

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
088963/OO/2009/N2	10th Feb 2009	28th May 2009	Bradford Ward

**Proposal** CITY COUNCIL DEVELOPMENT: OUTLINE APPLICATION for the erection of a part one, part two storey primary school with matters of appearance, scale, access, layout and landscaping reserved

**Location** Land Bounded By Ashton Old Road, Lees Street And The Former Stockport Branch Canal, Openshaw, Manchester

**Applicant** School Organisation, Admission and Development, Services Department, Manchester City Council, Overseas House, Quay Street, Manchester, M3 3BB

**Agent** Adam Smith, Ellis Williams Architects, Chester Road, Preston Brook, Runcorn, WA7 3BA

### **Description**

The application site forms a landscaped strip of land between Ashton Old Road and residential properties on Chisholm Street, Columbine Street, Stoneygate Walk and Botha Close in the Bradford ward of East Manchester. The former Stockport Branch Canal forms the western boundary of the site whilst Lees Street marks the extent of the eastern edge of the site. Outside of the application site but to its north-eastern edge are a number of retail units at the junction of Ashton Old Road and Lees Street. The site is approximately 1.2 hectares in size and lies on the edge of Openshaw District Centre.

The site is split in two by Chisholm Street but both parcels are predominantly grassed areas with a number of mature trees that form a landscaped feature alongside Ashton Old Road, whilst other trees provide a screen to residential properties to the south.

The smaller parcel of land bounded by Chisholm Street and Leamington Street and the rear of the retail units on Ashton Old Road is virtually flat on its north west to south east axis with an approximate 1 meter fall across the north east to south west axis. The larger parcel of land has a general fall along its longer east to west axis of approximate 3.7 meters with a lesser fall of approximately 1.5 meters across the north to south shorter axis from back of Ashton Old Road pavement to the housing on the south side.

There are a number of services present within the overall site boundary including two main sewers. To the north west corner of the site a 1440mm main sewer is visible above ground but on entering the site is routed below ground. It follows a line approximately parallel to the back of pavement along Ashton Old Road, crosses Chisholm Street and then changes direction to head south east to leave the site and cross Leamington Street. A second 300mm sewer runs along Chisholm Street. These are major services, which are to be retained in their current locations. Consequently the applicant has indicated an overall 12 metre easement line centred on the sewer running at the front of the site on which building work is not permitted whilst the Chisholm Street sewer is

currently indicated as forming the car parking area for the proposed development.

There is one formal pedestrian route traversing the application site providing a link between residential properties to its south and facilities and bus stops located along Ashton Old Road, a number of other informal paths link to this route. These pedestrian links are to be closed as a result of the proposal. A paved footpath extends across the southern edge of the site linking residential properties and providing a route to Chisholm Street. The majority of this paved route lies outside of the application site and will remain open, however, one part of the route to the immediate north of number 19 Stoneygate Walk would be closed.

In addition to the proposed closure of footpaths, Chisholm Street at its junction with Ashton Old Road is also to be closed as a result of the proposal. An alternative vehicular and pedestrian route will be created via Leamington Street and Lees Street. The existing bus stops and pedestrian crossings on Ashton Old Road are to remain unaltered.

The application is in Outline with all other matters reserved for future consideration. The proposal is for the development of a 1 form entry primary school for children aged 3 -11 years (180 pupils) including a 60 place foundation unit. It is to be designed to allow for possible expansion in the future to 1.5 form entry. The primary school is to replace the current Varna Street school located approximately a quarter of a mile to the south of the application site. The existing primary school building was constructed in 1896 and was identified in the Manchester City Council Primary School Capital Review in 2006 for replacement. An option appraisal identified the most cost effective and efficient solution to be a new building constructed on a nearby available site (the application site).

The applicant has provided drawings indicating the potential location of the school building on site and proposed maximum heights of the single storey (5 metres) and two storey elements (8.5 metres) of the building. The school building is indicated as being located to the west of the closed Chisholm Street with the main frontage of the school extending parallel to Ashton Old Road. Drawings also indicate the potential location of vehicular and pedestrian access to the school site. It is currently indicated that vehicles will enter the site from Leamington Street and pedestrians from Chisholm Street; the accompanying information confirms that no vehicular or pedestrian access will be gained into the school from Ashton Old Road.

The associated outdoor play areas for the primary school are currently indicated as being located to the western side of the school building, to the north of Lily Thomas Court and residential properties on Stoneygate Walk. These incorporate multi use games areas and other external areas of play.

Committee should be aware that all submitted drawings are indicative due to the application being in Outline with all matters including layout, appearance, scale, access, and landscaping being reserved for future consideration.

### **Consultations**

Local residents were notified of the proposal, site notices were posted on and around the site on the 10th March 2009 and the application was advertised by way of a notice within the Manchester Evening News on 20th February 2009.

5 letters of objection have been received, with two similar letters from the same address one of which was forwarded to the Planning Department by Councillor Swannick.

The issues these representations raise include:

- Do not wish to see the loss of the green space;
- Land is used by children playing and dog walkers this resource will be lost;
- Concerned about impact of the school including the noise from outdoor play on a small quiet estate next to sheltered accommodation for the elderly;
- School building will be an eyesore as apposed to the open field currently enjoyed.
- The proposed school will result in a longer walk for residents to the bus stop on Ashton Old Road because of the closure of the footpath;
- The school will result in an increase in traffic and parking on residential streets;
- Increase in litter within the area;
- Increase in teenagers to the area after school hours causing vandalism;
- Risks within the surrounding area if children leave the school grounds during the day;
- Potential for footballs being kicked over fencing onto surrounding roads;
- Concerned about the impacts of building works including construction traffic and that works could lead to a rat infestation in the area.
- Safety concerns regarding school children and the schools location adjacent to Ashton Old Road.
- Concerns about air quality impact as a result of the proposed schools location adjacent the main road.
- Believe the site contains wildlife that would be disrupted by the proposal.
- Other more appropriate sites should be considered for the school.
- What is to happen to the existing school building?

Ward members

Councillor Swannick - Supports and welcomes the application. A new-build primary school to replace the existing Varna Street School will benefit the children of the area for generations to come and support the regeneration of East Manchester. I look forward to a bold design for this key site in the reserved matters application and hope that every effort will be made to achieve and exceed BREEAM "Very Good" environmental standards.

However, given that the site is located adjacent to a quiet neighbourhood popular with elderly residents, special attention needs to be given to its impact upon neighbours. In particular, vehicle access should be thoroughly addressed and in particular, undesirable but nevertheless inevitable, "dropping off" for which it is stated there is no provision within the site boundary. Pedestrian routes into the school should take account of existing and future residential catchment areas and potential disturbance of local residents.

As referred to in the Ecological Assessment, the surrounding area suffers from a scarcity of mature tree cover and the Strategic Regeneration Framework for East Manchester identifies as a priority the need for more tree planting. The site currently provides green infrastructure and playspace for the local population. Efforts should be made to retain existing mature trees where possible (as well as 110% re-provision for those to be removed) and out-of-hours access to the school and its grounds for local residents including children, whilst a management issue for the school, should be addressed.

GMPTE - GMPTE wish to retain the bus stop on the Ashton Old Road frontage of the site and request that any future proposed access to the school should consider access from this bus stop.

Head of Highway Services - In principle the proposed accesses onto Lees Street are acceptable.

If school buses are to be provided facilities for these need to be provided within the site. The applicant has since confirmed that school buses will not access the site.

The applicant should liaise with footpath societies at an early stage regarding the proposal to close an existing Highway and footpaths.

Footpaths in the area are generally narrow and will not accommodate a large number of pedestrians. The applicant should address this issue when designing the site in detail. The applicant has confirmed that this issue will be considered.

Head of Regulatory and Enforcement Services (Environmental Health) - Recommend conditions are attached to any approval relating to fume and odour extraction, external lighting scheme, acoustic insulation of the building and any externally mounted equipment, hours of use for outdoor pitches and refuse storage space. They also recommend that if construction works are to be over a prolonged period of time the applicant should discuss the nature of the construction phase with Environmental Health (Pollution Control Section).

Head of Regulatory and Enforcement Services (Contaminated Land Section) - Recommend an appropriate condition be attached to any approval relating to contaminated land.

The Ramblers Association - Believe that reasonable alternative pedestrian routes are available via the former Stockport Branch canal for residents in Columbine Street and residents to the west are inconvenienced less. On balance they do not intend to oppose the application.

New East Manchester - Are supportive of the proposal and state Varna Street Primary school will be an important component in the delivery of high quality primary teaching in the area.

Environment Agency - Recommend conditions are attached to any approval relating to surface water drainage scheme and the submission of a scheme to deal with contamination on the site.

Greater Manchester Police - No objection to the proposed development and welcome discussions with the architect to ensure crime prevention measures outlined in the Crime Impact Statement are carried through in the detailed design of the school.

United Utilities - Initially objected to the proposal but with the inclusion of a condition relating to the submission of a scheme to address the presence of sewers/water mains on the site are prepared to remove that objection.

Greater Manchester Ecology Unit - The application site is not designated for its nature conservation importance and is not close to any designated sites. It does not support any important habitats in a Greater Manchester or city-wide context, although the broadleaved trees on the site have some local wildlife value in this built up area. The site is considered to have only low potential to support protected species. Therefore there are no objections to the proposals on nature conservation grounds. The following recommendations are made:

- New tree planting should be required to compensate for any trees lost to the scheme.
- The site should be inspected for badgers prior to any works including site clearance taking place.
- Vegetation clearance should take place outside of the optimum period for bird nesting (March to July) unless nesting birds have been shown to be absent by a competent person.
- Maintain and where possible improve the landscape strip at the western edge of the site to maintain habitat connectivity.

## **Policy**

### Environmental Assessment Screening

The application was subject to a screening opinion in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and circular 2/99 (The regulations). The screening concluded that an Environmental Assessment was not required in this instance.

### PPS1

PPS1 sets out the overarching planning policies on the delivery of sustainable development through the planning system.

Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development. The statement indicates that regeneration of the built environment alone cannot deal with poverty, inequality and social exclusion and that these issues can only be addressed through better integration of all strategies and programmes, partnership working and effective community involvement.

High quality and inclusive design should be the aim of all those involved in the development process. High quality and inclusive design should create well-mixed and integrated developments which avoid segregation and have well-planned public spaces that bring people together and provide opportunities for physical activity and recreation. It means ensuring a place will function well and

add to the overall character and quality of the area, not just for the short term but over the lifetime of the development.

The location of the proposed development accords with the principles of PPS1.

Planning Policy Guidance note 17 'Planning for open space, sport and recreation

PPG17 sets out that Open spaces, sport and recreation all underpin people's quality of life and that well designed and implemented planning policies for open space, sport and recreation are fundamental to delivering broader Government objectives.

It states that existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken which has clearly shown the open space or the buildings and land to be surplus to requirements. Where land is not surplus to requirements but a qualitative gain might be made by the giving of alternative equally accessible open space, development may be permitted.

In considering planning applications - either within or adjoining open space - local authorities should weight any benefits being offered to the community against the loss of open space that will occur.

The applicant has provided a PPG 17 statement, which is discussed elsewhere in the report.

Planning Policy Statement 25 Development and Flood Risk

This statement looks at how flood risk should be considered at all stages of the planning and development process. It states that local planning authorities in determining planning applications should:

- Have regard to the policies in this PPS and, as relevant, in the RSS for their region, as material considerations;
- Ensure that planning applications are supported by site-specific flood risk assessments (FRAs) as appropriate;
- Apply the sequential approach at a site level to minimise risk by directing the most vulnerable development to areas of lowest flood risk, matching vulnerability of land use to flood risk;
- Give priority to the use of SUDS; and
- Ensure that all new development in flood risk areas is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed.

As this site is over 1 hectare in size, a flood risk assessment has been provided with the application. The FRA has been assessed by the Environment Agency who have recommended the inclusion of certain conditions to any approval.

Regional Spatial Strategy for the North West to 2021

Policy DP 1 - Spatial Principles

Other regional, sub-regional and local plans and strategies and all individual proposals, schemes and investment decisions should adhere to these principles. All may be applicable to development management in particular circumstances:

- promote sustainable communities;
- promote sustainable economic development;
- make the best use of existing resources and infrastructure;
- manage travel demand, reduce the need to travel, and increase accessibility;
- marry opportunity and need;
- promote environmental quality;
- mainstreaming rural issues;
- reduce emissions and adapt to climate change.

#### Policy DP 2 - Promote Sustainable Communities

Building sustainable communities - places where people want to live and work - is a regional priority in both urban and rural areas. Sustainable Communities should meet the diverse needs of existing and future residents, promote community cohesion and equality and diversity, be sensitive to the environment, and contribute to a high quality of life.

#### Policy DP 7 - Promote Environmental Quality

Environmental quality, should be protected and enhanced, especially by: understanding and respecting the character and distinctiveness of places and landscapes; promoting good quality design in new development and ensuring that development respects its setting taking into account relevant design requirements; promoting policies relating to green infrastructure and the greening of towns and cities.

#### Policy DP 9 - Reduce Emissions and Adapt to Climate Change

As an urgent regional priority, plans, strategies, proposals, schemes and investment decisions should:  
contribute to reductions in the Region's carbon dioxide emissions from all sources.

Measures to reduce emissions might include as examples:  
increasing urban density; encouraging better built homes and energy efficiency, eco-friendly and adaptable buildings, with good thermal insulation, green roofs and microgeneration.

#### Policy L 1 - Health, Sport, Recreation, Cultural and Education Services Provision

Plans, strategies, proposals and schemes (including those of education, training and health service providers) should ensure that there is provision for all members of the community (including older people, disabled people and the black & minority ethnic population) for:

- the full spectrum of education, training and skills provision, ranging from childcare and pre-school facilities, through schools, to further and higher education and to continuing education facilities and work-related training;

- health facilities ranging from hospitals down to locally based community - health facilities; and
- sport, recreation and cultural facilities.

Particular attention should be given to improving access to and addressing spatial disparities in service and facilities provision, in areas which have the greatest needs (in terms of poverty, deprivation, health and education inequalities, rural service provision), or where communities or the local economy are poorly served.

Proposals and schemes, for all major developments and regeneration schemes, and especially for housing, employment or mixed uses, should ensure appropriate health, cultural, recreational, sport, education and training provision from the outset including for example Children's Centres and SureStart Initiatives.

It is considered that the proposal accords with the principles contained within the policies of the Regional Spatial Strategy.

#### Unitary Development Plan for the City of Manchester

The application site is located within the East Manchester area of the adopted Unitary Development Plan (UDP). It is an unallocated site, however, the former Stockport Branch Canal is identified as major recreational route under policy E3.4 and Ashton Old Road is identified as a major road improvement corridor under policy E3.3. There are a number of strategic policies set out in Part 1 and site specific policies set out in Part 2 of the UDP relevant to the application.

In terms of strategic policies these are:

Policy H2.2 sets out that the Council will not allow development, which will have an unacceptable impact on residential areas. It sets out those matters to be considered in coming to such decisions which include: scale and appearance of the development and its impact in terms of noise, vibration, traffic generation, road safety and air pollution.

Policy E1.5 sets out that the Council will encourage high standards of energy efficiency in new development.

Policy E2.4 sets out that the Council will ensure that the effects upon wildlife are taken fully into account when considering development proposals and that the Council will also encourage developers to create new features, which will sustain wildlife.

Policy E3.3 sets out that the Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include encouraging new development of the highest quality.

Policy E3.4 sets out that a network of safe and attractive major linear recreational open spaces by linking and making better use of river valleys.

Policy E3.5 of the UDP indicates that the Council will promote measures that lead to a safer environment for all people including:

- Ensuring that the layout of new development is designed with safety in mind.
- Designing landscaping schemes so as to minimise the risk of attack.
- That community facilities are located where they are easy and safe to get to.
- Providing safe places for children to play.
- Improving road safety.

Policy L1.2 of the UDP states that existing outdoor sporting facilities will be protected from development unless appropriate replacement facilities can be provided in advance. Opportunities will be taken to improve the range and quality of facilities.

The relevant specific area policies are:

EM1 - 'East Manchester' which states that the sustainable regeneration of the area will comprise the provision of educational facilities and provision of linked open space network to improve and increase recreational provision and biodiversity value and maintaining and enhancing the substantial nature conservation resource of the canals.

EM2 - 'Design and sustainable urban neighbourhoods' which states support for: designs which enhance the quality of the built environment in terms of scale, density, height, layout, massing, landscape, access and conserving the natural environment. It also details that creating a sustainable pattern of development consisting of locating primary schools and, health care and other community facilities, close to public transport routes and housing.

EM16 'Lower and Higher Openshaw' - Policy EM16 states development will be permitted which includes retail and community facilities and mixed-use development within Openshaw District Centre.

Guide to Development 2 Supplementary Planning Document (adopted April 2007)

Paragraph 2.3 of the Guide sets out the need to ensure "a high quality environment is created by buildings which reflect their purpose and respect the place in which they are located".

Paragraph 2.11 states "The design of public buildings should contribute to and enhance the quality of the environment, rather than simply responding to funding or contractual requirements. They should be a source of pride and inspiration, and should help to reinforce the sense of place and character in the neighbourhoods within which they are located. This requirement will be built into the development briefs for public facilities within the City".

Paragraph 2.12 indicates "It is important to achieve an adequate level of enclosure if streets and open spaces are to provide a sense of place and help people feel comfortable and safe. Buildings should present their main face and pedestrian entrance to the adjacent main street, to contribute to its vitality and interest. Windows and entrances should ensure that the street is overlooked to promote informal surveillance. Large areas of car parking and servicing should

be situated to the rear, side of, or beneath the building, with clear safe accessible footways leading to the main door".

Paragraph 2.49 details that "new developments will be expected to meet designing out crime principles. Whilst architecture and design can make a significant contribution to a sense of security, one of the most effective measures for community safety and crime prevention is the creation of lively environments, in use at different times of the day and night".

### East Manchester Strategic Regeneration Framework 2008 -2018

The SRF highlights the lack of very high performing schools within East Manchester as a disincentive to families moving to the area and subsequently creating sustainable neighbourhoods. It also highlights that excellent schools are fundamental to attracting families into East Manchester, providing the bedrock for sustainable neighbourhoods.

In the Openshaw section of the framework it is stated that the Openshaw neighbourhood should continue to function as primarily a family-orientated residential area. The application site is identified within a mixed-use corridor along Ashton Old Road.

### **Issues**

#### Principle

The application site is approximately 350 metres from the existing Varna Street School and will serve the existing residential areas and existing school catchment. A resident has raised the issues about why other sites had not been considered for the school. Adjacent to the application site is a cleared site at Stanley Street/ Lees Street and Ashton Old Road; however, there is an outstanding planning approval (application reference 081367 approved with conditions on 03/04/2008) for the development of 5 retail units, 18 flats and 4 townhouses.

The applicant has provided information, outlining the process, which led to the selection of the application site for the new school. This information states that three options were appraised to either: refurbish and remodel the existing; or, rebuild on the existing Varna Street school site; or, rebuild on the alternative site made available by New East Manchester. The final option was chosen for the following reasons:

- It was not feasible to build on the existing school site whilst the school functioned. A full decant of the school would have been required during construction.
- The existing school site is very restricted with no green space or playing fields and is below Department for Children Schools and families site area thresholds for a 1 form entry school.
- The application site offers a larger site with opportunity to extend the proposed 1 form entry to 1.5 form entry at a later date.
- The main catchment for the school is to the south of Ashton Old Road.

The applicant has confirmed there are no immediate plans for the redevelopment of the existing Varna Street school site.

It is considered that the principle of a school on the edge of Openshaw District Centre is acceptable. It will provide modern facilities with an appropriate level of associated outdoor areas of play in an accessible location and is well related to the existing catchment of the Varna Street School.

### Open space

The applicant has provided a PPG 17 statement in response to proposed developments impact on an existing area of amenity space. This issue has also been raised in representations received from local residents.

The submitted statement relies on information taken from the 'Strategic Open Space, Sport and Recreation Study' for Manchester City Council' the results of this study are programmed to be published in May/June 2009. This study will inform and provide the evidence base for preparing policies to be incorporated into Manchester's Core Strategy Development Plan document. The Core Strategy when adopted will replace the Unitary Development Plan. The local standards of quantity, quality and accessibility of open spaces, sport and recreation facilities were endorsed by the Community and Neighbourhoods Overview and Scrutiny Committee in February 2009. The applicant therefore contends that under these circumstances they do not feel it is necessary to undertake an independent audit, but reliance can be made on relevant extracts from the Local Authorities own assessment.

The statements outlines the findings of the Strategic Open Space, Sport and Recreation Study for the application site and the surrounding area:

- The study has audited the open space areas immediately to the south of Ashton Old Road (bounded to the east by Chisholm St) as amenity open space. This site falls within the study's east area with local standards showing existing small quantitative surplus of amenity spaces. Across the east area there are currently some small deficiencies in quantity of outdoor sports facilities. Looking at the area around the site (within the agreed 10 minute walk catchment area for amenity spaces) the area is quite well served with existing amenity spaces, local parks with some children/young people facilities within the parks, and outdoor sports facilities.
- The key issues for the east area of the city are currently predominately about enhancing the quality of existing open spaces and facilities and providing in areas of local deficiency additional facilities for children and young people. Currently available data supports the view that this area is reasonably well served.
- Evidence from the study supports Leisure Services priorities for the area regarding the need to focus on improving the quality of existing provision and where appropriate extend provision of children/young peoples facilities

The statement goes on to address how the proposal will comply with the anticipated recommendations of the Strategic Open Space, sport and Recreation Study. It contends that whilst the proposal will result in the small loss of amenity space it would have no significant negative impact in the context of the overall setting, especially when taking into account the improvements that are proposed to the quality of the space. The statement confirms that the

treatment to the western boundary of the site will be designed to enable future improvements to the former Stockport Branch canal. It also states that the external play provision on site for the school will be accessible to the wider community with managed and controlled access by the school. It is therefore, considered appropriate to attach conditions to any approval to ensure the community use of facilities at the school and the provision of space to the western boundary of the site to enable future improvements/enhancements to the former Stockport Branch Canal.

The provision of additional outdoor facilities for children and young people which is identified as a deficiency within the wider area, is considered to outweigh the loss of amenity space which is identified as being in a small quantitative surplus within the Strategic Open Space, Sport and Recreation Study. It is therefore considered that the proposal accords with PPG17.

### Residential Amenity

The proposed new school will introduce a new use adjacent to a residential area. The existing residential properties on the streets to the south of the application site run almost perpendicular to the application site resulting in gable ends of existing properties facing the site.

It is considered that the introduction of playing fields and outdoor sports facilities near to residential properties should not give rise to levels of disamenity such as to warrant refusal of this scheme, it is considered appropriate to attach conditions restricting the hours of use.

Whilst the layout of the school and external play areas are indicated on the submitted drawings the final layout and scale will be considered through subsequent reserved matters applications. The submitted drawings indicate that a school building can be adequately accommodated on the site and that there will not be unacceptable impacts on residential amenity.

### Traffic

A resident has concerns that the proposed school will result in an increase in cars dropping off and picking up of pupils on Columbine Street. They also state that it will be inevitable that pupils will be dropped off on Ashton Old Road.

Councillor Swannick has also raised the issue of vehicle access and parents dropping off at the school.

The Head of Highway Services has not raised any concerns at this stage in relation to the likely levels of traffic generated by the proposal or that the indicated vehicular and pedestrian access points are inappropriately located. This section of Ashton Old Road is subject to a series of parking restrictions and the applicant confirms that no access points either vehicular or pedestrian are to be taken from Ashton Old Road. However, the designing and details of highway and pedestrian access to the school will be fully considered at the reserved matters stage.

The closure of Chisholm Street and the indicated vehicular and pedestrian accesses to the school are not considered to give rise to unacceptable impacts

on residential amenity. It is considered that a condition be attached to any approval relating to the production of a Travel Plan for the school with the objective of reducing the impacts of vehicular traffic movements associated with the operation of the school.

#### Closure of footpaths and highways

The application site has a number of formal and informal paths linking residential areas to its south with Ashton Old Road to the north. For security reasons it would not be practical to have routes running through the school grounds. The intention is that those paths will be formally closed along with Chisholm Street at its junction with Ashton Old Road to facilitate development of the site.

The applicant has provided information on alternative pedestrian routes available to residents to the south of the application site. This indicates that reasonably convenient alternative routes are available to residents via the former Stockport Branch Canal to the west and via Lees Street to the east. Both of these alternative routes provide access to Ashton Old Road.

Vehicular traffic using Chisholm Street will gain access to Ashton Old Road via Leamington Street, which will remain open.

The Head of Highway Services has not raised any issues regarding the closure of footpaths or Chisholm Street but has indicated that the applicant consults the relevant footpath societies to discuss the proposals. Comments have been received from the Ramblers Association in relation to the current application. In this instance they believe reasonable alternative pedestrian routes are available via the former Stockport Branch canal for residents in Columbine Street and residents to the west are inconvenienced less. They therefore, do not object to the proposal.

The applicant is aware that separate legislation deals with the formal closure of footpaths and highways and that the granting of planning permission would not negate the need for those procedures to be undertaken.

#### Scale

Whilst the application is in outline only the submitted illustrative massing drawings indicate the likely scale of the school building with maximum heights of the one storey (5 metres) and two storey (8.5 metres) elements. The two-storey element is considered to give a prominent road frontage presence whilst the one storey element of the building provides a reduced presence to existing residential properties. The indicated scale of the building is considered to be acceptable.

No details of the appearance of the school have been submitted, although the accompanying design and access statement states the new school will contribute significantly towards transforming teaching and learning, the raising of pupil attainment and broader achievements. It confirms that the aim for well-designed, sustainable school buildings and that the school will achieve a BREEAM rating of 'Very Good'.

### Trees

The application site contains a number of mature and semi mature trees. A tree survey has been submitted with the application, which has involved the inspection, categorisation and quality assessment of the trees on the site.

As the application is in Outline with all matters reserved it is not known at this stage the number or location of trees that may require removal to facilitate development of the site. The submitted Ecology reports indicate that any loss of trees should be compensated with new proposed tree planting, whilst the retention of existing trees on site is recommended.

Matters relating to landscaping of the site will be considered through future reserved matter applications. Consideration at that stage will also ensure that any trees loss involves the replacement with new trees of a high quality plus an additional 10%, in accordance with guidance contained in the Guide to Development in Manchester Supplementary Planning Document.

### Car Parking

The Design and Access statement accompanying the application indicates that based on the numbers of pupils and staff of the 1 form entry Primary school 21 car parking spaces are to be provided on site. The applicant indicates there is provision on site to increase this by 10 if the school is extended in the future to a 1.5 form entry.

The level of car parking currently indicated is considered adequate.

### Crime

The Greater Manchester Police Architectural Liaison Unit do not object to the new school and believe that the design of the school to ensure crime prevention can be carried through in line with the measures in the supporting Crime Impact Statement. It is considered that a condition be attached to any approval relating to the new school achieving Secure by Design accreditation.

### Noise and Air Quality

A noise Impact Study was submitted with the application in order to determine the currently prevailing noise levels around the development site; and, a preliminary assessment of compliance with statutory indoor ambient noise criteria for school buildings set out in Building Bulletin 93.

The report indicates that noise from Ashton Old Road will be a factor necessitating the school building to be sensitively designed in terms of its layout and design.

The applicant's agent has indicated that the internal layout of the school and mechanical ventilation system will take into account the sites location to mitigate against any potential impacts relating to noise or air quality.

These matters will form part of future reserved matter applications, however it is considered appropriate to attach conditions to any approval relating to acoustic

insulation of the building, glazing and details of the ventilation systems to be incorporated into the building.

### Ecology

A comment from a local resident has raised issues regarding the potential impact of the proposal on wildlife of the site.

Two Ecology reports have been submitted alongside the application. The first, undertaken by the Greater Manchester Ecological Unit, was an ecological assessment of the site to identify potential ecological constraints to development and features of ecological interest on or close to the site. The conclusions of that report confirm the site is not designated for its nature conservation importance or that it is close to any designated sites. It does conclude that the mature broadleaved trees are of some local ecological value but the site is considered to have only low potential to support any protected species and does not support any important habitats. This report suggests that conditions be attached regarding future surveys for protected species and ensuring any site clearance is undertaken outside of the optimum period for bird nesting unless they are shown to be absent.

The second report outlines the results of a Phase 1 Habitat Survey the conclusions are similar to the first report but also indicate that the majority of the trees on site are either too small or do not possess features suitable for roosting bats and that the trees on site provide a strong wildlife corridor within the site and help to link with the former Stockport Branch Canal. It is considered that through the attaching of appropriate conditions enhancements can be made to the biodiversity on the site and the adjacent recreational corridor.

It is not considered that the proposed new school will result in unacceptable impacts on the existing ecology of the site. The submitted Ecology reports indicate opportunities for the development to enhance the ecology of the site through a range of measures including: increasing the levels of tree habitats on the site; planting new hedgerows with native species; provision of wildlife refuge features; and, the incorporation of a living roof or green walls which would have a beneficial effect on local biodiversity.

Again, considerations of these details will form part of future reserved matter applications, however, appropriate conditions are proposed in relation to further details in relation to a landscape buffer to the western side of the site closest to the former Stockport Branch Canal and further survey work in relation to protected species prior to any development commencing on site.

### Design for Access 2

The Design and Access statement submitted with the application indicates that the new Primary School will be compliant with the guidance contained in Manchester City Council Design for Access 2 document.

### Water mains/Sewer Easements

United Utilities have indicated that they will not permit building over the two identified sewers/water mains at the front of the site parallel with Ashton Old Road and the services under Chisholm Street.

The applicant has indicated on the submitted indicative site layout drawings that 6 metre easements can be adequately provided and the site can still accommodate the proposed school. United Utilities have confirmed that an appropriate condition is acceptable to overcome their concerns.

### Regeneration

The aim for the regeneration of East Manchester is to provide a sustainable neighbourhood, which will provide a good quality of life for residents, as such the area needs to provide facilities such as: colleges or training facilities, quality and choice in housing, a safe and pleasant environment, good health, absence of crime, accessible transport, shops and local amenities. New East Manchester Urban Regeneration Company is creating sustainable communities and neighbourhoods in which people choose to live, bring up their children and work.

The provision of a new modern primary school will form an important component in the further regeneration of this part of East Manchester and support the objective of the Regeneration Framework in creating sustainable communities and neighbourhoods. It will replace an ageing primary school that can no longer provide an adequate level or quality of teaching or external space and, provide an important physical presence on Ashton Old Road.

### Other issues

Comments have been made in relation to the potential increase in anti-social behaviour as a result of the proposed school. It is not considered that significant weight can be attached to these concerns. The school will be designed to achieve Secure by Design accreditation and therefore reduce its vulnerability to acts of vandalism or burglary. Issues relating to pupil behaviour are considered to be an issue related to the overall management of the school and not of significant planning weight to warrant refusal of the application.

A resident has raised concern regarding the impact of construction works on neighbouring residential properties. A condition is to be attached to any approval relating to the approval of a scheme for managing construction traffic and the applicant has been advised to contact the Environmental Health (Pollution Control Section) to discuss appropriate working times.

### Conclusion

The proposed new school would deliver significantly improvements in the quality of educational facilities in line with the aspirations of the New East Manchester Strategic Regeneration Framework. The new school is located close to the existing Primary school and its existing catchment area.

The principle of the proposed use on a site located on the edge of Openshaw District Centre is considered to be in accordance with policies EM1, EM2 and

EM16 of the adopted Unitary Development Plan and not give rise to any unacceptable impacts on residential amenity.

The proposed building will result in the loss of amenity space. Following an assessment against the most up to date information relating to the findings of the City Council's Strategic Open space, Sport and Recreation study, this loss is considered to be acceptable and accord with the national guidance contained within PPG17.

**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**

Approve on the basis that the proposal accords with: policies H2.2, E1.5, E2.4, E3.3, E3.4, E3.5, L1.2, EM1, EM2 and EM16 of the adopted Unitary Development Plan for the City of Manchester; guidance contained in the Guide to Development in Manchester SPD; guidance contained in PPS1, PPG17 and PPS25; and, policies DP1, DP2, DP7, DP9 and L1 of the Northwest England Regional Spatial Strategy.

**Conditions and/or Reasons**

1) Applications for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission. The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2) Before the development is commenced, the applicant shall submit detailed plans and particulars to the Council, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters and other matters as are required under condition nos. 3 to 31 of this permission: the access, appearance, landscaping, layout and scale.

Reason - To ensure the satisfactory development of the site and because this application is in outline only, and to ensure that the conditions attached to the consent are complied with for each phase or contract related to the implementation to which they are relevant.

3) Any car parking provided across the site shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied unless otherwise agreed in writing by the City Council as Local Planning Authority. The car park shall then be available at all times whilst the site is occupied and shall not be used for any other purposes other than the parking of vehicles.

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) Full detailed designs of all highways works including works to footpaths, shall be submitted to and approved in writing by the City Council as Local Planning Authority, prior to the hereby approved development commencing. The development shall be implemented in accordance with the approved details, prior to the building being operational, unless otherwise agreed in writing with the local planning authority.

Reason - In the interests of highway safety, pursuant to policy T3.1 of the Unitary Development Plan for the City of Manchester.

5) Details of access proposals to the hereby approved development for mobility impaired persons including route widths, levels and gradients, shall be submitted to and approved in writing by the City Council as the local planning authority before the development commences. The approved details shall be implemented before that part of the development is first brought into use.

Reason - To ensure that satisfactory disabled access is provided by reference to the provisions of the Unitary Development Plan for the City of Manchester and the Disability Discrimination Act 1995. However, in approving the relevant drawings, the City Council as the local planning authority does not hereby give any warranty that the provisions of the Disability Discrimination Act 1995 have been complied with.

6) Prior to the commencement of the development hereby approved, details of a Framework Travel Plan shall be submitted to and approved by the City Council as the Local Planning Authority. Prior to the first occupation of the development hereby approved, a detailed Travel Plan, including particulars of its implementation and monitoring, shall be submitted to and approved by the City Council as the Local Planning Authority. The Travel Plan shall then be implemented and reviewed in accordance with those approved details unless otherwise agreed in writing by the City Council as the Local Planning Authority.

Reason - In accordance with the provisions contained within Planning Policy Guidance 13.

7) No development shall take place until there has been submitted to and approved in writing by the City Council as the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the development is occupied. 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.

8) Before the development hereby approved commences, full details regarding the waste management strategy for the development, namely the refuse storage space for segregated waste collection and recycling and details of all internal and external storage areas, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policy H2.2 of the adopted UDP.

9) No part of the development hereby approved shall be commenced until an acoustic attenuation scheme including particulars of the acoustic glazing and acoustically treated ventilation to be installed as part of the development has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented in full before use of each of the phases of the residential development first commences.

Reason - To protect the amenity of the occupants of the premises once the development hereby approved is occupied, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

10) 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 H2.2 of the Manchester Unitary Development Plan and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance and Planning Policy Statement 1 (PPS1).

11) 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:

Drawings numbers:

AS(04)008 rev A date stamped as received by the local planning authority 10/02/09; AE(04)0001, AS(04)008, SSL:12533:200:1:1 date stamped as received by the local planning authority 6/02/09; Tree Survey 3513.01 date stamped as received by the local planning authority 13.02.2009.

Documents titled:

'Flood Risk Assessment' prepared by Clancy Consulting report ref 8/0367/FRA/JB; 'Varna Street Crime Impact Statement' prepared by GMP ; 'Ground Investigation Report' prepared by Strata Surveys Limited report no. 14469; Environmental Noise Impact Assessment report prepared by ADT 1449/ENIA date stamped as received by the local planning authority on 06.02.2009.

'Manchester BSF Varna Street Primary School Design and Access Statement' prepared by EWA and date stamped as received by the local planning authority 10.02.2009

'Ecological Assessment' prepared by Greater Manchester Ecology Unit', and 'Tree Survey Report' TBA landscape architects date stamped as received by the local planning authority 13.02.2009.

Ecological Assessment prepared by TEP consulting report ref. 1990.001 date stamped as received by the local planning authority 24.04.2009;

'Varna Street Primary School - Outline Planning Application PPG 17 Statement.' date stamped as received by the local planning authority 13.05.2009.

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.

12) No development shall commence until details of the measures to be incorporated into the development 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".

13) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'Very Good'. A post construction review certificate confirming that this rating has been met shall be submitted to and approved in writing by the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development pursuant to policies E1.5 and E1.6 in the Unitary Development Plan for the City

of Manchester, policies DP7 and DP9 of Regional Spatial Strategy for North West England and the principles contained within The Guide to Development in Manchester 2 SPD and Planning Policy Statement 1.

14) No development shall commence on site, including site clearance, until survey for badgers has been submitted to and approved in writing by the City Council as the Local Planning Authority. Such a survey should be undertaken at an appropriate time of year and by a suitably experienced person, the identity of whom has been previously agreed in writing by the City Council. If badgers are found to be using the site or areas close to the site, and are likely to be disturbed by the proposed development, a method statement must be submitted to and approved in writing by the City Council as the Local Planning Authority giving details of how any possible disturbance to badgers is to be mitigated. Once approved, this method statement must be implemented in full. Works likely to affect badgers will need to be licensed by Natural England.

Reason - To protect any species that the site may support, 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 and Planning Policy Statement 9.

15) 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 E3.3, E3.4, E3.5 and H2.2 of the Unitary Development Plan for the City of Manchester.

16) No development shall commence on site until a surface water drainage scheme for the site, based on the preliminary details submitted within the Flood Risk Assessment (Report Ref: 8/0367/FRA/JB, Clancy Consulting January 2009), has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed

development and future occupants pursuant to policy DC21.1 of the Unitary Development Plan for the City of Manchester and Planning Policy Statement 25.

17) Before development commences a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with Policy H2.2; of the Unitary Development Plan for the City of Manchester.

18) If the development hereby approved shall include a building lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn, full details of such a scheme shall be submitted to and approved in writing by the local planning authority before the development commences. The approved scheme shall be implemented in full before the development is first occupied unless otherwise agreed in writing by the local planning authority and shall remain in operation for so long as the development is occupied. If when the lighting units are illuminated they cause undue glare or light spillage to the detriment of adjoining and nearby residential properties, baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of government guidance in Planning Policy Statement 1 and Policies H2.2 and E3.5 of the Unitary Development Plan for the City of Manchester.

19) Before first occupation of the development the building, together with any externally mounted ancillary equipment, shall be acoustically insulated in accordance with a scheme 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 equipment.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan.

20) No activity shall take place on the external sports facilities or pitches outside the of the following hours, unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Saturday 09:00 - 21:00  
Sundays and Bank Holidays 10:00 - 20:00

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Manchester Unitary Development Plan

21) 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.

22) The details of an emergency telephone contact number 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.

23) Construction vehicles entering and leaving the site shall take place in accordance with a Construction Traffic Strategy to be submitted to and agreed in writing by the City Council as local planning authority unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - To protect the amenity of the occupiers of adjacent dwellings, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

24) Prior to the occupation of the hereby approved development a Community Use scheme for the external play facilities shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall include details of pricing policy, hours of use, access by non-school users, management responsibilities and include a mechanism for review. The approved scheme shall be implemented prior to the first use of the development and shall remain in place whilst the use or development is in operation unless otherwise agreed in writing by the local planning authority.

Reason - To secure well managed safe community access to sports facilities, to ensure benefit to the development of sport pursuant to policies L1.1 and L1.2 of the Unitary Development Plan for the City of Manchester and policy L1 of the Regional Spatial Strategy for the North West.

25) No part of the development hereby permitted shall commence until fully detailed cross section plans of the existing and proposed external ground levels have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved details, unless otherwise agreed with the City Council as the Local Planning Authority.

Reason - To ensure that a satisfactory development is carried out, in accordance with policy H2.2 of the Unitary Development Plan for the City of Manchester.

26) 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 the 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 E1.3 of the Unitary Development Plan for the City of Manchester.

27) All tree work carried out during the construction of the development hereby approved should be carried out 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.

28) 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 City Council as the Local Planning Authority, which

should include a plan indicating the protective fencing line and full specification details of that protective fencing. This should include correctly calculated construction exclusion zones, proposals for protection barriers and ground protection measures, engineering construction details where foundations, driveways 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 City Council as 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 and Planning Policy Statement 9.

29) No trees shall be felled, or have any works undertaken on them, during the bird nesting season (March to July inclusive), unless otherwise agreed in writing 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 and Planning Policy Statement 9.

30) No development shall commence until a scheme is submitted to and agreed in writing by the City Council as Local Planning Authority to address the presence of principal sewers/water mains on the site. The approved scheme shall include details indicating adequate access arrangements to the sewers. The development shall be completed in accordance with the approved scheme unless otherwise agreed in writing with the City Council as the Local Planning Authority.

Reason

To ensure the satisfactory development of the site.

31) No development shall commence until detailed designs for a landscaping buffer between the western edge of the site and the adjacent former Stockport Branch Canal are submitted to and agreed in writing by the City Council as Local Planning Authority.

Reason - In order to enhance the biodiversity of the site and the adjacent former Stockport Branch Canal pursuant to policy E3.4 of the adopted Unitary Development Plan for the City of Manchester and Planning Policy Statement 9.

### **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: 088963/OO/2009/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:**

GMPTE

Engineering Services

Environmental Health

Contaminated Land Section

Environment & Operations (Trees)

Environment & Operations (Highway Authority)

Greater Manchester Ecology Unit

United Utilities Water PLC

Peak & Northern Footpaths Society

The Ramblers Association

New East Manchester

Environment Agency

Greater Manchester Police

Numbers 7,9,11,13,15, 17,25 Brock Close, Manchester, M11 1ED

2,4,6,8,10, 12 Ettrick Close, Manchester, M11 1FN

19,21,23 Brock Close, Manchester, M11 1ED

1135 Ashton Old Road, Manchester, M11 1BU

Numbers 12,14,16,18,20,22,24,26,28,30 Sandywell Close, Manchester, M11 1EF

1123 Ashton Old Road, Manchester, M11 1AA

Numbers 6,8,10 Sandywell Close, Manchester, M11 1EF

Numbers 2,4,6 Southsea Street, Manchester, M11 1FE

Manchester Windows & Conservatory Centre, 1121 Ashton Old Road, Manchester, M11 1AA

Matalan Retail Ltd, Ashton Old Road, Manchester, M11 2NN

Manchester Slate (builders Merchants) Ltd, 1119 Ashton Old Road, Manchester, M11 1AA

United Carpets, 1119 Ashton Old Road, Manchester, M11 1AA

Aldi Foodstore Ltd, 1033-1047, Ashton Old Road, Manchester, M11 2NN

6 Stanley Street, Manchester, M11 1LU

Numbers 7,9,11,13 Kelmarsh Close, Manchester, M11 1NL

HSS Hire Group Plc, 1210 Ashton Old Road, Manchester, M11 1ND

Numbers 15, 50,52,54,56 Lees Street, Manchester, M11 1NW

Numbers 2,4 Stanley Street, Manchester, M11 1LU

1st Openshaw Scout Group, Dorman Street, Manchester, M11 1NY

Numbers 1,3,5 Kelmarsh Close, Manchester, M11 1NL

Flats 7, 22, 30, 27,9,5,14,20,1,23,16,12,6, 11,2,10, 3,19,4,26,8, 24, 17, 13 Lily

Thomas Court, 33 Botha Close, Manchester, M11 2LB

Cost Cutter Supermarket, 1170 Ashton Old Road, Manchester, M11 2NG

Gavin Edmonson Solicitors, 4 Lees Street, Manchester, M11 1WH

Numbers

4,16,18,20,22,24,39,41,43,45,47,10,13,15,17,19,21,23,25,27,29,31,33,35,37

Chisholm Street, Manchester, M11 2LF

Numbers 2, 9, 10,11,12 Lees Street, Manchester, M11 1WH

Numbers 25,27,29,31 Botha Close, Manchester, M11 2LH

Numbers 5, 7,9,11,13,15,17, 19 Stoneygate Walk, Manchester, M11 2LL

Numbers 1,3,5,7,9,11,13,15,17,19 Columbine Street, Manchester, M11 2LD

Numbers 1,3,5,7,9, 11,13,15,17,19,21 Weaver Walk, Manchester, M11 2LG

Numbers 2,4,6,8,12 Chisholm Street, Manchester, M11 2LE

Numbers 12,13,14,16, 18,20,22,24,26,28,30,32,34,36,38, 40,42,44,46,48 Lees Street, Manchester, M11 1WH

Lanehall Engineering, Unit 1, Cornwall Street Industrial Estate, Manchester, M11 2WL  
Superior Plant Sales Services Ltd, Unit 2-3, Cornwall Street Industrial Estate, Manchester, M11 2WL  
Robert Lebrick & Co, Unit 1, 7 Cornwall Street, Manchester, M11 2WQ  
E Clegg Scaffolding, Unit 6-7, Cornwall Street Industrial Estate, Manchester, M11 2WL  
C H Sausage Co Ltd, Unit 9, Cornwall Street Industrial Estate, Manchester, M11 2WL  
Safescaff Uk, Unit 8, Cornwall Street Industrial Estate, Manchester, M11 2WL  
Flat Numbers 15,18,21,25,28,29 Lily Thomas Court, 33 Botha Close, Manchester, M11 2LB  
140 Ogden Lane, Manchester, M11 2LZ  
Highbank Inn, 138 Ogden Lane, Manchester, M11 2LZ  
120 Ogden Lane, Manchester, M11 1NG  
Unit 20, Cornwall Street Industrial Estate, Manchester, M11 2WL  
18 Cornwall Street, Manchester, M11 2PS  
Jobcentre Plus, Cornwall Street, Manchester, M11 2WR  
Bear & Balloon Co, Unit 1, Smithfield Enterprise Estate Whitworth Street East, Manchester, M11 2NQ  
E M Brennan Ltd, Cornwall Street, Manchester, M11 2NR  
Numbers 1,3,5,7,9,11,13,15,17,19,21,23 Botha Close, Manchester, M11 2LH  
Alpha Gary, Columbine Street, Manchester, M11 2LD  
Numbers 1,3 Stoneygate Walk, Manchester, M11 2LL  
Varcol Electrical Services Ltd, Cornwall Street, Manchester, M11 2WQ

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

GMPTE  
Head of Highway Services  
Head of Regulatory and Enforcement Services (Environmental Health)  
Head of Regulatory and Enforcement Services (Contaminated Land Section)  
The Ramblers Association  
New East Manchester  
Environment Agency  
United Utilities  
Greater Manchester Police  
Greater Manchester Ecology Unit  
Councillor Swannick  
19 Columbine Street  
11 Stoneygate Walk

**Relevant Contact Officer :** Robert Griffin  
**Telephone number :** 0161 234 4527  
**Email :** r.griffin@manchester.gov.uk