

Application Number	Date of Appln	Committee Date	Ward
091664/VO/2009/N1	6th Nov 2009	14th Jan 2010	Higher Blackley Ward

Proposal CITY COUNCIL DEVELOPMENT Erection of 4 x 2 bedroom bungalows with associated car parking, landscaping and boundary treatments

Location Land At Junction Of Plant Hill Road And Bank House Road, Higher Blackley, Manchester, ,

Applicant Mr Steve Sheen , Manchester City Council, Housing Strategy, Room 2035, Town Hall Extension, Manchester, M60 2LA,

Agent Mr Stephen Williams, Bowker Sadler Partnership Limited, Hatherlow House, Hatherlow, Romiley, Stockport, SK6 3DY,

Description

This application relates to a site in a predominantly residential area of Blackley. The site comprises a grassed site, which has been planted with numerous fruit trees, at the junction of Plant Hill Road and Bank House Road. The site is bounded by a day nursery to the south, a police station to the east, residential properties to the north west, with a parade of mostly vacant shops with flats above to the south west, together with a service road for the shops.

It is proposed to develop four, two bedroom bungalows on the site. The proposal includes one parking space for each bungalow, provided in-curtilage. All parking would be located to the side of the property under a canopy formed from stained timber and clear polycarbonate, which would project forward of the property. Vehicular access to the site would be from Plant Hill Road. Each property would have a private garden area to the rear.

The bungalows are of contemporary design with a single house type proposed. The bungalows would be built in red brick, with white rendering, together with terracotta concrete roof tiles. Solar panels would be located on the roof slope.

The boundary treatment to the frontages would comprise a 0.36 metre low brick wall with railings above, to an overall height of 1.2m. Timber panel fencing at a height of either 1.5 metres (rising to 1.8m adjacent to the dwellings) or 1.8m would be provided between properties, with 1.8m close boarded fencing to the perimeter of the rear gardens.

All bungalows have been designed to be fully accessible for a disabled person.

Consultations

Local Residents/Local Businesses – a letter has been received from a local resident who has written on behalf of residents on Bank House Road to object to the proposed development. She advises that residents do not want the buildings to the rear of their properties, as this is a large well kept green area with mature fruit trees, which is a pleasant sight they are proud of. They want the area kept as it is, as the

development of this site would lead to the removal of all the fruit trees (which were planted 8 years ago), and would adversely affect the local wildlife, which visits the area. She advises that orchard was planted by the City Council following the demolition of a pre-war building on the site, and they want to keep the orchard and not have to look at bungalows and associated car parking. The letter has 20 signatories from 10 properties on Bank House Road and 1 from Castlemere Road.

Head of Highway Services - There are no highway objections based on the submitted plans. Driveway accesses are unlikely to be in direct conflict with the development car park access opposite. Dropped kerbs will be used at driveway accesses, radii are shown on the diagrams, although these will not be kerbed. Boundary treatments are visually permeable allowing for pedestrian visibility.

Head of Environmental Health - Have no adverse comment or objection to this application.

Head of Regulatory Services (Contaminated Land) - Considers that historical records relating to this site show possible significant levels of contamination, and recommend a condition relating to remedial works.

North Manchester Partnership - The North Manchester Regeneration team support all of these proposals, which will help to broaden the range of property types in their respective neighbourhoods. In particular, this will offer opportunities for single people occupying family houses to relocate in their own neighbourhoods so freeing up under occupied social rented houses in high demand and increasing local populations to support local schools, businesses etc. The proposals are all well designed and in keeping with the general character of the areas.

Aboricultural Officer - Has no objections in as much as it affects the existing tree cover. All work in the vicinity to trees should observe British Standard 5837: Trees in relation to construction.

Greater Manchester Police - The Greater Manchester Police Design for Security Team have advised that they are concerned about the unacceptable levels of crime locally and advise the site should be secured commensurate with the current risks. They are concerned the industrial style fencing to the rear of the existing land is not appropriate for this site as it expressing an intimidating feature, and the hedge lacks essential security at the rear and should be improved. They will require the scheme incorporates close-boarded fencing to the rear and to the western boundary.

They advise that the applicant has consulted members of this Unit seeking advice to meet Secured By Design standard the resultant proposed scheme appears to have responded to most of the relevant SBD issues identified, and they support the application. However, having examined plan ref: 09-054 101 rev. B it would appear the scheme does not incorporate close-boarded fencing to the western boundary as recommended, and they strongly recommend that this aspect of the proposed development is revised to ensure that the proposed development achieves Secure by Design accreditation.

Greater Manchester Ecology Unit – Advises this application has been accompanied by an Ecological Assessment provided to the City Council by the Greater Manchester Ecology Unit undertaken 3rd November 2009, and although the Ecological Assessment recognised that the survey was undertaken at a sub-optimal time of year, it is their opinion that this does not invalidate the findings of the survey.

The Ecological Assessment found that there were no features of substantive ecological value present on this site. However, the site does support a number of small planted trees and the Ecological Assessment recommended that these are replaced within the new proposal. They note that these trees are to be transplanted within the site, and would recommend that if there are any transplantation failures that these are replaced.

The Ecological Assessment recommends that the trees should be felled outside the bird-breeding season (March - July inclusive). This timing would also be in line with obtaining the best results for any transplantation. They would recommend that this is implemented via a condition attached to any permission if granted.

In conclusion, they advise the current application can be forwarded for determination and there are no known ecological reasons for this application to be refused permission.

Issues

National Policies and Guidance

Relevant national guidance can be found in Planning Policy Statement 1 'Delivering Sustainable Development' (February 2005) and PPS3 'Housing' (November 2006).

PPS1 sets out the overarching planning policies on the delivery of sustainable development and the general principles of the planning system. PPS1 encourages the promotion of urban and rural regeneration to improve the well-being of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities. In addition to this, Planning Policy Statement 1 clearly outlines the importance of creating sustainable communities. In relation to design, it states that good design ensures attractive usable, durable and adaptable places and is a key element to achieving sustainable development. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted.

PPS3 'Housing' provides guidance on the creation of new housing in order to create attractive, safe and high quality development. The guidance also emphasises that the majority of new housing should be located on brownfield land and should be located in sustainable locations. This guidance is a material consideration when assessing proposal for residential schemes and states that new housing development should not be viewed in isolation. Consideration of design and layout must be informed by context, having regard to immediate neighbours and the wider locality. Good design is fundamental to the development of high quality new housing, which contributes to the creation of sustainable, mixed communities. Reflecting policy in PPS1, good

design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.

Regional Planning Guidance

The Regional Spatial Strategy (RSS) for North West England - The RSS was adopted in September 2008 and replaces the previously published Regional Planning Guidance. The RSS provides a framework for development and investment in the region over the next fifteen to twenty years. It contains policies that address core principles of development, including the following:

DP2: Promoting sustainable communities - Ensuring development contributes to a high quality of life for existing and future residents;

DP 5: Manage Travel Demand - Ensuring development is located so as to reduce the need to travel, especially by car, and to enable people as far as possible to meet their needs locally.

DP7: Promote Environmental Quality - Ensuring that new development demonstrates good design and respect for its setting;

Local Policies

Unitary Development Plan for the City of Manchester

There is no site specific allocation for the site, however it lies in an area covered by policy BM1, which states that Council will seek to retain the primarily residential character of the area, and improve the housing stock and housing environment.

The UDP contains a number of relevant policies in relation to housing including 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. In particular it will encourage the further provision of accommodation designed for disabled people. The scheme will also widen the range of property types within the local area, and this in turn should lead to better use of the existing housing stock.

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 Policies that are relevant in this case. The Environmental Policies include E1.5, E1.6, E2.6 and E3.5. With regards to the City Council's aim to ensure sustainability within developments, Policy E1.5 outlines that the Council will contribute towards energy conservation by ensuring that new development is located where it can be easily served by public transport and by encouraging high standards of energy efficiency. Policy E1.6 relates to the materials used for developments and outlines how the Council will require that building materials used are environmentally friendly wherever it is possible. Policy E2.6 states that the Council will prevent, wherever possible the loss of existing trees, and policy E3.5 states that the Council will promote measures, which will lead to a safer environment for all people living in and using the City. The issue of trees is raised elsewhere in this report.

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. Policy T2.6 states that the Council will expect adequate car-parking provision to be made for disabled people.

Policy DC7 states that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, including those who use wheelchairs, wherever this is practicable.

Principle

The proposal would provide 4 bungalows, which are considered to be an appropriate housing type for this locality, and given the surrounding streets are predominantly residential in character, the proposal is considered acceptable.

Design and appearance of proposal

The proposal comprises a contemporary design with a single bungalow type. The proposed design and appearance of the properties is similar to other schemes, which have been approved, elsewhere in North Manchester, and is considered to be a high standard of design. The proposed contemporary design and appearance is considered to be acceptable in this location.

Layout and parking provision

The layout of the proposed new dwellings respects the existing road network, with all dwelling units fronting onto the street. Car parking is provided in-curtilage to the side of the properties under a canopy. A shed /secure cycle store is also provided in each rear garden area. It is considered that the established layout is acceptable and complies with the Guide to Development in Manchester SPD.

Secure by Design

The priority has been to create a quality development, which encompasses the key principles to ensure a safe and secure environment. The scheme has been design in

accordance with advice from the Design for Security team, and should achieve Secure by design accreditation.

A revised plan ref: 09.054.101 rev. E has been received which confirms the incorporation of a new close boarded fence to the full perimeter of the rear and western boundaries (with the existing hedge to the western boundary to existing rear gardens to properties on Bank House Road retained), as recommended by the Design for Security team.

Access for Disabled People

This application and development is compliant with Design for Access 2 and is suitable for disabled living. All of the new bungalows are fully accessible and the sizes of the toilets, bedrooms, bathrooms, kitchens and passageways are all in line with Design for Access 2 guidance, and therefore this development will be accessible to all.

Ecology

The Greater Manchester Ecology Unit has surveyed the site. Overall the site was found to have limited ecological value and low potential to support roosting bats. The Ecological report recommends that any trees to be lost either be moved or replaced with the development.

Landscaping and Trees

Each property has a soft landscaped front garden area, which would include a strip of low planting set behind the front boundary treatment. Hard landscaping is incorporated between this and the bungalows to afford access to the rear garden and the property. Consideration is being given to retaining an existing tree in the rear garden of one of the bungalows, and relocating four of the existing fruit trees on the site within the proposed rear gardens. The applicant has advised that the remainder of the fruit trees (16) would be relocated to an alternative site in the local area, and discussions are on-going between the applicant and the City Council's arboricultural officer in relation to the suitability of the alternative site. Confirmation regarding the site for the relocation of the fruit trees is now awaited. If it is not possible to relocate trees into the rear gardens, all the fruit trees would be located to the alternative site.

The five mature limes at the junction of Bank House Road / Plant Hill Road would be retained, and it is recommended that a tree protection is attached to any planning approval.

Sustainability issues

The applicant has indicated that they are targeting a Code for Sustainable Homes level 4 rating. A condition will be included in the approval to ensure that this level is achieved across the scheme. 10% renewal energy in the form of Solar Hot Water would form part of the development, and the development has been designed to achieve the highest CAGE 'Building for Life' standards.

Residential Amenity

It is acknowledged that there are residential properties directly surrounding the application site, and there would be an increased level of development on the site compared to the current use. However, there should not be a significant increase in the noise generated from the site and the general activity should be limited to residents leaving and returning to the accommodation. Therefore, it is not considered that this proposal will have a detrimental impact on the residential amenity currently enjoyed by the surrounding occupants.

Affordability

The four bungalows proposed would be social rented properties, and would comply with the City Council's requirements for affordability.

Access

The applicant has noted the comments of the Head of Highways Services. Confirmation has been received (letter dated 10th December 2009) that only drop kerbs would be incorporated to driveways, and not radii kerbs.

Contaminated Land

The site comprises an area of grass with predominantly fruit trees, and some mature lime trees. However, previous land uses on and adjacent to the site have included agricultural land, houses, refuse tips and ponds.

The applicants have submitted a Phase 1 desk study which identifies the need site investigations. It is therefore recommended that a condition be attached relating to contaminated land and landfill gas measures to any approval pending the outcome of the site investigations. A validation report would also be required to be submitted following completion of the works.

Comments by local residents

Concerns expressed by local residents in respect of the loss of green space and fruit trees have been noted. As has been outlined above, 5 trees would be either be retained and / or relocated within the rear gardens, or would be replanted with the remainder of the fruit trees being relocated to an alternative site in the local area. The five mature limes at the junction of Bank House Road / Plant Hill Road would be retained.

In respect of ecology, the current site was identified as having low ecological value. Therefore the erection of bungalows on the site with associated front and rear gardens together with the retention of trees on the site means there are no known ecological reasons for this application to be refused permission.

In respect of loss of the open space, the site is close to large areas of open land to the north of Plant Hill High School, and to the east of Chapel Lane, and Plant Hill

Park is located within walking distance of the site. It is considered that the loss of open space would not be so significant to warrant the refusal of planning permission.

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

On the basis the proposal the scheme provides 2 bedroomed bungalow accommodation in accordance with policy H1.2 which encourage the further provision of accommodation designed for disabled people; accords with policy E3.5 which promotes measures to lead to a safer environment for all; the scheme is a quality design which accords with Policy H2.7 which requires that new housing schemes will be expected to be of a high standard of design; and there are no other material considerations of sufficient weight to indicate otherwise.

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.

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

3) 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.

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

5) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.

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".

6) 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; 09-054 100 rev.A, 09-054 102 rev.A, 09-054 103 rev.A, MCC Framework 1-09 internal layout plan, Design and Access Statement, Community Consultation Statement, Ecological Assessment, Code for Sustainable Homes pre-assessment, Tree Condition Survey, and Phase 1 Desk Study, stamped as received on 11th November 2009, 09-054 105 rev. A stamped as received on 26th November 2009, plan ref: 09-054 101 rev. E received by e-mail 16th December 2009 and letter dated 10th December 2009

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 of the Manchester Unitary Development Plan.

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

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

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

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

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with Policies E2.4 and E2.6 of the Unitary Development Plan for the City of Manchester.

8) All tree work should be carried out by a competent contractor in accordance with British Standard BS 5387 "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 E2.4 and E2.6 of the Unitary Development Plan for the City of Manchester.

9) a) The submitted Preliminary Risk Assessment has identified some risks associated with the historical use of the site and the surroundings. 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.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

10) The boundary treatment around the development hereby approved shall be erected in accordance with the site layout drawing numbered 09-054 101 rev. D and the boundary treatment elevation drawing numbered 09-054 105 rev. A, which includes the positions, locations, heights, design, materials and type of boundary treatment to be erected as part of the development. The approved scheme shall be implemented in full before the residential properties are first occupied, unless otherwise agreed in writing by the City Council as the 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 in order to comply with Policies BM1, R1, H1.2, H2.1, H2.2, H2.7 and E3.5 of the Unitary Development Plan for the City of Manchester, and the Guide to Development in Manchester Supplementary Planning Document.

11) No trees shall be felled, or have any works undertaken on them, during the bird nesting season (March to July inclusive), unless otherwise agreed with the City Council as Local Planning Authority.

Reason

To ensure the protection of wildlife habitats in the locality , pursuant to policy E2.4 of the Unitary Development Plan for the City of Manchester.

12) Before development commences, full details of the proposed method of surface water drainage from hardstanding areas/driveways within the development shall be submitted to and approved in writing by the City Council as Local Planning Authority. For the avoidance of doubt, the drainage proposed shall constitute a sustainable method where rainwater is able to soakaway into the ground. The development shall then be implemented in accordance with the approved details.

Reason - To protect against the potential risk of localised flooding, pursuant to PPS25

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: 091664/VO/2009/N1 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:

Engineering Services
Environmental Health
Contaminated Land Section
Environment & Operations (Trees)
North Manchester Regeneration Team
Greater Manchester Police
Greater Manchester Ecology Unit
188 Chapel Lane, Manchester, M9 8LZ
204 Chapel Lane, Manchester, M9 8LZ
202 Chapel Lane, Manchester, M9 8LZ
186 Chapel Lane, Manchester, M9 8LZ
200 Chapel Lane, Manchester, M9 8LZ
184 Chapel Lane, Manchester, M9 8LZ
41 Bank House Road, Manchester, M9 8LY
182 Chapel Lane, Manchester, M9 8LZ
196 Chapel Lane, Manchester, M9 8LZ
198 Chapel Lane, Manchester, M9 8LZ
39 Bank House Road, Manchester, M9 8LY
37 Bank House Road, Manchester, M9 8LY
35 Bank House Road, Manchester, M9 8LY
33 Bank House Road, Manchester, M9 8LY
31 Bank House Road, Manchester, M9 8LY
29 Bank House Road, Manchester, M9 8LY
Building Blocks Day Nursery, Plant Hill Road, Manchester, M9 8LX
Greater Manchester Police, Police Station, Plant Hill Road, Manchester, M9 8LU
Manchester Pct, Plant Hill Clinic, Plant Hill Road, Manchester, M9 8LX
Camberwell Park School, Bank House Road, Manchester, M9 8LT

Representations were received from the following third parties:

Engineering Services
Environmental Health
Contaminated Land Section
Environment & Operations (Trees)
Greater Manchester Police

Greater Manchester Ecology Unit
North Manchester Partnership
37 Bank House Road, Manchester, M9 8LY

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