5.95 This demonstrates that the Site is highly accessible by a range of sustainable modes of transport and is well located from a public transport perspective, with a large number of public transport opportunities within an acceptable walking distance of the Site. Furthermore, the surrounding area exhibits good levels of pedestrian and cycling infrastructure.
- 5.96 Trip generation forecasts using TRICS data have been undertaken, which demonstrate that there would be a negligible increase in vehicular trip generation caused by the Proposed Development during the network AM and PM peak hours.

Car Parking

- 5.97 A total of 70 parking spaces are proposed, comprising of:
- 34 spaces for the proposed Phase 2 houses and apartments (comprising 14 in-curtilage spaces and 20 courtyard spaces).
 - 25 spaces for the proposed Phase 3 apartments (including 5 disabled spaces).
 - 11 spaces for some of the Phase 1 dwellings that are currently under construction (comprising 6 in-curtilage spaces and 5 courtyard spaces).
- 5.98 Access to all secure parking areas would be via fob activated automatic gates. Fob activation would also be required for pedestrian access and egress.

Cycle Parking Provision

- 5.99 A total of 132 secure cycle spaces are proposed across the development.
- 5.100 A secure cycle store would be provided at the ground floor of the Phase 3 apartment building, comprising 35 no. double tier cycle racks providing 70 no. storage spaces.
- 5.101 An additional 62 no. spaces would be provided via secure cycle stores in the rear gardens of all the houses and apartments proposed as part of the Phase 2 element.

Servicing

- 5.102 Service and refuse vehicles would utilise the upgraded access off Old Church Street onto Dulverton Street. The submitted Transport Statement demonstrates that a 11.2m large refuse vehicle could access and egress the Site safely in forward gear.

Travel Plan

- 5.103 A Travel Plan has been prepared for the Proposed Development, which sets out the strategy that would be occupied on occupation of the scheme to support active and sustainable travel.

Summary

- 5.104 In summary, it is considered that the Proposed Development would not have an unacceptable impact on highway safety, nor would there be a severe residual cumulative impact on the surrounding highway network. It would accord with the relevant sections of the NPPF and Core Strategy Policies T1 ('Sustainable Transport') and T2 ('Accessible areas of opportunities and needs') and, from a traffic and transportation perspective, there are no reasons why the planning application should not be approved.

(vi) Climate Change, Sustainability and Energy Efficiency

- 5.105 The Proposed Development would comprise a low carbon scheme in a highly sustainable location with excellent access to public transport for residents and visitors.
- 5.106 Sustainability principles would be incorporated into the construction process in terms of minimising and recycling of waste, efficiency in terms of vehicle movements and sourcing and use of materials.
- 5.107 The submitted Travel Plan would encourage residents to take advantage of the excellent public transport in the area which would go some way to reducing overall vehicle trips from the site.
- 5.108 The approach adopted by One Manchester has been to embed sustainability into the heart of the Proposed Development through a range of measures based on the "Be Lean, Be Clean, Be Green" hierarchy.
- 5.109 The Proposed Development would significantly exceed the requirements of Core Strategy Policy EN6 in terms of energy demand and associated carbon emissions. This is described in detail within the supporting Energy & Sustainability Statement.

(vii) Other Technical Considerations

Ecology and Trees

- 5.110 A Preliminary Ecological Appraisal ("PEA") Report has been prepared by Urban Green, which is submitted in support of the planning application.
- 5.111 The Report confirms that no further surveys are required to facilitate the Proposed Development. The following mitigation measures are however recommended, in order to minimise any potential adverse ecological impacts:
- Adopting Reasonable Avoidance Measures during the construction phase for common amphibians and hedgehog.
 - Adopting Precautionary Working Methods during the construction phase for commuting & foraging bats and badger.

- Ensuring that any vegetation removal required is completed outside of the bird breeding season (March to September, inclusive). If this is not feasible, a Nesting Bird Check should be completed by a qualified ecologist within 48 hours before removal is completed.
- 5.112 The Report also makes a number of specific enhancement recommendations for the Site including:
- Planting of linear features such as hedgerows and trees throughout the Site where possible, to add commuting features within the Site.
 - An ecologically sensitive planting scheme could be incorporated within the Proposed Development to promote invertebrate use of the Site, which could benefit local bat and bird species.
 - Bat and bird boxes to be placed according to specification on aspects of the newly constructed residential buildings, to add commuting and roosting features within the Site.
- 5.113 A Biodiversity Net Gain Design Stage Assessment prepared by Urban Green is also being submitted with the planning application. This demonstrates that the Proposed Development would result in a net loss of 0.01 habitat units (-0.18%) and a net gain of 0.15 linear hedgerow units (percentage not applicable as the baseline is zero). On-site mitigation measures have been maximised and, to ensure that the habitats proposed as part of the development achieve a maximum gain in value to the site, a Biodiversity Enhancement Management Plan has been prepared, which is submitted as part of the planning application also.
- 5.114 There are no trees on the Site that warranted an Arboricultural Impact Assessment being undertaken.
- 5.115 In summary, the Proposed Development is considered to meet the requirements of Core Strategy Policies EN9 ('Green Infrastructure') and EN15 ('Biodiversity and Geological Conservation').

Flood Risk Assessment and Drainage Strategy

- 5.116 The planning application is supported by a Flood Risk Assessment and Drainage Strategy prepared by Curtins.
- 5.117 The report demonstrates that the risk of the Site flooding from groundwater or surface water is low, providing a series of recommended mitigation measures are imposed, including ensuring that external ground levels fall away from the proposed buildings.
- 5.118 It is proposed that surface water from the Proposed Development would outfall into the surrounding public sewers at restricted discharge rates. Assuming that the proposed drainage system is designed to provide adequate capacity, and that the private and adopted sewers are maintained by their adopted authority, it is considered that the risk of surface water flooding from the Site is low.
- 5.119 The Proposed Development is therefore considered to meet the requirements of Core Strategy Policies EN14 ('Flood Risk') and EN17 ('Water Quality') and the relevant parts of the NPPF.

Archaeology

- 5.120 With regards to the consideration of archaeological effects of the Proposed Development, an Archaeological Desk-based Assessment has been undertaken by Archaeological Research Services, which is submitted in support of the planning application.
- 5.121 This assessment has identified that there are six potential heritage assets within the Site. These comprise six non-designated heritage assets identified through historical map regression relating to the remains of workers' housing constructed during the 19th century to supply the growing needs of industries within Newton Heath and Central Manchester. There have already been considerable archaeological investigations across the eastern extent of the Site (where

the Phase 2 housing is proposed), confirming the presence of 19th century archaeological remains, which have determined these remains to be of local to regional significance. The potential for further archaeological evidence relating to post-medieval development is medium.

- 5.122 No evaluation trenching has been undertaken in the land to the west of Dulverton Street (the Phase 3 land), where the Site was once the location of a number of 19th and 20th century residential dwellings and commercial buildings. Given the results of the previous works, it is considered there is a medium potential that the Proposed Development would result in the disturbance of buried archaeological remains. However, a programme of evaluation trenching previously conducted in the eastern extent of the Site, that was later scaled up to a small-scale strip, map and sample, has provided considerable preservation of the Site by record and contributed to the North-West Regional Research Framework. Therefore, the potential impact of this development on archaeological remains is reduced.
- 5.123 Due to the potential for archaeological remains within the Site relating to post-medieval workers' housing, it is recommended that a scalable watching brief is conducted in areas not previously evaluated that will be subject to groundworks. In particular, this includes the land on the western side of Dulverton Road (the Phase 3 land), where there have been no previous investigations.
- 5.124 Based on the information presented to date it is therefore considered that, in terms of archaeology, the Proposed Development meets the requirements of the NPPF and is in accordance with Development Plan Policy EN3 ('Heritage') and Saved UDP Policy DC20 ('Archaeology').

Ground Conditions

- 5.125 The planning application is accompanied by Preliminary Risk Assessments and Ground Investigations that have been undertaken by Curtins for the Phase 2 & 3 land that makes up the Application Site. An associated cover note is also being submitted.
- 5.126 The submitted documentation demonstrates that the Site is suitable for the residential development that is proposed, taking account of ground conditions and potential risks arising from land instability and contamination.
- 5.127 On the basis of the above, the Proposed Development is considered to be in accordance with the relevant sections of the NPPF dealing with contaminated land and Core Strategy Policy EN18 ('Contaminated Land').

Crime and Security

- 5.128 Paragraph 92 of the NPPF states that new developments should create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.
- 5.129 Accordingly, a Crime Impact Statement ("CIS") has been prepared for the Proposed Development by Greater Manchester Police ("GMP") and is submitted in support of the planning application.
- 5.130 The GMP concludes within the CIS that it supports the Proposed Development from a security and design perspective. The submitted Design and Access Statement contains a response to the recommendations made within the CIS.

Construction Management

- 5.131 A Construction Environmental Management Plan (CEMP) prepared by Casey is being submitted with the planning application, which outlines the measures that would be used to ensure that there are no unacceptable impacts arising during the construction of Phase 2 of the Proposed Development.
- 5.132 A CEMP covering the construction process for Phase 3 can be submitted to the Local Planning Authority once a contractor for this element of the Proposed Development has been appointed.
- 5.133 **Chapter 6** will now summarise the findings of this Statement along with the conclusions.

6. Planning Balance and Conclusions

- 6.1 S38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 The NPPF is a material consideration in planning decisions and, as the Government's expression of Planning policy and how this should be applied, should be given significant weight in the decision-making process.
- 6.3 Paragraph 11 of the NPPF, states that

'd) where there are no relevant development plan policies or the policies which are most important for determining the application are out of date, planning permission should be granted unless:

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

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

- 6.4 It is clear that the proposed redevelopment of the Site for residential use would result in numerous and substantial benefits which will improve the economic, social and environmental conditions of the area, including:

Economic benefits:

- The Proposed Development would help to deliver sustainable housing growth in Manchester, which is essential if the City is to fully realise its economic potential. Housing development is widely recognised as a key component of economic growth, which can generate expenditure in the local economy.
- The scheme would contribute to building a strong, responsive and competitive economy. The construction of 109 no. residential units would deliver direct economic benefits and spin-off benefits to the local economy through the creation of jobs during the construction phase.
- One Manchester has a strong social value policy which includes ensuring that its development proposals create new jobs in the local economy. This involves creating work placements for local residents including apprenticeships, work experience, career mentoring and opportunities for those people furthest way from the labour market. There is also support for new and small businesses through workshops and creation of links and support networks within their supply chains and subcontractors.

Social benefits:

- One Manchester's vision is to create inclusive, connected and sustainable places where people can thrive and live well. It is a sector leader in embedding social value and aims to make a contribution to the economic, environmental and wider social wellbeing of its communities.
- The Proposed Development would support the creation of strong, vibrant and healthy communities, by helping to provide the supply and choice of housing required to meet the needs of present and future generations. The Proposed Development would provide a mixture of social rented and affordable rented accommodation, which would help to meet identified housing needs in East Manchester.

- The scheme would deliver a high quality built environment on the Site, including landscaping and accessible open space, which would have a positive social impact on users of the Proposed Development. The Applicant is also proposing to make a contribution towards off-site public realm benefits as part of the scheme.
- The new housing that is proposed would make a significant contribution towards affordable housing (100%) which would help to address the current shortfall of supply in Manchester.

Environmental benefits:

- The Proposed Development accords with the principles of sustainable development in that the Site is in a highly sustainable location, which is well served by public transport.
- Where practicable, the Proposed Development would adopt sustainable methods of design and construction, and a range of other sustainable measures.
- The Application Site comprises land that is not of high environmental value. The Proposed Development would not result in the use of any natural resources that are considered to be in short supply.
- The Scheme would make a positive contribution towards the use of renewable and low carbon energy. As demonstrated within the supporting Energy & Sustainability Statement, it would significantly exceed the requirements of Core Strategy Policy EN6
- Consideration has been given to enhancing biodiversity where practical, the prudent use of natural resources and the minimisation of waste. Where environmental impacts have been identified, suitable mitigation measures have been proposed.

- 6.5 As a result, and in line with Paragraph 38 of the NPPF, the Local Planning Authority should approach the application *'in a positive and creative way'*, and should look to use the full range of planning tools to secure a positive planning outcome.
- 6.6 Turning to the technical considerations, a detailed suite of reports has been undertaken by appropriately qualified consultants, which is being submitted in support of the application. The reports confirm that there are no technical considerations which would preclude the granting of planning permission.

Conclusions

- 6.7 To conclude, the application seeks permission for a well-designed, high-quality residential development, comprising entirely of affordable housing units, which would make effective use of a brownfield site in a highly sustainable location.
- 6.8 The design has been progressed over a number of months in close liaison with technical consultants and Manchester City Council Officers.
- 6.9 The Proposed Development accords with the relevant and up to date Development Plan policies as a whole and is offered significant support by a number of other material considerations, and National Planning Policy. No adverse impacts of granting planning permission have been identified however there are numerous and substantial benefits resulting from the Proposed Development.
- 6.10 Consequently, the Proposed Development should consequently be supported, and permission granted without delay.

Appendix 1: Relevant Planning Policy

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the determination of planning applications must be made in accordance with the 'Development Plan' unless 'material considerations' indicate otherwise.

The relevant Development Plan in this instance comprises the Manchester Core Strategy (Adopted in 2012) and the saved policies of the Unitary Development Plan (UDP) for the City of Manchester (Adopted in 1995).

The policies relevant to the Proposed Development are set out Table A1.1 below.

Policy	Summary
SO1: Spatial Principles	Promotes the sustainable development of the City which can contribute to halting climate change.
SO2: Economy	Seeks to support a significant further improvement of the City's economic performance and spread the benefits of this growth across the City to reduce economic, environmental and social disparities, and to help create inclusive sustainable communities.
SO3: Housing	Promotes a significant increase in high quality housing provision at sustainable locations throughout the City, to both address demographic needs and to support economic growth.
SO6: Environment	Seeks to protect and enhance both the natural and built environment of the City and ensure the sustainable use of natural resources.
SP1: Spatial Principles	Places emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment. States that new development will maximise the potential of the City's transport infrastructure, in particular promoting walking, cycling and use of the public transport. Notes that development in all parts of the City should make a positive contribution to neighbourhoods of choice.
H4: East Manchester	Explains that East Manchester, over the lifetime of the Core Strategy, will accommodate around 30% of new residential development. Notes that priority will be given to family housing and other high value, high quality development where this can be sustained.
H8: Affordable Housing	Sets out the requirements for affordable housing, which apply to all residential developments on sites of 0.3 hectares and above or where 15 or more units are proposed.
C1: Centre Hierarchy	Identifies district centres as having an essential role in providing key services to the City's neighbourhoods including shopping, commercial, leisure, public and community functions, ensuring that residents can access such services easily. States that they are also a focus for the City's residential neighbourhoods, providing an important opportunity to define local character. Newton Heath is identified as one of Manchester's 17 district centres. States that development in these centres should primarily respond to the needs of the catchment and recognise the need to support the vitality and viability of other centres.
C2: District Centres	Promotes development which supports thriving district centres, with distinct local character, providing a good range of accessible key services. Explains that new development should positively contribute to the reuse and regeneration of land and premises, noting that housing will also be considered an appropriate use within District Centres, providing it supports the vitality and viability of the centre.
C4: East Manchester District Centres – Eastlands, Gorton,	States that, within Newton Heath District centre, new development should be of a high quality and inclusive design, in order to improve the character and quality of the centre and the way it functions. It also notes that Newton Heath offers significant opportunities for new housing.

Policy	Summary
Newton Heath and Openshaw	
T1: Sustainable Transport	<p>Explains that to deliver a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking, to support the needs of residents and businesses and to prepare for carbon free modes of transport, the Council will support proposals that:</p> <ul style="list-style-type: none"> ▪ Promote regeneration and economic viability by relieving traffic congestion and improving access to jobs and services, particularly for those in need and for those without a car. ▪ Improve access to transport services and facilities in order to enable disabled people and people with mobility impairments to participate fully in public life. ▪ Facilitate modes of transport that reduce carbon emissions e.g. by incorporating charging points for electric vehicles subject to appropriate design and location. <p>Would reduce the negative impact of road traffic e.g. congestion, air pollution and road accident casualties.</p>
T2: Accessible areas of opportunity and needs	<p>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 Corridor and Hospitals and the Airport, and is easily accessible by walking, cycling and public transport, connecting residents to jobs, centres, health, leisure, open space and educational opportunities.</p> <p>Proportionate Traffic Impact Assessments and Travel Plans should be provided for all major applications and for any proposals where there are likely to be access or transport issues.</p>
EN1: Design Principles and Strategic Character Areas	<p>States that 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. Design and Access Statements submitted with proposals for new development must clearly detail how the proposed development addresses the design principles, reinforces and enhances the local character of that part of the City and supports the achievement of the Core Strategy Strategic Objectives.</p>
EN3: Heritage	<p>Notes that throughout the City, the Council will encourage development that complements and take advantage of the distinct historic and heritage features of its districts and neighbourhoods. It also explains that 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 listed buildings, registered parks and gardens, conservation areas and archaeological remains.</p>
EN4: Reducing CO2 Emissions by Enabling Low and Zero Carbon Development	<p>The Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO2 emissions, and rising fossil fuel prices. Specifically, wherever possible, new development must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies.</p>
EN5: Strategic areas for low and zero carbon decentralised energy infrastructure	<p>The Regional Centre is identified as a Strategic Area, which has a major role to play in achieving an increase in the level of decentralised, low and zero carbon energy supplies available. As such, new development will be expected to take place in the context of more detailed proposals for decentralised low and zero carbon energy infrastructure in the form of energy proposals plans.</p>
EN6: Target framework for CO2 reductions from low	<p>States that applications for residential development of 10 or more units will be expected as a minimum to meet the targets set out in this policy, unless this can be shown to be not viable. This should be demonstrated through an energy statement. This energy statement will be</p>

Policy	Summary
or zero carbon energy supplies	expected to set out the projected regulated energy demand and associated CO2 emissions for all phases of the development.
EN9: Green infrastructure	States that new development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in accordance with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure.
EN14: Flood Risk	States that development should be directed away from sites at the greatest risk of flooding, and towards sites with little or no risk of flooding. Also states that all new development should minimise surface water run-off, including through Sustainable Drainage Systems ("SUDS") and the appropriate use of lands Infrastructure.
EN15: Biodiversity and Geological Conservation	States that the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the city. Developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on-site or adjacent to the site, contributing to the linkages between valuable or potentially valuable habitat areas.
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 and Manchester Airport. Developers will be expected to take measures to minimise and mitigate the local impact of emissions created by the use of the development itself. When assessing the appropriateness of locations for new development the Council will consider the impacts on air quality, alongside other plan objectives. This includes cumulative impacts, particularly in Air Quality Management Areas.
EN17: Water Quality	States that development should avoid any adverse impacts on water quality and minimise surface water run-off from development and associated roads, and minimise groundwater contamination, and to avoid pollutants reaching watercourses.
EN18: Contaminated Land	States that 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.
EN19: Waste	States that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy. All developers will be required to submit a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled wherever possible and how the sustainable waste management needs of the end user will be met.
DM1: Development Management	States that all developments should have regard to a number of specific issues including: effects on amenity such as noise, light, air quality, road safety and traffic generation; accessibility; community safety and crime prevention; vehicular access; and green infrastructure.
Saved UDP Policy DC7: New Housing Developments	States that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, including those who use wheelchairs, wherever this is practicable. All new developments containing family homes will be expected to be designed so as to be safe areas within which children can play and, where appropriate, the Council will also expect play facilities to be provided.
Saved UDP Policy DC26: Development and Noise	<p>States that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:</p> <ul style="list-style-type: none"> a. The effect of new development proposals which are likely to be generators of noise; and

Policy	Summary
	<p>b. The implications of new development being exposed to existing noise sources which are effectively outside planning control.</p> <p>New noise-sensitive developments (including large-scale changes of use of land or buildings) such as housing will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the Council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future. Where the Council believe that an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, it will in either case require the applicant to provide an assessment of the likely impact and of the measures proposed to deal with it satisfactorily.</p>
Saved UDP Policy DC19: Listed Buildings	States that the Council will seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features.
Saved UDP Policy DC20: Archaeology	<p>States that the Council will give particular careful consideration to development proposals which affect scheduled Ancient Monuments and sites of archaeological interests, to ensure their preservation in place. In particular:</p> <ol style="list-style-type: none"> Applications for consent to alter scheduled Ancient Monuments or sites of archaeological interest or their settings should be accompanied by an evaluation and assessment of the implications of the proposal. The Council will have special regard to the desirability of securing the preservation of Ancient Monuments and other sites of archaeological interest and their setting in place. It will not permit development that, in its opinion, would adversely affect scheduled Ancient Monuments, or other sites of archaeological interests, and their settings. In exceptional cases where development is inevitable, the Council will look at the scope for combining preservation in place with limited investigation and recording. Where the preservation of scheduled Ancient Monuments and sites of archaeological interest in place is not appropriate, the Council will seek to gain full and proper recording of the site through early consultation between the applicant and approved archaeological organisation.
Saved UDP Policy E3.3: Environmental Protection and Improvement	States that the Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging new development of the highest quality; and ensuring that landscape schemes are designed to minimise litter problems.

^Table A1.1

Other Material Policy Considerations

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (Adopted 2007)

This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people (in accordance with Design for Access 2), pedestrians and cyclists. It also promotes a safer environment through Secured by Design principles, appropriate waste management measures and environmental sustainability. Sections of relevance are:

- Chapter 2 'Design' – outlines the City Council's expectations that all new developments should have a high standard of design making a positive contribution to the City's environment;
- Paragraph 2.7 states that encouragement for "the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified form which blends in with, and links to, adjacent areas.
- Paragraph 2.8 suggests that in areas of significant change or regeneration, the future role of the area would determine the character and design of both new development and open spaces. It would be important to ensure that the development of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contribute to the creation of a positive identity.
- Paragraph 2.14 advises that new development should have an appropriate height having regard to the location, character of the area and specific site circumstances. Although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations.
- Paragraph 2.17 states that vistas enable people to locate key buildings and to move confidently between different parts of the neighbourhood or from one area to another. The primary face of buildings should lead the eye along important vistas. Views to important buildings, spaces and landmarks, should be promoted in new developments and enhanced by alterations to existing buildings where the opportunity arises.
- Chapter 8 'Community Safety and Crime Prevention' – The aim of this chapter is to ensure that developments design out crime and adopt the standards of Secured by Design;
- Chapter 11 'The City's Character Areas' – the aim of this chapter is to ensure that new developments fit comfortably into, and enhance the character of an area of the City, particularly adding to and enhancing the sense of place.

Manchester Residential Quality Guidance (2016)

The City Council's Executive endorsed the Manchester Residential Quality Guidance in 2016. 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 would 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 becomes a City of high quality residential neighbourhood and a place for everyone to live.

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

- Make it Manchester;
- Make it bring people together;
- Make it animate street and spaces;
- Make it easy to get around;
- Make it work with the landscape;

- Make it practical;
- Make it future proof;
- Make it a home; and
- Make it happen.

Manchester Green and Blue Infrastructure Strategy 2015

The Manchester Green and Blue Infrastructure Strategy (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 would be an integral part of all neighbourhoods. The city's communities would be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses would be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models would 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.

National Planning Policy Framework

Background

The revised National Planning Policy Framework ("NPPF") was published by the Ministry of Housing, Communities & Local Government – now the Department for Levelling Up, Housing and Communities – on 20 July 2021 and is a significant material consideration in planning decisions.

Introduction

The NPPF Introduction (Section 1) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. The policies in the Framework should be taken into account in dealing with applications from the day of its publication [paragraph 212].

The NPPF is set out over 17 Sections along with Annex 1, Implementation and Annex 2, Glossary, and covers 217 paragraphs. Paragraph 3 states that 'the Framework should be read as a whole (including its footnotes and annexes)'.

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

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

Three Overarching Objectives

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

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

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed, beautiful and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

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

Presumption in favour of sustainable development

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

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

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date [footnote 7], granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed [footnote 6]; or

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

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

“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local

Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.”

Delivering a Sufficient Supply of Homes (Section 5: ¶ 60 to 80)

Section 5 of the NPPF states, at paragraph 60, that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed; that the needs of groups with specific housing requirements are addressed, and that land with permission is developed without unnecessary delay.

Paragraph 65 states that planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership.

Promoting Healthy and Safe Communities (Section 8: ¶ 92 to 103)

Section 8, specifically Paragraph 92, seeks to achieve healthy, inclusive and safe places which:

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

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

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”

Promoting Sustainable Transport (Section 9: ¶ 104 to 113)

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

Paragraph 104 states that transport issues should be considered at the earliest stage of plan making, and paragraph 105 advises that the planning system should actively manage patterns of growth, including limiting the need to travel, offering a genuine choice of modes, as well as helping to reduce congestion and emissions to improve air quality and public health.

Paragraphs 107-109 provide guidance in relation to car parking policies, and confirms that local set standards should take account of accessibility; type, mix and use of the development; availability of public transport; local car ownership levels; and the need for adequate spaces where electric cars can be charged.

In terms of decision-making, paragraph 110 confirms that proposals should be assessed on the basis that there are appropriate opportunities to promote sustainable transport modes, safe and suitable access, and that any significant impacts on the highway network or on highways safety can be cost effectively mitigated.

Importantly paragraph 111 states:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Making Effective Use of Land (Section 11: ¶ 119 to 125)

Section 11 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that *“makes as much use as possible of previously-developed or ‘brownfield land’”* in line with Footnote 47.

Paragraph 120 is noteworthy and states that planning policies and decisions should:

- “a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;*
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;*
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and*
- e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards) and can maintain safe access and egress for occupiers.”*

Guidance in respect of ‘achieving appropriate densities’ is set out in paragraphs 124 and 125 of Section 11. Paragraph 124 states that planning policies and decisions should support development that makes efficient use of land, taking into account:

- “a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*

e) the importance of securing well-designed, attractive and healthy places.”

Paragraph 125 (c) states that, in the context of needing to ensure that developments make optimal use of the potential of each site:

“when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making effective use of a site (as long as the resulting scheme would provide acceptable living standards).”

Achieving Well-Designed Places (Section 12: ¶ 126 to 136)

Section 12 of the NPPF provides design guidance and states that *“the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”*. Section 12 is one of the NPPF chapters which has had the greatest overhaul between the 2019 and 2021 versions.

Paragraph 130 (previously 127) is noteworthy and states that planning policies and decisions should ensure that developments:

- “a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users [footnote 46]; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

Paragraph 134 states that: *‘Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design [footnote 52 – ‘Contained in the National Design Guide and National Model Design Code’]’*.

It goes on to state that *“significant weight should be given [when determining applications] to:*

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”*

Meeting the Challenge of Climate Change, Flooding and Coastal Change (Section 14: ¶ 152 to 173)

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

Paragraphs 159-169 provide guidance on planning and flood risk. The guidance confirms that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).

Paragraph 169 states that major developments should incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate.

Conserving and Enhancing the Natural Environment (Section 15: ¶ 174 to 188)

Paragraph 174 introduces Section 15 and sets out that planning policies and decisions should contribute to and enhance the natural and local environment. The NPPF states that plans should protect and enhance biodiversity and geodiversity. Paragraph 180 goes on to state that LPAs should apply the following principles when determining planning applications:

“a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”

In terms of ground conditions and pollution the NPPF states in paragraph 183 that planning policies and decisions should ensure that a *“site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination”*.

Conserving and enhancing the historic environment (Section 16: ¶ 189 to 208)

Paragraph 189 introduces Section 16 of the NPPF and states that heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Proposals affecting heritage assets

Paragraph 192 outlines that when determining applications, LPAs should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

The paragraph goes on to state that 'as a minimum' the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 194 states that LPAs should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 197 states that in determining applications, LPAs should take account of:

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

Paragraph 198 asserts that when considering applications to remove or alter historic statue (whether listed or not), local planning authorities should consider the importance of their retention in situ, as well as the historic and social context.

Considering potential impacts

Paragraph 199 states that when considering the impact of a Proposed Development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

According to paragraph 200, any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 201 states that where a Proposed Development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, LPAs should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the Site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*

d) the harm or loss is outweighed by the benefit of bringing the Site back into use.

Following on from this, paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 203 outlines that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 206 states that LPAs '*should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance.*' Importantly, proposals that '*preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.*'

Paragraph 207 sets out that '*not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance.*' The loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

National Planning Practice Guidance

On 6 March 2014 the DCLG published the National Planning Practice Guidance ("NPPG") web-based guidance. In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004 this guidance is a material consideration that should be taken into account during the determination of planning applications.