MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	132067/JO/2021
Date registered valid:	28 October 2021
Proposal:	Variation of planning conditions 2, 5 and 23 of planning permission 126281/FO/2020 to make alterations to the location of the driveway for plot 1
Address:	Land At Dob Brook Close , Manchester, M40 1DB
Ward(s):	Miles Platting & Newton Heath Ward
Applicant:	Mr Sabeel Sharif The Guinness Partnership Bower House, 1 Stable Street, Oldham, OL9 7LH
Agent (if any):	Mr Clive Part Bowker Sadler Architecture Hatherlow House, Stockport, SK6 3DY
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	26 January 2022

Application details

Type of application: Variation or Removal of Condition

Development type: Smallscale Major Dwellings

Date of site visit: N/A

Standard consultations:
Printed: 4 November 2021 Expired: 25 November 2021

Neighbour notifications
Printed: 4 November 2021 Expired: 25 November 2021

Site notice
Posted: Expired:

Press advert
Published: 9 November 2021 Expired: 30 November 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The proposal site lies within the Newton Heath area of North Manchester and lies close to the boundary with the Oldham Local Authority. The surrounding area is mixed in character, to the south of the site is the Rochdale Canal and beyond is an area of predominantly, two storey terraced dwellinghouses. To the east of the site, the immediate context is the two storey housing of Dob Brook Close, beyond which is an area containing a mix of light industrial and commercial uses. To the north is a mix of residential properties and a church beyond which is Oldham Road and an area of mixed residential, commercial and light industrial sites. To the immediate west of the site are industrial premises trading in car spares and further west is a mixture of light industrial and commercial sites.

The site is rectilinear in shape and is bounded by Dob Brook Close to the north and east. To the north, houses are arranged in semi-detached pairs, set back from the pavement to accommodate front gardens and parking. To the east, the boundary is formed by the rear garden fences of 2 storey properties which form the continuation of Dob Brook Close as it turns to run north/south. All the properties to this immediate context are 'traditional' 2 storey forms with masonry elevations and pitched roofs, built within the last 15 years. To the west, the boundary is formed by a red brick wall approximately 5 metres in height. To the south, is the Rochdale canal which is relatively generous in width at this point (approximately 12-15m) with

tow path and 2 storey houses set back along its southern edge. The site benefits from this open southerly aspect adjoining onto the Rochdale canal.

Description of development

The submitted application seeks planning permission to vary conditions 2, 5 and 23 of planning permission 126281/FO/2020 to make alterations to the location of the driveway for plot 1.

Consultations & Notification Responses

Local residents

Local residents were consulted and no responses were received.

Highway Services

Highways reviewed the application and had no objection to the repositioning of the driveway for plot 1 and can therefore support the variation to planning conditions 2, 5 and 23.

Issues

POLICY

The National Planning Policy Framework (NPPF) (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:
i. Chapter 5. Delivering a sufficient supply of homes- States it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Paragraph 71 considers the need for policies to resist inappropriate

development of residential gardens, for example where development would cause harm to the local area.
ii. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
iii. Chapter 9. Promoting sustainable transport- States that transport issues should be considered from the earliest stages of development proposals and the planning system should actively manage patterns of growth in support of these objectives.
iv. Chapter 11. Making effective use of land - States that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. It also encourages the use of previously developed or 'brownfield' sites.
v. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.
vi. Chapter 14. Meeting the challenge of climate change, flooding and coastal change - States that new development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change and helps to reduce greenhouse gas emissions.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Of relevance are:
Policy SP1 (Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance, and have regard to the strategic character area in which the development is located.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development); states that the Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO2 emissions, and rising fossil fuel prices through a number of actions.

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

EN9 (Green Infrastructure); new development will be expected to maintain existing green infrastructure in terms of its quantity, quality, and multiple function. Where the opportunity arises and in accordance with current Green Infrastructure Strategies, the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure.

Policy EN14 (Flood Risk); states that development should be directed away from sites at the greatest risk of flooding, and towards sites with little or no risk of flooding; this should take account of all sources of flooding identified in the Manchester-Salford-Trafford Strategic Flood Risk Assessment (SFRA). In addition, all new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of Green Infrastructure. The City of Manchester contains many sections of rivers which are culverted or 'hidden'; where these are indicated in the SFRA beneath the proposed development site, further investigation will be required, and the development proposal should take this into account.

Policy EN15 (Biodiversity and Geological Conservation); states the Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City and that the developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either onsite or adjacent to the site, contributing to linkages between valuable or potentially valuable habitat areas where appropriate.

Policy EN 16 (Air Quality); states that The Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport. Developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself.

Policy EN18 (Contaminated Land and Ground Stability); states that the Council will give priority for the remediation of contaminated land to strategic locations as identified within this document. Any proposal for development of contaminated land must be accompanied by a health risk assessment.

Policy EN19 (Waste); outlines the council’s position on waste management. This includes the requirement that all developers, including those of new waste management facilities within the District, demonstrate the proposal's consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling/composting, energy recovery, final disposal). It also requires all developers to submit a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled on site wherever possible and how the sustainable waste management needs of the end user will be met. Additional requirements are further listed.

Policy H1 (Overall Housing Provision); states that the proportionate distribution of new housing, and the mix within each area, will depend on several factors. New housing will be predominantly in the North, East, City Centre and Central Manchester, these areas falling within the Regional Centre and Inner Areas of Manchester. The policy states that residential development should consider creating mixed communities, development in the right places, follow Manchester’s design standards, create appropriate amenity space, the need for parking and cycle provision, prioritising sites close to a high frequency of public transport access and offer residential privacy.

Policy H3 (North Manchester); states that over the lifetime of the Core Strategy, North Manchester will accommodate around 20% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within or adjacent to the parts of North Manchester that fall within the Regional Centre (Strangeways and Collyhurst area) and within Cheetham Hill and Harpurhey district centres as part of mixed use schemes as well as along high frequency public transport routes.

Policy H 8 (Affordable Housing); sets the requirements for affordable housing or an equivalent financial contribution. It is relevant in this case as development would exceed the 15 or more threshold for affordable housing provision.

Policy T1 (Sustainable Transport); relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport. In this case that development incorporates sufficient in curtilage car parking, with sufficient space within rear gardens to provide secure cycle storage shed to meet residents' requirements.

Policy T2 (Accessible Areas of Opportunity and Need); looks to manage the pattern of development to ensure that new development is located in accessible locations. Emphasis is given to the need to ensure residents can live in locations accessible to employment, health, education, open space, and leisure opportunities. The policy also states that all new development should provide appropriate car parking facilities.

Policy DM1 (Development Management); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The impact; on the surrounding areas; in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area. The effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC7.1 states 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 to be safe areas within which children can play and, where appropriate, the Council will also expect play facilities to be provided.

DC26.1 states the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:
a. the effect of new development proposals which are likely to be generators of noise; and
b. the implications of new development being exposed to existing noise sources which are effectively outside planning control.

DC26.2 states new noise sensitive developments (including large scale changes of use of existing land or buildings) such as housing, schools, hospitals, or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.

DC26.4 states where the council believes that an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, it will in either case require the applicant to provide an

assessment of the likely impact and of the measures he proposes to deal satisfactorily with it. Such measures might include the following
a) engineering solutions, including reduction of noise at source, improving sound insulation of sensitive buildings or screening by purpose-built barriers
b) layout solutions, including consideration of the distance between the source of the noise and the buildings or land affected by it and screening by natural barriers or other buildings or non-critical rooms within a building; and
c) administrative steps, including limiting the operating times of the noise source, restricting activities allowed on the site or specifying an acceptable noise limit.
Any or all these factors will be considered appropriate for inclusion in conditions on any planning permission

DC26.5 states the council will control noise levels by requiring, where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABE as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Paragraph 2.3 states ‘a high-quality environment is created by buildings which reflect their purpose and respect the place in which they are located. Different parts of the City, its neighbourhoods and streets have distinct or individual characters which are a product of the design of their buildings, the nature of the streets, the quality of the landscape or the nature of their activities’.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be considered and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line, and contribute to the quality of the environment.

Manchester Residential Quality Guidance 2016

Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and raise the quality of life across Manchester. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward

thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management. The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures.

ISSUES

The application seeks to vary planning conditions 2, 5 and 23 of planning permission 126281/FO/2020 to make alterations to the location of the driveway for plot 1.

As was approved under 126281/FO/2020, the driveway for plot 1 was located off the road of Dob Brooke Close against the eastern boundary of the site. This application seeks to change this driveway so that it is located within the cul-de-sac of the development, against the eastern boundary of the site. As a result, the driveway would be located behind plot 1, different to the other dwellinghouses whereby their driveways are located to the front of the property.

This variation is considered acceptable given the small nature of the change. Although this driveway would be positioned differently to the rest of the scheme, access can still be gained from the driveway to the rear of the house through a private access, and a 2.1 metre fence would surround the driveway and would secure the driveway. Gates are located to the entrance of the driveway and this would mitigate a lack of natural surveillance from the front of plot 1. In addition, windows to the front elevation of block 3 would provide natural surveillance for this driveway. The gates to be installed would be similar to those gates installed for the driveway plot 2 and so the gates would not appear out of character within the wider development. There are several personnel gates throughout the scheme which would complement the driveway gates.

Although the resident occupying plot 1 would have to walk around the side of their house to reach the front door, access inside the property could be gained through the rear door and as such it would only create a limited negative implication for the resident's amenity.

Highways have consulted the varied design and have no objections.

Conclusion

The variation of the specified plans is acceptable. The change is small in nature and although the driveway would be positioned differently to the rest of the scheme, steps have been taken to reduce any adverse implications. Highways have no objection to the proposal. The change responds positively to the overall scheme and would contribute towards the supply of housing to meet targets and increase the provision of affordable housing.

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 a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given 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

Article 35 Declaration

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1)The development hereby approved must be begun not later than 24 August 2023.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents (references to be included) and stamped as received by the City Council on: 19 February 2020, 05 March 2020, 01 June 2020 and 28 October 2021.
Planning application forms;
Drawings Referenced:
1011
1012
1013
1014
1015
1016
1017
1040
1040
01 E (Landscape GA)
02 C (Detailed Planting Proposals)
103 G (External Works GA- Surface Finishes)
120 E (S38/S278 Adopted Highway Plan)
2010 D (Site Plan- Proposed)
101 E (External Works GA Foul Surface Water Drainage)
102 C (External Works GA- Falls, Levels, Retain…)
111 B (S104 Drainage Plan)

-Arboricultural Implications Assessment ref. TRE/DBC
-Energy statement Ref: Z37220.1 dated 03 March 2020
-Affordable housing statement, Dob Brook Close, Newton Heath Manchester M40 1DB
-Air Quality Assessment ref. 30817-SRL-RP-YQ-01-P01
-Ecological Assessment Report dated 3rd July 2019
-Crime Impact Statement ref. 2020/0097/CIS/01
-Acoustic Report ref. 30817-SRL-RP-YA-001-S3-P1
- Knotweed Management Plan Remediation Report ref. JKLE16694
-Storm Sewer Design prepared by WML Consulting Ltd dated Feb 20
-Drainage Strategy Plan
-Phase 1 Desk Study and Preliminary Geoenvironmental Assessment Report Reference: 8948G-WML-00-XX-RP-G-0001
-Ground Gas Risk Assessment Ref: 8948G/TPB/SCS
-Phase 2 Geo-environmental Investigation and Assessment Report Reference: 8948G-WML-00-XX RP-G-0002

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

3) The development hereby approved shall be implemented in accordance with the previously approved materials:
-Ibstock Bradgate Claret Red Brick
-Ibstock New Ivanhoe Cream Brick
-Michelmersh Black Smooth Brick
-Fibre cement board, Dark Grey (feature gables and soffit lining to rear elevation of Block 3)
-UPVC Window RAL 7016
-Dark Grey uPVC fascias & soffits with black rainwater goods
-Paving -Tobermore Textured paving flags in Buff
-Parking Bays - Block paving Tobermore Tegular in Slate,
stamped as received by the Local Planning Authority on the 24 May 2021. The development shall be fully implemented in accordance with the approved details, which shall be maintained in situ thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

4) The windows reveals shall be carried out in accordance with drawing ref. 1040 stamped as received by the City Council, as Local Planning Authority on the 19 February 2020. For the avoidance of doubt the window reveal should be minimum 175mm deep.

Reason - In the interest of visual amenity pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows shall be inserted into the elevations of the dwellinghouses hereby approved other than those shown on the approved drawings referenced:
1011
1012
1013
1014
1015

1016
1017
1040
01 E (Landscape GA)
02 C (Detailed Planting Proposals)
103 G (External Works GA- Surface Finishes)
120 E (S38/S278 Adopted Highway Plan)
2010 D (Site Plan- Proposed)
101 E (External Works GA Foul Surface Water Drainage)
102 C (External Works GA- Falls, Levels, Retain…)
111 B (S104 Drainage Plan)

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages, extensions, roof alterations, porches or outbuildings shall be erected other than those expressly authorised by this permission.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester.

7) The proposed development should be designed and constructed in accordance with the recommendations contained within section 3.3 of document referenced: Crime Impact Statement Reference: 2020/0097/CIS/01 VERSION A: dated 02 March 2020. The development shall only be carried out in accordance with these approved details and prior to the first occupation of the development written confirmation of that 'Secured by Design' accreditation has been achieved shall be submitted for approval in writing by the City Council as Local Planning Authority.

Reason - To reduce the risk of crime pursuant to policies SP1, EN1 and DM1 of the Core Strategy for Manchester and to reflect the guidance contained in the National Planning Policy Framework.

8) The development hereby approved shall be implemented in accordance with the previously approved Construction Management Plan, as shown on the document PLP Construction Ltd Dob Brook Close Construction Method Statement, stamped as received by the Local Planning Authority on the 24 May 2021. Development shall be carried out in accordance with the approved construction management plan upon commencement of authorised works.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

9) Prior to the first occupation of the development hereby approved, full detailed designs (including specifications) of all highways works shall be submitted to and approved in writing by the City Council as Local Planning Authority. For the avoidance of doubt this shall include:
-Parking controls through a Traffic Regulation Order on the new estate road
-Footway resurfacing for the development perimeter on the south side of Dob Brook Close
The development shall be implemented in accordance with the approved details and be in place prior to any residential property within the development being first occupied.

Reason - In the interests of highway safety, pursuant to policy T1 of the Core Strategy for Manchester.

10) The development hereby approved shall be implemented in accordance with the previously approved Waste Management Plan, as shown on the documents and drawings Waste Management Proforma and Proposed Site Plan drawing ref. 2010, stamped as received by the Local Planning Authority on the 24 May 2021. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health pursuant to Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy.

11) Before the occupation of the development, car parking areas shown on drawing Site Plan-Proposed- 2010 D, received via email by the City Council as LPA on 28 October 2021, shall be surfaced and made available for use. The car parking spaces shall be maintained in situ prior to the occupation of the authorised houses and remain in situ thereafter.

Reason - In the interest of residential amenity and pedestrian and highways safety, pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

12) The development hereby approved shall be implemented in accordance with the previously approved Drainage information, as shown on the documents and drawings
-Surface Water Drainage Design referenced JSD/J072 dated April 2021 stamped as received on 24 May 2021.
-(Revision A) received on 24 May 2021.
-S104 - Dobb Brook Close, Manchester - PLP Construction - 4200039419
-External Works G.A. Foul Surface Water Drainage ref J071/ 101 Rev B stamped as received on 07 June 2021
-Email from Clive Part dated 23 August 2021
The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

MCC records highlight that an unnamed historic watercourse traversed the site which may increase the risk of a culvert being present beneath the site. The applicant conducted site investigation to investigate the possible culvert onsite, which found no evidence of a culvert. While our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies EN8 and EN14 of the Core Strategy for the City of Manchester and the guidance within the National Planning Policy Framework.

13) Prior to the first occupation of the development details of the implementation, maintenance and management of the sustainable drainage scheme shall be submitted to and for approval by the City Council as local planning authority.
For the avoidance of doubt this shall include:
-Verification report providing photographic evidence of construction as per design drawings;
-As built construction drawings if different from design construction drawings;
-Management and maintenance plan for the lifetime of the development which shall include the

arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies EN8 and EN14 of the Core Strategy for the City of Manchester and the guidance within the National Planning Policy Framework.

14) Before the development commences a scheme for acoustically insulating the residential accommodation against noise from Oldham Road, the nearby scrap yard or otherwise noise generating uses shall be submitted to and approved in writing by the City Council as local planning authority. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

Reason - To secure a reduction in noise from Oldham Road or otherwise noise generating uses in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

15) Upon completion of the development and before first occupation of the development, a verification report shall be submitted for approval in writing the City Council as Local Planning Authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the internal noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria. The additional mitigation measures shall be implemented within a timescale to be agreed with the City Council as Local Planning Authority.

Reason - To secure a reduction in noise from Oldham Road or otherwise noise generating uses in order to protect future residents from noise nuisance, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

16) The development hereby approved shall be implemented in accordance with the previously approved Ground Conditions information, as shown on the document Ground Tech Consulting Remediation Specification dated September 2021 ref. GRO-21052-2396 received by the City Council as Local Planning Authority on 16 September 2021. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - 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 EN18 of the Unitary Development Plan for the City of Manchester.

17) 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 for approval in writing by the City Council as Local Planning Authority prior to the first occupation of the development hereby approved.
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 policies DM1 and EN18 of the Core Strategy.

18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the residential units shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a) not precluding occupation by two unrelated people sharing a property.

Reason - In the exceptional circumstances of a proliferation of HMOs restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through the provision of accommodation that is suitable for people living as families pursuant to paragraph 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

19) Prior to the first occupation of the development hereby approved, details of any externally mounted ancillary plant, equipment and servicing shall be submitted for approval in writing by the City Council as Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development and thereafter retained and maintained in situ.

Reason - To minimise the impact of plant on the occupants of the development pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

20) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as Local Planning Authority relating to the provision, position and specification of 7kW electric vehicle charging points to each property. The development shall be fully implemented in accordance with the approved scheme prior to the occupation of the authorised development and maintained in situ thereafter. For the avoidance of doubt this shall include a fast charging point for each dwelling.

Reason - In the interests of residential amenity and to contribute to the reduction of carbon emissions and improve air quality pursuant to policies SP1, EN16 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

21) The development hereby approved shall be carried out in accordance with the submitted Energy statement Ref: Z37220.1 dated 03 March 2020 and stamped as received by the City Council, as Local Planning Authority, on 05 March 2020. For the avoidance of doubt this shall achieve a minimum of 11.3% reduction from Part L1 of the 2016 Building Regulations for Co2 emissions rate.
A post construction review certificate / statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1, T2, EN4, EN8 and DM1 of the Core Strategy for the City of Manchester and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

22) Prior to the first occupation of the development the Boundary Treatment shall be implemented in accordance with the approved plans drawing ref Landscape GA received via email by the City Council as LPA on 28 October 2021 and maintained in situ thereafter.

Reason - In order to secure the site boundaries, achieve appropriate noise attenuation and in the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

23) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on the approved plans:
01 E (Landscape GA)
02 C (Detailed Planting Proposals)
120 E (S38/S278 Adopted Highway Plan)
2010 D (Site Plan- Proposed)
shall be implemented prior to the first occupation of the development hereby approved.

If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

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

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

25) 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 EN9 and EN15 of the Core Strategy.

26) Prior to the first occupation of the development hereby approved, details of the number, siting and appearance of bat and bird boxes and swift bricks at the development shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented and be in place prior to the first occupation of the development hereby approved and shall thereafter be retained and maintained in situ.

Reason - In the interest of providing habitats for bats and birds to improve the ecological value of the application site pursuant to policies SP1 and EN15 of the Manchester Core Strategy (2012).

27) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) the dwelling houses hereby approved shall be used only as private dwellings (which description shall not include serviced apartments/apart hotels or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as serviced apartments/apart hotels do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

28) Notwithstanding the submitted information, prior to the first occupation of the development, the siting, scale and appearance of a suitable cycle store for each dwelling shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented prior to the first occupation of the development and thereafter retained and maintained in situ.

Reason - In the interests of residential amenity and to encourage the adoption of sustainable transportation options, pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

29) The development hereby approved shall be implemented in accordance with the previously approved Driveway Drainage information, as shown on the documents
-Surface Water Drainage Design referenced JSD/J072 dated April 2021 stamped as received on 24 May 2021.
-(Revision A) received on 24 May 2021.
-S104 - Dobb Brook Close, Manchester - PLP Construction - 4200039419

-External Works G.A. Foul Surface Water Drainage ref J071/ 101 Rev B stamped as received on 07 June 2021
-Email from Clive Part dated 23 August 2021.
The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To prevent the increased risk of flooding, improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

30) No vegetation clearance shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

31) The development hereby approved shall be implemented in accordance with the previously approved Affordable Housing information, as shown in Affordable Housing Statement Dob Brook Close, Newton Heath Manchester M40 1DB stamped as received on 20 September 2020. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to provide affordable housing at the site in accordance with policy H8 of the Manchester Core Strategy (2012) and the National Planning Policy Framework.

32) The development hereby approved shall be implemented in accordance with the previously approved Japanese Knotweed information, as shown in the Knotweed Management Plan Remediation Report project no. JKLE16694.3 stamped as received by the City Council as Local Planning Authority on 17 February 2021.The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To prevent the spread of Japanese Knotweed, which has been found on part of the site in accordance with the Wildlife and Countryside Act 1981.

33) The development hereby approved shall include a building and site lighting scheme and a scheme for the illumination of external areas during the period between dusk and dawn, or as may be otherwise agreed in writing by the City Council as local planning authority. Full details of such a scheme shall be submitted for approval in writing by the City Council, as Local Planning Authority before the first occupation of the development hereby approved. The approved scheme shall be implemented in full prior to the first use of the development and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Core Strategy.

Informatives
0) The applicant/developer is advised to contact The Third Party Works Team on 01782 779909 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust"

0) Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria will be required to be achieved:
Bedrooms (night time - 23.00 - 07.00) 30 dB L Aeq (individual noise events shall not exceed 45 dB L Amax, F by more than 15 times)
Living Rooms (daytime - 07.00 - 23.00) 35 dB L Aeq
Gardens and terraces (daytime) 55 dB L Aeq
With regards to the acoustic report by SRL dated Jan 20, ref: 30817-SRL-RP-YA-001-S3- P1, there are concerns that the scrap yard did not produce any significant data during therecordings, further confirmation is needed why this is and likely noise in the future should be discussed.
The report should document, which windows can open and show dB levels inside these rooms, and which rooms will need mechanical ventilation. The mechanical ventilation should be detailed. Regarding the LAMAX, more data is needed to show that this will not exceed 15 occasion. There is not very much data provided and only 10 min recordings were taken, justification is needed for this and it maybe that more data is required.

Appendix 1 – List of consultees & neighbours notified

Highway Services

50 Dob Brook Close, Manchester, M40 1DB
44 Dob Brook Close, Manchester, M40 1DB
39 Dob Brook Close, Manchester, M40 1DB
37 Dob Brook Close, Manchester, M40 1DB
31 Dob Brook Close, Manchester, M40 1DB
29 Dob Brook Close, Manchester, M40 1DB
33 Dob Brook Close, Manchester, M40 1DB
Hygrade Motor Salvage, Rothwell Street, Manchester, M40 1EL
15 Dob Brook Close, Manchester, M40 1DB
9 Dob Brook Close, Manchester, M40 1DB
3 Dob Brook Close, Manchester, M40 1DB
25 Dob Brook Close, Manchester, M40 1DB
19 Dob Brook Close, Manchester, M40 1DB
17 Dob Brook Close, Manchester, M40 1DB
13 Dob Brook Close, Manchester, M40 1DB
11 Dob Brook Close, Manchester, M40 1DB
7 Dob Brook Close, Manchester, M40 1DB
5 Dob Brook Close, Manchester, M40 1DB
52 Dob Brook Close, Manchester, M40 1DB
48 Dob Brook Close, Manchester, M40 1DB
46 Dob Brook Close, Manchester, M40 1DB
42 Dob Brook Close, Manchester, M40 1DB
40 Dob Brook Close, Manchester, M40 1DB
38 Dob Brook Close, Manchester, M40 1DB
35 Dob Brook Close, Manchester, M40 1DB
27 Dob Brook Close, Manchester, M40 1DB
23 Dob Brook Close, Manchester, M40 1DB
21 Dob Brook Close, Manchester, M40 1DB

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Site of Biological Interest - Name: Rochdale Canal, Stott's Lane - Ducie Street Basin
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH1