

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 131392/FO/2021

**Date registered valid:** 6 September 2021

**Proposal:** Erection of two storey detached dwellinghouse (Class C3) with accommodation in the roof space together with associated parking, landscaping and boundary treatment

**Address:** Land Adjacent To 116 Wilton Road, Manchester, M8 4PX

**Ward(s):** Crumpsall Ward

**Applicant:** Mr Norman Hughes 1211 Rochdale Road, Manchester, M9 7EG

**Agent (if any):** Mr Robert Hodgson R.A. Fisk and Associates 20 Chorley Road, Manchester, M27 5AJ

**Case officer:** Janine Renshaw-Livesey  
Tel: 0161 234 4555  
Email: janine.renshaw-livesey@manchester.gov.uk

**Recommendation:** Approve

**Date of recommendation:** 27 October 2021.

## **Application details**

**Type of application:** Full Application Consent

**Development type:** Minor Dwellings

**Date of site visit:**

**Standard consultations:**

Printed: 19 October 2021 Expired: 9 November 2021

**Neighbour notifications**

Printed: 14 September 2021 Expired: 5 October 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**

**Listed building:** Not applicable

**Conservation area:** No

**Tree Preservation Order:** No

The application site is a vacant piece of land fronting Wilton Road in between 116 and 120 Wilton Road. The land is currently fenced off from the footway by a closed board fence. The site has historically been used for parking/lock up garages and currently consists of hard standing and overgrown shrubs. The topography of the site is relatively flat; however, the site levels are slightly lower than those of the adjacent properties which is reflection of the gradient of the road. A large sewer easement runs diagonal across the site.

A previous scheme was approved under ref:107294 was approved for the erection of 2 no. detached 2-storey dwelling houses with bedroom accommodation in the roof space together with associated landscaping, car parking and boundary treatment, following demolition of existing garages

119580/FO/2018 Erection of 1 no. detached 2-storey dwelling houses with bedroom accommodation in the roof space together with associated landscaping, car parking and boundary treatment, following demolition of existing garages.

The proposal is for a two storey dwelling house with bedroom accommodation in the roof. The house comprises of bedrooms, two of which have en suite facilities. The width of the building measures 11 metres in depth, including a small over projection of 1.5 metres at the rear/side.

## **Consultations & Notification Responses**

Local residents/public opinion were consulted, and no representations were received.

**Highway Services** - The application is acceptable in principle, subject to the following conditions be attached to the consent: EVC charging points, Cycling, Off-Site Highways Works, CMP and car parking layout details.

**Environmental Health** - The proposed accommodation should be acoustically insulated, and the acoustic properties be verified. A condition regarding contaminated land is required as the information received in the report ref: 2009 LK report relates to a different site. Appropriate conditions have been attached to the consent. The refuse scheme information provided is sufficient and considered to be acceptable. The construction hours have been added to the consent as an informative.

**Greater Manchester Ecology Unit** - No objections or comments on the planning application.

**Flood Risk Management Team** -Requested two conditions relating water drainage to prevent flooding. Condition one requires the applicant to identify the nearby culvert is identified, and 3m easement surrounding the culvert should be maintained and clearly illustrated on the drainage layout and condition two relates to surface water drainage layout for the site, be based on sustainable drainage principles.

**United Utilities**- commented that prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The condition requested by the flood team is adequate to cover the drainage requirement requested by United Utilities.

**Greater Manchester Police**- were consulted and confirmed that the proposed development should be designed and constructed to Secured by Design standards and an informative has been added to the consent.

## **Issues**

### **POLICIES**

#### **NATIONAL PLANNING POLICY FRAMEWORK Chapter 2. Achieving sustainable development**

7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

#### **Chapter 9. Promoting sustainable transport**

102. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:  
a) the potential impacts of development on transport networks can be addressed;

b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised - for example in relation to the scale, location or density of development that can be accommodated;

c) opportunities to promote walking, cycling and public transport use are identified and pursued;

Chapter 12. Achieving well-designed places

124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

125. Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.

131. In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY DEVELOPMENT PLAN  
DOCUMENT (ADOPTED 11 JULY 2012)

Policy SP1 identifies 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 including:-

- 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 or income.
- Protect and enhance the built and natural environment

Policy DM 1 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:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.
- 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.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.

- Flood risk and drainage.

EC1 Looks to ensure priorities for economic growth. The Council will support significant contributors to economic growth and productivity including health, education, retailing, cultural and tourism facilities, and other employment generating uses.

#### Policy H 1 Overall Housing Provision

Approximately 60,000 new dwellings will be provided for in Manchester between March 2009 and March 2027. This equates to an average of 3,333 units per year, however the rate of delivery of units will vary across the lifetime of the Core Strategy. Based on the availability, suitability and achievability of developing capacity sites in Manchester's Strategic Housing Land Availability Assessment, and the current economic situation, the trajectory overleaf provides an indication of the timescale over which development is likely to come forward.

#### Policy H 3 North Manchester

North Manchester, over the lifetime of the Core Strategy, 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 T2 Looks to manage the pattern of development to ensure that new development is located in accessible locations. Particular emphasis is given to the need to ensure residents are able to 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 EN1 'Design principles and strategic character areas' states that all development in Manchester will be expected to follow the seven principles of urban design. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes. Proposals for new development must clearly detail how the proposed development addresses the design principle, reinforces and enhances the local character of that part of the City and supports the achievement of the Core Strategic objectives.

#### Policy EN 14 Flood Risk

o In line with the risk-based sequential approach contained within PPS25, 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 to the requirements for site-specific Flood Risk Assessments (FRAs) set out in PPS25, an appropriate FRA will also be required for all development proposals, including changes of use, on sites greater than 0.5ha within Critical Drainage Areas (CDAs) and Canal Hazard Zones identified in the SFRA.

o All new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of Green Infrastructure. Developers should have regard to the surface water run-off rates in the SFRA User Guide. In CDAs, evidence to justify the surface water run-off approach / rates will be required.

o 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; where feasible and appropriate development should seek to open up culverted/hidden rivers to reduce the associated flood risk and danger of collapse, taking advantage of opportunities to enhance biodiversity and Green Infrastructure.

#### Policy EN 15 Biodiversity and Geological Conservation.

Developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity, either on-site or adjacent to the site, contributing to linkages between valuable or potentially valuable habitat areas where appropriate, with reference to: the Manchester Biodiversity Strategy, which provides further details of priority habitats within Manchester and opportunities for biodiversity enhancement including corridors such as the Mersey, Medlock and Irk river valleys, the canals and disused railway lines

#### Policy EN 17 Water Quality

With reference to the Manchester-Salford-Trafford SFRA and other relevant documents:

- o Development should avoid any adverse impact on water quality, including during the construction phase, and wherever possible should seek to enhance water quality, both chemical and ecological;
- o Development should minimise surface water run-off from development and associated roads, and maximise the use of appropriate sustainable drainage systems, to minimise groundwater contamination, and to avoid pollutants reaching watercourses;
- o Development close to a watercourse should also ensure that waste or litter cannot enter the watercourse from the site;
- o Development should, where feasible and appropriate, seek to open up any culverted or hidden watercourse beneath the site to improve the ecological status of that watercourse.

#### Policy EN 18 Contaminated Land and Ground Stability

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 EN 19 Waste

- o The Council will Work with other Districts through the Greater Manchester Joint Waste Development Plan Document (GMJWDPD) to safeguard existing sites for waste management and identify and safeguard new sites in existing areas of employment where appropriate.
- o Require all developers, including those of new waste management facilities within the District, to demonstrate the proposal's consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling/composting, energy recovery, final disposal)
- o Require all developers of new waste management facilities within the District to plan for and, where appropriate, use sustainable modes for waste transport, including use of modes such as rail and the Manchester Ship Canal.
- o Require 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.
- o Have full regard to the economic and environmental benefits that well designed and run, waste management facilities can bring to the District, subject to any conditions required to protect the amenity of existing adjacent users.

- o Promote the development of innovation and technological advancement within the sustainable waste management industry, aiming to achieve a closed-loop waste management system.
- o Require waste management practices to have full regard to the environmental, social and economic impacts of such development and encourage long-term benefits in improving the environment, the regeneration of areas in need of investment and co-location with other employment uses where appropriate.
- o Encourage communities to take responsibility for the waste they create through the provision of accessible facilities

#### UNITARY DEVELOPMENT PLAN SAVED POLICIES

DC26.1 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 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 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 of these factors will be considered appropriate for inclusion in conditions on any planning permission

DC26.5 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.

DC26.6 Exceptions to the general policy will be considered on their merits. The council accept, as an example, that the occasional use of outdoor facilities such as sports stadia for concerts can be acceptable in certain circumstances. Any such proposal will be considered in the light of consultation with local residents and others, and the practicability of appropriate conditions on any approval.

CITY COUNCILS GUIDE TO DEVELOPMENT IN MANCHESTER 2: Supplementary Planning Document and Planning Guidance Adopted April 2007. The Guide aims to support and enhance the on going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester. Part 1 of the Supplementary Planning Document, Chapter 2 Design, Character and Context: A place with its own identity, paragraph 2.3 states the following;

2.3 '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. Such positive characteristics should be recognised and enhanced by new development. Each new development should be designed having full regard to its context and the character of the area. This should be demonstrated in planning submissions by way of design statements and where appropriate, visual means such as models and photomontages'.

Policy 2.7 The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified urban form, which blends in with, and links to, adjacent areas.

Policy 7.2 - New housing development should not be viewed in isolation and proposals must be designed having regard to not only the immediately adjoining buildings but also the townscape of the wider area. Developments should be informed, both in terms of design and layout, by the wider context. It is the character and identity of an area that will determine appropriate densities and form, and clearly this will vary across the City.

Policy 2.13 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.

Policy 4.8 Code for Sustainable Homes

Policies 4.10 and 4.11 Waste Management

Policies 6.2; 6.3; 6.4 6.5; 6.6 Parking Guidelines.

Policy 7.2 - Developments should be informed, both in terms of design and layout, by the wider context.

Policy 8 - Community Safety and Crime Prevention

Policy 10 - Internal Design Principles and the Provision of space within housing.

## MANCHESTER RESIDENTIAL QUALITY GUIDANCE 2016

Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The ambitions of the City are articulated in many places, but none more succinctly than in the 'Manchester Strategy' (2016).

The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. 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. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

## **ISSUES**

### **Principle**

The proposal seeks to develop a previously developed site for residential purposes. This accords with policies SP1 and H1 which seek to re-use previously developed sites before other sites are considered. The creation of a residential unit at the application site will also help to support the objectives of policy H3 in terms of meeting the housing growth in the City.

Matters which require consideration are the type of accommodation and density, siting, scale and appearance of the resulting building. In addition, matters of access, car parking, landscaping/boundary treatment, sustainability, designing out crime, waste and impact on residential amenity will be considered.

Each matter will be considered in turn below.

### **Type/density**

The proposal will provide one dwellinghouse (one 4 bedroom property). Policy H1 states that outside of the inner areas of Manchester, densities of around 40 dwellings per hectare will be supported. The proposed dwelling fits comfortably within the site and demonstrates that the proposal due to its size accords with the density requirement.

Policies H1 and H3 seek to encourage family accommodation outside of main centres. The development comprises of one large family house with open living accommodation and separate lounge areas. The proposal is considered to be acceptable in this regard and therefore supports policies SP1, H1 and H3 of the Core Strategy.

### **Siting/layout**

The Guide to Development SPD encourages dwellings which present their main pedestrian face to the street scene. The dwelling fronts Wilton Road which maximises the relationship with the street scene. There is a separate pedestrian and vehicular access to the property.

The dwelling follows the established building line with 116 and 120 Wilton Road which will ensure that the dwellings sit well within the street scene.

At the rear of the site there is a generous garden area for the dwelling, which will allow for adequate space for the drying of clothes, recreation, an outbuilding and any other external activities for the enjoyment of the dwellinghouse. This complies with the guidance contained within the Guide to Development in Manchester SPD (2007).

### **Scale/appearance**

The proposal consists of one two storey dwellinghouse with accommodation in the roof. The dwellings will measure 8.2m in overall height. The applicant provided a contextual drawing demonstrating how the units will fit into the site and wider area.

The application has taken its reference point from 120 Wilton Road which. However, the site levels are different in this location with 120 Wilton Road being slightly higher than the application site.

The proposed dwelling will not exceed the overall height of the dwelling at 120 Wilton Road albeit it is noted that the proposed dwelling is taller than 116 Wilton Road due to the site levels.

However, as the application site levels are lower than 120 Wilton Road it will ensure that the dwelling will not appear out of context.

The dwelling adjacent to 116 Wilton Road will be 1 metre taller than this property as the site levels are the same. However, the eaves do line through and given the gap of 4.5 metres between the side elevations the change in height will not have a detrimental impact on the street scene.

In order to minimise the impact from the proposed dwelling on the rear elevation of 116 Wilton Road, the applicant has introduced a part single, with a projection of 2.75m. The two-storey element will be slightly set back with the rear building line of these properties and therefore no overbearing or overshadowing impact will arise. The single storey element metres into the gardens areas There is a 1.25 metre gap between 116 Wilton Road and a 4.5 m gap with the common boundary of 120 Wilton Road.

The appearance of the dwelling will be of a brick construction with a tiled roof. The applicant has taken inspiration from 120 Wilton Road and incorporated Dutch hip roofs to the proposed dwelling. This is considered to be a suitable compromise between the style of the roof at 120 Wilton Road and the hipped roofs in the street scene.

The proposed dwelling will be double fronted with projecting bays at the ground floor level along with a porch. There will be a simply window arrangement to the front and rear which reflects that of 120 Wilton Road.

It is recommended that a condition of the planning approval shall be that materials shall be submitted for approval to ensure that the dwelling fits comfortably in the street scene.

### **Access/car parking/highway impact**

The dwelling will provide one off road parking space within the curtilage of the dwelling. This will provide 100% parking for the development which is acceptable. Highway Services have confirmed that the access width and length of the drive is acceptable.

The proposal would require the applicant to enter into a Section 278/184 agreements for the alterations to the existing highways, and for construction of the proposed vehicular access and dropped kerbs on Wilton Road and will require a crossing licence/agreement.

A new vehicular and pedestrian access will be installed off Wilton Road and provides access to a private driveway that can accommodate three vehicles. It should be noted that all individual driveway parking spaces should be a minimum of 3.0m x 6.0m to ensure that vehicles / pedestrians do not impact on the adopted highway and appreciate conditions have been attached to the consent,

Furthermore, It is not considered that the provision of the dwelling at the site will have an unacceptable impact on the local highway network and should have less impact than the previous use of the site as garages.

## **Landscaping/boundary treatment**

The landscaping scheme at the site will be characteristic of a domestic property with lawn areas to the front and rear. Final details of the landscaping should, however, be submitted for approval and it is recommended that this is a condition of the planning approval.

The applicant has indicated that boundary treatment will be provided to the front, sides and rear of the site in order to provide security to the dwelling but also define the public and private spaces. No details have been provided in this regard and the applicant has asked that the details be agreed by planning condition.

## **Sustainability**

The applicant has not provided any information on how the energy efficiency of the building under this rating system will perform. It is recommended that a condition of the planning approval shall be that a code for sustainable homes pre-assessment shall be submitted and should this be approved then the development shall be constructed in accordance with such details and a post construction assessment submitted to confirm this. However, conditions relating to provision of cycle parking, electrical charging points have been attached to the scheme and soft land landscaping which contribute to the creating a more sustainable development by reducing carbon use and to minimise the environmental impact of the development

## **Designing out crime**

The dwellings front the street scene and therefore provide the required natural surveillance in this regard. There will also be boundary treatment which will help secure the site and measure such as : garden boundary treatments adjacent to publicly accessible land In particular the rear boundary should be 2100mm. Entrance gates should be installed that lead to the rear of the property and should be set forward as close to the building line as possible. Dusk till Dawn lighting should be installed on all external doors and external bin store should be a secure, lockable and fire-resistant enclosure. Greater Manchester Police have confirmed, subject to these measures being incorporated into the scheme that the proposal would comply with Secured by Design standards.

## **Waste**

The applicant has indicated that the waste area will be stored at the side of the property. There is sufficient room for the waste to be stored in this location and at the rear. As such, there will be no need to store the bins at the front of the property.

## **Residential amenity**

The proposal will complement the residential character of the area. There should be no unacceptable impacts arising from the development. The part single, part two storey elements will respect and minimise the impact on 116 and 120 Wilton Road and ensure that there are no overbearing and overshadowing impacts.

There is approximately 17 metres to the nearest dwelling (rear elevation to rear elevation) along Givendale Drive and this gap increase to the other dwellings which have larger gardens). In addition, the rear of the site is heavily screened by existing landscaping and, as such, this should not give rise to any concerns in respect of overlooking. Furthermore, the site levels in

this location mean that the properties at Givendale are in a slightly elevated position compared to those along Wilton Road and at the application site. Furthermore, the only windows on the side elevation of the proposal are two stair windows both of which will be obscurely glazed by the means of a condition.

### **Other issues**

There is historical evidence of land contamination at the site. The applicant has submitted a ground investigation survey with the application; however, this is considered to be inadequate as it relates to a different site. Further information is required to be submitted for consideration. It is therefore recommended that a condition of the planning approval shall be that an updated ground investigation report is submitted for consideration.

As detailed above a sewer easement runs across the site. The flood team have requested that protection of the culvert present within the curtilage of the site be maintained and protected and sustainable drainage methods be implemented, and a condition has been attached to the proposal.

Environmental Health have recommended that the properties be acoustically insulated, and this should therefore be agreed as part of the conditions of the planning approval.

It is recommended that the permitted development rights are removed for this development in respect of those granted by Class A and B of the Town and Country Planning (General Permitted Development) Order. This is to prevent unrestricted overdevelopment of the plots in the interest of residential and visual amenity.

In addition, it is recommended that a further condition of the approval to clearly define the approved dwellings under the C3(a) use and to remove the permitted development rights that would normally allow the change of use of a property to a HMO falling within use classes C3(b) and C3(c) without the requirement for formal planning permission. This is to protect this development and its future residents from the problems associated with the change of use of properties to HMO's and to promote family accommodation and sustainability within this neighbourhood.

### **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:**

### **Article 35 Declaration**

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Alterations to the scale, siting and appearance of the proposed dwellings have been sought through the course of the application. The proposal is considered to be in accordance with the Development Plan and therefore determined in a timely manner.

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

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:

1194.02 Rev A, 1194.03, 1194.05, Design and Access Statement, Flood Map, stamped as received on the 17 August 2021 and 1194.04 Rev C, 1194.06, Ground Investigation and Risk Assessment Report by Stuart Smith Associates and the Waste Management Plan, stamped as received on the 6th September 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) Prior to the commencement of development, samples and specifications of all materials to be used on all external elevations of the development, external surfaces and boundary treatment shall be submitted to and approved in writing by the City Council as local planning authority. 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) a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Wilton Road 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 potential for overheating shall also be assessed and the noise insulation scheme shall take this into account. The approved noise insulation and ventilation scheme shall be completed before any the dwelling is occupied.

Noise survey data shall include measurements taken during a rush-hour period and night-time to determine the appropriate sound insulation measures necessary. The following noise criteria shall be required to be achieved:

Bedrooms (night time - 23.00 - 07.00) 30 dB LAeq (individual noise events shall not exceed 45 dB L<sub>Amax,F</sub> 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 shall 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 protect the amenity of the occupants of the premises once the development hereby approved is occupied, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

5) The waste management arrangements shall be carried out in accordance with Waste Management Strategy, stamped as received by the City Council, as Local Planning Authority, on the 6 September 2021. The approved scheme shall be implemented prior to the first occupation of the building and shall remain in situ whilst the use or development is in operation.

Reason - To ensure adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

6) 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 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 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 prior to the first occupation of the development.

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 DM1 and EN18 of the Core Strategy.

7) Prior to the first use of the use of the development, 1 no. electric car charging point shall be installed within the site, in accordance with a scheme submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented prior to the first use of the development and made available and thereafter retained for as long as the development is in place.

Reason - In the interest of promoting alternatives and minimising the impact of the development on air quality pursuant to policies EN16 of the Manchester Core Strategy (2012).

8) A Construction Management Plan should be provided by the applicant prior to any construction works beginning. The Construction Management Plan should detail the phasing and quantification / classification of vehicular activity associated with planned construction. This should include commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway. The document should also consider ongoing construction works and contractor parking in the locality. It is also requested the applicant provides a dilapidation survey as part of the Construction Management Plan document. The survey should include photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

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

9) No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be implemented prior to the first occupation of the development and retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

10) No development shall commence until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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.

11) Notwithstanding the submitted details, the development hereby approved shall not be occupied until a plan indicating the positions, design, materials and type of all boundary treatment (including gates) to be erected, has been submitted to and approved in writing by the City Council as Local Planning Authority. The boundary treatment shall be completed before the dwellinghouse hereby approved is first occupied. The 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, pursuant to policies SP1 and DM1 of the Core Strategy.

12) Prior to above ground development commencing, an Environmental Standards Statement shall be submitted to, and approved in writing by, the City Council, as Local Planning Authority. The statement shall demonstrate measures to be incorporated into the development to achieve energy efficiency and approved measures shall be implemented in the construction of the approved development.

Reason - In order to minimise the environmental impact of the development, pursuant to policies DM1 and SP1 of Manchester's Core Strategy and the National Planning Policy Framework.

13) 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 development 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 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). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, 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.

14) 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 dormers, porches or outbuildings and boundary treatment, including fencing and walls, 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.

15) Prior to the first occupation of the development, the first and second floor stair window on the north gable shown on drawing number 1194.04 Rev C, stamped a received on the 6

September 2021, shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

16) No development shall take place until details of the alterations to the existing highways, and for construction of the proposed vehicular access and dropped kerbs on Wilton Road have been approved in writing by the City Council as local planning authority. The development shall not be occupied until the works have been constructed in accordance with the approved details.

Reason – In the interest of highway and pedestrian safety pursuant to policy DM1 of the Manchester Core Strategy (2012).

17) Notwithstanding the car parking layout, as indicated on drawing number 1194.02 Rev A, stamped as received on the 17 August 2021, by the City Council as Local Planning Authority. Prior to the occupation of the development details of the dimension of the car parking layout, shall be provided and made available. The car parking layout shall be retained and maintained for as long as the development remains in use.

Reason - To ensure sufficient car parking is available for the development pursuant to policies SP1, T1, and DM1 of the Manchester Core Strategy (2012).

18) Development shall not begin until a survey has been carried out to confirm the exact location, invert, size and condition of the Crumpsall Brook culvert which is located within the property boundary. Once the location of the nearby culvert is identified, a 3m easement surrounding the culvert should be maintained and clearly illustrated on the drainage layout.

Reason: To prevent the increased risk of potential damage to the existing culvert which is located within the property boundary, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

19) Development shall not begin until a surface water drainage layout for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details and details provided of how the scheme shall be maintained and managed after completion.

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

## **Informatives**

1) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

2) The proposed development should be designed and constructed to Secured by Design standards including laminated glazing; security-certified windows and doors (please see [www.designforsecurity.org/secured-by-design/](http://www.designforsecurity.org/secured-by-design/) or [www.securedbydesign.com](http://www.securedbydesign.com) for more information). Developments that are built to this standard are less likely to be susceptible to crime.

All garden boundary treatments adjacent to publicly accessible land In particular the rear boundary should be 2100mm.

Entrance gates should be installed that lead to the rear of the property and should be set forward as close to the building line as possible.

Dusk til Dawn lighting should be installed on all external doors

Any external bin store should be a secure, lockable and fire resistant enclosure.

3) The applicant will be required to enter into a Section 278/184 agreements for the alterations to the existing highways, and for construction of the proposed vehicular access and dropped kerbs on Wilton Road and will require a crossing licence/agreement. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004). This will be funded at the applicant's expense.

## **Appendix 1 – List of consultees & neighbours notified**

Highway Services  
Environmental Health  
Greater Manchester Police  
Greater Manchester Ecology Unit  
MCC Flood Risk Management

12 Givendale Drive, Manchester, M8 4PZ  
177 Wilton Road, Crumpsall, Manchester, M8 4QP  
173 Wilton Road, Crumpsall, Manchester, M8 4QP  
169 Wilton Road, Crumpsall, Manchester, M8 4QP  
6 Givendale Drive, Manchester, M8 4PY  
10 Givendale Drive, Manchester, M8 4PY  
120 Wilton Road, Crumpsall, Manchester, M8 4PX  
3 Coppleridge Drive, Manchester, M8 4PB  
179 Wilton Road, Crumpsall, Manchester, M8 4QP  
15 Coppleridge Drive, Manchester, M8 4PB  
1 Coppleridge Drive, Manchester, M8 4PB  
175 Wilton Road, Crumpsall, Manchester, M8 4QP  
171 Wilton Road, Crumpsall, Manchester, M8 4QP  
16 Givendale Drive, Manchester, M8 4PZ  
14 Givendale Drive, Manchester, M8 4PZ  
8 Givendale Drive, Manchester, M8 4PY  
4 Givendale Drive, Manchester, M8 4PY  
2 Givendale Drive, Manchester, M8 4PY  
116 Wilton Road, Crumpsall, Manchester, M8 4PX  
114 Wilton Road, Crumpsall, Manchester, M8 4PX  
9 Coppleridge Drive, Manchester, M8 4PB  
7 Coppleridge Drive, Manchester, M8 4PB  
5 Coppleridge Drive, Manchester, M8 4PB  
23 Coppleridge Drive, Manchester, M8 4PB  
21 Coppleridge Drive, Manchester, M8 4PB  
19 Coppleridge Drive, Manchester, M8 4PB  
17 Coppleridge Drive, Manchester, M8 4PB  
13 Coppleridge Drive, Manchester, M8 4PB  
11 Coppleridge Drive, Manchester, M8 4PB  
1 Kearsley Road, Manchester, M8 4GH

## **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  
Area Team Boundary - Name: NORTH1