

Planning

Growth & Development

Delegated officer report for planning application

Application no.	133858/FO/2022
Date registered valid:	24 May 2022
Proposal:	Erection of a 2 storey building to form eight supported living apartments, with associated landscaping and car parking.
Address:	Land Adjacent Newall Green Farm, Manchester, M23 2TX
Ward(s):	Baguley Ward
Applicant:	Abbeyway Commercial Ltd 9 Riverside, Waters Meeting Road, Bolton, BL1 8TU
Agent (if any):	Mr Tom Hallett Q+A Planning Ltd The Stables, Paradise Wharf, Ducie Street, Manchester, M1 2JN
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	22 July 2022

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 7 June 2022

Standard consultations:

Printed: 6 June 2022 Expired: 27 June 2022

Neighbour notifications

Printed: 6 June 2022 Expired: 27 June 2022

Site notice

Posted: 7 June 2022 Expired: 28 June 2022

Press advert

Published: 14 June 2022 Expired: 5 July 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

This application relates to a site to the southwest of Newall Green Farm. The farm complex was owned by the City Council but was disposed of circa 2006/07 and is now used as a supported housing complex, following the granting of a series of planning and listed building consent applications (103283/FO/2013/S2, 103284/LO/2013/S2, 103898/LO/2013/S2 and 103901/LO/2013/S2) in November 2013.

The site is located within the Green Belt, bounded to the north, south and the east by the existing buildings and site of Newall Green Farm and to the west by school playing fields associated with Newall Green High School.

Newall Green Farm consist of a 17th century farmhouse; an 18th century L shaped building which would have been used as a barn, stables and shippon; and an 18th century building which would have been used as a cart house and stables. All three buildings benefit from Grade II listing, having been listed in 1952 (farmhouse) and 1974 (barn, stables and shippon; cart house and stables).

Listed building: Grade II x 3
Conservation area: no
Tree Preservation Order: no

Description of development

In 2013 the applicant obtained consent (103283/FO/2013/S2) to convert, and in some cases extend, the listed buildings into supported housing and associated accommodation. In addition, that consent also gave permission to erect an office building, a horse riding arena and livestock buildings.

While the listed buildings have been converted and extended, the office building and riding and arena and associated buildings have not been erected.

Given the success of the supported housing the applicant is now proposing to erect a 2 storey residential building in a H configuration to provide eight supported living apartments. As with the existing complex, vehicular access is to be gained via the driveway off Whitecarr Lane.

Consultations & Notification Responses

Local Residents – Correspondence has been submitted from two residents, the comments are summarised below:

- Support any assisted living and in favour of this but have a number of concerns.
- Please consider parking as this could spill over into Newall Road, where the roads are not safe due to heavy loads on the lanes. If more people are attending the site to work or visit this will impact our parking situation.
- There is a buzzard habitat on the lanes, also pheasants and an owl ? This will be impacted during the works and careful consideration must be given. I know the lands exists anyway but, please be mindful.
- The road has recently been resurfaced so once again can before and after pictures be taken of the road before works begin? So we can get any pot holes from the new road resolved?

- Can residents on Newall Road be notified via letters before works begin?
- Can a walk way be added down the lane for social value? If not, can the building firm or company offer any social value?

Supported Needs Monitoring Group – The Group have confirmed their support for the proposal.

Highway Services – Have made the following comments:

- The site is considered to be adequately accessible by sustainable modes and is in close proximity to a range of local bus services.
- It is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.
- Existing on-site parking comprises of 16 spaces (including for the extant office development) and an additional ten spaces are being provided (eight standard and two disabled bays with two of the bays being provisioned with electric vehicle (EV) charging. Whilst the overall amount of parking is acceptable, we require that 5 bays (20%) are provided with EV charging (min 7kW) with the infrastructure installed (ducting) to allow further future conversion.
- Eight secure and sheltered cycle parking spaces are being provided which is acceptable to us.
- Vehicle access is provided from Whitecarr Lane which has a 30mph speed limit and with sufficient junction visibility. The gates are set back by 18 metres to allow vehicles to await entry off the main road.
- Pedestrian access arrangements are acceptable from a highway perspective.
- Whilst we are satisfied that the necessary waste collection vehicle movements can be carried out internally, the drawing provided suggests that the waste vehicle will access from the farm gate to the east and we seek clarification in relation to the proposed waste collection vehicle access and egress proposals.
- Boundary treatment and gating proposals are acceptable from a highway perspective.
- A framework travel plan has been provided and it is recommended that a full travel plan is conditioned as part of any approval.

Environmental Health – Suggests the imposition of a number of conditions designed to protect residential amenity and prevent pollution.

MCC Flood Risk Management – Suggests the imposition of drainage conditions.

United Utilities Water PLC – Suggests the imposition of drainage conditions.

Greater Manchester Ecology Unit (GMEU) – Have made the following comments:

- The ecology surveys appear to have followed best practice guidelines and been undertaken by suitably qualified ecologists.
- The site does not have any nature conservation designations, nor are the proposals likely to impact upon any such site. It does lie within the Impact Risk Zone, identified by Natural England however does not meet the description criteria of activities likely to impact on any SSSIs.
- The trees were assessed for their bat roost potential. One tree on site was identified as having moderate bat roost potential (T2) and two trees (T1 on site and T3 off site) with low bat roost potential. These trees are currently not proposed for removal, therefore no further survey information is currently required regarding bats.

- No ponds are present on the site and there are no ponds within 250m of the proposed development site. Fairy Brook ditch is 150m from the proposed development site, however the connectivity to the site is reduced by the presence of Whitecarr Lane. This reduces the likelihood of great crested newts being present within the small areas of suitable terrestrial newt habitat within the site. However, there are numerous records of great crested newts being present in the wider environment, including the presence of the SBI Ponds at Davenport Green approximately 360m away. Therefore, the Reasonable Avoidance Measures (RAMS) suggested with regards to amphibians will need to be followed.
- The trees and vegetation on the site could potentially support breeding birds, and the nests of all wild birds are protected under the Wildlife and Countryside Act, 1981 (as amended).
- No other protected species were found on the site, or are considered likely to be present. However, there was some limited potential for species such as hedgehog and badger to move through the site. As a precaution, RAMS for these species are recommended.
- A number of conditions are suggested - submission of Reasonable Avoidance Measures for mammals and amphibians; restrictions when vegetation can be removed; the protection of retained trees and the submission of further bat surveys if the development is not commenced by April 2023.

Greater Manchester Archaeological Advisory Service (GMAAS) – The application is supported by an archaeological Desk-Based Assessment prepared by Allen Archaeology in May 2022. This is a useful document which adequately assesses the site in line with the NPPF, making use of documentary material, existing reports from the wider study area and a search of records held by the GM HER. A watching brief was undertaken within the site boundary in 2016/17, which did not identify any significant archaeological remains, and it is known that other parts of the site have previously been disturbed. On this basis there is no reason to seek to impose any archaeological requirements upon the applicant.

Policies

The National Planning Policy Framework July 2021 (NPPF) – The National Planning Policy Framework 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. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Section 13 of the NPPF, *Protecting Green Belt land*, states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

It states in para 138 that the Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF states further in paragraph 148 that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - h) – not have a greater impact on the openness of the Green Belt than the existing development; or
 - i) – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Paragraph 150 states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;

- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

In addition to the above, Section 16 (*Conserving and enhancing the historic environment*) is of relevance:

Paragraph 197 in Section 16 states that in determining planning applications, local planning authorities should take account of:

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

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.

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

Paragraph 201 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities 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.

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.

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

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

Policy SP1, *Spatial Principles*, - Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy EN 3, *Heritage*, - This policy states that throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Policy EN15, *Biodiversity and Geological Conservation*, - This policy states that the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City and particular consideration will be given protected and priority species, as listed in the Manchester Biodiversity Strategy and included in the Greater Manchester Biodiversity Action Plan (GM BAP).

The policy states further that developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on-site or adjacent to the site, contributing to linkages between valuable or potentially valuable habitat areas where appropriate. Any adverse impacts on biodiversity will need to be justified against the wider benefits of the proposal, assessed against other LDF policies. Where adverse impacts are unavoidable, developers will be required to provide appropriate mitigation and/or compensation.

Policy H10, *Special Needs and Supported Housing*, - Proposals for accommodation for people with additional support needs will be supported where:-

- It is not detrimental to the residential character of the area.
- There is not a high concentration of similar uses in the area already.
- There is no potential for significant noise or other disturbance to neighbours.
- Where it will contribute to the vitality and viability of the neighbourhood.
- Where there would not be a disproportionate stress on local infrastructure such as health facilities.

Policy DM1, *Development Management* – This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.

- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques.

Saved UDP Policies – Policy DC19.1, *Listed Buildings*, states that in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. In giving effect to this policy, the Council will:

- a) not grant Listed building consent for the demolition of a listed building other than in the most exceptional circumstances, and in any case, not unless it is satisfied that every possible effort has been made to continue the present use or to find a suitable alternative use;
- b) not permit a change of use of a listed building, where it would have a detrimental effect on the character or appearance of the building;
- c) not permit any external or internal alteration or addition to a Listed building where, in its opinion, there would be an adverse effect on its architectural or historic character;
- d) 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;
- e) permit demolition only where there are approved detailed plans for redevelopment and where there is evidence of a firm building contract;
- f) not permit alterations to a listed building which would prevent the future use of any part of the building, in particular upper floors or basements, or where poor maintenance is likely to result.

Issues

Principle of the Proposal – Supported accommodation of this type is much needed within the City. Furthermore, the ward of Baguley is considered to be able to sustain such uses as the overall provision of this type of accommodation within the ward is low. Given this and the fact that it is not considered the proposal would have a detrimental impact upon the residential character of the area the principle of providing this type of accommodation in this location is considered acceptable.

Notwithstanding this, the impact of the proposal upon the setting and character of the listed building must be considered, along with the impact of the proposal upon the Green Belt in which they all sit. Furthermore, any impact the proposal would have upon existing levels of residential amenity and pedestrian/highway safety must be assessed fully.

Impact on the Green Belt – NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in *very special circumstances* and that *very special circumstances* will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations. It goes on to state that local planning authorities should regard the construction of new buildings as inappropriate in Green Belt, though it does outline a number of exceptions:

- a) buildings for agriculture and forestry.
- b) provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
- e) limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The applicant is proposing to erect a 2 storey residential building to provide eight supported living apartments on the site of the previously approved ancillary office building. The proposed building would be two storeys in height, as was the undeveloped office building, but it would have a larger footprint than it. While its footprint is larger, its scale, massing and design is more traditional and it would sit comfortably with the listed farm building. In light of the size, scale and orientation of the proposed office building, it is considered that the proposal passes test e) outlined above and as such would not have a detrimental impact upon the openness of the Green Belt.

In conclusion, it is considered that

- a) very special circumstances exist, namely the provision of a specialist health care facility, to warrant support of the proposal and
- b) the proposed development would sit comfortably in this essentially urban edge setting and would not compromise the key purposes of Green Belt, namely retention of openness and the prevention of neighbouring towns merging into one another.

Space Standards – The City Council adopted the Manchester Residential Quality Guidance in December 2016 and within that document reference is made to the use of a combination of the Nationally Described Space Standards and the London Housing Design Guide space standards to form Manchester's space standards for residential developments.

The amount of floor space proposed for each supported apartment is 85m². As the guidance states that a two bed apartment should be between 61-70m² in size, the proposal complies with Manchester's space standards.

Impact on the Listed Buildings – Despite the proposed building having a larger footprint and height than the previously approved office building, it is still sited a sufficient distance away from the three listed buildings so as not to overpower them. Accordingly, it is not considered that the proposal would have a detrimental impact upon the overall character of the three listed buildings or upon their setting.

Design – The previously approved building was of a more contemporary design. This proposal is more traditional and employs a form and detailing more akin to the listed farmhouse and associated barn buildings, i.e. a pitched roof atop a H footprint, as opposed to a monopitch. It would be constructed from matching brick topped by a slate roof and would include larch timber feature panels. Overall, the design of the building is considered acceptable.

Scale – The scale of the proposal responds to the adjoining listed buildings. Floor to floor levels are similar to the farmhouse and converted barn accommodation and the external brick walls preserve a common height by keeping in line with the roof eaves levels. The cruciform layout with the protruding central element is a reference to the historical configuration of the listed farmhouse.

Residential Amenity – Due to its siting it is not considered that the proposed accommodation would lead to overlooking and an associated reduction in the levels of privacy enjoyed by the nearest neighbours.

In addition, it is not considered that the comings and goings associated with the eight supported living apartments would be of such a level so as to negatively impact the existing levels of residential amenity enjoyed within the vicinity of the site.

Visual Amenity – Given the design and scale of the proposal it is not considered that the additional supported accommodation would have a detrimental impact upon the existing levels of visual amenity enjoyed along Whitecarr Lane and Newall Road.

Amenity Space – As a substantial amount of soft landscaping would remain within the site, as a result it is considered that sufficient amenity space would exist for the future occupants of the supported housing.

Car Parking – The existing car park would be rationalised and extended to provide 26 parking spaces, of which two would be designated as disabled parking spaces. This level of parking is considered acceptable.

Electric Vehicle Charging Points – The applicant has proposed two charging points but a total of five are required for a car park of this size. As a result, a condition is suggested which would require the applicant to increase the overall provision, as well as plan for the provision of additional charging points.

Pedestrian and Highway Safety – It is not considered that the proposed residential accommodation would generate such significant levels of traffic or concentrated traffic movements so as to prove detrimental to the levels of pedestrian and highway safety currently enjoyed within the vicinity of the site. In addition, the proposed vehicular access gates have been set back from the boundary of the site in order to allow vehicles entering the site to stand off the highway.

Waste and Recycling – While a large bin store has been proposed, Environmental Health has raised concerns about the lack of a food recycling bin. For this reason it is considered prudent to attach a condition requiring the applicant to submit a Waste Management Strategy which would include such provision.

Trees – No trees are required to be felled to facilitate the proposal. However, the applicant's survey has stated that a 15 metre high Poplar on the site would need to be felled due to its condition:

Old pollard. In severe decline. Significant deadwood throughout. Large limb failures evident. Large stem wound to southwest of stem from base to 1m. Obvious decay evident.

A condition designed to protect the existing trees is to be imposed.

Landscaping – An indicative landscaping plan shows that 11 trees are to be planted within the curtilage of the site, along with lawned area and associated planting. This level of planting is considered acceptable and a condition requiring the submission of a detailed landscaping scheme would be attached to any approval granted.

Ecology and Bio-enhancements – A detailed ecology survey accompanied the proposal and it has concluded that no protected species would be impacted upon by the proposal. Notwithstanding this, it has recommended that a series of bio-enhancements are incorporated into the proposal and a condition would be attached to any approval granted requiring them to be installed within the scheme. Furthermore, the conditions requested by GMEU would be attached to any approval notice granted, namely:

- a) *Reasonable Avoidance Measures* for mammals and amphibians.
- b) Restrictions on vegetation removal.
- c) Protection of retained trees.
- d) Undertaking of further bat surveys.

Air Quality – During the construction phase of the development there is the potential for air quality impacts as a result of dust emissions from the site. Assuming dust control measures are implemented as part of the proposed works, the significance of potential air quality impacts from dust generated by earthworks, construction and trackout activities is predicted to be negligible. It is considered that the imposition of a Construction Management Condition would ensure that appropriate dust management measures are implemented during the construction phase.

It is recognised that during the operational phase of the development there is the potential for air quality impacts as a result of vehicle exhaust emissions associated with traffic generated by the proposal, i.e. the comings and goings of residents and visitors to the site. However, given the number of units proposed, the overall significance of potential impacts is considered to be low.

As a result of the above, it is considered that the proposal would not have a detrimental impact upon the air quality levels experienced throughout the site and within the vicinity of it.

Security – Given the nature of the existing and proposed accommodation the site is run on a secure basis, as such there is no requirement to attach a Secured by Design condition in this instance.

Human Rights Act 1998 considerations

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

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

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to resolve any matters arising in relation to dealing with the planning application.

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

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

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

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

- | | | |
|----|------------------------------------|------------------------------------|
| a) | 18421-CWA-XX-XX-DR-A-0101 REV P-02 | GROUND FLOOR PLAN |
| b) | 18421-CWA-XX-XX-DR-A-0102 REV P-02 | FIRST FLOOR PLAN |
| c) | 18421-CWA-XX-XX-DR-A-0103 REV P-02 | ROOF PLAN |
| d) | 18421-CWA-XX-XX-DR-A-0121 REV P-01 | SECTIONS |
| e) | 18421-CWA-XX-XX-DR-A-0131 REV P-02 | ELEVATIONS 1 OF 2 |
| f) | 18421-CWA-XX-XX-DR-A-0132 REV P-02 | ELEVATIONS 2 OF 2 |
| g) | 18421-CWA-XX-XX-DR-A-0301 REV P-02 | SITE LOCATION PLAN |
| h) | 18421-CWA-XX-XX-DR-A-0302 REV P-03 | SITE/BLOCK |
| i) | 18421-CWA-XX-XX-DR-A-0303 REV P-03 | SITE PLAN |
| j) | 18421-CWA-XX-XX-DR-A-0304 REV P-02 | SITE PLAN AND EXISTANT DEVELOPMENT |
| k) | 18421-CWA-XX-XX-DR-A-0305 REV P-02 | SITE AREA, FLOORSPACE |
| l) | 18421-CWA-XX-XX-DR-A-0331 REV P-03 | SITE ELEVATIONS |
| m) | 18421-CWA-XX-XX-DR-A-0332 REV P-03 | SITE SECTIONS - ADJACENT BUILDINGS |
| n) | 18421-CWA-XX-XX-DR-A-0342 REV P-03 | BOUNDARY TREATMENTS |

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

3) Above-ground construction works shall not commence until samples and specifications of all materials, to be used in the external elevations have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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

4) No above ground work shall commence until a detailed hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the development hereby approved is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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

6) The car parking hereby approved shall be laid out, demarcated and made available prior to the occupation of the residential accommodation hereby approved.

Reason - In the interests of pedestrian and highways safety and to ensure the satisfactory development of the site, pursuant to Policy DM1 in the Manchester Core Strategy.

7) Notwithstanding the details shown on drawing no. 18421-CWA-XX-XX-DR-A-0303 REV P-03 (SITE PLAN), no above ground work shall commence until details of the measures to be incorporated into the development to allow for the provision of electric vehicle charging points have been submitted to and approved by the City Council as Local Planning Authority.

Reason - To promote sustainable development and in the interests of residential amenity, pursuant to Policies DM1 and EN16 in the Manchester Core Strategy.

8) Before the development hereby approved is first occupied a detailed Travel Plan, based on the submitted Transport Statement, stamped as received on 24 May 2022, shall be submitted to and agreed in writing by the City Council as Local Planning Authority. In this condition a Travel Plan means a document which includes:

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

Within six months of the first use of the development, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted to and approved in writing by the City Council as local planning authority. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

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

9) No development shall take place until surface water drainage works, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, have been submitted to and approved in writing by the Local Planning Authority.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN08 and EN14 in the Manchester Core Strategy and national policies within the NPPF and NPPG.

10) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

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

Reason - To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system, pursuant to policies EN08 and EN14 in the Manchester Core Strategy and national policies within the NPPF and NPPG.

11) a) Prior to the commencement of above ground works a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part of the development and shall remain insitu whilst the use or development is in operation.

Reason - In the interests of residential and visual amenity and public health, pursuant to Policy DM1 in the Manchester Core Strategy.

12) The development shall be carried out in accordance with the Phase 1 Contaminated Land Assessment (GeoSmart, dated April 2022) and prior to occupation a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

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

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

13) The development hereby approved shall be implemented in accordance with the measures as set out within Section 6 of the Design and Access Statement, stamped as received by the City Council as local planning authority on 24 May 2022, including: measures to secure predicted carbon emissions and the attainment of specified environmental efficiency and performance. Within 3 months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures at each phase of the construction of the development, including dated photographic documentary evidence of the implementation and completion of required works.

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

14) Above grounds works shall not commence until details of biodiversity enhancements (bird boxes and bat bricks) referred to in Section 5.3 of the Preliminary Ecological Appraisal (Ascerta, stamped as received on 24 May 2022), including a timetable for their installation and maintenance regime, have been submitted to and been approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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

15) No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

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

16) Above grounds works shall not commence until details of the Badger and small mammals Reasonable Avoidance Measures referred to in Section 5.2 of the Preliminary Ecological Appraisal (Ascerta, stamped as received on 24 May 2022), including a timetable for their installation and maintenance regime, have been submitted to and been approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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

17) Above grounds works shall not commence until details of the Amphibian Reasonable Avoidance Measures referred to in Section 5.2 of the Preliminary Ecological Appraisal (Ascerta, stamped as received on 24 May 2022), including a timetable for their installation and maintenance regime, have been submitted to and been approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

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

18) If development hereby approved has not commenced by 1st April 2023, or if works are required to trees T1, T2, or T3 before this date, an updated bat assessment shall be submitted to and be approved by the City Council as local planning authority and the construction works undertaken in accordance with the approved details.

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

19) The development hereby approved shall not commence until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- a) A construction programme including phasing of works;
- b) 24 hour emergency contact number;
- c) Expected number and type of vehicles accessing the site:- i) Deliveries, waste, cranes, equipment, plant, works, visitors; ii) Size of construction vehicles; iii) The use of a consolidation operation or scheme for the delivery of materials and goods; iv) Phasing of works;

- d) Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):- Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;
- e) Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- f) Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- g) Locations for storage of plant/waste/construction materials;
- h) Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- i) Arrangements to receive abnormal loads or unusually large vehicles;
- j) Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- k) Any necessary temporary traffic management measures;
- l) Measures to protect vulnerable road users (cyclists and pedestrians);
- m) Arrangements for temporary facilities for any bus stops or routes;
- n) Bird Hazard Management Plan during construction
- o) Method of preventing mud being carried onto the highway;
- p) Method of dust suppression;
- q) Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

Reason - In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, pursuant to policies SP1, EN19, DM1 and DM2 of the Manchester Core Strategy.

Informatives

1) Informative for condition 7 - The submitted details shall include the number of bays (minimum of 20% provision), the type of charging infrastructure to be installed and the location of ducting for the future provision of additional chargers.

2) Informative for condition 9 - In order to discharge condition no. 9 the following additional information has to be provided:

- a) Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment;
- b) Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building;
- c) Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.

- d) Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or new connection will suffice.
- e) Hydraulic calculation of the proposed drainage system;
- f) Construction details of flow control and SuDS elements.

3) Informative for condition 16 - The Badger and small mammals Reasonable Avoidance Measures should include:

- a) Vegetation clearance applies to all habitats cleared in daytime air temperatures above 5°C. Works must be avoided in cold temperatures or if prior overnight temperatures have been less than 1°C;
- b) The cut material is to be chipped and placed in discrete piles outside the working areas or removed from the site;
- c) Existing tracks should be utilised for vehicle movements where possible;
- d) Throughout the works all trenches must be covered at night or ramps provided to prevent badger and hedgehog from getting stuck. Large pipes must also be covered to prevent badger access and risk of these species getting stuck; and
- e) Construction material will be stored on pallets to avoid creating habitat for hedgehog and badger.

4) Informative for condition 17 - Amphibian Reasonable Avoidance Measures should include:

- a) Vegetation clearance applies to all habitats cleared in daytime air temperatures above 5°C. Works must be avoided in cold temperatures or if prior overnight temperatures have been less than 1°C;
- b) The works should start from the middle of an area and work outwards to allow animals to leave;
- c) The cut material is to be chipped and placed in discrete piles outside the working areas or removed from the site;
- d) Existing tracks should be utilised for vehicle movements where possible;
- e) Throughout the works, all trenches must be covered at night or ramps provided to prevent amphibians from getting stuck; and
- f) Construction material will be stored on pallets to avoid creating habitat for and amphibians.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC
Greater Manchester Archaeological Advisory Service
Trafford Council
Greater Manchester Ecology Unit

15 Newall Road, Manchester, M23 2TY
51 Newall Road, Manchester, M23 2UA
Flat 5, 8 Newall Road, Manchester, M23 2TX
Flat 1, 8 Newall Road, Manchester, M23 2TX
Flat 2, 8 Newall Road, Manchester, M23 2TX
Flat 3, 8 Newall Road, Manchester, M23 2TX
Flat 4, 8 Newall Road, Manchester, M23 2TX

8 Newall Road, Manchester, M23 2TX
10 Newall Road, Manchester, M23 2TX
47 Newall Road, Manchester, M23 2TY
43 Newall Road, Manchester, M23 2TY
27 Newall Road, Manchester, M23 2TY
11 Newall Road, Manchester, M23 2TY
12 Newall Road, Manchester, M23 2TX
13 Newall Road, Manchester, M23 2TY
9 Newall Road, Manchester, M23 2TY
7 Newall Road, Manchester, M23 2TY
49 Newall Road, Manchester, M23 2TY
45 Newall Road, Manchester, M23 2TY
41 Newall Road, Manchester, M23 2TY
39 Newall Road, Manchester, M23 2TY
37 Newall Road, Manchester, M23 2TY
35 Newall Road, Manchester, M23 2TY
33 Newall Road, Manchester, M23 2TY
31 Newall Road, Manchester, M23 2TY
29 Newall Road, Manchester, M23 2TY
25 Newall Road, Manchester, M23 2TY
23 Newall Road, Manchester, M23 2TY
21 Newall Road, Manchester, M23 2TY
19 Newall Road, Manchester, M23 2TY
17 Newall Road, Manchester, M23 2TY

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 45M
Green Belt Land - Green Belt Area (LDF)
Green Belt Land - Greater Manchester Green Belt Local Plan 1984
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH