

Application Number	Date of Appln	Committee Date	Ward
089532/FO/2009/N2	30th Mar 2009	10th Sep 2009	Levenshulme Ward
Proposal	Erection of a terrace of 3 x three storey dwellinghouses with hardstanding car parking spaces to each dwelling following the demolition of existing pair of semi - detached houses		
Location	1-3 Windsor Road, Levenshulme, Manchester, M19 2FA,		
Applicant	Mr Ben Townsend , Great Places Housing Association, 729 Princess Road, Manchester, Lancashire, M20 2LT,		
Agent	Mr Chris Blake, Croft Goode Limited, 11 Progress Business Park, Orders Lane, Kirkham, Lancashire, PR4 2TZ,		

Description

This application was deferred from a meeting of the Planning and Highways Committee on 10 September 2009 for a site visit to take place.

The City Council has an interest in this site as land owner. Members are reminded that in considering the application, they are discharging their responsibility as Local Planning Authority and must disregard the City Council ownership interest.

Site

The application relates to a site currently occupied by a pair of derelict late nineteenth century / early twentieth century semi-detached large dwelling houses. They are situated within their own grounds on the corner of a suburban residential street in Levenshulme.

The character and appearance of the building is commensurate with the surroundings, which is characterised predominantly by large Victorian and Edwardian-era family dwellings. These buildings are between two and four storeys in height and situated within their own gardens. Some are semi-detached and there is a small number of 'short terraces' of three large dwellings in a row. Some of the houses in this area appear to have been converted to flats or houses in multiple occupation (HMOs).

The external appearance of the existing building is characteristic of the local architectural vernacular. The dwellings are of two storey construction to the main Windsor Road elevation, and incorporate three storeys to the rear elevation and the side elevation facing Buckhurst Road. The building is in a state of significant disrepair and dereliction, and the grounds are overgrown.

While the building appears to have been built as a pair of large family dwellings, it is understood that one half of the pair (no. 1 Windsor Road) was divided into flats prior to becoming derelict approximately thirteen years ago. It is understood that no. 3 Windsor Road continued in use as a single dwelling until approximately 2005.

Having established that both properties were unfit for habitation, that no. 1 Windsor Road was in a state of severe disrepair and structurally unsound, and that one half of the pair could not be demolished without the other, the site was subject to a Compulsory Purchase Order by Manchester City Council in 2005 with a view to clearance. The site continues to represent a blight on the residential area, presenting public safety, crime and health issues.

The building is not situated within a conservation area, and is not listed for its historic or architectural merit. There is therefore no statutory control over its demolition from a planning point of view.

Proposal

The proposal is for the erection of a short terrace of three large family dwellings, on the site of the existing building, following its demolition. The building would be of three storey construction, but would be of the same approximate height as the existing building on the site. It would also be built on the same approximate footprint as the existing building.

The building would be situated within its own grounds, forming private landscaped gardens to the front and rear of each dwelling respectively. One off-street car parking space would be provided per dwelling, in the form a private driveway in each garden.

Each dwelling would incorporate five bedrooms.

The proposal is designed to meet Lifetimes Homes standards, level 3 of the Code for Sustainable Homes and the City Council's Design for Access 2 standards.

Consultations

Local residents and local businesses

Local residents were notified of the application by letter and re-notified of revised plans when significant revisions were received. Site notices were posted on 29 April 2009 and 14 August 2009, and an advertisement was placed in the Manchester Evening News on 28 April 2009, as a development of public interest.

Addresses notified are listed at the end of the report.

Over 100 written objections have been received, from immediate neighbours to the site and from residents in the local area. This number includes letters from previous objectors who have responded a second or third time following re-notification of revised plans. One letter of support has been received from a local resident.

The objections raised are summarised as follows, and are addressed in the issues section of the report below.

Effect on neighbouring occupiers

- The proposed building is close to neighbouring buildings and will have a consequent detrimental effect on neighbouring occupiers;
- There would be a detrimental effect on privacy to surrounding dwellings (to front, side and rear). The proposed 3 storey height is unacceptable. There would be no screening from trees and the development would introduce windows to face the houses at the opposite side of Buckhurst Road;
- There would be an increase in window area and number of windows to the rear, as well as second floor windows, which will lead to a loss of privacy to those dwellings behind the site including 11 Buckhurst Road and 4-8 Osborne Road;
- At present rear of 11 Buckhurst Road and properties on Osborne Road are extremely quiet, almost rural in setting. The proposal would threaten the peace and quiet due to the number of residents;
- The building would be visually dominant towards nearby occupiers.

Character and appearance

Detailed design is not in keeping with the local Victorian and Edwardian-era vernacular; modern buildings are inappropriate, and will harm the desirability of the area; the existing eyesore is not grounds to accept inferior quality development; the use of render and monopitch roofs are inappropriate (these are now deleted); use of glazed brickwork is out of character; there is insufficient reference in the proposed design to the existing buildings on site, to the neighbouring building at 5-7 Windsor Road or to the local area; the development should be of traditional design in keeping with surroundings and conservation area; the plan layout does not respect existing building lines; the rear elevation is of inferior quality to the front elevation and will harm the visual amenities of Buckhurst Road. Its plain appearance is not commensurate with its prominence – low-level planting attempts to hide this view and fails; the existing front elevation (façade) should be retained in order to adequately acknowledge the Victorian character of the surroundings; the existing building should be restored, or rebuilt as two four-bed semi-detached dwelling houses; there would be insufficient garden space for occupiers; the semi-rural feel of the area should be maintained; the building would be closer to the road than existing and therefore harm visual amenities; the building footprint would be a lot bigger than existing, out of keeping with locale; the site surroundings should also be a conservation area, the proposal would undermine this objective; the proposed fenestration makes the houses look like flats (this has now been addressed); the area's value is in its Victorian heritage and the proposal would undermine this; the proposed three storeys would be in keeping with prevailing local vernacular; other parts of south Manchester have benefited from refurbishment, this site should too; insufficient care has been taken to reduce the visual impact of the second floor.

The development would be out of character with surroundings, overlooks conservation area and will harm its qualities; despite proximity to Rushford Park conservation area, no attention paid to existing Victorian and Edwardian

architecture; the building would be imposing at entrance to conservation area and at odds with its character due to modern design; contextual street scene views of the rear should be shown.

Highway safety

- The provision of one off-street car parking space per large family (potentially eight occupiers) would lead to consequent on-street car parking;
- On-street car parking and the tight corner make the road a single lane;
- Already car parking congestion has made the pavements impassable;
- The existing road is narrow and on a notoriously busy 'blind' corner. It is already a danger to drivers, pedestrians, cyclists, buggy users, the elderly, children and disabled/partially-sighted users due to on-street and inconsiderate car parking. The demand resulting from the development would worsen this situation meaning that children would have to walk in the road to get to school;
- Inconsiderate parking has already lead to fire crews being unable to pass, the development would worsen the parking situation and put lives at risk;
- The proposed driveways would result in vehicles manoeuvring in the street, increasing the danger close to the sharp corner where cars speed in;
- No consideration has been made for visitor car parking, there is no room for car parking on both sides of the street;
- The proposed high density would lead to demand for deliveries etc, causing road congestion;
- A residents' permit system and/or double yellow lines could ameliorate the potential effects of limited off-street car parking;
- An accident on 25 July 2009, in which a car took the corner too fast and damaged a wall opposite the site, is proof of the danger;
- The developer has failed to consider this dangerous corner in the plans, the proposal could lead to a fatality. The existing tight bend should be removed by the developer;
- The street is used as a rat-run and therefore dangerous;
- Car parking is already a problem in the area due to the proximity of Levenshulme railway station;
- No measures have been included in the proposal to alleviate existing problems of speeding and inconsiderate parking;
- The Council has done nothing to prevent commuter parking or use of the street as a rat run;
- On-street car parking prevents street sweeping;
- Traffic calming elsewhere has increased traffic on Buckhurst Road;
- The number of wheelie bins resulting from the development would make the pavement more difficult to negotiate.

Loss of trees

- Amenity and health value of existing trees mean they should be retained;
- Trees have positive effect on character of street and should not be lost;

- There should not be a loss of trees, whatever their quality;
- Trees baffle noise from the railway.

Densities

- Over-population of the space (number of occupiers);
- Proposed density (up to 8 persons each) is in excess of surrounding houses, and far in excess of existing houses which are two four-beds;
- Inappropriate to replace two houses on the plot with three;
- Other 'short-terraces' are not of this density;
- The site would be overcrowded;
- Unlikely that family accommodation would be such high density;
- A massive increase in living density;
- Developer is pursuing the highest possible permitted living density on the site, the social cost of this would be too high in terms of the matters raised (noise, highway safety etc);
- Unwise to locate three large families in such high density, could lead to social behaviour issues and noise/nuisance to neighbours;
- At least fifteen occupiers on the site which is currently empty, and up to 25. The existing houses may accommodate 10 people on the same site;
- The proposed densities are a matter of greed;
- High densities will lead to infestations.

Quality of accommodation

- Houses show communal room sizes that are too small for the number of bedrooms;
- Future accessibility adaptation measures could reduce already limited social space.

Litter

- Spikes on railings will encourage littering;
- Multi-occupancy dwellings will lead to more litter.

Regeneration

- Existing building brings the area down, is dangerous and makes the area look like a 'slum', but redevelopment plans could be a 'fob off' to residents;
- Site should be turned into a green area;
- Proposals show architect has not considered values of and aspirations of residents for the area;
- Objectors would like to see the site developed, but not in the way proposed;
- There are already too many multi-occupancy rented dwellings in the area including HMOs and flats;
- Proposal would create a social housing 'ghetto';

- Two family homes should not be replaced by three smaller properties as proposed;
- New build should be a radical eco-house to showcase sustainable buildings;
- Area does not need more rented property, current stock leads to antisocial behaviour;
- Existing building should be renovated – viable but more costly – in the interests of local heritage and quality of life;
- Social housing will cause crime and anti-social behaviour, the police cannot keep up;
- Levenshulme is already overcrowded;
- Proposal will make it a less desirable place to bring up children and established residents will leave;
- Large families are more likely to cause social problems;
- The housing proposed will not attract stable family groups;
- Want to see the site redeveloped, but not at any cost to the community and neighbouring occupiers;
- The proposal would harm the value of existing houses in the local area.

Management by Great Places Housing Association

- Problems of anti-social behaviour alleged relating to 5-7 Windsor Road, which is owned by the applicant;
- Occupiers would be transient and unlikely to care for surrounding community;
- GPHG has not addressed residents' concerns by only changing the external appearance of the development in the revised drawings;
- Good quality social housing should be proposed, not just meeting minimum guidelines;
- What guarantees are there that the dwellings might not be disposed to private hands and turned to flats or HMOs?

Application process

- Why is the application being dealt with by north area team when the site is in south Manchester;
- Applicants' ownership of 5-7 Windsor Road should have been shown on the plans;
- Revised drawings have not addressed the objections raised including the public meeting, changes are only cosmetic;
- Reduction in dwellings might reduce receipt to Council, this would be a cost worth paying;
- City Council should not be considering the revised proposals.

Amenities

- Sewerage system would be strained;
- Education and healthcare resources in the area are already over-subscribed, with insufficient school and GP places;

- The proposal will worsen demand for places, and is not sustainable as children have to go to school in Openshaw, this is contrary to policies;
- Nearby health centre site is unsuitable;
- Manchester City Council must demonstrate suitable health and education provision.

Ecology

- Driveways should be of porous materials in accordance with best practice;
- Planting should encourage wildlife including owls and bats;
- Development will remove roosting for bats and birds;
- Loss of trees will harm ecology.

Matters raised at the public meeting organised by objectors and held at Levenshulme Catholic Club on 20 July 2009

Over 85 people attended the meeting, and four motions were passed by those attending as follows:

1. This meeting recognises that on July 9 2009 the original architectural design proposed for this site was superseded by a traditional architectural design which is more 'in keeping' with the ambiance of the overall area. However, this meeting feels that, regardless of the aesthetic considerations shown by the developer; the addition of an increased population of 24 people creates new hazards on this already dangerous, blind 90 degree, corner of Buckhurst Road and Windsor Road.
2. This meeting supports the very real concerns of the four adjacent properties to the proposed new build (11 Buckhurst Road plus 4, 6 and 8 Osborne Road and 5 Windsor Road). These five households will suffer a loss of 'privacy' and experience a significant reduction in their living standards.
3. This meeting calls on Manchester City Council to recognise that the relatively recent increase in the number of cars parked on Buckhurst Road due to an increase in the population and lack of enough off-road car parking spaces is already causing increased difficulty for the community services such as refuse collection, fire and ambulance. This meeting also calls on Manchester City Council to further recognise and agree that the proposed development of 1 and 3 Windsor Road and resultant inevitable increase in population will substantially add to these difficulties.
4. This meeting considers that the social and community costs of developing three (3) houses on this site to be too high. However the development of two (2) houses on this site replacing 'like for like' in terms of population could be considered more favourably by the residents association.

Further representations have been received following initial publication of the report from the Head of Planning to the Planning and Highways Committee of 10 September 2009. These are listed below:

Additional representations have been received from local residents. They have raised the following concerns:

1. The report to Planning and Highways Committee is a farce and whitewash:

The application has been assessed in light of the policies contained within the development plan, and Central Government Guidance. It is considered that the proposals meet these policies and the relevant guidance.

2. The planners have completely ignored the 100+ objections to the proposed development:

All objections have been taken into account in making a recommendation on the application. Further to the matters raised, revised plans have been sought where appropriate and received.

3. The people who have decided this are not from the community affected:

The application has been assessed in light of the policies contained within the development plan, including the Unitary Development Plan for the City of Manchester (adopted 1995) on a basis consistent with development control in the City.

4. Manchester City Council wants to rid themselves of the embarrassment of owning the site and the proposal has been designed to maximise profits:

The local planning authority has been approached by the applicant to determine an application for planning permission. Material considerations include the policies of the development plan and representations received. In light of these considerations the proposals have been found acceptable.

5. Views of residents in the local community are not a significant consideration in the planning process:

All objections received have been fully taken into account.

6. The accidents due to people speeding in the area and crashing on this particular bend are being ignored:

The proposal has been fully considered by the Head of Engineering.

7. The Council does not enforce its policies in relation to conservation areas:

The site is not located within a conservation area.

8. How can the Council can decide about a plan which, if approved, would determine the sale of its own land. The development is an opportunity for the Council to make money and the approval seems like a blatant conflict of interest:

The principal concern of the local planning authority is the effect of the development on the character and quality of the residential environment and highway safety. Members are reminded above that in considering the application, they are discharging their responsibility as Local Planning Authority and must disregard the City Council ownership interest.

9. If 100 objections were received in Didsbury or Chorlton would there be same outcome:

The application has been assessed on a consistent basis in light of the local and city-wide policies contained within the development plan.

Councillor Keith Whitmore -

Notes that there was an extremely well attended public meeting which took place last month, at which the residents passed a series of resolutions unanimously agreeing that the application should be refused because of the height of the proposed building and traffic problems which may be created at the junction of Windsor Road and also at Buckhurst Road.

Also expresses concern with regards to the control of tenants who are already at addresses in Windsor Road on the adjacent site, owned by the applicant. It certainly would appear to be the case that there is poor management with regards to the behaviour of these tenants who have constantly been a source of nuisance and have caused difficulties in the area. These matters have been raised with the housing association, but there appears to have been little action taken to solve these problems or to enter a proper dialogue with residents.

Also notes that there has been a dispute as to how a consultation exercise should be undertaken. As far as the housing association was concerned they did not wish to hold a public meeting, they wanted to hold a series of focus groups through a drop in centre. Residents and the councillor took the very strong view that because of the strong concern over this development there should be a proper public meeting, which happened.

Concerned that approval could go ahead on this application even though it has no support from the local community, and feels that a refusal would be appropriate.

Chair of Levenshulme Community Association -

Objections to the scale of the proposed development have been ignored.

Manchester City Council bear a risk that if the planning application was not successful, they would retain the liability of the land and buildings or that they may have to sell at a lower price than anticipated. Concern has been expressed that the Planning Authority might be pressured to approve the application in order that the City Council will not to make a financial loss.

The recommendation represents a lack of democratic accountability.

Approval of this application could jeopardise the tentative and slow regeneration that has been happening in this part of Levenshulme in recent years.

Consultees

Greater Manchester Police Design for Security team –

Amendments were requested in relation to Secured by Design standards. These have been incorporated into revised plans.

Head of Regulatory and Enforcement Services (Public Protection) –

Advises that a condition should be attached to any approval to require details of noise insulation measures.

Head of Regulatory and Enforcement Services (Contaminated Land) –

Advises that a condition should be attached to any approval to require details of land remediation strategy and verification report.

Environment & Operations (Trees) –

Have no objection to the removal of the trees on site, as they are of low quality, and concurs with applicant's assessment of the existing trees.

South Manchester Regeneration –

South Manchester Regeneration Team advise that they support the planning application for the following reasons:

The South Manchester Strategic Regeneration Framework (SRF) 'Delivering Popular Neighbourhoods' chapter focuses on achieving a sustainable housing market through the development of family housing and a limit on further development of apartments and HMO's. In the proposed area they would discourage the development of apartments and HMO's and encourage further family housing.

In the SRF, Levenshulme is highlighted as a ward containing fewer properties for social rent compared to other areas of South Manchester. The recently published State of the Wards report shows that the average waiting time for family housing on the social housing register in the Levenshulme area is between 42 and 56 months, amongst the highest in the city.

Objective 2 within this chapter is to 'deliver high quality, sustainable new housing developments that will meet the needs of the existing and future population of South Manchester'. The proposed developer is a lead RSL in South Manchester and has a strong track record for the development of high quality, well managed housing.

Head of Engineering Services –

The proposal complies with the usual requirement, even for large houses, of one off-street car parking space per dwelling;
There is enough street space to accommodate cars required for visitors;
Reversing in or out isn't an issue unless it's particularly difficult. Very few driveways have turning facilities;
Rat run issues would be affected only very marginally;
The carriageway widths are 5.5m which is considered enough so that drivers do not have to park on the footway. This is a standard width in new developments;
The bend has a tight radius, but given the above, refuse and fire vehicles should still be able to get through;
Bins seem to have been located within the pedestrian visibility splays;
Vegetation within the visibility splays should not be higher than 0.6m;
Regarding safety at the bend, it represents a traffic calming feature in itself with speeds of only 8-10 mph expected. Easing or straightening out the corner might raise the speeds possible;
This is not considered to be a blind bend as the footway width provides appropriate forward visibility;
Amendments sought relating to proposed boundary hedge and visibility splays have been received.

Greater Manchester Ecology Unit (GMEU) –

Recommend that proposed measures in the submitted Bat Survey Report be implemented via a condition attached to any permission if granted. There are no known other ecological issues associated with the determination of this application.
The comments relating to the previous plans are not altered by the revised plans, and providing that the same condition as was previously recommended is attached to any determination of the application GMEU are satisfied that the proposal can be forwarded for determination.

Director of Housing –

This scheme originally received Housing Corporation National Affordable Homes Programme funding for 9 shared ownership flats, but issues with the market and planning/car parking, led to the scheme being resubmitted as 3 large family homes for social rent.

The build of fewer houses on the site would not have made the scheme viable for Great Places Housing Group (GPHG) to develop, as grant rates would not have been sufficient.

GPHG can only sell on to another Registered Social Landlord, not to a private developer, as the Housing Corporation are funding the development for social rent.

With regard to the size and number of houses, as there is very little social housing in this part of Levenshulme, pepper-potting would not be considered for such a small number of socially-rented homes.

Policies

Central Government Guidance contained within PPS1 'Delivering Sustainable Development'

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 development by making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life and ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community. New development should incorporate high quality and inclusive design. Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted. Development plans should promote development that creates socially inclusive communities, including suitable mixes of housing. Promote the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings.

Community involvement is vitally important to planning and the achievement of sustainable development. Local communities should be given the opportunity to participate fully in the process for drawing up specific plans or policies and to be consulted on proposals for development.

It is considered that the proposal would accord to the guidance set out in PPS1.

Central Government Guidance contained within PPS3 'Housing'

PPS3 seeks to provide everyone with the opportunity of living in a decent home, which they can afford, in a community where they want to live. In order to do this: provide a wide choice of high quality homes, both affordable and market housing, to address the requirements of the community; create sustainable, inclusive, mixed communities. Creating places, streets and spaces which meet the needs of people, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity and maintain and improve local character. Promote designs and layouts which make efficient and effective use of land. Local planning authorities should seek to achieve a mix of housing, in order to meet the needs of the community.

Local Planning Authorities may wish to set out a range of densities across the plan area rather than one broad density range although 30 dwellings per hectare (dph) net should be used as a national indicative minimum to guide policy development and decision-making, until local density policies are in place.

Careful attention to design is particularly important where the chosen local strategy involves intensification of the existing urban fabric. More intensive development is not always appropriate. However, when well designed and built in the right location, it can enhance the character and quality of an area. Successful intensification need not mean high rise development or low quality accommodation with inappropriate space.

The density of existing development should not dictate that of new housing by

stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.

It is considered that the proposal would satisfactorily accord to the guidance set out in PPS3.

Central Government Guidance contained within PPG13 'Transport'

PPG13 seeks to promote more sustainable transport choices and reduce the need to travel, especially by car. Local planning authorities should: accommodate housing principally within existing urban areas, planning for increased intensity of development for both housing and other uses at locations which are highly accessible by public transport, walking and cycling; use parking policies, alongside other planning and transport measures, to promote sustainable transport choices and reduce reliance on the car for work and other journeys; ensure that the needs of disabled people as pedestrians, public transport users and motorists are taken into account in the design of individual developments; consider how best to reduce crime and the fear of crime, and seek by the design and layout of developments and areas, to secure community safety and road safety.

It is considered that the proposal would meet the requirements of PPG13.

Regional Spatial Strategy for the North West to 2021

Relevant policies include DP1, DP2, DP4, DP5, DP7, DP9 and L5.

It is considered that the proposal would accord appropriately to these policies.

Policy MCR1 - Manchester City Region Priorities

Local planning authorities should accommodate housing development in locations that are accessible by public transport to areas of economic growth. A high level of residential development will be encouraged in the inner areas to secure a significant increase in the population of these areas; provide high quality housing to replace obsolete stock and where appropriate refurbish existing properties, to meet the needs of existing residents, and attract and retain new population in order to support economic growth.

The proposal would accord to MCR1.

Policy MCR2 - Regional Centre and Inner Areas of Manchester City Region

Residential development should be focused in the inner areas adjacent to the Regional Centre in order to secure a significant increase in their population, to support major regeneration activity including the Manchester-Salford Housing Market Renewal Pathfinder, and to secure the improvement of community facilities and the creation of sustainable communities. The emphasis will be on providing a good range of quality housing, in terms of size, type, tenure and affordability, with a high quality environment and accessible local facilities and employment opportunities.

The proposal would accord to MCR2.

Unitary Development Plan for the City of Manchester (adopted 1995) (UDP)

All of the UDP policies listed below are saved by the Secretary of State on 27 September 2007, until the UDP is replaced by the Core Strategy.

Part 1 policies

H1.2 The Council wishes to ensure that the housing stock contains a wide enough 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: a) accommodation for 1 & 2 person households including units suitable for elderly people; b) accommodation for larger households (6+) including units suitable to meet the needs of ethnic minorities with extended families; c) low cost housing for sale or rent; d) properties for sale in the higher price range; e) accommodation specifically designed for disabled people.

It is considered that the proposal would meet the requirements and aspirations of this policy.

H2.2 The Council will not allow development which will have an unacceptable impact on residential areas. The matters which the Council will consider in coming to such decisions will include the scale and appearance of the development and its impact in terms of noise, vibration, traffic generation, road safety and air pollution.

It is considered that the proposal would meet policy H2.2.

H2.3 The Council will require new housing schemes involving the construction of new roads to incorporate appropriate traffic calming measures.

As the development does not include new highways, traffic calming measures are not required pursuant to this policy.

H2.7 New housing schemes will be expected to be of a high standard of design and make a positive contribution towards improving the City's environment. They should not create areas of incidental open space outside the curtilage of dwellings unless there are proper and enduring arrangements for its maintenance.

It is considered that the development would meet policy H2.7 satisfactorily.

E2.4 The Council will ensure that the effects upon wildlife are taken fully into account when considering development proposals. Furthermore, should development be allowed, the Council will seek to protect existing features of ecological value, such as ponds and hedges, by requiring them to be incorporated into the development wherever this is possible. The Council will also encourage developers to create new features which will sustain wildlife.

It is considered that matters of ecology have been appropriately considered in the proposal and as such the requirements of this policy have been met.

E2.6 The Council will prevent wherever possible the loss of existing trees and, in addition, will encourage extensive broadleaved tree planting schemes

especially as a means to enhance informal recreational areas and to improve the appearance of built up areas.

The development would meet the requirements of policy E2.6.

E2.7 The Council wishes to ensure that buildings and areas of special architectural or historic interest are retained, maintained and, where necessary, restored. It will seek to preserve and enhance the setting of such buildings and areas by appropriate control over the design of new development in their vicinity, control over the use of adjacent land and, where appropriate, by the preservation of trees and landscape features.

The proposed development would accord appropriately to policy E2.7.

E3.1 The reclamation of derelict land will be encouraged with a view to its early reuse for economic uses or for open space. Appropriate uses would include recreation and community forest. The Council will seek to protect features of ecological interest where sites are reclaimed and, where possible, introduce locally native species in landscaping schemes. Where permanent development is not imminent the Council will encourage the provision of easily maintained temporary landscaping.

The proposal would meet policy E3.1.

E3.2 The Council will reduce the problem of derelict small sites, including derelict buildings, where shape and location would discourage proper maintenance for open space, by encouraging redevelopment.

The proposal would meet policy E3.2.

E3.5 The Council will promote measures which will lead to a safer environment for all people living in and using the City.

The proposal would accord with policy E3.5.

Part 2 policies

LL1 In deciding its attitude to proposals within Longsight and Levenshulme, the Council will have regard to the general policies in Part 1 of the Plan in order to:

- a) improve the quality and range of housing to meet the needs of the local community;
- b) improve the quality of the local environment;
- c) improve the quality and promote the use of open spaces and recreational facilities for leisure use;
- d) reduce the amount of through traffic passing through residential areas so as to improve safety and quality of environment;
- e) provide an efficient transport system, improving access to job opportunities, shopping and leisure facilities and open spaces.

The proposal would meet the requirements of policy LL1.

DC7 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. All new developments containing family homes will be expected to be designed so as to be safe areas within

which children can play and, where appropriate, the Council will also expect play facilities to be provided.

It is considered that the development would accord with policy DC7 in the provision of appropriate accessibility and useable outdoor space.

DC18 The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering issues including the following: Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

It is considered that the proposal would accord to the requirements of this policy.

Guide to Development in Manchester 2

Recognises the importance of an area's character in setting the context for new development; New development should add to and enhance the area's distinct sense of place; Each new development should be designed having full regard to its context and the character of the area; Seeks to ensure high quality development through good and inclusive design; Buildings should front onto streets; Site boundaries and treatment should contribute to the street scene; There should be a clear definition between public and private space; The impact of car parking areas should be minimised; New developments will be expected to meet designing out crime principles; The impact of development on the global environment should be reduced.

The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings.

The proposal would satisfactorily meet the requirements and guidance set out in the Supplementary Planning Document 'Guide to Development in Manchester 2'.

South Manchester Strategic Regeneration Framework (SRF)

The South Manchester SRF focuses on achieving a sustainable housing market through the development of family housing and a limit on further development of apartments and HMOs in the area. Levenshulme is highlighted as a ward containing fewer properties for social rent compared to other areas of South Manchester. The recently published State of the Wards report shows that the average waiting time for family housing on the social housing register in the Levenshulme area is between 42 and 56 months, amongst the highest in the city. An objective of the SRF is to deliver high quality, sustainable new housing developments that will meet the needs of the existing and future population of South Manchester.

Issues

Principle of development

The site is currently occupied by a pair of semi-detached dwelling houses. The principle of residential use is therefore already established. There is no statutory protection of the existing buildings from demolition, as they are neither listed for their architectural or historic interest, or located in a conservation area.

Therefore a proposal for a new residential building on the site is considered acceptable in principle, but subject to detail as will be considered further below.

The proposal represents an efficient use of land. The density created by three proposed dwellings on the site would be slightly higher than the national minimum indicative density as noted in PPS3. Whether the proposed density is appropriate to the site and its context, however, is considered in more detail below.

The site is within an existing built-up area, and in close proximity to public transport connections including bus routes and Levenshulme railway station. The location is therefore considered suitable for residential development, from a point of view of general accessibility and sustainable travel.

A proposal for single family dwellings is considered appropriate in principle with respect to the character of the area, as its primary characteristic is of larger family dwellings. The existing buildings on the site were built as a pair of large family dwellings, however it is understood that 1 Windsor Road was once divided into flats before falling into disrepair.

Neighbour amenities

Overlooking

The site is within a neighbourhood of close-knit buildings, comprising between two and four storeys (including accommodation in the roof space with dormer windows).

The main body of the existing building on site is three storeys in height (in terms of window arrangement) at the rear and Buckhurst Road elevations, and the rear outriggers are two storeys in height. The overall height in metres of the proposed building is marginally below that of the main body of the existing building, at both eaves and roof ridge levels.

The main body of the existing building is situated approximately 16.5m from the rear boundary of the site, which borders the rear gardens of 11 Buckhurst Road and 6-8 Osborne Road. The rear of the existing outriggers, which contain rear facing windows at ground and first floors, are approximately 14m from the same boundary. The proposed building would be situated marginally closer (approximately 1m) to the rear boundaries than the main body of the existing building, but not as close as the existing outriggers.

At present the rear of one of the derelict houses faces directly to the rear boundary with 11 Buckhurst Road and 6-8 Osborne Road. It also faces directly to the rear elevations of 4-8 Osborne Road. As a result of the proposal, one of the new dwellings plus part of a second dwelling will also face directly to the rear boundaries and elevations of those properties. Of those proposed windows facing directly to those properties, four would belong to habitable rooms, with

the remainder to a pair of bathrooms and one to a kitchen/dining room at ground floor.

There are nine windows facing directly to the rear of 4-8 Osborne Road and the garden of 11 Buckhurst Road from the existing building. The proposal would incorporate seven windows at the same location. The remaining proposed windows at plots 2 and 3 would face directly towards the side of 11 Buckhurst Road (which does not contain windows) and its detached garage. Diminishing oblique views may be possible from those windows towards the rear of 4-8 Osborne Road and 11 Buckhurst Road.

Given that the proposed building would be of similar height and the same number of storeys at rear as the existing building, and positioned a similar distance from the immediate neighbouring gardens and houses as the existing, it is not considered that the proposal would lead to a significant loss of privacy to those buildings and gardens at the rear.

While the proposed building would be one metre closer to the rear boundaries than the main body of the existing building, taking into account the existing outriggers which are closer to the rear boundary than the proposed building this would again not be considered significantly different to the existing scenario as to warrant refusal of the application.

It is considered that the principal difference of the proposed development to the existing building, in terms of possible overlooking, is that an additional dwelling would be introduced to the site. As a result of the proposal there would be two windows from one additional dwelling facing directly over the rear garden of 11 Buckhurst Road and towards 4-8 Osborne Road.

Given the close-knit layout of existing buildings in the area, with which the development would be commensurate, and the similarity in position, height and character of the proposed building to the existing, as well as the approximate 15m distance to the rear boundary, it is not considered that an additional dwelling would lead to an unreasonable or unwarranted increase in overlooking and consequent loss of privacy as to significantly harm the amenities of neighbouring occupiers at the rear.

The existing building has windows facing Buckhurst Road, at all levels, albeit these are currently boarded up. While the proposed building would be closer to Buckhurst Road than the existing, its proximity would not be out of keeping with other buildings in the street. The distance between the front windows at Plot 3, facing Buckhurst Road, and those existing houses opposite, would be commensurate with other houses in the area. Taking this into account, and as the development would face the public front elevations of the houses opposite, it is not considered that a significant loss of privacy would result.

As noted in the report below, the overall effect of the development would not be significantly greater than the existing building. While the arrangement and size of windows are different, the height of the proposed building in metres and storeys to rear would be similar to the existing. It is not considered that an additional dwelling within the site would lead to a significant loss of privacy, having regard to the number and arrangement of windows, the character of the

use, and given that the development would be in keeping with the grain of development around the site and the character of its surroundings.

For the same reasons it is not considered that the development would lead to undue loss of privacy through window-to-window distances, which are broadly the same as existing and commensurate with the character of the area.

Overshadowing

It is not considered that the proposed development would have a significant effect on daylight or direct light to nearby dwellings. This is on the basis that the position, height, scale and mass of the proposed building would not be significantly changed from the existing situation.

Noise disturbance

The introduction of an additional dwelling to the site is likely to increase the level of activity at the site to a degree. However, given the character of the proposal as family dwellings, set against the existing use of the site, and the character and density of the existing surrounding built environment, it is not considered that the increase in activity would be likely to lead to significant disturbance. The character of the proposed use is in keeping with the surroundings, as is the layout and density. While the site is generally quiet at present, as it is unoccupied, it would not be reasonable to expect this to remain the case given its existing character and context within a built-up residential area. There would be an increase in external noise and activity as a result of the development, however this would be commensurate with the character of the area and would not warrant refusal of the application. The layout of the development is largely the same as the existing layout, and the proposal does not introduce a new or unduly intensive use to the site.

Character and appearance

Layout and grain of development

The proposed building would occupy a similar ground area to the existing and be oriented and arranged in a similar manner. The building would be positioned slightly further towards the site boundary with Buckhurst Road. However this new positioning is accommodated acceptably within the common building line along Buckhurst Road. In these respects the development would accord to the existing layout and grain of the surrounding built environment.

The three proposed dwellings would occupy a space currently occupied by two dwellings. However, having regard to the local context, the site is of a generous size for two dwellings. The site is approximately 23m in width, allowing an average plot width of 11.5m per dwelling. This is significantly greater than the average plot width for surrounding houses. The proposal would lead to an average plot width of approximately 7.5m which is commensurate with the surrounding context. The smallest proposed plot width of 5.7m for Plot 2 (for the proposed mid-terrace house) is equal to that at a nearby mid-terrace, 30 Windsor Road. Therefore it is considered that the proposed layout would be in keeping with the grain and character of the surrounding built environment.

In light of the above, and given that the building height and number of storeys is commensurate with the mixture of building heights and number of storeys of

buildings in the locality, it is considered that density of development is appropriate in terms of the appearance of the proposed buildings on the site.

Outdoor space as a setting for buildings

The gross amount of outdoor space to provide a setting for the building would remain approximately the same as existing, although some of this would be taken up by off-street car parking. Nevertheless the overall effect would be similar to the existing pattern of development in terms of green space and a setting to the buildings. It is not considered that the introduction of an additional dwelling would undermine this effect, and as such the proposal is acceptable in this regard.

Height and scale

While the proposal introduces an additional storey to the front and side elevations, this is considered appropriate in terms of its appearance in the street scene. This is on the basis that there are three storey buildings in the locality, and the height of building on the site is not to be increased overall.

Visual impact within street scene

As noted above, the scale and mass, height, layout and character of the development is similar to the existing building and in keeping with the site surroundings. It is considered that Buckhurst Road and Windsor Road are capable of accommodating a three-storey building at the site, as there are already three storey buildings within the street. While the building would be closer to Buckhurst Road than the existing, it would not be so much closer as to unduly affect occupiers opposite or be out of character with the existing urban grain. It is therefore not considered that the development would be unduly visually dominant from any perspective.

Detailed design

It is acknowledged that floor levels in the proposed development would not be equal to those at neighbouring buildings. This is a result of modern building techniques and standards, including the requirement for level access at ground floor. It is considered that appropriate steps have been taken in the detailed design of the building to respond to the principal features of 5-7 Windsor Road, which is the main point of visual reference for the site in the street scene as its closest neighbour, and the local architectural vernacular. For example, bay windows of modern appearance reflect the proportions of existing bay windows nearby. Window proportions at the main elevations appropriately reflect those in nearby Victorian-era buildings.

Given the visual separation from 11 Buckhurst Road, it is not considered that the visual relationship therein would be problematic, in terms of height and the roof arrangement, for example, particularly given the similarity in scale of the proposal to the existing building on site.

It is not considered that the introduction of a modern design in an area of older housing of any character would necessarily undermine that special character. The proposed development makes appropriate reference to local architectural language in its principal street-facing elevations, while presenting a clearly modern solution. To the rear elevations there are fewer architectural cues from which to take reference, however it is considered that the use of contrasting

materials as shown on the submitted plans is an appropriate architectural solution to introducing visual interest. Poor quality design would not be considered acceptable and therefore landscape planting is not required to screen proposed buildings.

The Guide to Development in Manchester 2 requires that car parking in new development is designed to minimise its visual impact on the street scene. The proposed development would incorporate driveway car parking. Having regard to the character of the existing street scene, the provision of soft landscaping and Design for Security considerations, it is considered that all reasonable steps have been taken to minimise the visual impact of off-street car parking in the development and that it would not dominate the site unduly.

It is accepted that the impetus to remove an eyesore is not grounds to accept inferior-quality development. However, it is considered that the proposal is of high design quality having appropriate regard for its context.

Materials

All proposed materials, including boundaries, are to be agreed through the submission of samples and specifications prior to the commencement of development, through a condition of any planning permission. However, the use of an appropriate brick and contrasting modern materials are considered acceptable in principle at this location. The agent has indicated a willingness to consider re-use of existing materials at the site, however it is understood that they would require further assessment for suitability.

Boundaries

The proposed boundary treatments are considered acceptable in relative heights and constitution (ie dwarf wall with railings). Full details of materials and detailed design are to be required by condition on any planning permission, notwithstanding the approved plans.

Surfaces

Details of surface treatments including off-street car parking provision are to be required by condition on any planning permission.

Effect on Rushford Park conservation area

The application site is situated within close to the Rushford Park conservation area. However, the site is separated from the conservation area by a row of houses at the opposite side of Windsor Road. It is considered that this relationship would preclude any significant effect on views into or out of the conservation area, particularly given that the detailed design is of appropriate quality in its immediate context, the building is of similar height to the existing, and situated within an area of similarly-sized buildings.

Highway safety

The site is situated on the inside of a sharp bend, where Windsor Road joins Buckhurst Road. The road is narrowed to an extent by parked cars.

Some of the surrounding dwellings include off-street car parking, however a significant amount of on street car parking takes place. The application site does not at present incorporate off-street car parking.

The street-facing boundaries of the site are at present formed in approximately 1.5m high concrete panel fencing to Buckhurst Road and the corner with Windsor Road, and a lower wall to the remainder of the Windsor Road frontage. The existing concrete fence, together with the overgrown trees on the site, prevents advance visibility across the sharp corner in the road.

The proposed development incorporates one off-street car parking space per dwelling, with driveway vehicular accesses taken from Windsor Road and Buckhurst Road.

The provision of off-street car parking would be an improvement on the existing situation, subject to the appropriate positioning of driveways. The driveway positions shown are considered acceptable from a highway safety point of view. One off-street car parking space per dwelling is the normal requirement. While it is acknowledged that the proposed dwellings would be large, they would be family houses and one space is considered appropriate per dwelling.

It is considered that any additional car parking on the site would dominate the street scene unacceptably. While local concern as to on street parking congestion is acknowledged, it is considered that a requirement to provide two spaces per dwelling would be unwarranted, given the location of the site within a built-up area, and proximity of the site to public transport connections including Levenshulme railway station and the Stockport Road Quality Bus Corridor, each a 200m and 300m walk from the site respectively.

The introduction of one additional dwelling on the site would be likely to increase vehicular activity in the area by a degree. However, as noted above the proposed density is commensurate with the character of the area. It is not considered that the introduction of one additional dwelling would lead to significantly increased activity as to harm highway safety and warrant refusal of the application.

While there may already be a problem with inconsiderate car parking in the area, it is not considered that the proposed development would significantly worsen this as to warrant refusal of the application.

While there may be existing issues with inconsiderate driving and parking, this would not oblige the applicant to provide traffic calming or give over part of the site to smooth out the sharp bend. The existence of a sharp bend should have the general effect of encouraging lower speeds and more careful negotiation, and would again not warrant refusal of the application.

The proposal is relatively modest, and in keeping with the density, layout and character of the area, and situated on a quiet residential street. On this basis and given the proposed off-street car parking it is not considered that such significant amounts of traffic and parking demand would be generated as to harm highway safety or warrant an off-site highway works contribution from the applicant.

The proposed boundary treatments of a low wall with railings would improve visual permeability across the site and the corner of Windsor Road and Buckhurst Road, over and above the existing situation.

Accessibility

The proposed dwellings would meet the City Council's Design for Access 2 standards. The applicant has undertaken to meet Lifetime Homes standards which seeks to ensure appropriate adaptability for accessibility purposes.

Design for Security

The proposed development has been modified to meet Design for Security standards. A condition would be applied to any planning permission requiring compliance and the submission of the relevant certificate post-completion. In this regard the development would meet policy E3.5 of the Unitary Development Plan.

Waste storage and collection

Waste storage arrangements have been shown on the submitted drawings, and amended in revised drawings. The development would accommodate segregated waste bins in accordance with City Council requirements (providing four wheelie bins per dwelling). A covered bin store would be provided to the mid-terrace plot in order to minimize the effect of bins on the street scene.

The position and size of bin stores and bin storage areas is considered acceptable, with regard to visual amenities and provision of convenient and appropriate designated locations. Positioning of bin storage in suitable locations within easy reach of the street will encourage the return of bins to the appropriate location following collection, while maintaining visual amenity.

Sustainability

The applicant has undertaken to meet level 3 of the Code for Sustainable Homes in the proposed development. This is appropriate with reference to the environmental standards set out in the Guide to Development in Manchester 2.

Ecology

Trees

The site and streets around the site are characterised to an extent by soft landscaping, hedges and trees. While the proposal requires the removal of all trees on site, it is noted that these have been identified in the submitted tree survey as of low viability and quality. It is considered that the proposed landscaping scheme, which would emphasise native species, would adequately compensate for the loss of trees to the street scene. Indeed the proposal would lead to an increase in tree cover at the site, and once established these would be of better viability and long-term quality to the street. The introduction of boundary hedging to the street frontage has been investigated, however it would affect vehicular visibility splays and has therefore been deleted from the scheme. The existing tree at the adjacent garden of 11 Buckhurst Road is to be subject to root protection measures within the development site. It is considered that the proposal would not detract from the street scene with respect to trees and soft landscaping in the long term.

The proposal would be appropriate to maintaining and improving the ecology value of the site. There would be a net increase in the number of trees on site following implementation.

Bats

Further to the submitted bat survey, a condition should be applied to any permission ensuring a precautionary approach is taken to the presence of and any effect of the development on bats, including the provision of roosting opportunities within the development.

Subject to the above, it is considered that the development would not be significantly detrimental to ecology at the site, and would meet the Green City strategy.

Outdoor amenity space

The development would incorporate private useable amenity space to each dwelling. While the density of building on the site would increase from two houses to three houses, the amount of amenity space would remain appropriate. This is on the basis of the existing pattern of development in the area and the amount of garden space at similarly sized dwellings nearby.

Regeneration concerns

As the applicant is a registered social landlord (RSL) the dwellings would be affordable housing available for rent to families. The development would therefore improve the availability of family housing for affordable rent in the area.

It has been identified that there is a shortfall of this type of accommodation in the area, and given the small number of dwellings proposed, it is not considered that an unbalanced community or associated detrimental effect would result from the proposed tenure and number of dwellings. Appropriately mixed communities, providing for housing choice, are considered a characteristic of a sustainable urban environment.

Other issues raised by objectors

The existing building should be refurbished:

It has been established in a previous report to the City Council Executive Committee (12 December 2005) that the existing buildings on site are unfit for habitation, and that 1 Windsor Road was severely structurally unstable. The interlinked construction means that one of the pair cannot be demolished without the other. It was resolved further to the report that the most satisfactory course of action for dealing with the blight was demolition of the entire building.

While it is regrettable that a part of the built heritage is likely to be lost, there is no statutory obligation on the part of the applicant to retain any part of the existing structure. Additionally the concerns expressed over structural soundness are noted. As noted above it is considered that there are no statutory restrictions on the demolition of the building, and it is considered that the proposed design has appropriate regard to its context, subject to agreement of materials.

The type of property proposed could be a hostel, HMO or flats, or the large dwellings could be converted to flats or HMOs. There are too many HMOs (Houses in Multiple Occupation) and flats in the area, the size of the proposed accommodation shows it would effectively be HMOs, multi-occupancy dwellings are inappropriate and the impact of large families will be same as HMOs:

The application is for three single family dwellings. An application for planning permission would be required to use the dwellings as hostels, HMOs or flats. Any unauthorised change of use could be subject to enforcement action.

Large numbers of occupiers would harm the local character as a quiet, family-oriented area:

The proposal is for large family houses, in keeping with the character of the surroundings. While some local houses have been converted to flats, the area is predominantly large houses.

More transient people will harm the area, and the surrounding family homes are mostly owner-occupied:

The introduction of affordable family housing would add to the mix of tenure and type of accommodation in the area, which is considered entirely appropriate with regard to achieving sustainable, mixed communities. This is considered appropriate and there is no evidence that occupiers would necessarily be short-term. It is considered that the co-location of this small number of affordable rented homes would not be inappropriate or undesirable in light of the aim of seeking to achieve mixed, liveable communities.

Loss of views:

The proposal would replace an existing building of similar size on the same site. It is therefore not accepted that it would lead to a loss of views from nearby dwellings. In any event this matter would not carry sufficient weight to warrant refusal of the application.

Trees should be retained to baffle noise from railway:

Given the distance from the application site to the railway, it would not be reasonable to require the retention of the existing trees for this purpose.

The development would harm nearby property values:

In light of planning policy, this matter would not carry sufficient weight to warrant refusal of the application.

The proposal would breach legal covenants on building lines and roof arrangement at the site:

This matter is a private issue and would not warrant refusal of the application in light of development control policies.

Associated works to common boundaries would require owner's consent:

This is a private matter and would not warrant refusal of the application. The applicant has not indicated that any part of the development would encroach on neighbouring occupiers' land.

The use of the artist's impression is misleading and inappropriate:

Scaled drawings have been supplied and made available for public view following notification. It is considered that the scaled drawings provide all

relevant information including contextual street scene elevations. Artists' impressions do not normally form part of approved drawings in the event that permission is granted, and would not in the case of the application under consideration.

Applicant should mark existing properties in blue:

This has since been done but is not a legal requirement in this case.

The proposal should not even be considered by the local planning authority, and renotification letters have been generated to wear down and reduce the number of objectors:

The City Council as local planning authority is legally obliged to consider all applications for planning permission, to notify third parties as appropriate, and to assess the proposals in light of the policies of the adopted development plan.

Internal room sizes are too small, especially communal rooms:

It is considered that the proposal for single family dwellings is acceptable in principle at this location, and that the densities are appropriate. The internal layout carries little weight in determining an application for planning permission. However, the proposed dwellings would meet the City Council's Design for Access 2 standards and as such would benefit from the standards contained therein.

The site should be turned into a green area:

The application has been assessed on its merits and is considered acceptable. The desirability or otherwise of forming a green area would not warrant refusal of the application.

There are not enough school and GP places in the area:

Additional residents will add to demand for services. It is acknowledged that there is pressure on services. It is understood that measures are underway to provide additional places in the general area. However this matter would not warrant refusal of this application which represents a modest infill development.

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 of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

Approve in light of the development plan, including policies LL1, DC7, DC18, H1.2, H2.2, H2.3, H2.4, H2.7, E2.4, E2.6, E2.7, E3.1, E3.2 and E3.5 of the Unitary Development Plan for the City of Manchester (adopted 1995), the Supplementary Planning Document 'Guide to Development in Manchester', the North West of England Plan (Regional Spatial Strategy to 2021) including policies MCR1, MCR2, DP1, DP2, DP4, DP5, DP7, DP9 and L5, and Central Government Guidance contained within Planning Policy Statement 1 PPS1, Planning Policy Statement 3 (PPS3) and Planning Policy Guidance note 13 (PPG13) on the basis that the proposal would incorporate high quality and inclusive design, would be an efficient and effective use of land in an appropriately accessible location, would provide for housing choice fostering sustainable, inclusive and mixed communities, would replace obsolete housing and remove a disamenity, while not having a significant effect on neighbour amenities, highway safety, or the character and appearance of the nearby conservation area, and generally meeting the needs of the community and supporting regeneration, and there are no material planning 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) The development hereby approved shall be carried out in accordance with the drawings numbered 07-1228-L01 revision A, date stamped as received by the Local Planning Authority on 10 August 2009, 07-1228-P01 revision H, 07-1228-P02 revision D, 07-1228-P03 revision F and 07-1228-P06 revision D, each date stamped as received by the Local Planning Authority on 26 August 2009, 07-1228-SK19 date stamped as received by the Local Planning Authority on 27 July 2009, 2048.001B date stamped as received by the Local Planning Authority on 17 August 2009 and the submitted design and access statement revision E, date stamped as received by the Local Planning Authority on 27 August 2009, the Angela Graham Bat Consultancy Service bat survey dated 23 July 2008, the Ground Investigation and Risk Assessment Report, Leyden Kirby Associates Ltd, Reference: CL-602-CL-1361-02, July 2008, the BRE Global pre-assessment estimator date stamped as received by the Local Planning Authority on 5 May 2009, and the TBA Tree Survey report and drawing Fig 1 dated January 2009 and ref. MG/3398/treesurveyreport, date stamped as received by the Local Planning Authority on 28 March 2009, unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - To ensure that the development is carried out in accordance with the approved plans.

3) The car parking indicated on the approved plans shall be made available for use prior to the building hereby approved being occupied, and retained thereafter.

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 E3.5 of the Unitary Development Plan for the City of Manchester.

4) The soft landscaping scheme approved by the City Council as local planning authority shown on drawing ref D2048.001B shall be implemented not later than 12 months from the date of commencement of works. 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 H2.7, E2.4 and E2.6 of the Unitary Development Plan for the City of Manchester.

5) 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 H2.7 of the Unitary Development Plan for the City of Manchester.

6) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before first occupation of the building. 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, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

7) Details and specifications of all external surface materials to driveways, hardstanding and access routes, shall be submitted to and approved in writing by the City Council as local planning authority, prior to installation. The scheme shall be implemented in accordance with the approved details.

Reason

In order to reduce surface water run-off in the interests of reducing flood risk and pollution, pursuant to policies H2.7 and E1.3 of the Unitary Development Plan for the City of Manchester (adopted 1995).

8) 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".

9) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least three star sustainability rating under the code for sustainable homes for those elements of the development which are residential in nature. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before any of the buildings hereby approved are first occupied.

Reason - In 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 ER13 and DP3 of Regional Planning Guidance for the North West (RPG13) and the principles contained within The Guide to Development in Manchester 2 SPD and Planning Policy Statement 1.

10) No part of the development hereby granted permission shall be commenced unless and until a survey of the site in a form and carried out by a person previously approved in writing by the local planning authority has been carried out and demonstrates to the local planning authority's written satisfaction that no protected species inhabit the site. Should the survey reveal the presence of any protected species, a scheme for the protection of their habitat shall be submitted to and agreed in writing by the City Council as local planning authority before the development commences, and implemented in full in accordance with the approved details and to a timetable agreed in writing by the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with Policies E2.2, E2.3 and E2.4 of the adopted Manchester Unitary Development Plan.

11) 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 2.4 and 2.6 of the Unitary Development Plan for the City of Manchester.

12) The development shall incorporate bat roosting measures in accordance with the guidance of the submitted bat survey report. Details of those measures shall be submitted to and agreed in writing by the local planning authority prior to provision within the development, and shall be completed and available for use prior to first occupation of the development, unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with Policies E2.2, E2.3 and E2.4 of the adopted Manchester Unitary Development Plan.

13) Details of any solar panels to be included in the development shall be submitted to and agreed in writing by the local planning authority prior to installation on site, and shall be completed and available for use prior to first occupation of the development, unless otherwise agreed 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 ER13 and DP3 of Regional Planning Guidance for the North West (RPG13) and the principles contained within The Guide to Development in Manchester 2 SPD and Planning Policy Statement 1.

14) Before the development commences an acoustic attenuation scheme including particulars of the acoustic glazing and acoustically treated ventilation

to be installed as part of the development shall be 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 the residential premises 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.

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

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 089532/FO/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:

Greater Manchester Police
Engineering Services
Environmental Health
Contaminated Land Section
Environment & Operations (Trees)
South Manchester Regeneration
Greater Manchester Ecology Unit
Contaminated Land Section
Environmental Health
South Manchester Regeneration
Engineering Services
Environment & Operations (Trees)
Greater Manchester Ecology Unit
Greater Manchester Police
42 Buckhurst Road, Manchester, M19 2DS
2 Osborne Road, Levenshulme, Manchester, M19 2DT
63 Osborne Road, Levenshulme, Manchester, M19 2DU
2 Collingwood Road, Manchester, M19 2AW
Nigel Morland
10 Victoria Road, Levenshulme, Manchester, M19 2EA
12 Limefield Terrace, Manchester, M19 2EP
1 Osborne Road, Levenshulme, Manchester, M19 2DU
2 Central Avenue, Manchester, M19 2EN
3 Park Avenue, Manchester, M19 2EE
60 Windsor Road, Levenshulme, Manchester, M19 2EB
28 Windsor Road, Levenshulme, Manchester, M19 2EB
11 Sylvandale Avenue, Manchester, M19 2FB
4 Park Avenue, Manchester, M19 2EE
13 Rushford Avenue, Rushford Park, Manchester, M19 2HG
12 Park Avenue, Manchester, M19 2EE
16 Park Avenue, Manchester, M19 2EE
21 Windsor Road, Levenshulme, Manchester, M19 2FA
Park Lodge, 17A Park Avenue, Manchester, M19 2EE
16 Sylvandale Avenue, Manchester, M19 2FB
11 Berkley Avenue, Manchester, M19 2ED
Doug Briggs, Doug@musicengine.org
1 Chasewood, Motherwell Avenue, Manchester, M19 2GX
26 Park Avenue, Manchester, M19 2EE
12 Sylvandale Avenue, Manchester, M19 2FB
13 Rushford Avenue, Manchester, M19 2HG
23 Windsor Road, Levenshulme, Manchester, M19 2FA

6 Sylvandale Avenue, Manchester, M19 2FB
3 Berkley Avenue, Manchester, M19 2ED
Gavin Heaney
3 Rushford Avenue, Manchester, M19 2HG
51 Windsor Road, Levenshulme, Manchester, M19 2FA
19 Osborne Road, Levenshulme, Manchester, M19 2DU
44 Buckhurst Road, Manchester, M19 2DS
42 Buckhurst Road, Manchester, M19 2DS
40 Buckhurst Road, Manchester, M19 2DS
38 Buckhurst Road, Manchester, M19 2DS
36 Buckhurst Road, Manchester, M19 2DS
34 Buckhurst Road, Manchester, M19 2DS
32 Buckhurst Road, Manchester, M19 2DS
30 Buckhurst Road, Manchester, M19 2DS
46 Buckhurst Road, Manchester, M19 2DS
28 Buckhurst Road, Manchester, M19 2DS
26 Buckhurst Road, Manchester, M19 2DS
24 Buckhurst Road, Manchester, M19 2DS
22 Buckhurst Road, Manchester, M19 2DS
2 Central Avenue, Manchester, M19 2EN
14 Windsor Road, Manchester, M19 2EB
12 Windsor Road, Manchester, M19 2EB
10 Windsor Road, Manchester, M19 2EB
8 Windsor Road, Manchester, M19 2EB
6 Windsor Road, Manchester, M19 2EB
4 Windsor Road, Manchester, M19 2EB
2 Windsor Road, Manchester, M19 2EB
22 Windsor Road, Manchester, M19 2EB
20 Osborne Road, Manchester, M19 2DT
20 Windsor Road, Manchester, M19 2EB
15 Windsor Road, Manchester, M19 2FA
Inner Textiles, 13 Windsor Road, Manchester, M19 2FA
18 Osborne Road, Manchester, M19 2DT
16 Osborne Road, Manchester, M19 2DT
11 Windsor Road, Manchester, M19 2FA
9 Windsor Road, Manchester, M19 2FA
14 Osborne Road, Manchester, M19 2DT
12 Osborne Road, Manchester, M19 2DT
7c, Windsor Road, Manchester, M19 2FA
7a, Windsor Road, Manchester, M19 2FA
7b, Windsor Road, Manchester, M19 2FA
7d, Windsor Road, Manchester, M19 2FA
7e, Windsor Road, Manchester, M19 2FA
5 Windsor Road, Manchester, M19 2FA
Flat, 10 Osborne Road, Manchester, M19 2DT
10 Osborne Road, Manchester, M19 2DT
8 Osborne Road, Manchester, M19 2DT
6 Osborne Road, Manchester, M19 2DT
11 Buckhurst Road, Manchester, M19 2DS
4 Osborne Road, Manchester, M19 2DT
2 Osborne Road, Manchester, M19 2DT

Representations were received from the following third parties:

Greater Manchester Police
Engineering Services
Environmental Health
Contaminated Land Section
Environment & Operations (Trees)
South Manchester Regeneration
Greater Manchester Ecology Unit
Contaminated Land Section
Environmental Health
South Manchester Regeneration
Engineering Services
Environment & Operations (Trees)
Greater Manchester Ecology Unit
Greater Manchester Police
4 Sylvandale Avenue, Manchester, M19 2FB
10 Park Avenue, Manchester, M19 2EE
42 Buckhurst Road, Manchester, M19 2DS
2 Osborne Road, Levenshulme, Manchester, M19 2DT
26 Buckhurst Road, Manchester, M19 2DS
63 Osborne Road, Levenshulme, Manchester, M19 2DU
17 Rushford Avenue, Manchester, M19 2HG
6 Osborne Road, Levenshulme, Manchester, M19 2DT
2 Windsor Road, Levenshulme, Manchester, M19 2EB
2 Collingwood Road, Manchester, M19 2AW
Nigel Morland
10 Victoria Road, Levenshulme, Manchester, M19 2EA
1 Windsor Road, Levenshulme, Manchester, M19 2FA
12 Limefield Terrace, Manchester, M19 2EP
1 Osborne Road, Levenshulme, Manchester, M19 2DU
4 Osborne Road, Levenshulme, Manchester, M19 2DT
2 Central Avenue, Manchester, M19 2EN
3 Park Avenue, Manchester, M19 2EE
36 Buckhurst Road, Manchester, M19 2DS
179 Slade Lane, Manchester, M19 2AE
34 Osborne Road Flat 4, Manchester, M19 2dt
60 Windsor Road, Levenshulme, Manchester, M19 2EB
12 Windsor Road, Levenshulme, Manchester, M19 2EB
10 Windsor Road, Levenshulme, Manchester, M19 2EB
28 Windsor Road, Levenshulme, Manchester, M19 2EB
36 Marshall Road, Manchester, M19 2FQ
11 Sylvandale Avenue, Manchester, M19 2FB
4 Park Avenue, Manchester, M19 2EE
11 Central Avenue, Manchester, M19 2GE
13 Rushford Avenue, Rushford Park, Manchester, M19 2HG
13 Rushford Avenue, Rushford Park, Manchester, M19 2HG
36 Marshall Road, M19 2FQ
47 Osborne Road, Levenshulme, Manchester, M19 2DU
12 Park Avenue, Manchester, M19 2EE
16 Park Avenue, Manchester, M19 2EE

21 Windsor Road, Levenshulme, Manchester, M19 2FA
3 Osborne Road, Levenshulme, Manchester, M19 2DU
1 Windsor Road, Levenshulme, Manchester, M19 2FA
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1 Chasewood, Motherwell Avenue, Manchester, M19 2GX
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26 Park Avenue, Manchester, M19 2EE
12 Sylvandale Avenue, Manchester, M19 2FB
13 Rushford Avenue, Manchester, M19 2HG
23 Windsor Road, Levenshulme, Manchester, M19 2FA
6 Sylvandale Avenue, Manchester, M19 2FB
3 Berkley Avenue, Manchester, M19 2ED
Gavin Heaney
3 Rushford Avenue, Manchester, M19 2HG
51 Windsor Road, Levenshulme, Manchester, M19 2FA
19 Osborne Road, Levenshulme, Manchester, M19 2DU
Pen-yBryn, Buckhurst Road, Coston Park, M19 2DS
36 Buckhurst Road, Manchester, M19 2DS
2 Central Avenue, Manchester, M19 2EN
10 Windsor Road, Manchester, M19 2EB
9 Windsor Road, Manchester, M19 2FA
11 Buckhurst Road, Manchester, M19 2DS
4 Osborne Road, Manchester, M19 2DT
2 Osborne Road, Manchester, M19 2DT

Relevant Contact Officer : Robert Lilburn
Telephone number : 0161 234 4166
Email : r.lilburn@manchester.gov.uk