

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130641/FO/2021

Date registered valid: 7 June 2021

Proposal: Erection of two storey, detached dwellinghouse (Class C3) together detached double garage, landscaping and boundary treatment

Address: Land Adjacent to Nut Bank Lane, Manchester, M9 6BH

Ward(s): Higher Blackley Ward

Applicant: Mr Kevin McNally, Land Adjacent to Nut Bank Lane, Manchester, M9 6BH

Agent (if any): Mr Ben Pond, Strzala Architects, 9 Stevenson Square, Manchester, M1 1DB

Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27.09.2021

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 09 July 2021

Standard consultations:

Printed: 22 June 2021 Expired: 13 July 2021

Neighbour notifications

Printed: 22 June 2021 Expired: 13 July 2021

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

The application site is located to the north eastern side of Nutbank Lane and measures approximately 0.43 ha. This application relates to an area of previously undeveloped land in the Irk Valley adjacent to the City's border with Rochdale. The site is accessed by a driveway located within a row of semi-detached houses on Manchester New Road. The long driveway slopes initially downwards before climbing upwards towards Nutbank Farmhouse, after crossing a brook to the rear of properties on Manchester New Road. Ornate fencing has been erected on either side of the drive and gates and pillars restrict further access approximately half way to the farmhouse.

The application site lies within a predominantly residential area in Blackley immediately to the north of the M60 motorway. To the north of the site is the Boardman Brook site of biological interest with residential properties beyond. The site is then bounded by further open grassland to the east, and Nutbank Lane and other large properties and gardens to the north and west.

The proposal is for the erection of a detached dwellinghouse, with a detached double garage, associated landscaping and gates. The accommodation would comprise of at ground floor lounge, kitchen diner, utility room, sitting room, dining room and wc room. To the first floor the accommodation would comprise of master bedroom with ensuite and walk in wardrobe, four further bedrooms, 2 with ensuite bathrooms and two sharing a bathroom.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Erection of two storey, detached dwellinghouse (Class C3) together detached double garage, landscaping and boundary treatment

Consultations & Notification Responses

No comments received

Highway Services – The application is acceptable and we accept the refuse and servicing arrangement at the site subject to conditions relating to electric vehicle charging, cycle parking, refuse and construction management.

Environmental Health – Recommends conditions relating to acoustic attenuation, refuse, electric vehicle charging, and Contamination.

Neighbourhood Team Leader (Arboriculture) – No comments

MCC Flood Risk Management – An exchange of multiple documents, the matter was unresolved and condition have been imposed and agreed to.

Greater Manchester Police – No objections subject to the imposition of an informative.

Greater Manchester Ecology Unit – No comments

United Utilities Water PLC – Recommend the imposition of drainage conditions

Oldham Metropolitan Borough Council – No comments

Policy Context

Manchester Core Strategy 2012 - 2027 (adopted July 2012)
Policies SP1, H1, H3, EN4-6, EN9, EN14, EN15, EN18 and DM1

Saved Policies within the Unitary Development Plan for the City of Manchester (1995)
Policies BM2, DC7 and DC26

Guide to Development in Manchester SPD and Planning Guidance (2007)

Issues

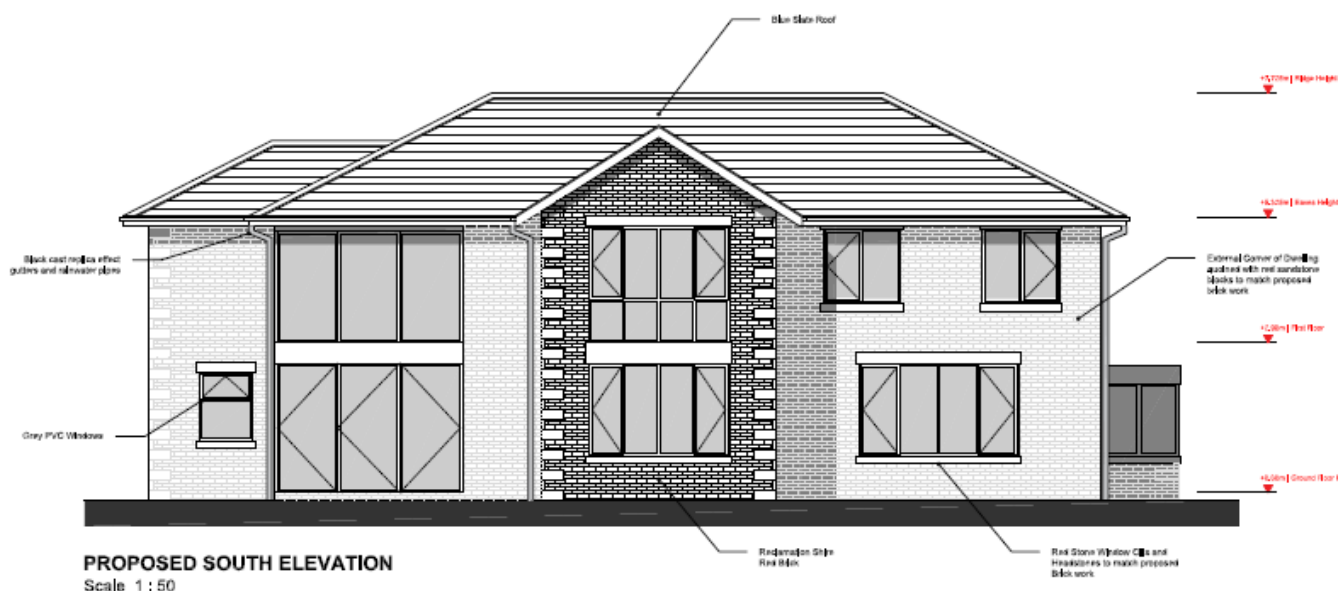
Principle

This application lies within an area covered by policy BM2 of the Unitary Development Plan. Policy BM2 seeks to improve the environment and further develop recreational usage in this part of the Irk Valley. It states that no building would be permitted which would damage the open character of the valley or its existing wildlife habitats. It goes on to state that small infill housing plots may be acceptable on the plateau areas (above the valley sides) but individual proposals must be judged on their own merits. It is considered that the principle of the proposal fully accords with this policy, providing that existing wildlife habitats are not unduly affected, as:

- o the site's topography is relatively flat and it can therefore be considered as a 'plateau area';
- o the site can be viewed as an infill plot since the recent insertion of the nearby M60 motorway to the south; and,
- o such a low density proposal is not considered to have a detrimental impact on the open character of the valley.

The application site is classed as a greenfield plot due to it not being previously developed, however, it is not within the greenbelt. Therefore, in principle the development of a single high quality sustainable dwelling in this location is considered to be acceptable. However, the potential impact on neighbouring amenity, the surrounding landscape and ecology must be assessed.

Design



The design of the proposed 5 bedroom, detached dwelling house is considered to satisfy the requirements as it has been designed to be sensitive to its context and setting but, with a mix of contemporary and traditional style including large openings and glazing to create a high quality interior and maximises the views of the surrounding landscape. The proposed materials are indicated to be of reclaimed red brick with grey UPVC windows and doors. However, a condition requiring samples and exact specifications of these materials to be submitted to and approved in writing by the local planning authority has been included to ensure that they are of a quality to be expected in a setting of this nature. The existing detached houses are also of traditional and contemporary design, with a detached property previously approved to the north of the site.

Boundary Treatments- comprise of existing natural boundary treatments in the form of a hedge, a tree to be retained to the frontage and existing 1.8-2m high fencing, which, given the expanse of fencing is considered a good mix providing both a secure boundary whilst retaining visual permeability with a more lightweight feel in the green context of the site.

Security – Greater Manchester Police were satisfied subject to a number of queries that would be satisfied by the imposition of a condition requiring that any security measures to be implemented should be in compliance with `Secure by Design` standards.

Siting - the proposed dwellinghouse is set on the lower level of the land and will be the first property when entered through the electronic gates that access the private development. It retains a very large garden which wraps around the proposed development and will also be bounded partially by the retained hedge which will further add to the setting of the building. It is therefore considered that the siting is considered acceptable.

Environmental/Ecological Impacts - The site lies adjacent to a grade B Site of Biological Importance, Alkrington Woods, and Rhodes Lodges, which is also a local nature reserve. Policy BM2 of the Plan states that no building will be permitted in this area which would damage existing wildlife habitats. The Greater Manchester Ecology Unit was consulted however they

did not respond as no habitat would be removed as a result of the planning application, similarly, no trees are proposed to be removed. Hedgerows and a tree to the frontage would be retained (retention condition applied). However, no further details of treatment for the site are submitted, hence a condition requiring details to be agreed is attached.

On this basis, the proposed development can be considered acceptable under saved policy BM2 of the UDP and policy EN15 of the Core Strategy that seek to protect sites of biological importance from the adverse effects of development.

Residential Amenity - Due to the distance between the proposed dwellinghouse and associated double garage and nearby residential properties and the fact that it would sit at a lower level in relation to the nearest property, it is considered that the scheme would accord with policy DM1, as the proposals would not cause an unacceptable impact on the existing levels of amenity and would not cause any undue loss of privacy. Policy BM2 prohibits development that would damage the open character of the valley and policy DM1 seeks to prevent development that would have an unacceptable impact upon residential areas. The visual impact of the proposals are not considered to justify a refusal in this case as:

- o the site is well screened by trees and other vegetation when viewed from residential properties within the same site and Manchester New Road;
- o the proposed development is of such a low density so as not to unduly affect the open character of the area; and,
- o the M60 motorway that cuts through the valley to the south of the application site has already largely redefined the character of this part of the Irk Valley.

Therefore, it is not considered that the development proposals will have any impact on the existing residential properties that surround this site.

Vehicular Access - Access to the site would be gained by an existing private driveway located within a row of semi-detached houses on Manchester New Road. The driveway provides two-way access from the point of access at Manchester New Road for a distance of approximately 70 metres. After crossing the bridge over the brook, the driveway effectively becomes single lane with cobbled edges that provides passing space. The access to the property is then taken off this access road and there is an ornamental roundabout that then leads up to the site of the proposed house. In light of the very low-density nature of both the existing and proposed residential developments the current access arrangements are considered to be satisfactory. There would be more than enough parking within the curtilage of the site for future occupants, and the internal access road can accommodate residential vehicles and commercial vehicles in the form of bin wagons and large vehicles such as removal vans.

Noise - In accordance with policy DM1, it is recommended that a condition be attached to any approval requiring the house to be acoustically insulated from the noise of the M60 motorway.

Refuse - In accordance with policy DM1, it is recommended that a condition be attached to any permission to maintain appropriate on site waste management arrangements.

Sustainability and energy efficiency - Policies SP1 and EN4 to EN6 of the Core Strategy focus on reducing emissions and achieving low and zero carbon developments. Policy EN4 in particular, requires the application of the energy hierarchy to ensure that passive measures, energy efficiency and low and zero carbon generation options are considered.

It is noted that policy DM1 of the Core Strategy requires that a Code for Sustainable Homes rating criteria is achieved. However, on the 26 March 2015 the Code assessment criteria was revoked by Royal Assent. Whilst the assessment criteria has been revoked, it is still important to understand how a development performs, particularly in respect of waste efficiency and

energy standards. A condition has been applied to require the submission of an Environmental Standards report.

Ground conditions - Policy EN18 of the Core Strategy requires that consideration should be given to potential sources of ground contamination and the effect on new developments. A condition is attached. This approach should form a condition of the planning approval in order to comply with policy EN18 of the Core Strategy.

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 policies 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

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

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 following drawings and documents:

102 FLOOR PLAN
103 FLOOR PLAN
104 ELEVATION
104 ELEVATION
106 ROOF PLAN
LP01 Location Plan
Design & Access Statement
Environment Statement
Site Plan 07 Jun 2021 001 EXISTING

Site Plan 07 Jun 2021 101 PROPOSED
Site Waste Management Plan
Received 07 June 2021

Ground Survey
Received 17 June 2021

106A PLANS
Received 09 July 2021

Vehicle Swept Path Information Plan
Received 16 July 2021

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.

3) Above-ground construction (excluding demolition or internal strip out works) works shall not commence until samples and specifications of all materials to be used in the external elevations and hard landscaping around the buildings as detailed on the approved drawings have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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 and DM1 of the Core Strategy.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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.

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 listed in condition 2.

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

6) The development is to be undertaken in accordance with the submitted waste management strategy. The strategy shall be implemented in full prior to the first occupation of the authorised houses and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

7) No development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

8) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details 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.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

9) The car parking layout indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the buildings hereby approved being occupied. The car park shall remain in use at all times thereafter.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

10) Prior to first occupation of the development hereby approved, details of the measures to be incorporated into the development to allow for the provision of electric vehicle charging points shall be submitted in writing to the local planning authority for approval and shall be implemented in full and made available for use. The approved scheme shall remain available for use whilst the development is occupied.

Reason - To promote sustainable development and in the interests of residential amenity, pursuant to Policies DM1 and EN16 in the Manchester Core Strategy (2012).

11) The approved cycle storage on the plans listed in condition 2 shall remain available for use whilst the use is in operation.

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

12) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from the M60 Motorway shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The approved noise insulation scheme shall be completed before any of the dwelling units are occupied.

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 LAeq (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 LAeq
Gardens and terraces (daytime)	55 dB LAeq

b) Prior to first occupation of the residential units, a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have 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.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

13) 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 policies DM1 and EN18 of the Core Strategy.

14) No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- o A construction programme including phasing of works;
- o 24 hour emergency contact number;
- o Expected number and type of vehicles accessing the site: o Deliveries, waste, cranes, equipment, plant, works, visitors; o Size of construction vehicles; o The use of a consolidation operation or scheme for the delivery of materials and goods; o Phasing of works;
- o Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for

existing occupiers of neighbouring properties during construction): Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;

- o Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- o Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- o Locations for storage of plant/waste/construction materials;
- o Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- o Any necessary temporary traffic management measures;
- o Measures to protect vulnerable road users (cyclists and pedestrians);
- o Arrangements for temporary facilities for any bus stops or routes;
- o Method of preventing mud being carried onto the highway;
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

15. Prior to the erection of the above ground structure, details of the measures to be incorporated into the development to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details.

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

16. Prior to the erection of the above ground super structure, an environmental standards statement outlining how the development will incorporate sustainable development measures to follow principles of Code for Sustainable Homes including measures to secure predicted carbon emissions and the attainment of specified environmental efficiency and performance, shall be submitted to and approved in writing by the Local Planning Authority. Within 3 months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures at each phase of the construction of the development, including dated photographic documentary evidence of the implementation and completion of required works.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, EN4-EN7 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.

17. 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.

18. Above-ground construction works shall not commence until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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 Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Greater Manchester Police
Greater Manchester Ecology Unit
United Utilities Water PLC
Oldham Metropolitan Borough Council

2 Nutbank Lane, Manchester, M9 6BH
4 Nutbank Lane, Manchester, M9 6BH
7 Nutbank Lane, Manchester, M9 6BH
5 Nutbank Lane, Manchester, M9 6BH
3 Nutbank Lane, Manchester, M9 6BH

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH1