

## Planning

## Growth & Development

### Delegated officer report for planning application

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| <b>Application no.</b>         | 132459/00/2021                                                                                                                                                                                                                                                                                |
| <b>Date registered valid:</b>  | 10 December 2021                                                                                                                                                                                                                                                                              |
| <b>Proposal:</b>               | Outline application (with all matters reserved) for the erection of a 5 storey building to form a mixed use development comprising up to 136 residential apartments (Use Class C3a) together with the creation of ground floor commercial (Use Class E) (624 sqm) and other associated works. |
| <b>Address:</b>                | Land adjacent to the junction of Fairy Lane and Bury New Road, Manchester                                                                                                                                                                                                                     |
| <b>Ward(s):</b>                | Cheetham Ward                                                                                                                                                                                                                                                                                 |
| <b>Applicant:</b>              | Mr Apinder Ghura, BOI Trading Company Ltd Units, 1- 10 Euro Centre, 116 - 118 Bury New Road, Manchester, M8 8EB                                                                                                                                                                               |
| <b>Agent (if any):</b>         | Mr Mark Ketley, BH Planning & Design Floor 3, 1 Hood Street, Newcastle Upon Tyne, NE1 6JQ                                                                                                                                                                                                     |
| <b>Case officer:</b>           | Steven McCoombe<br>Tel: 0161 234 4607<br>Email: <a href="mailto:steven.mccoombe@manchester.gov.uk">steven.mccoombe@manchester.gov.uk</a>                                                                                                                                                      |
| <b>Recommendation:</b>         | Refuse                                                                                                                                                                                                                                                                                        |
| <b>Date of recommendation:</b> | 30 June 2022                                                                                                                                                                                                                                                                                  |

## **Application details**

**Type of application:** Outline Consent

**Development type:** Largescale Major Dwellings

**Date of site visit:** 13 January 2022

### **Standard consultations:**

Printed: 17 December 2021      Expired: 7 January 2022

### **Neighbour notifications**

Printed: 17 December 2021      Expired: 7 January 2022

### **Site notice**

Posted: 13 January 2022      Expired: 3 February 2022

### **Press advert**

Published: 21 December 2021      Expired: 11 January 2022

**Departure from Development Plan:** No

**Environmental Statement:** Not required

## **Description of site/building**

The application site relates to a rectangular area of land measuring approximately 0.63ha in area, situated at the junction of Fairy Lane and Bury New Road (A56) - a major north/south arterial route which links north Manchester with the city centre.

The site is partly enclosed by a combination of wire fencing and metal railings and has been largely cleared of vegetation since the application was submitted.

The site frontage facing Bury New Road measures approximately 130m in length, with a depth of 50 metres at its widest point.

The brownfield site was one occupied by terraced houses, but now comprises vacant scrubland with semi mature trees towards its eastern boundary.



The site includes a change in site levels with an approximate 3.4 metre change in level from the western boundary on Bury New Road, sloping upwards toward its eastern edge. The southern

area of the site is a predominantly level, with a steeply rising escarpment to the east that is held in place by a concrete retaining wall on top of which is Sandsend Close.

The site is presently accessed via two gated entrances off Fairy Lane to the north and from Bury New Road to the south. The southern access is a shared access arrangement with the adjacent commercial units.

To the rear (eastern) boundary of the site, there are a row of trees between the site and neighbouring dwellinghouses which are situated at a higher level to the application site.

**Listed building:** Not applicable

**Conservation area:** No

**Tree Preservation Order:** No

### **Description of area**

The application site lies adjacent to the eastern side of Bury New Road – a major north/south arterial route which links north Manchester with the city centre.

The immediate area can be described as mixed use in nature, with the Bury New Road frontage, largely commercial in character, dominated by a range of commercial premises with large floor plates, ranging from single storey, double height to two-storey in scale. These include a Halfords garage and Honda garage on the opposite side of Fairy Lane to the north, a self-storage warehouse (Ready Steady Store) and Grosvenor Casino on the opposite side of the Bury New Road and a contemporary parade of wholesale units to the south. Many of these businesses incorporate associated areas of surface level car parking.

To the north, east and north-east, elevated behind the application site to the east and north-east are two and three storey residential dwellinghouses along Fairy Lane, Holbeton Close and Sandsend Close.

### **Description of development**

Outline planning permission is sought for the erection of a 5 storey building to create a mixed use development comprising up to 624 sqm of ground floor retail and commercial units (Class E), with up to 136 residential apartments on the 4 upper floors (Class C3a) involving a mixture of 1 and 2 bedrooms apartments. In addition, access alterations on Bury New Road are proposed.

Matters relating to the proposed site layout, scale, appearance, landscaping and means of access are all reserved for subsequent approval, although indicative drawings showing the internal and external layouts are submitted, along with indicative access arrangements and elevation drawings to show the height parameters

The proposed indicates the inclusion of ground level under-croft car park with vehicle manoeuvring/servicing area and perimeter hard and soft landscaping. Vehicular access to the site would be via Bury New Road, which would entail modifications to the junction that currently serves the adjacent terrace of commercial units to the south which is also understood to be owned by the applicant.

The proposed building incorporates a podium sitting above the ground floor commercial units and under-croft car park with 110 car parking bays, including four accessible bays and space for

cycle parking. Ancillary facilities such as plant, refuse and cycle storage are provided to the rear.

The indicative drawings show that at podium level, the proposed apartments are set back from the ground floor storey, parallel to Bury New Road, with a 4 storey element including two main stair/lift cores and an additional stairwell to the south. On Fairy Lane, the first two residential floors are set back from the main building frontage. The building predominantly incorporates a flat roofed with sedum areas.

The submission indicates that the applicant is willing to provide 20% affordable housing units, pursuant to the Council affordable housing policy contained within Policy H8 of the Core Strategy. This is to comprise 28 dwelling units in total. The applicant is prepared to enter into a Section 106 Agreement with the Council to secure such provision.

## **Background**

The application relates to a resubmission following the withdrawal of an earlier proposal for an outline application will all matters reserved for the erection of a 6 storey building comprising up to 668 sqm of ground floor retail and commercial units (Use Class E) and up to 141 residential apartments (Class C3) on the upper floors, together with access alterations to Bury New Road and associated works (Ref: 128359/OO/2020).

## **Consultations & Notification Responses**

Local Residents/Occupiers – 4 representations have been received. 3 of which object and 1 which supports the proposed development. Comments are summarised below:

- The proposal will lead to over-dominance and be out of keeping;
- The proposed development will lead to overshadowing, loss of privacy and loss of light - particularly when the trees to the rear are not in leaf;
- The proposed development will lead to increased levels of activity and undue noise and disturbance;
- The development has been well-designed.

Highway Services – The following comments are made:

### *Trip Generation*

The TRICS database has been used to assess the development trips during the busiest AM and PM peak hours between 08:00 - 09:00 and 17:00 - 18:00.

TFGM HFAS have reviewed the information provided and have provided the following comments:

- assuming 0% new trips is considered optimistic. Without firm evidence a sensitivity test should be included allowing for 50% trips as new trips for the retail element. This would represent a worst-case scenario and could be compared to the best-case scenario i.e. 0% new trips.
- A new trip distribution diagram should be presented to show how development flows affect nearby junctions. MCC Highways support these comments and request that the trip generation is revised accordingly and a diagram provided as requested.

## *Vehicle Access*

Vehicular access is proposed via an established access from Bury New Road. The Agent has advised that due to Covid-19 related lockdown conditions, no junction capacity assessment have been undertaken to determine the form of required access e.g signalised etc. The Agent has provided an indicative plan suggesting a priority access arrangement, with a possible ghost right turn lane accommodating circa 5 PCU's.

Having reviewed the information with TfGM, the following comments are made:

- The site access should be surveyed as a minimum (with the possible need for more assessments) once the trip distribution diagram has been provided and assessed;
- A PICADY model of the junction of Bury New Road / Fairy Lane should be provided to understand current levels of congestion at the junction and future levels of congestion;
- A new 2022 traffic count is required;
- The analysis of the junction should not wait for reserved matters as it is crucial to understanding the likely impact of the development on the local road network.
- Any proposed highways design should be completed on plan to demonstrate the actual road widths rather than a sketch plan. This is to confirm that there is sufficient space.

## *Bus Stop*

Any changes to bus stops will require discussion and agreement with the TFGM bus shelters team.

## *Off-site highways works/S.278*

A S.278 agreement is required for works to the adopted highway.

## *Car Parking*

64 residential car parking spaces are proposed which represents 45.4% car parking provision and 44 commercial unit car parking spaces - this is below the MCC Core Strategy standards.

The car park allocation is considered very low for both residents and the commercial units

Highways have strong concerns that vehicles that cannot be accommodated on site and will park in local residential streets to the rear. It is also proposed that there will be shared utilisation of car parking between residents and the commercial uses. Highways have concerns regarding this arrangement as at busy times there is likely to be insufficient car parking on site so the access route may become blocked with indiscriminate car parking.

A TRO review should be undertaken to understand potential parking impacts. Additional restrictions funded by the Developer may be required - to be agreed following review (see below).

It is proposed that the applicant will purchase an electric pool car and make it available to all residents free of charge. A booking and maintenance system will be put in place including an 'App'. This is welcomed and should be conditioned.

Parking space should have minimum dimensions of 2.4m x 4.8m for spaces within a residential car park. Accessible bays should be minimum of 3.6m wide x 6.0m length. Spaces should be separated by a 6.0m aisle width - this should be confirmed.

A car park management plan should be conditioned to ensure that the space is efficiently managed.

### *Electric Vehicle Charging*

20% of the total number of spaces within apartment schemes should be fitted with EV charge points (min 7KW). There should also be a commitment to monitoring usage within the TP and increasing the provision when necessary. It is also recommended that ducting infrastructure is provided to allow future EVC installation.

### *Cycle Parking*

It is proposed that 70 cycle storage spaces will be provided for residents. This is a circa 51% allocation - it is recommended that occupancy of the cycle store is monitored and additional provided as required - this should be included in the travel plan.

It is unclear if visitor cycle parking is proposed. It is recommended that visitor cycle parking and parking for workers in the commercial units is provided - this should be indicated clearly on a plan. All cycle parking provision should be secure and weatherproofed.

### *Pedestrian and Cycle Access*

It is proposed Pedestrians and cyclists have 2 access points, first directly from Bury New Road; and secondly from an improved access off Fairy Lane. All routes should be a minimum 2m wide and dropped kerbs and tactile paving provided across any vehicle access/crossings.

It is noted there are no dropped crossings or tactile paving across Fairy Lane at the junction with Bury New Road. It is recommended that the Applicant provides this and resurfaces the footway and reinstates redundant crossovers around the site - this is at the Applicant's cost with nil cost to the Council.

### *Servicing*

It is proposed that private arrangements will be made for both the retail and residential elements. A swept path assessment should be provided for an 11.5m refuse vehicle to ensure that the standard MCC refuse vehicle can adequately access/egress the site in a forward gear.

The numbers of collections and location of collection points should also be provided.

The site servicing should also consider taxis / private hire drop off and pick up and the likely impact on the highway and the bus route.

It is recommended that a Servicing and Deliveries Management Plan is conditioned to avoid potential conflicts and to ensure reversing manoeuvres are safely managed.

### *Traffic Regulation Orders*

It is recommended that a review of the Traffic Regulation Orders in the vicinity of the development is undertaken. This should confirm whether additional parking restrictions are

required, as well as ensuring adequate parking restrictions remain in place, and are refreshed accordingly. This will help to discourage pavement parking associated with the development and therefore assist in improving the quality of the surrounding public realm. This should be conditioned.

#### *Travel Plan*

A draft travel plan has been provided. Ideally the full Travel Plan should include tailored measures to overcome specific barriers, or take advantage of opportunities, presented by the site. An appropriate condition is required.

#### *Construction Management Plan*

A Construction Management Plan should be provided detailing any impacts on the highway e.g. the phasing and quantification / classification of vehicular activity associated with planned construction, evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway, site hours, details of contractor parking and wheel wash facilities.

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the Council's Highways Applications and Network Resilience team.

Arboriculture - Many of the trees positioned within the development zone would be considered low quality self-set specimens and therefore there is no objection to their proposed removal.

The trees on the embankment listed for retention should be adequately protected in accordance with BS:5837, ensuring that no materials, machinery, or spoils are stored/ tipped within the root protection areas of the trees.

No mitigation planting appears to be proposed. However, after studying the layout of the development and considering the parking bay locations, there appears to be insufficient space for new trees to be planted.

It is questioned whether the applicant has explored the use of living walls and or rooftop gardens.

Environmental Health – Conditions are advised in relation to servicing hours, hours of operation external equipment, the use of external areas and fume/odour control in relation to the ground floor commercial area. Further conditions are recommended in relation to acoustic insulation construction management, waste management, electric vehicle charging points and ground contamination remediation.

Flood Risk Management – Conditions are requested in relation to surface water drainage and its subsequent maintenance.

United Utilities - The drainage hierarchy should be fully investigated. Conditions relating to the implementation of surface water drainage and its subsequent maintenance are requested.

It is also noted that water main is located in the red line boundary the site. It must not be built over, or access to the pipeline compromised in any way. The Water Industry Act 1991 affords United Utilities' specific rights in relation to maintenance, repair, access and protection of our water infrastructure. an access strip is required as detailed in the 'Standard Conditions for Works Adjacent to Pipelines'.

A number of public sewers cross the site and they will not permit building over them. An access strip for maintenance or replacement is required. The minimum distances that might be acceptable to United Utilities are detailed within Part H of the Building Regulations, however, it recommended the applicant determines the precise location, depth and condition of the pipeline, as this is likely to influence the required stand-off distance from any structure.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

Environment Agency - No objection in principle to the proposed development provided that conditions are included in relation to the need for a further site investigation and remediation strategy, a verification report, piling/penetrative foundation control, infiltration drainage control

Without inclusion of the conditions detailed as part of the response, as submitted, the EA would be minded to object to the application/proposal in accordance with paragraph 174 of the National Planning Policy Framework (NPPF), because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Greater Manchester Archaeological Advisory Service (GMAAS) - Whilst the application does not appear to be supported with an archaeological assessment or heritage statement, contrary to the guidance provided by the NPPF Paragraph 194, records show that there are no heritage assets or any known archaeological potential within the application site.

A brief appraisal of historic maps shows the site to have been occupied by two conjoined houses known as Fountain Place by at least the mid-19th century. These were then demolished, and their footprints built over by double-depth houses and garden plots in the late-19th century, which is likely to have removed traces of the earlier buildings. Further infill of previously undeveloped land in the NW part of the proposed development site is also depicted on late-19th century plans, but are seemingly demolished across the site between the 1960s and 80s, remaining vacant and largely unused to the present day. Any surviving archaeological remains would not have any significance beyond that of 'local', and they could only offer a marginal contribution towards our understanding of the period.

As such, there is no reason to seek to impose any archaeological requirements upon the applicant.

Greater Manchester Ecology Unit (GMEU) - Further to your consultation on the above. GMEU have nothing to add over our comments on a similar proposal for this same site. These are as follows:

The Report appears to have used reasonable effort to survey the habitats on site and make an assessment of their suitability to support protected/species of principal importance.

The survey was conducted in early March, which is recognised as suboptimal for many surveys. However, given the nature and size of the proposal this is not considered to be a constraint on the assessment and does not invalidate its findings.

The Report concludes that the site supports habitats within the site that are of only local and in part limited value to biodiversity. Whilst the Report recommends a botanical check in May/June, this does not appear to have been undertaken, however it is considered that it would not add to the understanding of the site's biodiversity value.

There is currently no known reason to contradict the findings of the Report and the application can be forwarded to determination in respect of biodiversity without the need for any further work.

Conditions are advised in relation to tree protection, Japanese Knotweed eradication, vegetation clearance, external lighting and landscaping.

Works and Skills – Conditions relating to the use of local labour during construction and the operational phases of the development are recommended.

## **Policy**

### **Local Development Framework**

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

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

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

In this case, the following policies within the Core Strategy are considered specifically relevant in the refusal of this application:

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

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

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

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

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

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

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

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

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

Policy EC1 (Employment and Economic Growth in Manchester) looks to ensure priorities for economic growth, the Council will support significant contributors to economic growth and productivity including health, education, retailing, cultural and tourism facilities, and other employment generating uses.

Policy EC3 (Regional Centre) – states that within the Regional Centre development for employment generating uses including offices and other commercial development will be encouraged.

Policy C9 (Out of Centre Development) - Development of town centre uses in locations which are outside a centre identified in policy C1 or a strategic location identified for such uses will be inappropriate unless it can meet the following criteria:

-There are no sequentially preferable sites, or allocated sites, within the area the development is intended to serve that are available, suitable and viable;

-The proposal would not have unacceptable impacts, either individually or cumulatively with recently completed and approved schemes and having regard to any allocations for town centre uses, on the vitality and viability of the City Centre and designated; district and local centres. An assessment of impacts will be required for retail developments of more than local significance; and,

-The proposal is appropriate in terms of its scale and function to its location.

Development that improves the environment of an existing out-of-centre facility or its relationship with surrounding uses will be supported, providing that it also meets the other criteria in this policy.

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

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

#### National Planning Policy Framework (2019)

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

Relevant to this application, Section 12 provides design guidance – 'Achieving Well-Designed Places'.

Paragraph 130 states:

*Planning policies and decisions should ensure that developments:*

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

*f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Paragraph 134 goes on to state that:

Development that is not well designed should be refused, especially where it fails to reflect 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. Conversely, significant weight should be given 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.

#### National Planning Policy Guidance (March 2014)

The Government produced a suite of documents to act as a live resource which set out advice and best practice on a wide range of planning issues following a detailed review of planning policy guidance as a way of streamlining policy.

The relevant sections of the NPPG in this case are as follows:

*Town centres and retail* - Paragraph 91 states that it may not be possible to accommodate all forecast needs for main town centre uses in a town centre: there may be physical or other constraints which make it inappropriate to do so. In those circumstances, planning authorities should plan positively to identify the most appropriate alternative strategy for meeting the identified need for these main town centre uses, having regard to the sequential and impact tests. This should ensure that any proposed main town centre uses which are not in an existing town centre are in the best locations to support the vitality and vibrancy of town centres, and that no likely significant adverse impacts on existing town centres arise.

Paragraph 9 states that the sequential test guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of centre locations (with preference for accessible sites which are well connected to the town centre). It supports the viability and vitality of town centres by placing existing town centres foremost in both plan-making and decision-taking.

Paragraph 15 states impact test only applies to proposals exceeding 2,500 square metres gross of floorspace unless a different locally appropriate threshold is set by the local planning authority. In setting a locally appropriate threshold it will be important to consider the:

- Scale of proposals relative to town centres;
- The existing viability and vitality of town centres;
- Cumulative effects of recent developments;
- whether local town centres are vulnerable;
- Likely effects of development on any town centre strategy; and
- Impact on any other planned investment.

Paragraph 17 (Reference ID:2b-017-20190722) states that the impact test will need to be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible. Ideally, applicants and local planning authorities should seek to agree the scope, key impacts for assessment, and level of detail required in advance of applications being submitted.

*Design* states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other;
- form – the shape of buildings;
- scale – the size of buildings;
- detailing – the important smaller elements of building and spaces;

materials – what a building is made from

### Other legislative requirements

Section 149 Equality Act 2010 provides that in the exercise of all its functions the Council must have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between person who share a relevant protected characteristic and those who do not. This includes taking steps to minimise disadvantages suffered by persons sharing a protect characteristic and to encourage that group to participate in public life. Disability is a protected characteristic

### Planning History

#### 071836/00/2004/N1

Outline - Erection of storage warehouse and associated offices and showrooms. *Approved 6 October 2004.*

#### 064372/FO/NORTH1/02

Construction of car storage, cleaning and preparation buildings to accompany the construction of 8 x single storey (with mezzanine) car showrooms, one two storey car showroom with mezzanine and ancillary restaurant, one single storey workshop and parts store with integral two storey office and one single storey combined showrooms, parts store and workshop with the creation of car parking. *Approved 31 May 2002.*

#### 058789/00/NORTH1/00

Outline - Erection of a 72no. bedroom hotel and restaurant. *Approved May 2000.*

#### 047604/FO/NORTH1/95

Erection of a part three storey / part four storey building to form 89 self-contained flats. *Refused 17 August 1995. Appeal dismissed 24 March 1997 (Ref: APP/B4215/A/96/264426).*

#### 032167

Erection of a two storey building to form cash/carry warehouse units with associated landscaping and 88 parking spaces. *27 October 1993.*

035601

Erection of seven units to form cash and carry development. *Approved 19 February 1990.*

027359

Erection of a wholesale cash and carry unit and single storey extension to existing cash and carry unit. *8 October 1986.*

035601

Erection of seven units to form cash and carry development. *Approved 19 February 1990.*

023494

Erection of a retail warehouse for the sale of leather furniture with associated parking and servicing facilities. *Refused 13 March 1985.*

020945

Erection of a wholesale cash and carry warehouse, extension to existing unit and provision of servicing and parking facilities. *Approved 7 March 1984.*

## **Issues**

### **Principle**

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that decisions be made in accordance with the development plan, unless material considerations indicate otherwise.

In the case of this application, the principle of the proposed development is not considered acceptable and is in conflict with development plan policy and associated guidance. There are no material considerations to indicate otherwise.

It is maintained that the proposed development would result in a building out of scale with the local context. This in turn would have a harmful impact upon the character and appearance of the streetscape, whilst being overbearing and over-dominant, both within the street-scene and to nearby residential occupiers, to the detriment of visual amenity.

In addition, the proposed development fails to include sufficient off road parking provision for both the commercial and residential elements. This in turn would place increased pressure on local roads in terms of on-street parking demand, whilst causing localised congestion, jeopardising the safety and amenity of road users.

It is further considered that insufficient information has been submitted in order for the City Council to assess the impact of the proposal upon the operation of the highway network – particularly in terms of trip generation, trip distribution and access to the site.

The issues are outlined further below.

### **Scale, Appearance and Impact on the Character of the Area**

Policies SP1, EN, H1 and DM1 of the Core Strategy, as well as the Guide to Development (SPD) underline the importance attached to protecting the character and appearance of an area

and the need to adhere to the Council's design principles. The NPPF advocates further, the need for good design and for consideration to be given to the impact of new developments on amenity.

Whilst submitted in outline, the indicative scale parameters show a 5 storey building.

The area in which site is located is mixed in character with both residential and commercial businesses situated within proximity of the site. This includes two storey residential dwellinghouses to the north along Fairly Lane and to the east along Holbeton Close. To the west on the opposite side of Bury New Road are single storey, double height commercial premises, with further commercial businesses of a comparable scale extending north to south along Bury New Road.

Whilst the scale of buildings along Bury New Road increase in height further to the south towards the city centre fringe, the immediate area is relatively low rise in scale, with the predominant scale within the immediate area ranging from 1-2 storeys in height.

It is considered that even taking account of the change in land levels to the east of the site, which increases in height by approximately 3.4 metres away from Bury New Road, the proposed building would appear substantially out of scale and would form an intrusive feature in the street-scene along this part of Bury New Road. This in turn would have a harmful impact upon the character of the area. There would be further concerns that a development of the scale proposed would set an unwelcome precedent for development of a greater scale in the area.

Development plan policy is clear that new development should consider the impact upon the surrounding area and the effects on amenity. The Council's supplementary design guidance contained within the Guide to Development in Manchester (SPD) further underlines that the scale of scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings.

The proposed scale of the building is considered excessive in this location and would be overbearing and visually oppressive to neighbouring residential occupiers, whilst being at odds with the scale of neighbouring building in the immediate streetscape.

It is therefore maintained that given the existing scale of neighbouring buildings, the proposed development fails to relate well to its immediate surroundings and would result in harmful effects to visual amenity in terms of outlook, intrusiveness, a feeling of openness in the street and the general character and appearance of the street-scene. On this basis, the proposed is considered unacceptable.

The proposed development would therefore be contrary to policies DM1, EN1, H1 and SP1 of the Core Strategy which aim to ensure that new development has regard to the character of the surrounding area in terms of scale, form, massing and details.

#### Car Parking and the Impact to the Highway

Policy T2 of the Core Strategy states that all new developments should provide appropriate car parking facilities and also that the circumstances of each proposal should be taken into account to establish what level of parking is appropriate.

Policy DM1 requires that adequate parking should be provided for all new development and consideration should be given to traffic generation and road safety, whereas policy SP1 goes on

to state that new developments should making a positive contribution to the health, safety and wellbeing of residents.

There are discrepancies in the number of off-road car parking spaces quoted within the submitted document. The drawings, Planning Statement and Transport Statement quote differing number of spaces. However, for the purposes of assessing the application, the number of spaces has been taken from the drawings. These shows a total of 110 undercroft car parking spaces accessed from Bury New Road, comprising 63 spaces for the residential element and 47 spaces for the commercial floorspace.

In the case of the application, whilst the site is situated within an accessible location with good access to public transport and in walking and cycling distance to many facilities and amenities, including the city centre, it is maintained that insufficient parking is provided on site and that that there would be increased pressure for on street parking and the potential for highway safety issues as a consequence of the proposal.

Given the out of centre location of the development, car ownership cannot be precluded. Further due to the number of units and associated bedrooms proposed, coupled with the amount of commercial floorspace, which would necessitate parking demand by both staff and visitors alike, the development would undoubtedly lead to on-street parking demand on nearby roads.

The proposed development involves a total of 222 bedrooms and the potential for a consummate number of vehicles and parking demand and potentially even more in the event of multiple occupancy. This is without taking in to account the demand that would be created by the 4 ground floor, commercial units and associated requirements for staff and visitors.

It therefore stands to reason that the potential number of vehicles that could be attracted to the local area as a consequence of the proposed development would put increased pressure on local kerbside parking, due to such an under-provision of off-road parking.

If there is no space within the curtilage of the development for this to take place, it is inevitable that vehicles will park on the kerbside adjacent to the development.

In turn, this would lead to local congestion around the Bury New Road and Fairy Lane junction and the local area general, as well as leading to increased competition for limited off road parking, particularly to the residential roads to the north and east. This would be harmful to the amenity of nearby occupiers due to increased competition for spaces and disturbance caused by vehicular movements.

There is further concerns that vehicle movements and manoeuvring whilst trying to find on-street parking availability would cause localised congestion, which could jeopardise the safety of highway users.

These concerned are echoed by Highway Services in their consultation response.

In light of the above, it is maintained that a development of type and density proposed, coupled with the lack of off-road parking provision would have an unacceptable impact on the highway.

#### Level of Submitted Information and the Impact to the Highway

Policy T2 of the Core Strategy notes that proposed development should include proportionate Traffic Impact Assessments for all major applications and for any proposals where there are likely to be access or transport issues.

Policy DM1 requires that new development should consider the effect on road safety and traffic generation, whilst policy SP1 requires new development to make a positive contribution to the health, safety and wellbeing of residents.

The City Council are concerned about the level of information that has been submitted in order for the Local Planning Authority to make a reasonable assessment of the likely highway impacts.

Whilst sufficient information has been submitted in order to ascertain the level of off-road parking provided, the application is deficient when it comes to assessing the wider impact to the local highway network.

In their consultation response, Highway Services, who in turn have consulted with Transport for Greater Manchester (TfGM) raise concerns about the robustness and completeness of the information submitted within the submitted Transport Assessment.

In particular, further information is required in relation to trip generation, trip distribution and access to the site.

The applicant has advised that due to the Covid 19 pandemic and lockdown conditions at time of submission, no junction capacity assessment was undertaken in order to determine the form of access required.

Highways require a site access survey and junction modelling once trip distribution has been established, in order to determine whether the site can safely sustain the amount of vehicular traffic proposed.

They note that analysis of the junction should not wait for any subsequent reserved matters proposal, as the analysis is crucial to understanding the likely impact of the development upon the local road network.

In addition, it is not clear how servicing will take place for the ground floor commercial floorspace and for refuse collection for the residential element. In this regard, swept path analysis is required in order to determine whether vehicles and safety manoeuvre when accessing and egressing the site.

Without this information, the City Council are unable to assess the appropriateness of the proposed development from a highway perspective. Despite repeated requests for the information, no further information has been forthcoming. On this basis, the applicant has failed to demonstrate that the proposed development would have a satisfactory impact to the operation of the local highway network.

#### Appropriateness of Location

The application site is not located within the defined Regional Centre of Strangeways. It is acknowledged however that the site is located less than 150m from its boundary which begins at the crossroads junction of Waterloo Road and Bury New Road to the south. It is an area that is characteristic of being on the edge of a Regional Centre with a strong mix of commercial and residential properties already existent in the immediate vicinity.

The site also lies within the Inner Area, defined as the North Manchester Regeneration Area by Policy EC4 of the Core Strategy, where policy is clear that this area has a key role to play in providing housing and facilities for employees of the nearby employment areas including

Strangeways Employment Area, City Centre, Central Park, Sportcity, Salford Quays and Trafford Park

In terms of the retail/commercial element (Class E), the NPPF states that retail proposals not located within an existing centre should be assessed according to their impact (if any) on existing centres. Impact assessments should be provided for all proposals over 2,500 sqm when the proposal is not located within an existing centre and not in accordance with an up to date development plan.

Core Strategy Policy C9 states that the level of detail within impact assessments for proposals of less than 2,500 sqm gross floorspace should be proportionate to the scale and nature of the development proposed and its likely effects on designated centres. For all proposals of 2,500 square metres gross floorspace and over, a full assessment will be required.

Supporting policy text goes on to states that the impacts of out-of-centre development will vary across the City and will need to be considered on a case-by-case basis, although the Council considers that development of less than 650 square metres gross will generally be of local significance only.

In this case, the proposal incorporates 624 sqm of retail and commercial floorspace (Class E) on the ground floor. This would be of a level that would be of no more than local significance and would not warrant a retail impact assessment. The principle of the proposal would also comply Policy H3 of the Core Strategy which advocates support for mixed-use schemes within and adjacent to defined Regional Centres, which would be the case in this instance.

In terms of sequential site selection, the applicant states that there are no alternative sites that are currently available that would be suitable for the proposed commercial element of the scheme. Being located just a very short distance (less than 150m) from the boundary of the Regional Centre, the application site is the next sequentially preferable location that is currently available and should therefore be supported on this basis.

Due to the site location on the edge of the Regional Centre and in close proximity to a wide range of existing shops and commercial enterprises, it is agreed that the site represents the most sequentially preferable location for the proposed development. There is an absence of any suitable or available alternative premises within or closer to the Regional Centre. The development would also be of a local scale that would have no impact on the vitality or viability of commercial premises elsewhere, pursuant to policy C9 of the Core Strategy.

### **Affordable Housing**

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

The applicant has agreed to enter into a S.106 agreement which will enable 20% of the units to be offered on an affordable basis.

### **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:** Refuse

### **Article 35 Declaration**

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

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

1) Having regard to the relationship of the proposed development with surrounding buildings in the immediate area, the scale and height of the proposed five storey building, would constitute an inappropriate form of development which result in an incongruous, over-dominant feature, out of scale and out of character with the surrounding context and streetscape. As a result, the proposed development would have a harmful impact upon the character and appearance of the area, contrary to the provisions of policies DM1, EN1 and SP1 of the Manchester Core Strategy, The Guide to Development in Manchester (SPD) and the National Planning Policy Framework (NPPF).

2) The proposed development does not allow for sufficient off road parking provision. This in turn, would lead to parking associated with the development taking place on the adjoining highway which would impede traffic flow and cause localised congestion, to the detriment of highway safety. Vehicles associated with the proposed development would also park on surrounding streets which would result in localised congestion and increased competition for on-street spaces to the detriment of amenity, the inconvenience of other users of the highway and general highway safety. As such, the proposed development is contrary to policies DM1, SP1 and T2 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

3) The applicant has failed to provide sufficient information to demonstrate the acceptability of the impact to the adjoining highway as a consequence of the proposed development. This includes sufficient information in order to assess trip generation, trip distribution, vehicular access (including servicing) and junction capacity. The proposed development is therefore contrary to the provisions of policies DM1, T2 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).



## **Appendix 1 – List of consultees & neighbours notified**

Highway Services  
Environmental Health  
Neighbourhood Team Leader (Arboriculture)  
MCC Flood Risk Management  
Work & Skills Team  
Greater Manchester Police  
Environment Agency  
Transport For Greater Manchester  
Greater Manchester Archaeological Advisory Service  
Greater Manchester Ecology Unit  
Salford City Council  
United Utilities Water PLC

1 Willerby Road, Manchester, M8 9YG  
9 Sandsend Close, Manchester, M8 8BX  
Grosvenor G Casino Manchester, 2 Ramsgate Street, Manchester, M8 9SG  
BOI TRADING COMPANY LIMITED, Unit 10, Eurocentre, 116 - 118 Bury New Road,  
Manchester, M8 8EB  
186 Bury New Road, Manchester, M8 8DY  
85 Bury New Road, Manchester, M8 8FX  
36 Sandsend Close, Manchester, M8 8BX  
80 Derby Street, Manchester, M8 8JW  
Unit C, 17 - 23 Broughton Lane, Manchester, M8 9TY  
76 Derby Street, Manchester, M8 8EX  
21 Lok Fu Gardens, Manchester, M8 8JX  
34B Vega Street, Manchester, M8 9TW  
7 Broughton Lane, Manchester, M8 9TY  
FUTURE FONES LTD, 27 Vega Street, Manchester, M8 9TW  
2 Holbeton Close, Manchester, M8 8BA  
22 Sandsend Close, Manchester, M8 8BX  
73 Derby Street, Manchester, M8 8HE  
86 Derby Street, Manchester, M8 8JW  
11 Lok Fu Gardens, Manchester, M8 8JX  
15 Lok Fu Gardens, Manchester, M8 8JX  
9 Lok Fu Gardens, Manchester, M8 8JX  
1 Sandsend Close, Manchester, M8 8BX  
7 Lok Fu Gardens, Manchester, M8 8JX  
75 Derby Street, Manchester, M8 8HE  
3 Lok Fu Gardens, Manchester, M8 8JX  
1 Lok Fu Gardens, Manchester, M8 8JX  
5 Lok Fu Gardens, Manchester, M8 8JX  
3 Sandsend Close, Manchester, M8 8BX  
24 Sandsend Close, Manchester, M8 8BX  
118 Fairy Lane, Manchester, M8 8YD  
124 Fairy Lane, Manchester, M8 8YD  
27A Vega Street, Manchester, M8 9TW  
28 Sandsend Close, Manchester, M8 8BX  
12 Sandsend Close, Manchester, M8 8BX  
9 Broughton Lane, Manchester, M8 9TY  
79 Bury New Road, Manchester, M8 8FX  
23 Vega Street, Manchester, M8 9TW  
1 Broughton Lane, Manchester, M8 9TY

5 Broughton Lane, Manchester, M8 9TY  
3 Broughton Lane, Manchester, M8 9TY  
Princess Pottery Ltd, Fairy Lane, Manchester, M8 8DD  
120 Fairy Lane, Manchester, M8 8YD  
126 Fairy Lane, Manchester, M8 8YD  
122 Fairy Lane, Manchester, M8 8YD  
128 Fairy Lane, Manchester, M8 8YD  
71 Derby Street, Manchester, M8 8HE  
3 Willow Street, Cheetham, Manchester, M8 9DY  
1 Willow Street, Cheetham, Manchester, M8 9DY  
184 Bury New Road, Manchester, M8 8DY  
Unit 1A, 17 - 23 Broughton Lane, Manchester, M8 9TY  
13E Broughton Lane, Manchester, M8 9TY  
13D Broughton Lane, Manchester, M8 9TY  
13C Broughton Lane, Manchester, M8 9TY  
13B Broughton Lane, Manchester, M8 9TY  
13A Broughton Lane, Manchester, M8 9TY  
Eurocentre, 116 - 118 Bury New Road, Manchester, M8 8EB  
Cheetwood Community Primary School, Waterloo Road, Cheetham, Manchester, M8 8EJ  
12 Holbeton Close, Manchester, M8 8BA  
11 Holbeton Close, Manchester, M8 8BA  
208 Bury New Road, Manchester, M8 8DY  
1 Holbeton Close, Manchester, M8 8BA  
4 Holbeton Close, Manchester, M8 8BA  
199 Bury New Road, Manchester, M8 8DY  
28B Vega Street, Manchester, M8 9TW  
25A Vega Street, Manchester, M8 9TW  
44 Sandsend Close, Manchester, M8 8BX  
40 Sandsend Close, Manchester, M8 8BX  
77 Bury New Road, Manchester, M8 8FX  
48 Sandsend Close, Manchester, M8 8BX  
4 Sandsend Close, Manchester, M8 8BX  
34 Ramsgate Street, Salford, M7 2YL  
36 Ramsgate Street, Salford, M7 2YL  
38 Ramsgate Street, Salford, M7 2YL  
40 Ramsgate Street, Salford, M7 2YL  
42 Ramsgate Street, Salford, M7 2YL  
44 Ramsgate Street, Salford, M7 2YL  
46 Ramsgate Street, Salford, M7 2YL  
48 Ramsgate Street, Salford, M7 2YL  
50 Ramsgate Street, Salford, M7 2YL  
52 Ramsgate Street, Salford, M7 2YL  
4A Broughton Lane, Salford, M7 1UF  
5 Broughton Lane, Salford, M7 1UF  
6 Broughton Lane, Salford, M7 1UF  
Unit D, 17 - 23 Broughton Lane, Manchester, M8 9TY  
25B Vega Street, Manchester, M8 9TW  
Unit G, 17 - 23 Broughton Lane, Manchester, M8 9TY  
Unit E, 17 - 23 Broughton Lane, Manchester, M8 9TY  
7 Sandsend Close, Manchester, M8 8BX  
5 Sandsend Close, Manchester, M8 8BX  
26 Sandsend Close, Manchester, M8 8BX  
2 Sandsend Close, Manchester, M8 8BX  
14 Sandsend Close, Manchester, M8 8BX

92 Derby Street, Manchester, M8 8JW  
96 Derby Street, Manchester, M8 8JW  
30 Sandsend Close, Manchester, M8 8BX  
Apartment E, 78 Derby Street, Manchester, M8 8EW  
Apartment E, 76 Derby Street, Manchester, M8 8EX  
19 Lok Fu Gardens, Manchester, M8 8JX  
9 Holbeton Close, Manchester, M8 8BA  
98 Derby Street, Manchester, M8 8JW  
17 - 23 Broughton Lane, Manchester, M8 9TY  
83 Bury New Road, Manchester, M8 8FX  
46 Sandsend Close, Manchester, M8 8BX  
Unit F, 17 - 23 Broughton Lane, Manchester, M8 9TY  
32 Sandsend Close, Manchester, M8 8BX  
6 Holbeton Close, Manchester, M8 8BA  
3 Holbeton Close, Manchester, M8 8BA  
Apartment F, 76 Derby Street, Manchester, M8 8EX  
Apartment F, 78 Derby Street, Manchester, M8 8EW  
Apartment D, 78 Derby Street, Manchester, M8 8EW  
25 Vega Street, Manchester, M8 9TW  
81 Bury New Road, Manchester, M8 8FX  
42 Sandsend Close, Manchester, M8 8BX  
38 Sandsend Close, Manchester, M8 8BX  
Unit B, 17 - 23 Broughton Lane, Manchester, M8 9TY  
69 Derby Street, Manchester, M8 8HE  
Unit H, 17 - 23 Broughton Lane, Manchester, M8 9TY  
84 Derby Street, Manchester, M8 8JW  
Apartment B, 76 Derby Street, Manchester, M8 8EX  
13 Broughton Lane, Manchester, M8 9TY  
11 Broughton Lane, Manchester, M8 9TY  
11 Sandsend Close, Manchester, M8 8BX  
10 Sandsend Close, Manchester, M8 8BX  
18 Sandsend Close, Manchester, M8 8BX  
13 Sandsend Close, Manchester, M8 8BX  
BOI TRADING COMPANY LIMITED, Unit 9, Eurocentre, 116 - 118 Bury New Road,  
Manchester, M8 8EB  
8 Sandsend Close, Manchester, M8 8BX  
6 Sandsend Close, Manchester, M8 8BX  
34 Sandsend Close, Manchester, M8 8BX  
8 Holbeton Close, Manchester, M8 8BA  
5 Holbeton Close, Manchester, M8 8BA  
82 Derby Street, Manchester, M8 8JW  
94 Derby Street, Manchester, M8 8JW  
100 Derby Street, Manchester, M8 8JW  
88 Derby Street, Manchester, M8 8JW  
90 Derby Street, Manchester, M8 8JW  
28A Vega Street, Manchester, M8 9TW  
28 Vega Street, Manchester, M8 9TW  
BOI TRADING COMPANY LIMITED, Unit 1 To 8, Eurocentre, 116 - 118 Bury New Road,  
Manchester, M8 8EB  
Apartment C, 76 Derby Street, Manchester, M8 8EX  
Apartment C, 78 Derby Street, Manchester, M8 8EW  
Apartment A, 76 Derby Street, Manchester, M8 8EX  
20 Sandsend Close, Manchester, M8 8BX  
16 Sandsend Close, Manchester, M8 8BX

10 Holbeton Close, Manchester, M8 8BA  
7 Holbeton Close, Manchester, M8 8BA  
Apartment D, 76 Derby Street, Manchester, M8 8EX  
Apartment A, 78 Derby Street, Manchester, M8 8EW  
Apartment B, 78 Derby Street, Manchester, M8 8EW  
23 Lok Fu Gardens, Manchester, M8 8JX  
17 Lok Fu Gardens, Manchester, M8 8JX

## **Appendix 2 – Planning constraints**

Article 4 Direction - Removal of PD Rights Change of Use From Class C3 to Class C4  
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected  
Coal Authority - Development Low Risk - Name: DEVELOPMENT\_LOW\_RISK\_AREA  
Flood Zones Type 2 (low to medium risk) -  
Flood Zones Type 2 (low to medium risk) -  
Flood Zones Type 2 (low to medium risk) -  
Flood Zones Type 2 (low to medium risk) -  
Flood Zones Type 2 (low to medium risk) -  
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Flood Zones Type 2 (low to medium risk) -  
Flood Zones Type 2 (low to medium risk) -  
Flood Zones Type 2 (low to medium risk) -  
Flood Zones Type 2 (low to medium risk) -  
Flood Zones Type 2 (low to medium risk) -  
Flood Zones Type 2 (low to medium risk) -  
Flood Zones Type 2 (low to medium risk) -  
Historic Landfill Site 250m Buffer -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Area Team Boundary - Name: NORTH1