

Application Number	Date of Appln	Committee Date	Ward
141306/FO/2024	21st Oct 2024	20th February 2025	Burnage Ward

Proposal Erection of a residential development of up to 115 dwellings with associated access, parking, landscaping and drainage following demolition of the existing B&M retail unit and associated garden centre

Location B&M Home Store , Kingsway, Manchester, M19 1BB

Applicant Triple Jersey Limited

Agent Chris Wallace, DPP Planning

Executive Summary

The application proposals are for the redevelopment of an existing retail store and associated areas of car parking to provide up to 115 residential properties.

The key issues in respect of this proposals are:

- The loss of retail floorspace and employment from the site
- Impacts on the highway network
- The level of proposed car parking
- The design, layout and appearance of the proposal and relationships to adjacent buildings and land
- The standard of accommodation proposed
- Provision of affordable housing on the site

The application was subject of notification of 286 nearby properties, 117 representations were received in response with 106 of these being objections to the proposals, comments have been received from local residents, resident groups, a local headteacher and users of nearby facilities. In addition, a petition with 91 signatures has been submitted objecting to the proposals. Issues raised include: the loss of local shopping provision, traffic and car parking impacts on the local area, loss of residential amenity, inadequate infrastructure to support the occupiers, environmental concerns, and that the proposals constitute an over development of the site. These matters and others are fully considered in the report below.

A previous application to redevelop the site for up to 112 residential units was withdrawn by the applicant in February 2024 prior to it being considered by Committee. Since that time the applicant has engaged with the Council as local planning authority to review the design and layout of the scheme, consideration of this revised proposal is presented within this report.

Description

The application site relates to a B & M retail store with associated car parking, service yard and landscaped areas located to the west of Kingsway, to the east of a main railway line, with Talbot Road to the north and an existing Mosque and

Children's Nursey building located on Mauldeth Road to the south. The site previously formed part of railway lands prior to its redevelopment in the late 1980s. The surrounding areas are predominantly residential in nature comprising two storey brick built semi-detached inter and post war properties.



View south across car park towards existing retail store

There are two existing vehicular access points, one from Mauldeth Road which operates as a two-way access whilst the other from Talbot Road is one way only for cars accessing the site from the north. There are a number of buildings and land that bound the site to its southern and south-western edge, and these include a petrol filling station; electric substation; and vacant office buildings. Mauldeth Road train station is located immediately to the south-west of the application site whilst the nearest bus stop is located on Kingsway, approximately 150 metres to the south of the site. As a result, the site is located within an area that has a Greater Manchester Accessibility Level rating of 6 (where 1 is the lowest and 8 is the highest accessibility rating based upon Transport for Greater Manchester data). Mauldeth Road Primary School is located to the west of the site beyond the main railway line with Ladybarn Park located approximately 160 metres to the south-west of the application site.

The site extends to 1.64 hectares in size with the main site containing the retail store and car parking being in an elevated position to that of Kingsway and the surrounding roads. The railway line to the west is set at a higher level again with the main access road to the retail store and car park running alongside the railway embankment on a south to north alignment. Trees and shrubs form the eastern boundary of the site with a further landscaped green wedge forming the northern tip of the site comprising

grassed banking and tree planting, none of the trees on the site are subject to protection through Tree Preservation Orders. A majority of the site lies within an area of flood risk zone 1 which has the lowest probability of flooding whilst a limited area on the northern edge of the site lies within flood zone 2 which has a medium probability of flooding, as a result the application is supported by a flood risk assessment.



Aerial view with the application site edged in red

Description of development

The proposal is for the redevelopment of the site following the demolition of the existing retail store on the site to provide 115 residential properties, amenity space, 344 secure cycle storage spaces, associated car parking (86 spaces), and landscaping. The mix of accommodation includes:

- 54 no. 2 bedroom houses
- 41 no. 2 bedroom apartments
- 8 no. 3 bedroom houses
- 12 no. 4 bedroom houses

The proposals are for the provision of build to rent residential units across the site which the applicant indicates would provide a more affordable and stable alternative option for those who are unable to afford outright home ownership. The applicant has also indicated that 8 no. residential units within the completed development would be offered at an affordable rent. Further consideration of the housing mix and affordable housing provision is set out within the issues section of this report.

The proposals have been designed and laid out to provide road frontages to both Kingsway and the Talbot Road access road whilst also providing natural surveillance to internal spaces such as amenity areas, parking areas and communal gardens.



Proposed layout of the development

Access to the site would be maintained via Talbot Road to the north along the existing road on the western boundary of the site with the road aligned to provide a 3m wide footway and 5.5m wide road. Parking areas are to be provided within a mix of allocated spaces to the side of dwellinghouses and small internal parking courts which are distributed across the proposals, all three and four bedroom houses (20 in total) would have an allocated car parking space with the remainder being

unallocated, a total of 86 car parking spaces are to be provided (a ratio of 0.75 spaces per residential unit).



CGI views showing design intent of the proposed houses and apartments and arrangements of internal communal amenity spaces

The proposals have been designed to reflect the sites prominent siting and the context of the site in a highly sustainable location. The proposed buildings have been arranged to have active and outward facing elevations along the majority the sites boundaries whilst using this built form to form and protect enclosed outdoor amenity spaces that include private amenity space, parking areas, and communal gardens.



CGI view of the design intent of the proposed Kingsway frontage – Apartment building

The proposed dwellinghouses and apartment buildings provide a range of residential accommodation with variations in the proposed built form. A larger apartment building of 5 storeys in height is proposed to be sited on the northern section of the site with lower scale 3 storey houses and buildings within the central and southern areas of the site. The buildings would be predominantly of brick finishes to reflect the character of the wider area with additional more contemporary materials used to highlight certain aspects of the buildings such as main entrances.



CGI view of the design intent of the proposals looking north-west along Kingsway



*CGI view of the design intent of the proposals north-east along the Talbot Road
access road*

Relevant Planning History

138712/FO/2023 - Erection of a residential development of up to 112 dwellings with associated access, parking, landscaping and drainage following demolition of the existing B&M retail unit and associated garden centre – Withdrawn 15.02.2024

066769/LE/SOUTH1/02 – B & Q Retail Unit, Mauldeth Rd/Kingsway, Burnage - CERTIFICATE OF LAWFUL USE - Use of the premises for unrestricted A1 (retail) use. Approved 09.12.2002

032397 - Former British Rail sidings, Mauldeth Road Station, Mauldeth Road, Kingsway, Talbot Road, Burnage - RESERVED MATTERS Details of the landscaping for the erection of a non-food retail unit with a garden centre, access roads, parking and landscaping – Approved 03.11.1988

031079 - Outline application for the erection of a non-food retail unit with garden centre, access roads, parking and landscaping – Approved 28.04.1988

The four applications below relate to land to the south of the current application site currently comprising vacant offices and associated lands.

139559/P3MA/2024 - Prior Approval for change of use from offices (Class E - Commercial, Business and Service) to 28 self-contained flats (Class C3 - Dwellinghouses). Refused 13.05.2024

138733/P3MA/2023 - Prior Approval for change of use from offices (Class E - Commercial, Business and Service) to 24 self-contained flats (Class C3 - Dwellinghouses) -Refused 05.02.2024

130098/OO/2021 - Outline application (access, layout and scale) for the erection of a 3, 4 and 6 storey building to form 90 apartments with associated parking, landscaping and vehicle access/egress from Kingsway. Refused 30.08.2022 – Subsequent Appeal dismissed 31.07.2023

122088/OO/2018 - Outline application (all matters reserved) for the erection of a 5, 6 and 10 storey apartment building with associated car parking to form 147 new apartments. Refused 16.10.20219 – Subsequent Appeal dismissed 14.04.2020

The two applications below relate to the development of the adjacent petrol filling station and car wash.

037515 – Erection of a petrol filling station after demolition of existing petrol/ service station. Approved 13.11.1990

079154/FO/2006/S2 – Installation of new pressure washing bay and screen at existing garage. Approved 07.08.2006

Environmental Impact Assessment Regulations (2017)

A screening opinion has been issued by the City Council.

The proposal type is listed in Class 10 'Infrastructure Projects' subsection 10(b) 'Urban Development Projects' of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 and involves demolition.

Following an assessment of the submitted scheme it has been concluded that an Environmental Impact Assessment would not be required for the development proposed.

Consultations

The application has been subject to notification of 286 nearby properties and site notices were posted at the site and an advertisement was placed in the Manchester Evening News notifying of the proposals.

The application was subject of notification of 286 nearby properties, 117 representations were received in response, with 106 of these being objections to the proposals, comments have been received from residents, resident groups, a local headteacher and users of nearby facilities. In addition, a petition with 91 signatures has been submitted objecting to the proposals. A summary of the comments received is set out below:

The current retail store is a valuable asset to the local community. The loss of the store would impact on the ability and convenience for residents to access similar facilities not available in the local area.

The additional residential development will place pressure on local schools, GP surgeries and other facilities. There are already problems on school places and GP appointments.

The development together with changes to the access road (making it two way) would lead to an increase in traffic in the local area which already experiences high levels of traffic, congestion and associated air quality impacts. There are particular concerns around the impacts of increased traffic in the area on children's safety, given the proximity to Mauldeth Road Primary School and Ladybarn Park.

There will be ecological impacts on Birds, Bats, Wildlife in the area.

The proposed building would give rise to overlooking, loss of privacy and loss of sunlight and daylight to existing residential properties on Kingsway.

The height and scale of the proposed buildings would dominate the surrounding area and have a detrimental impact on the area's character and appearance.

The proposal represents an overdevelopment of the site to the detriment of the character of the area.

The proposed development provides an insufficient amount of off-street car parking for the proposed number of residential units. This would lead to an increase in on-

street parking in an area that experiences a high demand for on-street parking spaces impacting upon the levels of pedestrian and highway safety.

The proposals do not provide suitable accommodation for the needs of a growing elderly population.

The area does not require more unaffordable market housing. The site should be developed for social or affordable housing.

Concerns around the impacts of noise on future occupiers of the development

The proposed development could impact on local air quality by virtue of road traffic emissions associated with not just the development and during the construction phase, but the impact of such a volume of dwellings.

The Daylight and Sunlight (Within Development) study reveals particular problems for the development. The report highlights issues with insufficient daylight for tenants within the development.

Statutory and Non-statutory consultees

MCC Environmental Health - Make the following recommendations relating to conditions to be attached to any approval.

Conditions are recommended in relation to the submission and approval of: a demolition/construction management plan; a scheme for acoustically insulating the proposed residential accommodation against noise from Kingsway and the nearby railway line this should also include an assessment of potential vibration impacts from the adjacent railway line, the scheme would also be expected to consider the potential for overheating; a scheme for the acoustic treatment of external plant and equipment; approval of a lighting scheme; a waste management and storage scheme for the development; a scheme for the provision of a clear air intake into the buildings; a scheme for the provision of electric vehicle charging points; and, a condition for site investigations and development of a remediation strategy for the land together with a verification report.

MCC Highway Services – The application is supported by a Transport Assessment, framework Travel Plan, and Stage 1 Road Safety Audit, together with an additional technical note that includes a car parking management plan which have been fully assessed. MCC Highway Services do not raise concerns in terms of highway or pedestrian safety in the vicinity of the site. It is noted that the site is well accessed by sustainable modes of transport with regular bus services along Kingsway, with further bus stops on Mauldeth Road, Mauldeth Road train station also provides additional public transport opportunities for future occupiers of the development. It is noted that: Kingsway is subject to No Waiting restriction (Mon-Sat 8am-9.30am); Kingsway / Talbot Road junction has No Loading restrictions (Mon-Fri 8am-9.30am and 4.30pm-6.30pm) and No Waiting in place; and, Talbot Road has a 20mph speed limit, with No Loading (Mon-Fri 8am-9.30am and 4.30pm-6.30pm) and No Waiting restrictions in place.

The proposals would utilise the two existing access points, the first on Mauldeth Road and the other from Talbot Road. The Talbot Road access is to be reconfigured to a two-way road and would be of a width of 5.5 metres with a shared 3m footway/cycleway. It is proposed to include the provision of a pedestrian crossing push button facility on the Talbot Road arm of the signalised junction with Kingsway to improve pedestrian connectivity to the north, together with dropped kerb and tactile paving at access points into the site which are acceptable. The proposed works to the access and the signalised junction would have an impact on the adopted highway and therefore a separate section 278 highways agreement would be required.

The development would provide 86 parking spaces. This is a provision of 75% which is considered acceptable to Highways. It is requested that the development is operated in accordance with the submitted Car Park Management Plan Strategy. It is also recommended that the development includes the provision of 3 no. accessible spaces within the development.

A cycle parking space would be provided per residential unit and each house with a garden will have a cycle store that can be stored within a garden. Houses without gardens will have a dedicated cycle store adjacent to the bin store. These arrangements are acceptable to Highways. The apartments will be provided with a dedicated shared cycle storage within each block. It should be ensured that 100% cycle parking is provided for the apartments and that cycle stores are sheltered and secure.

The submitted information confirms that a refuse vehicle can enter, manoeuvre and egress from the site and the northern and southern accesses. The location of bin stores and collection points are acceptable in principle.

The submitted Travel Plan is considered is considered to be acceptable.

MCC Highway Services recommend conditions be attached to any approval relating to: Electric Vehicle Charging points (20% of spaces for apartments and 1 per dwelling as agreed by the applicant); Cycle parking details; Off-Site Highways Works including- Talbot Road Access Upgrades, upgrade of the signal crossing at the Talbot Road/Kingsway junction; approval of the submitted Car Park Management Plan to manage unallocated parking areas; approval of the submitted Travel Plan; and a Construction Management Plan.

MCC Neighbourhood Services (Arboriculture) – Are concerned with the loss of category B trees at the northern end of the site at the junction of Talbot Road, which they consider to be of high amenity value. Further consideration of these matters is set out within the issues section of this report.

Greater Manchester Ecology Unit – Have assessed the submitted information which includes a Preliminary Ecological Appraisal and a Biodiversity Metric and Report.

The appraisal found the site to have some ecological value, with no evidence of protected species on site. A number of precautionary measures have been recommended for species including amphibians and hedgehogs during construction

works. GMEU therefore advise that a Construction Environmental Management Plan for Biodiversity be required via an appropriately worded condition.

In addition as the site may be used by nesting birds any clearance works should avoid the main bird breeding season. Several invasive species were found on the site and a condition should be attached to any permission to ensure these are treated and/or removed in accordance with a protocol to be submitted and agreed via an appropriately worded condition.

The submitted biodiversity metric indicates a net loss of habitats on the site and the development would be required to discharge the standard biodiversity net gain condition that would be attached to any permission.

In addition, the submitted report makes recommendations for enhancements for species such as bat and bird boxes and a condition for these enhancements to be delivered on site should be attached to any permission.

MCC Flood Risk Management Team – Have assessed the submitted information together with an updated flood risk assessment. The finished floor levels of the development has been set in line with government standing advice. The application meets the threshold in securing at least one viable way to drain the site's surface water. As such there are no flood risk objections to the proposals subject to an appropriately worded condition for the submission and approval of a sustainable urban drainage scheme as part of the development; and a maintenance and management plan for the approved drainage scheme.

United Utilities – Have requested a drainage condition be placed on any approval.

Environment Agency – No objection in principle to the proposals. Have indicated that the site appears to have been subject of past industrial activity which poses a high risk of pollution to controlled waters. As such they recommend consulting with the Council's environmental health team for advice on generic aspects of land contamination management. Advice is also provided in respect of controlling surface water run-off as near to its source as possible.

Greater Manchester Police – Design for Security team - Raised some initial comments with the proposal and a response to these has been received from the applicant. GMP accept the provided responses and request that any approval be subject of a secured by design accreditation condition.

Cadent Gas- No objection but recommend an informative is attached to any decision notice.

Policy

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The adopted development plan consists of the Core Strategy (adopted 2012), the Places for everyone Joint Development Plan Document (2024) and the saved policies of the Unitary

Development Plan. Due consideration in the determination of the application will also need to be afforded to national policies in the National Planning Policy Framework (NPPF -2024) which represents a significant material consideration.

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 be decided in accordance with the Core Strategy, the Places for Everyone Joint Development Plan Document and saved UDP policies.

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. The proposals seek to provide additional diversity in terms of type of housing within the area and towards the creation of neighbourhoods of choice.

Policy EC 2 (Existing Employment Space) – Indicates that the Council will seek to retain and enhance existing employment space and sites. Alternative uses will only be supported on sites allocated accordingly, or if it can be demonstrated that:

- The existing use is un-viable in terms of business operations, building age and format;
- The existing use is incompatible with adjacent uses; or
- On balance, proposals are able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives than the existing use.

Policy EC9 indicates that South Manchester is not expected to make a significant contribution to employment provision within the City. The proposals would deliver residential accommodation in a sustainable location and these benefits are considered to outweigh the loss of the commercial premises on site and are considered in more detail within the issues section of this report.

Policy DM1 (Development Management) states that new development should have regard to more specific issues including: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy H1 (Overall Housing Provision) Identifies that new housing will be predominantly in the North, East, City Centre and Central Manchester. The policy

clarifies that the proportionate distribution of new housing, and the mix within each area, will depend on amongst other things:

- The number of available sites identified as potential housing sites in the SHLAA;
- Land values and financial viability;
- The need to diversify housing stock in mono-tenure areas by increasing the availability of family housing, including for larger families; and the availability of other tenures to meet the identified needs of people wishing to move to or within Manchester.

Policy H6 (South Manchester) - South Manchester is identified as accommodating around 5% of new residential development over the lifetime of the Core Strategy. High density development in South Manchester is generally only considered to be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes. Outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of older people, with schemes adding to the stock of affordable housing. The proposals are accompanied by the applicants commitment to provide 8 units within the development for levels of rent that would be affordable, together with a provision of a mix of dwellinghouses including those capable of being suitable for families.

Policy H8 (Affordable Housing) states affordable housing contributions will be considered of 0.3 hectares and 15 units or more. The applicant has provided a financial viability assessment alongside the application submission, this matter is considered in more detail within the issues section of this report.

Policy EN1 (Design Principles and Strategic Character Areas) - The southern character area in which the site is located is indicated as appropriate for development along the radial routes that are commensurate in scale with the prominence of its location. This matter is considered in more detail within the issues section of this report.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon) & Policy EN6 (Target Framework for CO2 reductions from low or zero carbon energy supplies) - The proposed development takes an enhanced building fabric led approach to minimising energy demand by minimising heat loss from the building envelope and building systems.

Policy EN 8 (Adaptation to Climate Change) - All new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces.

Policy EN9 (Green Infrastructure) - New development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. The proposals incorporate a landscaping scheme including, hedge, shrub and tree planting.

Policy EN14 (Flood Risk) - Most of the site is located in Flood Zone 1, which is designated as land having less than a 1 in 1000 probability of river or sea flooding. However, there is a small area in the north of the site that is designated as being in

Flood Zone 2. A flood risk assessment has been prepared and submitted alongside the application and consideration of this is set out within the issues section of this report.

Policy EN 15 (Biodiversity and Geological Conservation) - The policy indicates that the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City. The applicant has undertaken a Preliminary Ecological Appraisal of the site together with a Biodiversity Net Gain assessment. These do not raise any significant ecological concerns but makes a series of recommendations regarding precautionary measures during construction works and provision of a suitably designed lighting scheme to avoid bat foraging and commuting routes and for dealing with the statutory requirement for biodiversity net gain through the purchasing of off-site biodiversity credits.

Policy EN 16 Air Quality – The site lies partially within an Air Quality Management Area as such the application is accompanied by an air quality assessment. This reviews the existing air quality conditions, assesses proposed development traffic generation, impacts of existing sources of air pollutants on future residents and assesses the significance of air quality impacts. The conclusions of this assessment are that the site is considered suitable for the proposed end use, further consideration of this matter is set out within the issues section of this report.

Policy EN 17 Water Quality - The development would not have an adverse impact on water quality. Surface water run-off and grounds water contamination would be minimised.

Policy EN 18 Contaminated Land and Ground Stability – The site has been subject to desk study which is considered adequate. If the proposals are granted approval site investigations together with remediation strategy and verification would be required, and these could be secured via an appropriately worded conditions.

Policy EN19 Waste – The proposals drawings indicate that bin stores would be provided for the apartments and private garden spaces would provide space for the provision of waste bins. Further details would be required to demonstrate compliance with the Council's guidance on waste management and this could be secured via an appropriately worded condition.

Policy T1 Sustainable Transport – The application is accompanied by a transport assessment and framework travel plan. Following comments from consultees a further Technical note was prepared and submitted by the applicant. The development would provide 86 parking spaces, which equates to a ratio of 0.75 spaces per residential unit. Cycle storage would be provided across the site, providing in excess of one space per residential unit. The houses with gardens would be provided with sheds in which they can store cycles. For houses without gardens, dedicated cycle stores are proposed. The apartments would be provided with dedicated shared cycle storage within each block.

Policy T2 Accessible Areas of Opportunity and Need – The application site is accessible by foot, cycle and public transport networks.

Places for Everyone - The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. The plan was adopted in March 2024 and now forms part of the City's local development framework.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs. Securing higher densities in the most accessible locations is identified as helping to maximise the ability of people to travel by walking, cycling and public transport and reduce the reliance on the car.

Relevant policies of PfE in this instance are:

JP-Strat14: A Sustainable and Integrated Transport Network

JP-S1: Sustainable development

JP-S2: Carbon and Energy

JP-S4: Flood Risk and the Water Environment

JP-S5: Clean Air

JP-S6: Resource Efficiency

JP-G6: Urban Green Space

JP-G7: Trees and Woodland

JP-G8: A net enhancement of Biodiversity and Geodiversity

JP-C1: An Integrated Network

JP-C5: Streets for All

JP-C8: Transport Requirements of New Development

JP-H1: Scale, Distribution and Phasing of New Housing

JP-H2: Affordability of New Housing

JP-H3: Type, Size and Design of New Housing

JP-H4: Density of New Housing

JP-P1: Sustainable Places

JP-P6: Health

Saved Unitary Development Plan Policies

Policy E3.3 The Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging new development of the highest quality; and ensuring that landscape schemes are designed to minimise litter problems.

Policy DC26.1, DC26.2 and DC26.5 Development and Noise – A noise assessment has been prepared to accompany the application.

Relevant National Policy

The National Planning Policy Framework (December 2024) sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role. The NPPF outlines a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan and where a planning application

conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted.

Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. The following specific policies are considered to be particularly relevant to the proposed development:

Section 5 (Delivering a sufficient supply of homes) – The proposals would provide 115 residential units on a previously developed site.

Section 6 – (Building a strong and competitive economy) - The proposal would create jobs during construction.

Section 8 (Promoting healthy and safe communities) – The proposals are accompanied by details on measures to be included into the development to reduce the opportunities for crime and the fear of crime.

Section 9 (Promoting Sustainable Transport) – The proposal is in a location accessible by a variety of public transport modes.

Section 11 (Making Effective Use of Land) – The proposal would re-use previously developed land for the provision of residential properties at a density of 70 dwellings per hectare.

Section 12 (Achieving Well-Designed Places) – The proposals are supported by a Design and Access statement that sets out the context of the site and the design process undertaken. This matter is considered in more detail within the issues section of this report.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) – The proposal has been designed to reduce energy demands. The majority of the site is located in Flood Zone 1, which is designated as land having less than a 1 in 1000 probability of river or sea flooding. However, there is a small area in the north of the site that is designated as being in Flood Zone 2, A flood risk assessment has been prepared and submitted alongside the application.

Section 15 (Conserving and enhancing the natural environment) – The documents submitted with this application have considered issues such as ground conditions, noise and the impact on ecology.

Planning Policy Guidance (PPG)

The PPG provides additional guidance to the NPPF and the following points are specifically highlighted as relevant in this instance:

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 building

- detailing – the important smaller elements of building and spaces
- materials – what a building is made from

Air Quality - provides guidance on how this should be considered for new developments. It states that mitigation options where necessary will be locationally specific, will depend on the proposed development and should be proportionate to the likely impact. It is important therefore that local planning authorities work with applicants to consider appropriate mitigation so as to ensure the new development is appropriate for its location and unacceptable risks are prevented. Planning conditions and obligations can be used to secure mitigation where the relevant tests are met. Examples of mitigation include:

- the design and layout of development to increase separation distances from sources of air pollution;
- using green infrastructure, in particular trees, to absorb dust and other pollutants;
- means of ventilation;
- promoting infrastructure to promote modes of transport with low impact on air quality;
- controlling dust and emissions from construction, operation and demolition; and
- contributing funding to measures, including those identified in air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development.

Noise - states that Local planning authorities' should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose-built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Build to Rent – Identifies build to rent as a distinct asset class within the private rented sector and is defined in the National Planning Policy Framework glossary, in order to simplify its treatment within the planning system.

Other Material Considerations

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007) - This Supplementary Planning Document supplements guidance within the adopted Core Strategy with advice on development principles including on design, accessibility, design for health and promotion of a safer environment. The design, scale and siting of the proposed development is considered in more detail within the issues section of this report.

The South Manchester Strategic Regeneration Framework (2007) - The South Manchester SRF was adopted prior to the preparation of the Core Strategy policies, however, it formed an important document in the formulation of the priorities for South Manchester that were subsequently contained in a number of the adopted policies particularly in relation to housing priorities. One of the key issues identified in the SRF was to provide a wider choice of housing for attracting and retaining residents and that future housing developments need to focus on providing high-quality family accommodation.

Manchester Green and Blue Infrastructure Strategy 2015 - The Manchester Green and Blue Infrastructure Strategy (MGBIS) sets out objectives for environmental improvements within the City within the context of objectives for growth and development.

Manchester Residential Quality Guidance (July 2016) (MRQG) – This document provides specific guidance on what is required to deliver sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester. It identifies the need to “balance the provision of sufficient parking with the need to encourage different, more sustainable modes of transport and working towards reducing the dependence on the car”.

Manchester Housing Strategy 2022 to 2032 - A report prepared for the Executive Committee meeting on the 22nd July 2022 indicates that the Manchester Housing Strategy (2022-2032) sets a long-term vision which considers how best to deliver the city's housing priorities and objectives, building on progress already made, whilst tackling head on the scale and complexity of the challenges ahead. The priorities for the new Housing Strategy are:

1. Increase affordable housing supply & build more new homes for all residents
2. Work to end homelessness and ensure housing is affordable & accessible to all
3. Address inequalities and create neighbourhoods & homes where people want to live
4. Address the sustainability & zero carbon challenges in new and existing housing stock

Manchester Climate Change Framework 2020 - 2025 - The Manchester Climate Change Framework (2020-2025) was published in February 2020 and sets out the Council high level strategy for Manchester to be a thriving, zero carbon, climate resilient city.

Other Legislative requirements

Section 17 of the Crime and Disorder Act 1998 provides that in the exercise of its planning functions, the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

Issues

Principle

The principle of the redevelopment of previously developed land for new homes in the City is long established and prioritised within the adopted development plan policies of the Core Strategy, the Places for Everyone joint development plan, and the NPPF. Re-developing the application site for residential purposes is therefore in full accordance with these aims and priorities and is acceptable in principle.

In addition to the background policy support for the residential redevelopment of the site it has also been identified within the Council's Strategic Housing Land Availability Assessment (SHLAA - 2023) as a site capable of contributing towards the City's housing land supply with an indicative figure of 105 no. residential units on the site being brought forward in future years.

Whilst the principle of the sites redevelopment for residential purposes is accepted further consideration is required of the proposals impacts on: residential and visual amenity; the layout of and proposed house types; the character of the area; highway and car parking implications, the loss of existing employment space; affordable housing provision; and the relationship of the site to adjacent uses that can generate noise.

Benefits of the scheme

The development of the site for residential purposes would derive a number of benefits. These include: provision of additional residential properties in a sustainable location which contribute towards the City's housing requirements; the construction phase would generate employment opportunities which could be targeted towards local people; and the development of the site offers the opportunity to enhance the visual appearance of an important arterial route.

In addition to these identified benefits the applicant has also indicated that 8 of the proposed residential units are to be made available at an affordable rent and that this could be achieved via a section 106 legal agreement.

Residential Amenity

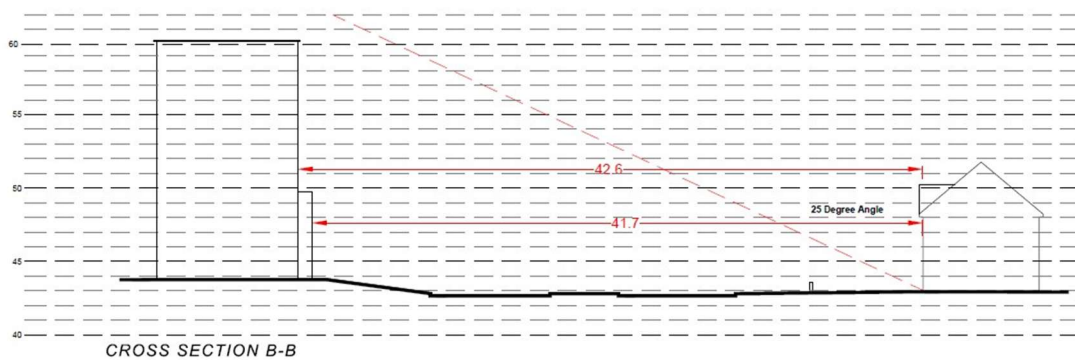
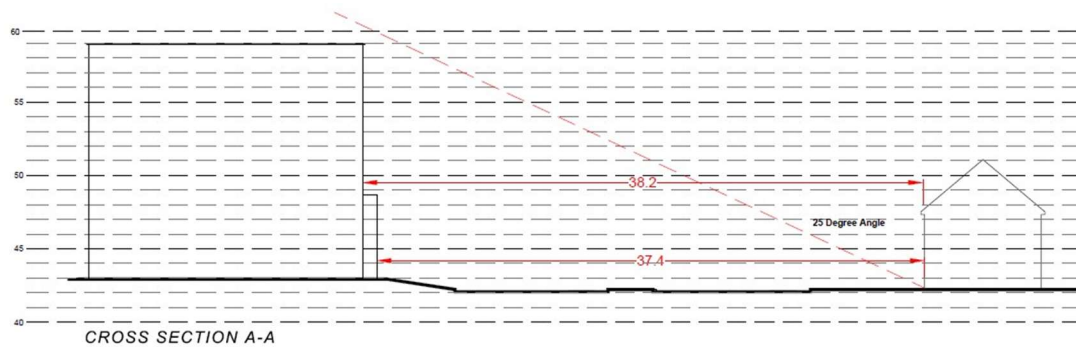
Concerns have been raised with regards to the potential impacts of the proposals on existing residential properties and residential amenity. These matters are set out and considered below.

Overlooking and loss of privacy - The closest residential properties are those located on the eastern side of Kingsway. These properties are more than 30m from the eastern boundary of the site, the applicant has also prepared a series of drawings that show the distance between the front elevations of the proposed buildings and

existing residential properties on Kingsway. Whilst these demonstrate that the proposed ground levels are higher than the existing residential properties the proposed buildings would be between 37 metres and 54 metres from the front elevation of the existing Kingsway properties. Given these distances, the intervening four traffic lanes of Kingsway the proposals are not considered to give rise to unacceptable impacts on residential amenity as a result of overlooking or loss of privacy.



Existing residential properties on the eastern side of Kingsway opposite the application site



Application drawing indicating relationship between proposed buildings to the left and existing properties across Kingsway to the right

Daylight, Sunlight and Overshadowing – The application proposals are accompanied by a daylight and sunlight study which assesses whether the proposed accommodation will provide its future occupiers with adequate levels of natural light and has been undertaken against tests set out in the Building Research Establishment (BRE) guide ‘Site Layout Planning for Daylight and Sunlight: Good practice guide 3rd Edition 2022. This indicates that the majority of the proposed rooms and amenity areas meet or surpass the BRE recommendations. Whilst not all rooms and gardens meet the recommendations - 89% of habitable rooms tested would meet or surpass the BRE winter daylight factor targets and 75% of outside amenity areas would pass the overshadowing to gardens and open spaces guidelines. In terms of exposure to sunlight 3 of the 115 residential units would not receive any direct sunlight due to these units only having windows facing north, whilst all other units have windows in either the east, south or western aspects. The submitted study indicates that there is a high level of compliance with the BRE sunlight targets and the design maximises sunlight availability given the constraints of the site.

It is noted that the BRE guide explains that the numerical guidelines should be interpreted flexibly, since natural lighting is only one of many factors in site layout design and the relocation of outdoor amenity space in other locations could place them closer to Kingsway or the railway line. In this instance, given the urban context of the site and that the site constraints include it being a long relatively narrow site with limited depth, together with particular siting requirements, the overall benefits of the scheme outlined in this report; and, that instances of not meeting the BRE recommendations is to a minority of rooms and outdoor amenity spaces it is considered that the proposals are acceptable in this instance.

Given the distance from existing residential properties outlined above together with the orientation of the proposed development to the west of existing residential properties on Kingsway it is considered that the application proposals would not result in unacceptable impacts on existing residential properties on the eastern side of Kingsway Road in terms of loss of daylight, sunlight or overshadowing.

Noise – The application proposals are adjacent a busy arterial road, mainline railway, and other nearby noise sources such as: the adjacent petrol filling station and car wash which operates on a 24 hour basis; and the Khanqah Naqshbandia Mujaddidia Mosque located on Mauldeth Road. As such a noise impact assessment has been undertaken to support the proposals and assess noise impacts on future occupiers of the development, this report has been fully assessed.



View north along the access road with the existing B and M Store to the right and Mauldeth Road train station southbound platform to the left

This assessment does recognise that without adequate mitigation there is a likelihood of a significant adverse impact to future occupiers of the development from the noise climate around the site including from activities associated with the adjacent petrol filling station and car wash. This mitigation would be in the form of enhanced facades of the external building fabric including enhanced glazing specification together with the inclusion of mechanical ventilation solutions to ensure that recommended internal noise levels are achieved.



View west from Kingsway towards the application site with northern edge of the petrol filling station in the foreground

External amenity areas have been designed to be protected from noise to some extent by the layout of buildings and incorporation of boundary treatments. However, it is recognised within the submitted assessment that the noise climate in the external amenity areas would be subject to noise above ideal levels. It is indicated that where there is access to publicly accessible external amenity space this can partially off-set noise impacts on private external amenity space. In this instance the site is located in close proximity to Ladybarn Park which lies approximately 420 metres from the most northerly extent of the application site.

The Noise Impact Assessment and its conclusions have been fully assessed by the Council's Environmental Health team, they raise no objections to the report's findings or proposed mitigation. It is recommended that conditions relating to the acoustic insulation of the development are attached to any approval and this includes a review of potential vibration from the adjacent main railway line.

Air Quality

The applicant has prepared an air quality assessment (AQA) and additional technical note to address updated planning guidance issued by government relating to particulate matter (PM_{2.5}) since the application was originally submitted. The AQA and technical note have assessed the existing air quality issues at the site as well as adverse air quality impacts at sensitive locations during the construction and operational phases of the development.

This assessment concluded that predicted pollution levels were below the relevant criteria and the development of the site for residential purposes is suitable from an air quality perspective. It is anticipated that during the operational phase there would be a reduction in vehicle trips associated with the development from the existing use of the site and emissions from road traffic exhaust were not predicted to be significant.

There is the potential for air quality impacts during the construction phase as a result of demolition, earthworks and construction activities. However, with the incorporation of best practice mitigation such as dust suppression measures associated with dust generating equipment and activities, and the implementation of wheel washing system to avoid dust and debris being tracked out of the site it is concluded that such impacts would not be significant. It is considered necessary to propose a suitably worded condition relating to the preparation and submission of a construction management plan to outline the required mitigation measures.

Design, Layout and appearance

The application proposals have been designed and laid out to reflect the context of the site and respond to a number of site constraints.

The design and layout of the proposals are considered to utilise the site in an efficient and effective manner to positively address Kingsway and create an attractive and active road frontage to the existing access road that runs along the sites western boundary.

The design and scale of the apartment blocks at 5 storeys in height and the houses at 3 storeys in height together with the use of brick finishes, window reveals and other architectural detailing to building frontages and entrances is considered to provide a strong built form to address Kingsway forming an improved streetscape and strong corner feature that would be highly visible.

It is acknowledged that the proposed apartment buildings would be of a scale and height not readily apparent on this part of Kingsway where the predominant house types are two storey semi-detached properties. However, there are some examples of recent apartment developments in the vicinity of the site such as the four-storey apartment building at 177 Mauldeth Road approximately 120 metres to the south-west of the application site and the five-storey apartment building at 229 Moseley Road at the junction of Moseley Road/Kingsway approximately 700 metres to the north of the site. 229 Moseley Road does have closer relationships to existing two storey semi-detached properties than the current application proposals but does have a similar prominent relationship to a road junction. The proposed apartment buildings would front a busy main radial route, and the proposed scale and mass are appropriate providing visual interest and having an architectural form that is acceptable from an urban design point of view.



The four storey apartment building at 177 Mauldeth Road – edged red



The five storey apartment building at 229 Moseley Road

Relationships to adjacent buildings and sites to the southern end of the site have been protected through the setting back of proposed buildings and increased separation distances to reduce potential overlooking of these sites and buildings if they were to be brought forward separately for redevelopment and improve the relationship to potential noisy activities.

It is considered that the design, layout and the appearance of the proposals are acceptable and accord with the design principles set out in national and local planning policies and the Manchester residential quality design guide.

Ecology, Trees and Landscaping

The application proposals are accompanied by a preliminary ecological survey, statutory Biodiversity Net Gain (BNG) metric and Biodiversity Net Gain report of the

site. In addition to these documents a tree survey and landscaping scheme have also been submitted.

Ecology – The site was found to comprise hedgerow, amenity grassland, broadleaved woodland, a building, dense scrub, poor semi-improved grassland, hardstanding, introduced shrub, scattered scrub and scattered trees. The buildings on site have been assessed as having negligible potential to support roosting bats whilst the trees, hedgerows and scrub on site together with the adjacent railway line do have foraging and commuting opportunities for bats. There was no evidence of protected species on the site.

Suitable mitigation is proposed to deal with ecological constraints during future construction works and this mitigation would be secured through suitably worded conditions.

The submitted BNG report indicates a net loss of 38% for area-based habitats, the proposed landscaping scheme would provide elements of enhancement and mitigation on site which would be secured via appropriate worded conditions. Additional on-site mitigation enhancements such as bird and bat boxes would also be secured on site. However, in order to satisfy the national statutory requirements for BNG 10% net gain, off-site mitigation would be required. The applicant has confirmed that their first preference in purchasing the necessary biodiversity credits would be to secure these within Manchester.

Trees – The submitted arboricultural impact statement indicates that 59 individual trees and 3 groups of trees have been surveyed on and adjacent to the application site, of these 20 category B trees (moderate quality), 12 category C trees (low quality) and 1 Category C group of trees would need to be removed to facilitate the development. The majority of trees to be removed are at the northern end of the site with some removals from the Kingsway frontage.

Concerns have been raised regarding the loss of trees as a result of the development. The loss of any trees on site is regrettable and the proposals do include a landscaping scheme for the site in both communal and private amenity areas, this includes for replacement tree planting in the order of 34 new trees with additional areas of hedgerow and other planting across the site. In this instance the loss of trees on site is accepted given that the replacement trees would be of an appropriate native species and would be of a size and quality to be appropriate in this context and to compensate for the loss of existing trees, together with the overall benefits that would be derived from the scheme. However, it is considered that additional tree replacement planting should be made on site to off-set the overall tree losses and that this would be achieved via a suitably worded condition attached to any approval.

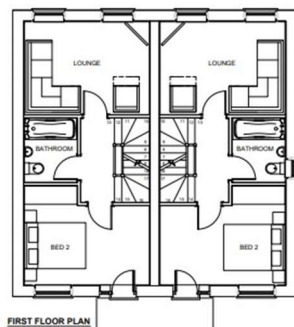
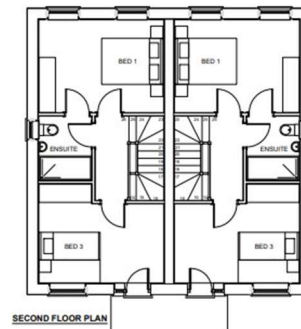
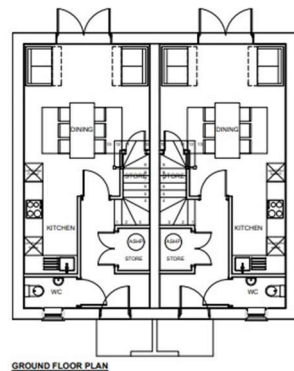
Landscaping – The proposals are accompanied by a landscape scheme that would incorporate replacement trees, together with hedgerow and shrub planting across the site. There would be additional tree and hedge planting along the Kingsway frontage which would assist in softening the built form that would be set behind it, with trees and other soft landscaping also being introduced to the car parking areas. The overall proposals for the landscaping of the site are generally considered acceptable

except for the need for additional uplift in on-site tree replanting as set out above. Given the scheme is to deliver some element of mitigation for the loss of habitats on the site and that the proposals incorporate communal amenity space it is considered necessary that the landscaping scheme be subject of long-term maintenance and management to be secured via a section 106 legal agreement.

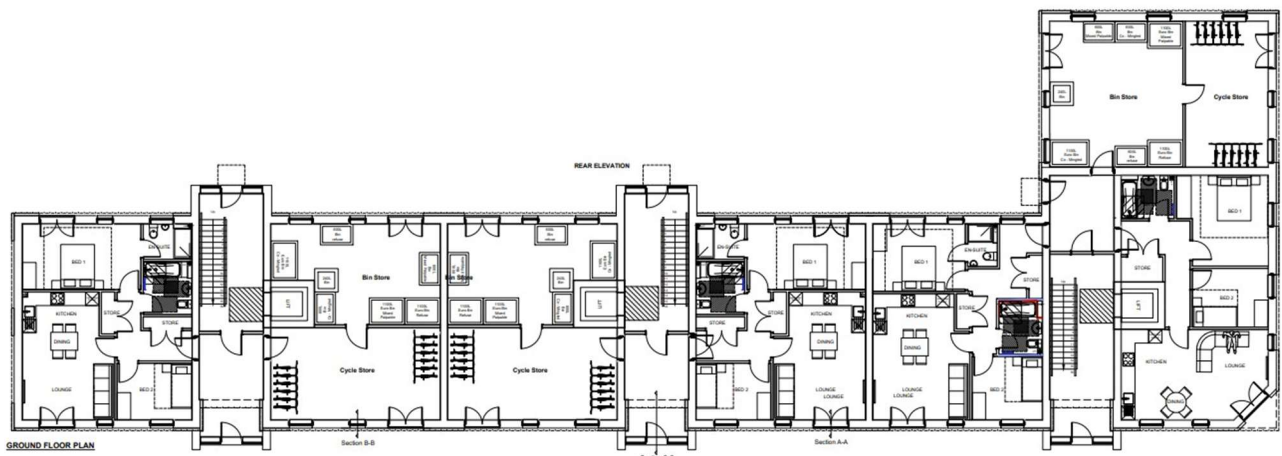
Housing types, density including Affordable Housing

Affordable Housing -The application has been supported by a Financial Viability Assessment which has been independently assessed as part of the consideration of the application proposals. The testing of the viability of residential developments is allowed for in the Council's adopted Core Strategy Affordable Housing policy H8 where either, an exemption from providing affordable housing, provision of a lower proportion of affordable housing, or a lower commuted sum may be permitted where a financial viability assessment demonstrates that it is viable to deliver only a proportion of the affordable housing target of 20%. The applicants submitted FVA indicates that a policy compliant scheme for the sites redevelopment delivering 20% affordable units would result in a deficit against the existing use value of the site and would therefore be unviable if it were to provide any affordable housing units. Whilst this assessment has been independently verified the applicant has indicated that given this development is to form a Build to Rent housing asset they are to provide 8 residential units at an affordable level of rent and that this would be secured via a section 106 legal agreement.

Housing type - The proposals incorporate a range of house types and as set out above have been designed and sited to give an efficient and effective layout response to the site, its context and constraints. There would be the provision of 41no. two bedroom apartments on the site, 54no. two bedroom houses, 8no. 3 bedroom houses and 12 no. 4 bedroom houses. All have been designed to accord with the Manchester space standards contained in the Manchester Residential Quality Guidance with each three and four bedroom townhouses having an enclosed private rear garden and there will be access to private external amenity spaces for other residents. The approach to the types of houses and apartments on the site is considered to be acceptable.



Proposed floor plan of one of the proposed house types



Proposed ground floor plan of the proposed apartment building

Density – Concerns have been raised with regards to the proposed density of the development and that the proposals constitute an overdevelopment of the site. The proposed development would have a density of 70 dwellings per hectare, this density is certainly greater than the prevailing traditional housing areas comprising two storey semi-detached properties to the east of the site but is below those of recent developments in the wider area such as at: 177 Mauldeth Road (200 dwellings per hectare), 229 Moseley Road (136 dwellings per hectare), and, Dahlia House, Burnage Lane (107 dwellings per hectare).

National and local planning policy directs that the development of land should be undertaken in an efficient and effective manner to meet the needs for homes and other uses. These policies identify that the redevelopment of brownfield sites in the most accessible of locations is required to both ensure the efficient use of land and reduce and minimise the loss of greenfield and green belt land. PfE also states that as a result there is likely to be an increase in the proportion of new dwellings in the form of apartments and town houses. The application site is in a highly accessible location and as set out above the layout of the proposals are considered acceptable with suitable relationships between the proposed buildings and adjacent sites. The proposed density of development is in accordance with the general densities anticipated in such locations where a mix of houses and apartments are proposed and is therefore considered to be acceptable.

Accessibility

The submitted information indicates that proposed dwellings would be sized to meet the space standards set out within the Manchester Residential Quality Design Guide, with level access indicated on the submitted drawings and all floors within the apartment buildings being accessed via internal lift provision. Provision of 3 no. accessible parking bays are to be secured by way of an appropriately worded condition as recommended by MCC Highway Services.

Lighting

The development would result in additional internal and external lighting associated with the redevelopment of the site; this would inevitably result in a change to the existing situation on the site. Given the urban context and presence of residential, commercial, and other buildings in the vicinity of the site together with street lighting it is not considered that the lighting on the site would give rise to significant impacts that would warrant refusal of the application. Given potential impacts on protected species and to ensure adequate lighting of external areas and the access road an appropriately worded condition is proposed to be attached to any approval for the submission and approval of a detailed external lighting scheme.

Transport

Concerns have been raised with regards to the potential highway impacts arising from the proposals, these concerns relate to: the level of car parking proposed, parking pressures in the wider area, impacts of vehicle traffic on congestion and highway and pedestrian safety including on children attending nearby Mauldeth Road primary school. National planning policy within the NPPF states that development should only be prevented or refused on highway grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following any mitigation, would be severe.

The application is supported by a Transport Assessment, a Travel plan, together with a stage 1 Road Safety Audit and car park management plan. These have been fully assessed as part of the consideration of the proposals and it has been confirmed that the application proposals would not give rise to unacceptable impacts on highway safety or severe cumulative impacts on the road network.

The site is identified as being in a highly accessible location being close to sustainable modes of transport including pedestrian, bus and train networks. As part of the proposals, it is intended to re-configure the access road serving the site from a one-way to a two-way 5.5 metre wide access road, and a 3 metre shared cycle/footpath is also proposed alongside the access road. In addition to these improvements, it is proposed to upgrade the pedestrian crossing at the Talbot Road/Kingsway junction to allow this to operate as a controlled crossing with a push button facility.



Transport networks and facilities in the vicinity of the site



View north along the existing access road (on the left) and its junction with Talbot Road



View west from Talbot Road/Access Road junction towards Kingsway junction



Access road looking North from junction with Mauldeth Road

The current site contains a large commercial unit with associated car parking (169 spaces) and servicing yard, as such the proposals for a residential use with lower levels of car parking is not considered to give rise to cumulative impacts on the road network that would be 'severe' or would cause any significantly greater impacts above those levels of traffic and activity generated by that existing retail offer.

Alongside the provision of 86 car parking spaces for the 115 residential units, spaces are also to be provided for cycle parking for each residential unit with a minimum of 344 secure cycle storage spaces being proposed. This level of cycle parking provision is considered acceptable and an appropriately worded condition would be attached to any approval for the final details of these to be submitted and approved for installation as part of the development.

The majority of car parking would not be allocated, with only the 3- and 4-bedroom properties having an allocated car parking space. Concerns have been raised with regards to the level of on-site car parking being proposed and that this is insufficient for the number of residential units. The proposals seek to balance the needs for on-site car parking for residents and broadening access to and from the site by active travel and sustainable modes of transport. As set out above the application is supported by a travel plan which would provide an ongoing commitment to ensuring that the development plays an active part in reducing dependency on car travel in a highly sustainable location accessible by a variety of modes of transport. Subject to appropriately worded conditions it is considered that the level of car parking provided on-site is on balance acceptable.

Sustainability

The application is accompanied by a sustainability report which indicates that energy use and efficiency would be maximised through a fabric first approach to the design and construction with the intention to minimise carbon emissions over the extent of the life of the buildings. The most suitable low and zero carbon technologies for incorporation within the buildings would be Air Source Heat Pumps for the generation of hot water to all houses and apartments, waste water heat recovery and photovoltaics to generate electricity for a number of plots. This would achieve a minimum of 20% from on-site renewables.

Flood Risk

The application is supported by a Flood Risk Assessment (FRA) of the site. This confirms that a majority of the application site falls within flood zone 1 whilst an area within the northern portion of the site is located within flood zone 2, the site therefore has a low to medium probability of flooding. In this instance none of the proposed dwellings are sited within the flood zone 2 area of the site although recommendations are made with regards to finished floor levels of dwellings.

As the current impermeable area on the site is to be altered by the proposals a suitable drainage system to deal with surface water will be required. The FRA sets out the drainage strategy for the site against the drainage hierarchy, reviewing options for infiltration of surface water followed by discharge to existing watercourses and finally if the first two options are not viable to discharge surface water to public sewers.

As recommended by the Council's Flood Risk Management Team a condition would be required to be attached to any approval to ensure that a detailed final surface water drainage scheme was developed for the proposals and to ensure that the appropriate allowance rates are used for the attenuation scheme to reduce surface water flows into the public sewer to acceptable rates.

Waste Management

Areas for bin stores are identified on the submitted drawings and dwellings. The general principle of locations and collection points is acceptable as confirmed by the Council's Highway Services team. Final details to ensure that adequate size of bin stores are provided throughout the development would be needed and this would be secured via a planning condition.

Loss of employment and local facility

The proposal would result in the loss of a local facility which provides access to a number of retail goods in close proximity to nearby existing residential properties. The responses to the notification process indicate that residents value this store. The facility also provides direct employment opportunities.

There are no adopted planning policies in place that would protect this out-of- centre retail facility and whilst its loss both in terms of a local facility and as an employer

would be regretted, its closure would largely be a commercial decision by the operator/owner. The application submission indicates that the construction phase of the proposal would generate jobs and a condition is proposed to ensure construction jobs are made available to local people.

It is noted that there are other retail facilities within the local area: an existing Aldi store is located approximately 800 metres to the south on Kingsway; a Co-op convenience store is approximately 540 metres to the west on Mauldeth Road together with other local shop and services; a range of local shops are located around the junction of Burnage Lane and Mauldeth Road approximately 750 metres to the east and there is planning approval for a new Lidl store at Fallowfield Retail Park approximately 750 metres to the north.



The proposals would result in the demolition of the existing building on site, there would be no objection to the loss of this building which is considered to be of a design and siting reflective of its age and use for retail purposes.

Crime and Safety

The application is accompanied by a Crime Impact Statement. The report sets out to consider the sites location and the proposed layout and design of the buildings in relation to crime prevention through environmental design. There is no objection to the development from the Greater Manchester Police Design for Security team who recommended that the development be designed to Secured by Design principles and that this is secured by an appropriately worded condition.

Ground conditions

The site has been previously developed and contains buildings that will need to be demolished as such the application is accompanied by a desk study to assess the potential contamination of the site. This study has been assessed and is acceptable in order to inform a decision for the final use of the site for residential development. It is noted that further information with regards to site investigations and the preparation of a remediation strategy for the site are required and would be subject to a planning condition.

Construction

The applicant has provided a draft Construction Management Plan alongside the proposals. The construction activity on this site would inevitably give rise to some disruption in the local area through general noise and construction activity together with requirements for parking for site operatives. This disruption, whilst unavoidable would be for a temporary period until construction works are completed. To ensure this process is managed in the most appropriate way at the time when construction is due to begin and given the sites location and context close to residential properties, an appropriately worded condition to manage the construction phase is proposed to be appended to any decision.

Other matters

The application proposals are a resubmission of a previous application submitted in 2023 and withdrawn by the applicant in February 2024 prior to it being considered by the Planning and Highways Committee. Since the withdrawal of that application, the applicant has engaged in discussions with the Council to overcome a number of design and layout concerns that had been raised with those previous proposals. Those discussions have been positive and have resulted in the proposals subject of this report which are considered to have overcome the previous published reasons for refusal relating to design, provision of defensible private amenity space; relationships to nearby buildings and sites; and, siting of particular house types and potential impacts from comings and goings adjacent to them.

Conclusion

The application proposals relate to a brownfield site and one which has been previously identified to provide new homes in this part of the city. The proposals would deliver a number of benefits including the provision of additional residential properties in this part of Manchester where there is a need for further housing provision. As a principle, a development of this type and nature is considered acceptable and accords with the planning framework and wider strategies for the city.

Concerns about details relating to the scheme are acknowledged, in particular key objections around the density and scale of the development together with the level of car parking and potential impact on the local area. These concerns have been considered and it has been concluded that the proposals offer an appropriate balance of density through provision of apartments and townhouses together with off-street car parking and measures to encourage the use of more active travel modes in

addition to the sites links to public transport and the intended ongoing co-ordination of travel planning measures for the development.

As set out in this report the form and design of the development is considered acceptable for the site given its specific context and character. Careful consideration has been given to the siting, scale and appearance of the development to ensure it is high quality, sustainable and minimises any impacts on existing residents.

With the above in mind, the proposal accords with all national and local planning policies and guidance.

Other Legislative Requirements

Equality Act 2010

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

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee 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 of the application 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

MINDED TO APPROVE subject to the signing of a Section 106 Agreement to secure a scheme for the provision of on-site provision of 8 residential units for affordable levels of rent and a late stage review of the viability to determine if there is any uplift in conditions to warrant a further contribution towards affordable housing; and, the provision of a long term maintenance and management scheme of on-site landscaping.

Article 35 Declaration

The application has been determined in accordance with article 35 of the Town and Country Planning (Development Management Procedure) England Order 2015. In this instance consultee comments and representations have been communicated to the applicant during the course of processing of the planning application. The proposal is considered to be acceptable and has been considered in a timely manner.

Conditions

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:

Planning Layout - 2425.01 Rev D

Street scenes -2425.04 Rev A

Cross section drawings - 2425.05 Rev A and 2425.06

Finished Floor Levels – 23120/SK001 Rev C

Type 2 [T2.01] Elevations Plots 54-59 - 2425.T2.01

Type 2 [T2.02] Floor Plans Plots 54 - 59 - 2425.T2.02

Type 2 [T2.03] Elevations Plots 42-47 & 48-53 - 2425.T2.03

Type 2 [T2.04] Floor Plans Plots 42-47 & 48-53 - 2425.T2.04

Type 2 [T2.05] Elevations Plots 60-65 - 2425.T2.05

Type 2 [T2.06] Floor Plans Plots 60-65 - 2425.T2.06

Type 2 [T2.07] Elevations Plots 94-99 - 2425.T2.07

Type 2 [T2.08] Floor Plans Plots 94-99 - 2425.T2.08

Type 2 [T2.09] Elevations Plots 102-104 & 107-109 - 2425.T2.09

Type 2 [T2.10] Floor Plans Plots 102-104 & 107-109 - 2425.T2.10

Type 2 [T2.11] Elevations Plots 100-101 & 105-106 - 2425.T2.11

Type 2 [T2.12] Floor Plans Plots 100-101 & 105-106 - 2425.T2.12

Type 2 [T2.13] Elevations Plots 86-89 - 2425.T2.13

Type 2 [T2.14] Floor Plans Plots 86-89 - 2425.T2.14

Type 2 [T2.15] Elevations Plots 90-93 - 2425.T2.15

Type 2 [T2.16] Floor Plans Plots 90-93 - 2425.T2.16

Type 2 [T2.17] Floor Plans & Elevations Plots 113-115 - 2425.T2.17

Type 2 [T2.18] Floor Plans & Elevations Plots 110-112 - 2425.T2.18

Type 2 [T2.19] Detailed Section A-A - 2425.T2.19

Type 2 [T2.20] Detailed Sections B-B & C-C - 2425.T2.20

Type 2 [T2.21] Detailed Sections - 2425.T2.21

Type 3 [T3.01] Elevations Plots 70-71, 72-73,78-79 & 80-81 - 2425.T3.01

Type 3 [T3.02] Plans Plots 70-71, 72-73,78-79 & 80-81 - 2425.T3.02

Type 4 [T4.01] Elevations Plots 66-67,68-69,74-75,76-77,82-83 & 84-85 - 2425.T4.01

Type 4 [T4.02] Elevations Plots 66-67,68-69,74-75,76-77,82-83 & 84-85 - 2425.T4.02

Types 3&4 Detailed section A-A - 2425.T3T4.01
Types 3&4 Detailed section B-B & C-C - 2425.T3T4.02
Type 5 [T5.01] Elevations Plots 33 -41 - 2425.T5.01
Type 5 [T5.02] Floor Plans Plots 33 -41 - 2425.T5.02
Type 5 [T5.03] Elevations Plots 1 - 32 - 2425.T5.03
Type 5 [T5.04] Elevations Plots 1 - 32 - 2425.T5.04
Type 5 [T5.05] GF Floor Plans Plots 1 - 32 - 2425.T5.05
Type 5 [T5.06] 1st Floor Floor Plans Plots 1 - 32 - 2425.T5.06
Type 5 [T5.07] 2nd Floor Floor Plans Plots 1 - 32 - 2425.T5.07

Boundary treatment - 1800mm Screen Wall 2425.B.01
Boundary treatment - 1800mm Screen Fence 2425.B.02
Boundary treatment - 1200mm Railing 2425.B.03

Type 5 [T5.08] 3rd Floor Floor Plans Plots 1 - 32 - 2425.T5.08
Type 5 [T5.09] 4th Floor Floor Plans Plots 1 - 32 - 2425.T5.09
Type 5 [T5.10] Section A-A - 2425.T5.10
Type 5 [T5.11] Section B-B - 2425.T5.11
Type 5 [T5.12] Section C-C - 2425.T5.12
Type 5 [T5.13] Recessed Panel Detail - 2425.T5.13
Type 5 [T5.14] Projecting Panel Detail Section - 2425.T5.14
Type 5 [T5.15] Curtain Walling Entrance detail - 2425.T5.15

Landscape Masterplan Vector DC 19260-VL L01 Rev. D
Detailed Landscape Layout [1 of 2] Vector DC 19260-VL L02 Rev. D
Detailed Landscape Layout [2 of 2] Vector DC 19260-VL L03 Rev. D
Landscape Plan (Communal Garden Areas) Vector DC 19260-VL L04 Rev. A

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) Prior to the commencement of development on site including any demolition works on site a Construction Management Plan shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed plan which shall include:

- The routing of construction traffic;
- Detail the vehicular activity associated with the construction including appropriate swept-path assessment;
- Details of the location and arrangements for contractor parking;
- Locations of any compounds;
- The identification of the vehicular access points into the site;
- Identify measures to control dust and mud including on the surrounding public highway including details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;
- A method statement for working adjacent to the main trainline including details of correspondence and any other agreements with the organisation that owns, maintains and/or operates the trainline;

- A highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.

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

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 residential amenity, highway and aviation safety pursuant to policy DM1 of the Core Strategy.

4) a) Prior to the commencement of the development, details of a Local Benefit Proposal, in order to demonstrate commitment to recruit local labour for the duration of the construction of the development, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the construction of the development. In this condition a Local Benefit Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

b) Prior to first occupation of the development hereby approved, a detailed report which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - The applicant has demonstrated a commitment to recruiting local labour pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

5) No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP(Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason - To ensure the protection of species during the period of construction pursuant to the Wildlife and Countryside Act 1981 or as subsequently amended and to comply with policy EN15 of the Core Strategy.

6) Prior to the commencement of development (including demolition, ground works, vegetation clearance), an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of wall cotoneaster and holly berry cotoneaster on site. The measures shall be carried out strictly in accordance with the approved scheme.

Reason – To ensure that invasive species that have been identified on the site are appropriately treated pursuant to schedule 9 of the Wildlife and Countryside Act (1981) as amended.

7) a) Before commencement of the development hereby approved (excluding demolition work), a report with a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) shall be submitted to and approved in writing by the City Council as local planning authority.

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

b) Prior to the first use/occupation of the development, a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority, to validate that the development conforms with the approved Site Investigation Report and/or Remediation Strategy.

c) In the event of any non-conformity with the approved Site Investigation Report and/or Remediation Strategy, then any further measures that are required to remediate the land shall be carried out. Any required measures/remediation and validation shall continue until conformity has been achieved and agreed in writing by the City Council as local planning authority, prior to first use/occupation of the development.

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

8) 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 after development commences, 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 is submitted to and approved in writing by the City Council as local planning authority. The development shall then be carried out in accordance with these details, together with any previously approved Remediation Strategy.

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

9) Prior to the installation of any surface water drainage scheme at the site, full details of a surface water drainage scheme designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, shall be submitted to and approved in writing by the City Council, as local planning authority.

The development shall be constructed and completed in accordance with the approved details prior to the first occupation/use of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

10) Prior to the first occupation of the development hereby approved details of the implementation of the surface water drainage scheme, as approved by Condition 8 together with the maintenance and management regime for the approved scheme shall be submitted for approval in writing by the City Council, as local planning authority. Those details shall include:

- Verification report providing photographic evidence of constructed flow control and SuDs components as per design drawings approved as part of Condition 8.
- Provide As Built construction drawings or confirm that they align with the original design construction drawings.
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

11) No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided

that no active bird nests are present which has been agreed in writing by 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 and to comply with policy EN15 of the Core Strategy.

12) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained within the Arboricultural Impact Assessment and Method Statement – Prepared by e3p dated 16/10/2024 April 2024; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the buildings for their 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 Core Strategy.

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

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

14) A scheme for the Biodiversity Enhancement Measures for species, as set out in Section 4 of the Biodiversity Metric Report by e3p dated August 24 (ref: 81-211-R3-2), shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development and shall be retained thereafter.

Reason - Pursuant to biodiversity enhancement of the site, in accordance with policy EN15 of the Core Strategy and the National Planning Policy Framework.

15) Above-ground construction works shall not commence until samples and specifications of all materials to be used in the external elevations and the hard landscaping around the buildings as detailed on the approved drawings have been submitted to and approved in writing by the City Council as local planning authority.

The submitted details shall include:

- i. baseline samples and specifications of all materials to be used on all external elevations including sample panels;
- ii. jointing and fixing details between all component materials and any component panels, details of any external ventilation requirements, details of the drips to be used to prevent staining and details of the glazing and frames;
- iii. A strategy for quality control management.

Thereafter the development shall be carried out in accordance with the agreed details.

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

16) Within 3 months of the commencement of development (excluding demolition work), full details of required off-site highway works shall be submitted to and approved in writing by the City Council as Local Planning Authority. Such works shall include:

- Works to reconfigure and amend the existing access to Talbot Road; and,
- Upgrading of pedestrian crossing facilities at the Talbot Road/Kingsway arm of the signalised junction.

The development shall not be occupied until the agreed highway works have an agreed timescale for implementation. The development shall only be occupied in accordance with the agreed details.

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

17) Prior to the commencement of above ground works (excluding demolition), full details for the provision of secure and covered cycle parking provision for the development shall be submitted to and approved in writing. The approved details shall be installed prior to the first occupation of the development and be retained thereafter for use by people residing and visiting the development.

Reason - To ensure that there is adequate cycle parking for the development in order to comply with policies T1,T2 and DM1 of the Core strategy.

18) From first occupation of the development hereby approved the details of the car parking management plan set out within Appendix 3 of the Highways Technical Note prepared by AMA reference 21894/SD dated 31/01/2025 shall be operational and shall remain so thereafter whilst the development is occupied.

Reason – In order to ensure adequate management arrangements are in place for the car parking spaces on site pursuant to policies DM1 and T1 of the Core Strategy.

19) Prior to the first use of the car parking hereby approved, a scheme for electric vehicle charging together with details of infrastructure to allow further future EVC conversion shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall then be implemented and be in place prior to the first occupation of the residential element of the development.

Reason - In the interest of air quality pursuant to policies SP1, DM1 and EN16 of the Manchester Core Strategy (2012).

20) Prior to the first use of the car parking hereby approved, details of the provision of accessible car parking spaces at the site shall be submitted to and approved in writing by the City Council as local planning authority. The submitted details shall also include: the management arrangements of the accessible spaces; the ongoing monitoring of the demand for accessible spaces; provision of additional accessible spaces if the monitoring of spaces undertaken as part of the management plan indicates the need for additional spaces. The car parking at the site shall be managed in accordance with the agreed details whilst the development is occupied.

Reason – In order to ensure adequate accessible car parking spaces and management arrangements of them are in place pursuant to policies DM1 and T1 of the Core Strategy.

21) The car parking as indicated on the approved plans together with the details approved under conditions 18,19 and 20 of this decision, shall be surfaced, laid out and demarcated prior to the first occupation of the development hereby approved. The car park shall then be available at all times for people residing at the development and their visitors whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with policy DM1 of the Core strategy.

22) The development hereby approved shall be operated and implemented in accordance with the approved Travel Plan (Proposed Residential Development, Kingsway, Burnage, Residential Travel Plan August 2024 prepared by AMA) at all times whilst the development is occupied.

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

23) a) Prior to the first occupation of the approved development, external lighting shall be designed and installed in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority so as to control glare and overspill onto nearby residential properties, the adjacent trainline, adjacent trees and bat foraging/commuting areas.

b) Prior to occupation of the development a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report. The report shall also undertake post completion testing to confirm that acceptable criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the criteria.

Reason - To safeguard the amenities of the occupiers of nearby properties and to minimise impacts on protected species that may commute and forage in the area pursuant to Core Strategy policies DM1 and EN15.

24) Notwithstanding the submitted noise impact assessment:

a) Prior to the commencement of above ground works a scheme for acoustically insulating the proposed residential accommodation against noise from Kingsway and the nearby trainline shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises such as the nearby fuelling station and car wash.

The potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary.

Due to the proximity of the development to the nearby train line it shall be necessary for vibration criteria to apply (BS 6472: 2008 "Guide to evaluation of human exposure to vibration in buildings"). Ground borne noise/re-radiated noise shall also be factored into the assessment and design.

b) Prior to first occupation of the residential units, a verification report shall be submitted to validate that the work undertaken throughout the development conforms to the recommendations and requirements approved as part a) of this condition. The validation report shall also undertake post completion testing to confirm that the internal noise criteria have been met.

c) In the event of any non-conformity with the approved acoustic insulation scheme, then any further measures that are required to ensure conformity shall be carried out. Any required measures/mitigation shall continue until conformity has been achieved and agreed in writing by the City Council as local planning authority, prior to first occupation of the development.

Reason: To secure a reduction in noise from traffic and other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating pursuant to policy DM1 of the Core Strategy and saved Unitary Development Plan policy DC26.

25) a) Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to first occupation of the development hereby approved a scheme shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The scheme shall be implemented in full prior to first occupation of the development.

b) Prior to the operation of the scheme a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements approved under part a) of this condition. The report shall also undertake post completion testing to confirm that the noise criteria have been met.

c) In the event of any non-conformity with the approved scheme, then any further measures that are required to ensure conformity shall be carried out. Any required measures/mitigation shall continue until conformity has been achieved and agreed in writing by the City Council as local planning authority, prior to first occupation of the development.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policy DM1 of the Core Strategy and saved Unitary Development Plan policy DC26.

26) a) Prior to the commencement of above ground works (excluding demolition) 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.

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

Reason - In the interests of amenity and public health pursuant to policy DM1 of the Core Strategy.

27) a) Prior to the commencement of above ground works, a scheme for a clean air intake shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to the first occupation of the development the agreed measures under part a) of this condition shall be implemented in full and a verification report demonstrating the inclusion and operation of the agreed measures into the development shall be submitted to and agreed in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

c) In the event of any non-conformity with the approved scheme, then any further measures that are required to ensure conformity shall be carried out. Any required measures/mitigation shall continue until conformity has been achieved and agreed in writing by the City Council as local planning authority, prior to first occupation of the development.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

28) Notwithstanding the approved plans, within three months of the commencement of above ground works a hard and soft landscaping treatment scheme including: details and positions of all boundary treatments to be installed at the site; a tree replacement strategy including timescales for the implementation of the landscaping scheme; details and finishes of all retaining structures; and, details of accessible pathways/ routes, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented in accordance with the agreed details and timescales, all boundary treatments shall be retained thereafter whilst the development is 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 Core Strategy.

29) a) Prior to the commencement of above ground works (excluding demolition) a scheme setting out the sustainability measures to be included within the development based upon the findings and recommendations of the Sustainability Report prepared by TACE reference PA1712 Rev C – October 2023, shall be submitted to and approved in writing by the City Council as local planning authority.

b) The development shall be subsequently carried out in accordance with the agreed scheme and prior to the first occupation of the development a verification statement/ certification shall be submitted to and approved in writing, by the City Council as local planning authority confirming the incorporation of the specified measures detailed within the approved scheme.

c) Any non-conformity from the approved scheme shall be clearly set out along with measures required to ensure compliance with the agreed details.

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

30) The development hereby approved shall not be occupied until the City Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation or equivalent accreditation.

Reason - To reduce the risk of crime pursuant to Policy DM1 of the Adopted Core Strategy for the City of Manchester.

31) Prior to the commencement of above ground works (excluding demolition), studies containing the following with regard to television reception in the area containing the site shall be submitted to and approved in writing by the City Council as local planning authority:

a) Identify, before the development commences, the potential impact area in which television reception is likely to be adversely affected by the development. The study shall be carried out either by the Office of Communications (OFCOM), or by a body approved by OFCOM and shall include an assessment of when in the construction process an impact on television reception might occur.

b) Measure the existing television signal reception within the potential impact area identified in (a) above before development commences. The work shall be undertaken either by an aerial installer registered with the Confederation of Aerial Industries or by a body approved by the Independent Television Commission, and shall include an assessment of the survey results obtained.

(c) Assess the impact of the development on television signal reception within the potential impact area identified in above within one month of the practical completion of the development or before the development is first occupied, whichever is the sooner, and at any other time during the construction of the development if requested in writing by the City Council as local planning authority in response to identified television signal reception problems within the potential impact area. The study shall identify such measures necessary to maintain at least the pre-existing level and quality of signal reception identified in the survey carried out in (b) above. The measures identified must be carried out either before the buildings are first occupied or within one month of the study being submitted to the City Council as local planning authority, whichever is the earlier.

Reason - To provide an indication of the area of television signal reception likely to be affected by the development to provide a basis on which to assess the extent to which the development during construction and once built, will affect television reception and to ensure that the development at least maintains the existing level and quality of television signal reception. In the interest of residential amenity, as specified in policy DM1 of Core Strategy.

32) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

33) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the building shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 141306/FO/2024 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

**Highway Services
Environmental Health
Electricity Northwest
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Ecology Unit
MCC Sustainable Travel
Greater Manchester Police
Environment Agency
Transport For Greater Manchester
United Utilities Water PLC
Network Rail**

A map showing the neighbours notified of the application is attached at the end of the report.

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