

## List No. 13

<b>Rusholme Ward</b>	<b>Application Number</b> 084574/FO/2007/N2	<b>Date of Appln</b> 14th Nov 2007	<b>Committee Date</b> 14th Feb 2008
<b>Proposal</b>	Erection of 3 storey building to form 14 flats for supported housing use with associated ancillary office and support facilities with associated landscaping and car parking		
<b>Location</b>	Docherty House And Land Immediately To The South Corner Of Great Western Street And Heald Grove, Rusholme, Manchester, M14 4HA		
<b>Applicant</b>	Manchester Methodist Housing Association, Southern Gate, 729 Princess Road, Manchester, M20 2LT		
<b>Agent</b>	Ian Finlay Architects The Stables , Paradise Wharf, Ducie Street, Manchester, M1 2JN		

### Description

This application relates to Docherty House, an existing two storey detached house currently used for the Heavy Drinkers project. The building is located on the corner of Great Western Street and Heald Grove and has car parking to the front and side and a mix of boundary treatments around the site. The adjacent site, which also forms part of the application site, is currently vacant and mainly covered in grass seed with some trees scattered across it. The site measures 0.1194 hectares (1194 square metres) and has 12 existing trees of a mixture of ash, lime, hawthorn and sorbus species.

The site is located in a predominantly residential area of Rusholme, located close to the District Centre along Wilmslow Road. The site is bounded by residential properties to the east, across Heald Grove, to the south further along Heald Grove and to the west on Heald Place. On the opposite side of Great Western Street, there are residential properties, a small cafe and a vacant former working men's club, which has recently been granted permission for redevelopment for residential apartments. Most of the buildings around the site are two or three storeys in height with private gardens to the front or rear.

The Heavy Drinkers project was set up in 1985 at Docherty House to provide safe independent accommodation for vulnerable people. Since that time, the methods used at the hostel have changed significantly to address issues of anti-social behaviour and crime, and the project is very successful. However, the existing building is no longer suitable for the purpose, and due to the size of the accommodation there is a long waiting list for rooms. Therefore, it is now necessary to improve and modernise the facilities to create the best care possible for this supported housing group.

Planning permission is therefore sought for the demolition of the existing Docherty House, and the development of a new three storey detached modern building to fulfil all the needs of this facility. The scheme includes the erection of an L-shaped detached building that follows the corner of Great Western Street and Heald Grove. The building will house six apartments and 8 bedsits for the occupants on the first and second floors, with associated office, staff, storage and maintenance spaces on the ground floor. To the rear of the site behind the building is a landscaped garden and car parking area, which is accessed through a tunnel under the first and second floors of the building. The

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new vehicular access into the site is located along Heald Grove. The scheme also includes associated hard and soft landscaping; refuse storage areas and new boundary treatments.

### **Consultations**

Local Residents / Businesses - There have been no letters of objection received against this application.

Chief Executive's Landscape Practice Group - Comments raised in relation to the proposed boundary treatments, the existing trees and protection, and the level of detail submitted in relation to the hard and soft landscaping. The initial comments stated that the existing trees to be retained should be covered by Tree Preservation Orders, however due to the land being owned by the City Council, it is not usual practice to do this. Therefore, certain tree protection conditions have now been suggested to ensure the trees are not damaged through construction.

Engineering Services - Two issues that need to be addressed, possibly through conditions; the vehicular gates must be set back by 5 metres to allow entering cars to wait off the public highway and pedestrian visibility splays must be provided at the vehicular access onto Heald Grove.

Environmental Health - There are no objections in principle to this proposal.

Contaminated Land Section - Historical information relating to this site indicates the possible presence of significant levels of contamination. It is therefore recommended that a condition be attached to any approval in relation to the submission of relevant information.

Environment & Operations (Trees) - There are no objections to the proposed work in as much as it affects the existing tree cover. Work in the vicinity of the retained trees should be in accordance with BS 5837.

Special Needs & Supported Housing - This development has been supported by Supporting People in its bid to the Housing Corporation for NAHP funding. We therefore support this application.

South Manchester Regeneration - There are no objections to this proposal.

Greater Manchester Police - The inclusion of a Crime Impact Statement is noted and subject to the points raised on Page 6 of the report, there are no objections to the application.

Greater Manchester Ecology Unit - There are no known ecological reasons for the proposal to be refused. However, a condition should be included that ensures compliance with the Bat Report, in particular the removal of certain features (weatherboards, lead flashing, roof tiles and felt) by hand in a careful manner.

### **Issues**

Unitary Development Plan - The site lies within the district centre area of Rusholme, within the Rusholme ward, and is therefore covered by area policy RF1. However, apart from this the site has no specific land allocation within the U.D.P. Policy RF1 states that in deciding its attitude to proposals within Rusholme and Fallowfield, the Council will have regard to the general policies in Part 1 of the Plan in order to; a) retain the character of Rusholme and Fallowfield as a predominantly residential area; b) provide adequate and accessible community facilities for all members of the community, particularly

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those with special needs; c) take steps to prevent the use by through traffic of unsuitable residential streets.

Other relevant policies in this case are Housing, Environmental and Transport policies. These policies will now be outlined below. When dealing with applications of this nature, regard is given to Development Control Policies No. 2 "Resthomes & Nursing Homes (Class C2)" and No. 16 "Street Landscapes". Policy DC16 can be applied here as this requires the retention of existing trees and the provision of tree planting along the public frontages of sites.

Policy DC2.1 outlines that in determining planning applications for Class C2 uses the Council will have regard to; the effect of the operation of the business on the amenity of neighbouring residents; the standard of accommodation for the intended occupiers of the premises, including the availability of private outdoor amenity space; the effect of the proposals on visual amenity; the availability of adequate, safe and convenient arrangements for car parking and servicing; the ease of access for all, including disabled people; the desirability of avoiding an over-concentration of special needs or housing in any one area of the City; and the desirability of broadly maintaining the existing character of a residential street or group of adjoining streets.

Policy DC2a.1 states that planning permission will be refused when it cannot be demonstrated that development proposals will contribute to the achievement of the following objectives for the City's local communities; to ensure a more even spread of "special needs" accommodation within local areas and across the City as a whole, in order to encourage provision closer to where needs arise and avoid the need for people to move from their local community to find the accommodation they require; to ensure the protection of the residential character and amenity of family housing within established communities; to avoid the unnecessary loss of the bigger dwelling houses available for larger and extended families; to help local communities accommodate a range of special needs without the risk of social stress; to avoid stigmatising a particular neighbourhood or a particular type of accommodation; to create and retain a positive perception of all areas of the City as a contribution towards the goal of maintaining stable and self-sustaining communities; to avoid additional pressure on primary and secondary health care provision in parts of the City where there are already identified concerns about adequacy of services.

Policy DC2b.1 explains that in addition to the social and economic criteria set out above, the Council will only grant planning permission for special needs housing proposals where it can be demonstrated that the proposals will not have an adverse impact on the character of the street or the locality in respect of: displays of signs and notices; additional car parking space involving the loss of mature trees and landscaping, especially in front gardens; design of vehicular cross-overs to parking spaces in front gardens; provision of external fire escapes and lift shafts; positioning of paladin bins; construction of links between what would otherwise be separate dwelling houses; additional comings and goings from officials and professional visitors; more intensive use of upper floors, which become main living accommodation. This can reduce privacy to adjoining gardens and lead to noise transmission problems through party walls; and the quality and maintenance of external areas.

Finally, Policy DC2.2 states that there will be a general presumption in favour of Class C2 uses within residential areas, subject to other relevant policies of the Plan and Policy DC2.3 outlines that notwithstanding policy DC2.2, the Council

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will require any development in this category to; meet the Council's current approved accommodation standards for developments of this kind; provide usable external amenity space.

Further housing policies include H1.2, H2.1, H2.2 and H2.7. Policy H1.2 states that the City Council will ensure that the housing stock contains a wide range of housing types to meet the needs of people who want to live in Manchester. The above should include accommodation designed for disabled people. The City Council also encourages environmental improvements to make residential areas safer and more attractive through Policy H2.1. Policy H2.2 is also relevant and states that the Council will not allow development, which will have an unacceptable impact on residential areas. The matters that the Council will consider will include the scale and appearance of the development and its impact in terms of noise, vibration, traffic generation, road safety and air pollution. Finally, H2.7 outlines how new housing schemes will be expected to be of a high standard of design and to make a positive contribution towards improving the City's environment. Areas of incidental space should not be formed unless arrangements are made for their proper and enduring maintenance.

There are also further Environmental and Transport Policies that are relevant in this case. The Environmental Policies include E2.6, which outlines that the Council will prevent wherever possible the loss of existing trees and will encourage the extensive use of broadleaved trees in planting schemes to improve the appearance of built up areas. Transport policies T2.4 and T2.6 can also be applied to this proposal. Policy T2.4 states that the City Council will expect developments to make adequate provision for their car parking requirements. In deciding whether the level of car parking associated with any development is acceptable, the Council will have regard to the environmental capacity of the site both in terms of the physical appearance of the car parking and its effect on neighbouring activities and also the ability of the local road network to accommodate the traffic generated by the proposed development. Policy T2.6 explains how the Council expects an adequate car parking provision to be made for disabled people.

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

#### National guidance

##### Planning Policy Statement 1 (PPS1): Delivering Sustainable Development

This statement advises that planning should facilitate and promote sustainable and inclusive patterns of urban development by making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life, contributing to sustainable economic development, protecting and enhancing the natural and historic environment, ensuring high quality development through good and inclusive design and efficient use of resources, and ensuring development supports existing

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communities and contributes to the creation of safe, sustainable, liveable mixed communities with good access to jobs and key services for all members of the community.

#### Planning Policy Statement 3 (PPS3): Housing

In deciding planning applications, LPAs should have regard to achieving high quality housing, ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular families and older people, the suitability of a site for housing including its environmental sustainability, and using land effectively and efficiently, and ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in an area.

#### Regional Planning Guidance

Regional Spatial Strategy for the North West - Formerly RPG13, this provides planning guidance for the North West region. Since 2004, the RSS has formed part of the development plans; as such the weight to be attached to its policies has increased. It contains policies that address core principles of development including the following:

DP2 Enhancing the Quality of Life - ensuring development provides a high quality of life for this and future generations

DP3 Quality in New Development - ensuring that new development demonstrates good design and respect for its setting.

Principle - The principle of a new purpose built facility for a supported housing use at this site appears to be acceptable, due to the current use of the existing building being for this function. However, the impact of the new development on the area, the existing trees on the site and the amenity of the adjacent residential occupiers should be assessed.

Major Development - The proposal has been advertised as a Major Development by virtue of the number of proposed residential units.

The Proposed Use - As outlined in the Special Needs and Supported Housing Supplementary Planning Guidance dated April 1998, the application site falls within a Category C area, which means that there is already a low provision of such uses within the area and the area has high unsustainability. As a general rule, additional schemes in Category C areas will be given careful consideration in the light of local circumstances and will be supported where there is clear evidence of unmet need. In this case, this is an existing project for this site and it requires further capacity to address the increasing demand for this type of supported accommodation. Commissioners have confirmed support for this project and the applicants have received the necessary funding to progress the new development. It is considered that the scheme fully complies with all the requirements of Policy DC2 and therefore, the continued use of this site for the Heavy Drinkers project should be supported. Therefore, the Head of Planning is satisfied that the proposed development is acceptable and in line with City Council Policy.

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**Design** - The design of this scheme is contemporary in nature with modern features, modelling and materials. The scheme includes a three storey building that will compliment the height of the existing Docherty House and the adjacent residential developments. The design includes variations in heights and planes to create additional modelling and interest to the street scene, and a clock tower has been introduced to the Heald Grove elevation to add further interest. The architects state that the overall design rationale is to provide a fresh and contemporary appearance to the development that can be a valued and complimentary addition to the character of the area. Particular attention has been given to the corners of the site and building and the variation of rooflines, with the ground floor being recessed to reduce the overall mass appearance from the street scene. The materials palette is a mixture of render, timber, and steel framed windows with Juliet balconies to the windows on both the Great Western Street and Heald Grove elevations to provide a pleasant internal environment for the occupants of this development. Therefore, the design and external appearance of this development is considered to be acceptable.

**Siting and Layout** - The applicant has incorporated the principles of the Development Guide by ensuring that the building has its principle frontage to the main road, with further elevational interest facing the secondary frontage following the corner in an L-shape. The proposal reflects a modern form of development influenced by the character of the surrounding urban area. To ensure a reduced impact on the amenity and character of the area, the development provides a medium density redevelopment of this site, with a significant amount of green space to the rear of the building and around the built form on the street frontages. The scheme includes a generous rear garden area for the residents and visitors to enjoy with a landscaped courtyard and ample seating. The scheme also retains the existing street trees to reduce the impact of the hard form versus soft. The vehicle access point into the site is being provided from Heald Grove rather than the Great Western Street, which is also considered to be acceptable. Therefore, the Head of Planning considers the siting and layout of the proposal to be acceptable in this instance.

**Density, Scale and Footprint** - The surrounding area is characterised predominantly by housing over a range of storeys. The level of built form to landscaped areas in the vicinity is a medium to high density, and therefore, it is considered that the proposal is in accordance with this character. The proposed building is to be three storeys in height, however due to the ground floor being recessed and the various changes in height and plane modelling, the building has a reduced massing appearance from the street scene. The new building is approximately the same height as the existing Docherty House, with only the clock tower feature being at a higher position. It is felt that the application has secured an appropriate scale and massing to development in relation to the surrounding area. Therefore, the Head of Planning considers this development acceptable in relation to density, scale and footprint.

**Access for Disabled People** - As the applicant is Manchester Methodist Housing Association and as this is City Council land, the scheme is fully compliant with the Design for Access 2 standards. It is considered that an excellent level of accessibility has been achieved in this development with all internal and external areas being accessible. A lift is incorporated into the development with level entry into and around the building for residents and visitors, and all of the new apartments and bedsits are also fully accessible. Therefore, the Head of Planning is satisfied that this development is acceptable in terms of accessibility.

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Security and Sustainability - A Crime Impact Statement was submitted with this application and the scheme has been assessed by Greater Manchester Police. There are no objections to the proposal subject to the recommendations in the report being carried out. Therefore, it is considered necessary to include a secure by design condition in any approval to ensure compliance with the accreditation. It should be acknowledged that the applicants have provided an EcoHomes statement that shows that the development will achieve a 'very good' rating within the EcoHomes standards. A detailed ratings table has been submitted along with the application and a condition has been included to ensure the work is carried out. The provision of sustainable developments is very important and it is respectable that the applicants can achieve this rating.

Car Parking and Highway Safety - This development is for a supported housing use, so members of staff and visitors to the facility will require adequate car parking provision. The proposal includes the provision of eight car parking spaces, including one disabled space. Therefore, as the site is located in an area of good public transport provision, the overall level of car parking provision throughout the scheme is considered to be acceptable. The Head of Engineering Services has raised concerns in relation to the position of the vehicular access gates into the car park and the visibility splays at this access point. Therefore, conditions have been included that require all highways issues to be addressed through the submission of further more detailed highway drawings. Therefore, overall the car parking provision and highways issues relating to the development are considered to be acceptable by the Head of Planning.

Trees and Landscaping - It is acknowledged that the proposal for redeveloping this site does include the removal of a number of the existing trees. However, the three most important trees with the greatest amenity value on the corner of Great Western Street and Heald Grove are to be retained and strictly protected. The building has been specifically designed around the retention of these trees and this should be acknowledged. In addition to this, a comprehensive landscaping scheme will ensure that new trees will be planted around the site to compensate for the loss of the lower value species currently on the site. It is the intention of the developer to provide replacement tree planting within the site in order to comply with the City Council's Greening Strategy. The existing trees to be retained would be protected by a condition stating BS5837 'Trees in relation to Construction'. Works within sensitive areas around the existing trees shall be done by hand and supervised to ensure the protection of the roots. Further conditions would also be included in any approval, relating to landscaping, works to trees and the protection of nesting birds. Therefore, the Head of Planning considers that the landscaping for this development is acceptable.

Residential Amenity - It is acknowledged that there are residential properties directly surrounding the application site and there would be a significant increase in the amount of development on the site compared to the existing building and open vacant land. The highest part of the development will be three storeys with a higher clock tower located away from the boundaries with existing properties. Therefore, taking into account the above and the orientation of the site, it is not considered that there would be a significant reduction in the light currently received by existing properties. As this is a residential proposal in nature, there should not be a significant increase in the noise generated from the site and the general activity should be limited to residents, staff and visitors

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leaving and returning to the accommodation. It is also considered that through lengthy negotiations, the development generally now meets the guidelines for privacy distances to adjacent buildings. A condition has been included that ensures the windows closest to the boundary with the properties on Heald Place are adapted to include opaque glass to ensure that limited overlooking is created. Therefore, the Head of Planning does not consider that this proposal will have a detrimental impact on the residential amenity currently enjoyed by the surrounding occupants. A significant number of conditions would be included in any approval that would protect the amenity of the surrounding residents.

**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 Unitary Development Plan, the Head of Planning 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. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and country Planning Acts.

### **Recommendation APPROVE**

It is considered that the proposal will generally accord with the policies contained within the Development Plan, specifically the Unitary Development policies RF1, DC2, DC2a.1, DC2.2, DC2.3, DC16, H1.2, H2.1, H2.2, H2.7, E2.6, E3.5, T2.4 and T2.6 of the Manchester Unitary Development Plan, and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Planning Policy Statement 1, Planning Policy Statement 3 and DP2 and DP3 of the Regional Spatial Strategy, in that the development would provide modern and up to date supported housing for people in need of accommodation, would significantly improve the accommodation, car parking and the overall appearance of the site, and generally the proposal would provide a high quality facility within the area to the benefit of the wider surrounding community allowing the continuing regeneration of the locality.

### **Conditions and/or Reasons**

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.

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2) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: the application forms, the EcoHomes Pre Assessment report and the drawings numbered 613/100/RevB and 613/004/RevH, stamped as received by the Local Planning Authority on the 25th September 2007, and the Revised Design and Access Statement, the Bat Survey and the amended drawings numbered 613/002/RevH, 613/003/RevG, 613/005/RevC, 613/006/RevB, 613/007/RevA and 613/008/RevA, stamped as received by the Local Planning Authority on the 14th November 2007.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies RF1, DC2, DC2a.1, DC2.2, DC2.3, DC16, H1.2, H2.1, H2.2, H2.7, E2.6, E3.5, T2.4 and T2.6 of the Manchester Unitary Development Plan, and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Planning Policy Statement 1, Planning Policy Statement 3 and DP2 and DP3 of the Regional Spatial Strategy.

3) Notwithstanding the annotations on the approved drawings, no development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

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 RF1, H2.2 and H2.7 of the Manchester Unitary Development Plan, and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Planning Policy Statement 1, Planning Policy Statement 3 and DP2 and DP3 of the Regional Spatial Strategy.

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

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 RF1, DC16 and H2.2 of the Manchester Unitary Development Plan, and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Planning Policy Statement 1 and Planning Policy Statement 3.

5) Notwithstanding the approved drawings, no development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary

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treatment to be erected. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with Policies H2.2 and E3.5 of the Unitary Development Plan for the City of Manchester.

6) The development shall not be occupied unless accreditation, confirming achievement of the Secured by Design standards in respect of the development has been issued by Greater Manchester Police, unless otherwise agreed in writing by City Council as local planning authority.

Reason - To reduce the risk of crime pursuant to Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

7) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

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

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before 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.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

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

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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 H2.2 of the Unitary Development Plan for the City of Manchester.

8) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available at all times 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 Policies H2.2 and T2.6 of the Unitary Development Plan for the City of Manchester.

9) The development hereby approved shall be constructed in full accordance with the 'Bat Survey 2007' completed by TEP, in particular that a precautionary approach should be used in the removal of identified features (such as weatherboards, lead flashing, roof tiles and roof felt) in a careful manner by hand, unless otherwise 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 in order to comply with Policies E2.2, E2.3 and E2.4 of the adopted Manchester Unitary Development Plan.

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

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

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

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

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the

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character of the area, in accordance with Policies 2.4 and 2.6 of the Unitary Development Plan for the City of Manchester.

11) All tree work carried out during the construction of the development hereby approved should be carried out in accordance with 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, pursuant to Policies E2.6 of the adopted UDP for the City of Manchester.

12) Prior to the commencement of the development hereby approved, a Tree Protection Plan and Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. This should include correctly calculated construction exclusion zones, proposals for protection barriers and ground protection measures, engineering construction details where foundations and paving fall within the root protection areas of the retained trees, and details of any necessary tree surgery to facilitate construction operations. The development shall then be constructed in full accordance with the approved details, unless otherwise agreed in writing with 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, pursuant to Policies E2.6 of the adopted UDP for the City of Manchester.

13) The residential development hereby approved shall incorporate measures to minimise the environmental impact and energy use of the building and shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'very good' or 'excellent' or at least a level three sustainability rating under the code for sustainable homes for those elements of the development which are residential in nature. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before any of the buildings hereby approved are first occupied.

Reason - In the interests of minimising the impact on the environment of the development pursuant to policies E1.5 and E1.6 in the Unitary Development Plan for the City of Manchester, the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Planning Policy Statement 1 (PPS1), and the Regional Spatial Strategy for the North West.

14) No clearance of vegetation or trees from the site should be carried out in the bird nesting season (March to July inclusive). If clearance during the nesting season is unavoidable then a survey for nesting birds must be undertaken prior to work commencing and submitted to and approved in writing by the City Council as local planning authority. If nesting birds are found by the survey and are likely to be disturbed by clearance works then clearance should be delayed until after the young have fledged.

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The site supports habitats suitable for use by nesting birds, which are protected by the Wildlife and Countryside Act 1981, and pursuant to Policy E2.4 in the Unitary Development Plan for the City of Manchester.

15) No external lighting shall be erected on or around the site without the prior written approval of the Local Planning Authority. Details of any proposed external lighting within the site must be submitted to and approved in writing by the City Council as Local Planning Authority. The lighting must only be implemented in accordance with the approved details.

#### Reason

To safeguard the amenities of the occupiers of nearby residential accommodation once the development is completed, pursuant to Policy H2.2 of the adopted UDP for the City of Manchester.

16) The details of an emergency telephone contact number for the owner and the contractor shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

17) The windows on the first and second floors in the west elevation facing the rear of 394 Greater Western Street, located in the block fronting Great Western Street, shall be fitted with obscured glazing and thereafter retained at all times unless otherwise approved in writing by the Local Planning Authority.

#### Reason

To protect the privacy and amenity of the occupants of the adjacent dwellinghouse, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

18) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with Policies T3.1, T3.6 and T3.7 of the Unitary Development Plan for the City of Manchester.

19) The wheels of contractors vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

Reason - In the interest of pedestrian and highway safety, as specified in policy H2.2 of the Unitary Development Plan for the City of Manchester.

## List No. 13

20) Notwithstanding the approved drawings, prior to the commencement of the development a scaled drawing showing the pedestrian visibility splays at the new vehicular access point onto Heald Grove should be submitted to and approved in writing by the City Council as the Local Planning Authority. The scheme should then be implemented in full accordance with the approved details.

### Reason

To ensure pedestrian and vehicle visibility in the interests of highway safety, pursuant to Policy H2.2 of the adopted UDP for the City of Manchester.

21) Notwithstanding the approved drawings, prior to the commencement of the development a scaled drawing showing the location of the electronic vehicular access gates and associated boundary treatments should be submitted to and approved in writing by the City Council as the Local Planning Authority. The scheme should then be implemented in full accordance with the approved details.

### Reason

To ensure pedestrian and vehicle visibility in the interests of highway safety, pursuant to Policy H2.2 of the adopted UDP for the City of Manchester.

## 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: 084574/FO/2007/N2 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:**

Chief Executive's Landscape Practice Group  
Engineering Services  
Environmental Health  
Contaminated Land Section  
Environment & Operations (Trees)  
Special Needs & Supported Housing  
South Manchester Regeneration  
Greater Manchester Police  
Greater Manchester Ecology Unit  
321 Great Western Street, Manchester, M14 4AN  
106 Heald Grove, Manchester, M14 4AJ  
108 Heald Grove, Manchester, M14 4AJ  
110 Heald Grove, Manchester, M14 4AJ  
112 Heald Grove, Manchester, M14 4AJ  
114 Heald Grove, Manchester, M14 4AJ  
116 Heald Grove, Manchester, M14 4AJ  
118 Heald Grove, Manchester, M14 4AJ  
120 Heald Grove, Manchester, M14 4AJ

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122 Heald Grove, Manchester, M14 4AJ  
124 Heald Grove, Manchester, M14 4AJ  
126 Heald Grove, Manchester, M14 4AJ  
128 Heald Grove, Manchester, M14 4AJ  
130 Heald Grove, Manchester, M14 4AJ  
132 Heald Grove, Manchester, M14 4AJ  
73 Heald Place, Manchester, M14 4AQ  
75 Heald Place, Manchester, M14 4AQ  
77 Heald Place, Manchester, M14 4AQ  
79 Heald Place, Manchester, M14 4AQ  
81 Heald Place, Manchester, M14 4AQ  
83 Heald Place, Manchester, M14 4AQ  
85 Heald Place, Manchester, M14 4AQ  
87 Heald Place, Manchester, M14 4AQ  
89 Heald Place, Manchester, M14 4AQ  
91 Heald Place, Manchester, M14 4AQ  
93 Heald Place, Manchester, M14 4AQ  
95 Heald Place, Manchester, M14 4AQ  
97 Heald Place, Manchester, M14 4AQ  
99 Heald Place, Manchester, M14 4AQ  
24 Heald Place, Manchester, M14 4EA  
26 Heald Place, Manchester, M14 4EA  
101 Heald Grove, Manchester, M14 4PB  
58 Heald Grove, Manchester, M14 4PE  
60 Heald Grove, Manchester, M14 4PE  
62 Heald Grove, Manchester, M14 4PE  
64 Heald Grove, Manchester, M14 4PE  
66 Heald Grove, Manchester, M14 4PE  
68 Heald Grove, Manchester, M14 4PE  
70 Heald Grove, Manchester, M14 4PE  
47 Heald Place, Manchester, M14 4PF  
49 Heald Place, Manchester, M14 4PF  
51 Heald Place, Manchester, M14 4PF  
53 Heald Place, Manchester, M14 4PF  
55 Heald Place, Manchester, M14 4PF  
57 Heald Place, Manchester, M14 4PF  
59 Heald Place, Manchester, M14 4PF  
333 Great Western Street, Manchester, M14 4AL  
323 Great Western Street, Manchester, M14 4AN  
325 Great Western Street, Manchester, M14 4AN  
327 Great Western Street, Manchester, M14 4AN  
329 Great Western Street, Manchester, M14 4AN  
331 Great Western Street, Manchester, M14 4AN  
386 Great Western Street, Manchester, M14 4HA  
388 Great Western Street, Manchester, M14 4HA  
390 Great Western Street, Manchester, M14 4HA  
392 Great Western Street, Manchester, M14 4HA  
400 Great Western Street, Manchester, M14 4HA  
1 Hebburn Walk, Manchester, M14 4EE  
3 Hebburn Walk, Manchester, M14 4EE  
1 Lumley Close, Manchester, M14 4EF  
3 Lumley Close, Manchester, M14 4EF  
5 Lumley Close, Manchester, M14 4EF  
28 Heald Place, Manchester, M14 4HX  
30 Heald Place, Manchester, M14 4HX

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32 Heald Place, Manchester, M14 4HX  
34 Heald Place, Manchester, M14 4HX  
36 Heald Place, Manchester, M14 4HX  
410 Great Western Street, Manchester, M14 4HA  
412 Great Western Street, Manchester, M14 4HA  
414 Great Western Street, Manchester, M14 4HA  
416 Great Western Street, Manchester, M14 4HA  
418 Great Western Street, Manchester, M14 4HA  
420 Great Western Street, Manchester, M14 4HA  
422 Great Western Street, Manchester, M14 4HA  
103 Heald Grove, Manchester, M14 4PB  
105 Heald Grove, Manchester, M14 4PB  
107 Heald Grove, Manchester, M14 4PB  
109 Heald Grove, Manchester, M14 4PB  
111 Heald Grove, Manchester, M14 4PB  
113 Heald Grove, Manchester, M14 4PB  
115 Heald Grove, Manchester, M14 4PB  
117 Heald Grove, Manchester, M14 4PB  
119 Heald Grove, Manchester, M14 4PB  
121 Heald Grove, Manchester, M14 4PB  
123 Heald Grove, Manchester, M14 4PB  
125 Heald Grove, Manchester, M14 4PB  
127 Heald Grove, Manchester, M14 4PB  
129 Heald Grove, Manchester, M14 4PB  
131 Heald Grove, Manchester, M14 4PB  
133 Heald Grove, Manchester, M14 4PB  
135 Heald Grove, Manchester, M14 4PB  
69 Heald Place, Manchester, M14 4AQ  
394 Great Western Street, Manchester, M14 4HA  
65 Heald Place, Manchester, M14 4AQ  
67 Heald Place, Manchester, M14 4AQ  
71 Heald Place, Manchester, M14 4AQ  
Northern Examinations & Assessment Board Publications, Aldon House, 39  
Heald Grove, Manchester, M14 4NA  
Department Of Works & Pensions, 341 Great Western Street, Manchester,  
M14 4HB

**Representations were received from the following third parties:**

Chief Executive's Landscape Practice Group  
Engineering Services  
Environmental Health  
Contaminated Land Section  
Environment & Operations (Trees)  
Special Needs & Supported Housing  
South Manchester Regeneration  
Greater Manchester Police  
Greater Manchester Ecology Unit

**Relevant Contact Officer :** Jeni Wilson  
**Telephone number :** 0161 234 4530  
**Email :** j.wilson3@manchester.gov.uk