

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133308/FO/2022

Date registered valid: 6 April 2022

Proposal: Erection of a two storey rear extension and demolition of existing garage and single storey rear outrigger in association with the change of use of premises from office at ground floor with adjacent service yard, and residential dwelling at first floor, to form 4.no 2 bedroom self-contained apartments, with associated car parking and amenity space

Address: 42 Ladybarn Road, Manchester, M14 6WW

Ward(s): Fallowfield Ward

Applicant: Ms Olivia Bentley, Westhill, Green Walk, Bowden, Altrincham, WA14 2SL

Agent (if any): Mr Simon Miles S R Miles Ltd 28 Parrs Wood Avenue, Didsbury, Manchester, M20 5ND

Case officer: Linda Marciniak
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Recommendation: Approve

Date of recommendation: 30 May 2022



Application details

Type of application: Full Application Consent
Development type: Minor Dwellings
Date of site visit: 05.05.2022
Standard consultations: Printed: 12 April 2022 Expired: 3 May 2022
Neighbour notifications: Printed: 12 April 2022 Expired: 3 May 2022
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
Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of site/building

The application site is a detached 2-storey Victorian red brick building situated in a triangular plot of 5911m² on the south side of Ladybarn Road in the Fallowfield ward. The building is associated with the former Fallowfield railway station situated approximately 100 metres to the south-west on Wilmslow Road.



OS map 1904 showing the building to the left of the nurseries (National Libraries of Scotland)



The building is currently vacant having last been in use as offices at ground floor with a residential flat above. At ground floor, all the windows are fitted with external box roller shutters which show signs of vandalism.

Historically, the site has also been used as accommodation with an extension approved in 1987 to form a coach booking office (Ref: 028622); the land to the west then approved for

parking coaches (Ref: F06299) with the current storage of building materials use in the buildings' curtilage receiving approval in 1995 (Ref: 047603/FU/CENTL2/95).

More recently, the site has received planning permission for a change of use to residential to form 4no. 2-bedroom apartments with associated car parking and amenity space following demolition of existing garage and rear single storey outrigger (Ref: 122979/FO/2019). This permission expires on the 5th of June 2022.



Description of area

Immediately north, east and west of the site land uses are predominantly associated with the applicant's building materials business 'Bentley's' whose offices face the site in a large Georgian building. To the north-west, there is a small, detached double-fronted cottage and larger 3-storey Victorian terrace converted to flats, and similarly scaled or larger Victorian flat conversions to the north-east within large garden plots. Houses at this end of the road retain their original decorative walling, gate piers and mature tree cover.

Within the wider hinterland, the surrounding area comprises the vibrant Fallowfield District Centre immediately north-west, south and west of the site with a mixture of large Victorian dwellings mostly converted to flats or HMO's, some smaller dwellings and infill purpose-built student accommodation in between. There is a large Sainsbury's store on the southern boundary of the site, this is set at a much

lower level on account of it being within the envelope of the former railway cutting and sidings land. The disused railway cutting functions as the Fallowfield Loop pedestrian and cycling recreational route which runs along the southern boundary and extends for several miles between Chorlton and Ashton-under-Lyne. Within the District Centre are a range of independent shops, cafes and restaurants, hairdressers, a Wetherspoons, Nando's, doctor's surgery and public house. The area has long been associated with the student community being close to the Owens Park and Armitage Sports campus 300 metres north along Wilmslow Road.

The area is well served by public transport with buses 24 hours a day along Wilmslow Road, a key radial route into and out of the city, which has also seen recent investment in cycling infrastructure to provide segregated cycle lanes.

The strong student demographic has resulted in a prominent monoculture of houses occupied in term time by students on this street and to the north, east and south, this area of the city having the highest concentration of flats and HMO's.

Description of development

The application proposes the conversion, refurbishment and 2-storey rear extension of the building to provide 4no. 2-bed apartments (1 x 81sqm, 2 x 71sqm and 1 x 70sqm) with 6no. parking spaces, bin store, secure sheltered cycle store, external amenity space, inward-opening electronic gated vehicular access and boundary treatment.

Apartments A and B have their own independent access from the side elevation, whilst apartments C and D have a shared access from the front elevation.

The new extension will require the demolition of the existing single storey rear outrigger and detached garage.

The application is accompanied by a Design and Access Statement and Waste Proforma.

Consultations & Notification Responses

Neighbour notifications

A total of 32no. neighbours were notified of the proposal; no comments were received.

South-East Fallowfield Residents' Group

Request that a C3 condition is attached to make balanced neighbourhoods of choice.

Highway Services

The site is located adjacent to the adopted highway of Ladybarn Road. Ladybarn Road has a 20mph speed limit in place and No Waiting (Mon-Fri, 8am-6pm and Sat, 8am-5pm).

This application is linked to the approved application 122979/FO/2019 for the change of use of premises from office at ground floor with adjacent service yard, and residential dwelling at first floor, to 4.no 2-bedroom apartments, with associated car parking and amenity space following demolition of existing garage and rear single storey outrigger.

The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

The site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities.

It is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.

Vehicle access is being retained from Ladybarn Road with an inward opening electronic gated access that is acceptable to Highways.

Cycle parking is being provided in the form of secure and sheltered cycle storage within the car park. This is acceptable to Highways.

The waste management proposals are acceptable in principle with storage within the forecourt area and bins presented by residents for collection from Ladybarn Road.

Pedestrian access is being maintained to the front and new side accesses to the ground floor properties which is acceptable from a highway perspective.

As per comments for application 122979/FO/2019. Prior to the commencement of any development a Construction Management Plan shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the agreed Construction Management Plan and shall include:

- o The routing of construction traffic;
- o Detail the quantification/classification of vehicular activity associated with the construction including commentary on types and frequency of vehicular demands together with evidence (appropriate swept-path assessment);
- o Details of the location and arrangements for contractor parking;
- o The identification of the vehicular access points into the site for all construction traffic, staff vehicles and Heavy Goods Vehicles;
- o Identify measures to control dust (based on British Standard 5228) and mud including on the surrounding highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- o Specify the working hours for the site;

- o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete;
- o Identify advisory routes to and from the site for staff and HGVs;
- o A highway dilapidation survey including photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Environmental Health

DEMOLITION/CONSTRUCTION HOURS

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

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

NSE4(b)

Residential sound insulation AND overheating

a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from road traffic 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 such as the adjacent Timber storage yard, the nearby superstore and the builder's yard opposite.

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 of the dwelling units are 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_{Amax,F} by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

Gardens and terraces (daytime) 55 dB LAeq

Where applicable (vibration): Due to the proximity of the development to the trainline/source) it shall be necessary for vibration criteria to apply which can be found in BS 6472: 2008 "Guide to evaluation of human exposure to vibration in buildings". Groundborne noise/re-radiated noise shall also be factored into the assessment and design.

Where applicable (entertainment/music): Additionally, where entertainment noise is a factor in the noise climate the sound insulation scheme shall be designed to achieve internal noise levels in the 63Hz and 125Hz octave centre frequency bands so as not to exceed (in habitable rooms) 47dB and 41dB (Leq,5min), respectively.

Where applicable (airport): Noise survey data shall include measurements for aircraft movements (arrivals and departures) during both easterly and westerly conditions.

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 secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating.

REF*

a) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) 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.

The proposed bin provision is inadequate for the development. Each apartment will need its own set of bins and a food caddy. The applicant will need to demonstrate that the bin storage area will be big enough with the additional bins.

AIR QUALITY 2*

a) Prior to commencement of the development, a scheme for electric vehicle charging and any other considerations, for example boiler emissions, shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

The developer should refer to MCC's AQ Guidance Note for EV charge point recommendations, and also IAQM Planning guidance for further information on boilers etc if relevant.

CLAND* (Watching brief condition - or see below informative)

In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the 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 agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this prior to occupation of the development.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected, and appropriate remedial action is taken in the interests of public safety, pursuant to policy EN16 of the Unitary Development Plan for the City of Manchester.

*Our records indicate that the proposal site is on or in the vicinity of potentially contaminative historic land uses.

Information for Developers guidance documents can be downloaded using the following link: http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

Policy

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

The NPPF sets out Government planning policies for England and how these are expected to apply. The NPPF has a presumption in favour of sustainable development which has an economic, social and environmental role. Development that accords with the development plan should be approved without delay. Where an application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. The following specific policies are considered to be particularly relevant to the proposed development:

Section 5 (Delivering a sufficient supply of homes) - The proposals would provide 4 new homes within a sustainable location.

Section 6 – (Building a strong and competitive economy) - The proposal would provide employment during the construction period.

Section 8 (Promoting healthy and safe communities) – The proposals have been designed with safety and security in mind.

Section 11 (Making Effective Use of Land) – The proposal would make effective use of land utilising previously developed site in an urban location.

Section 12 (Achieving Well-Designed Places) – It is considered that the proposals reflect the local character in terms of height, scale, design, and massing and would achieve a well-designed place.

Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy")

The Core Strategy was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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. The relevant Core Strategy policies for this application are as follows:

Policy SP1 - Spatial Principles

This policy states that priority will be given to the creation of neighbourhoods of choice outside of the regional centre. In particular, developments which make a positive contribution and enhance areas for residents will be supported. Policy DM1- Development Management Follows the principles advocated in the aforementioned policies and informs 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 given below:

- o Appropriate siting, layout, scale, form, massing, materials and detail.
- o 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.
- o 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.

H1 – Housing

This is the overarching housing policy for the city with an emphasis on housing provision in the North, East, City and Inner Areas of Manchester until 2027. Outside the Inner Areas the emphasis will be on increasing the availability of family housing with 90% of residential development provided on previously developed land. New developments are expected to take advantage of existing buildings where appropriate through refurbishment or rebuilding works.

H6 – Housing (South Manchester)

South Manchester has been identified as needing to accommodate 5% of residential housing growth over the lifetime of the policy. Principally, higher density housing will be accommodated within District Centres but outside of these areas, priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing.

H11 – Houses in Multiple Occupation

This policy seeks to manage the number and concentration of HMO accommodation across the city.

Unitary Development Plan (UDP)

The UDP has been superseded by the Core Strategy Development Plan, however, some policies have been saved and are extant within the planning process. Of relevance to this application is saved policy DC1 - Residential Extensions.

DC1 - Residential Extensions

Saved policy DC1-4, states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- o the general character of the property,
- o the effect upon the amenity of neighbouring occupiers,
- o they are not excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings);
- o they do not create an undue loss of sunlight, daylight or privacy;
- o they are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details.

Manchester Residential Quality Guidance – 2016

This document provides guidance on the direction that development should take in the city to deliver sustainable neighbourhoods of choice. 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 the City's target of carbon neutrality by 2050.

ISSUES

Principle

The application proposes a 2-storey rear extension and change of use of an office/residential building to a small residential apartment block with in-curtilage car parking. The site is within a mixed edge of District Centre location including residential. The proposal also entails the provision of cycle parking, landscaping and boundary treatment to the external areas following demolition of the existing garage and rear outrigger.

The application site has had an historic residential use at first floor and refurbishes and reconfigures the ground floor office space to create living accommodation. The re-use of available land is supported in national planning policy whilst saved policies within the UDP permit extensions to create extended living accommodation. The principle of the proposal is therefore acceptable subject to satisfactory compliance with the considerations set out below.

Residential Amenity

There are no other residential land uses within close proximity which would be impacted by the proposal on the basis of overlooking, overshadowing or being overbearing. The apartments themselves have been laid out internally to mirror the living arrangements of each apartment above and below which minimises the opportunities for noise ingress, to the benefit of the amenity of future occupiers.

Visual Amenity

The proposal makes no changes to the front elevation. The majority of development is on the rear elevation which will be visible on approach along Ladybarn Road and Wilmslow Road.



The side elevation as seen from the eastern approach along Ladybarn Road, looking towards Wilmslow Road



Western view of the site and Bentley's on the left- hand side of Ladybarn Road

Siting

Development is sited to make the best use of internal constraints and land at the rear which is currently occupied by the single storey outrigger and detached garage.

The remaining, larger service yard area is suitably secure and screened from the highway to provide parking and amenity space.

Design

The elevations show that this addition will create a seamless gable roof profile which keys in with the design of the original. The elevations have not changed since approval in 2019:



2019 approval

The additional development on the western elevation over the entrance to apartment A, continues the projecting dual-pitched cross-gable feature, and size and scale of fenestration as

the original. This will give the building a more finished appearance as at present, it appears unbalanced and lacks real visual interest, particularly on this elevation.

By contrast, the eastern elevation is relatively featureless as at present with the exception of 2no. full height slim brick buttresses. The extension on this elevation introduces 2no. further buttresses which add texture and visual interest to the benefit of the street scene.

Height, scale, and massing

The extended side and rear elevations 6.6m D x 12.5m W x 3.9m H enables a second bedroom to be created in apartments B and D and a comfortable level of internal space to be delivered. This ensures that the apartments comply with current minimum space standards.

The height of the finished build is 2-storeys which is within the parameters of the original building whilst the scale and massing create development on a par with the scale of other Victorian buildings along Ladybarn Road. This includes the Bentley's building opposite and the pair of Victorian semi's further to the north-east which are similarly sub-divided into apartments:



At first floor, the elevation accommodating apartment D is set back off the plane of the original building which lessens the mass and adds a visual break. Towards the rear, the footprint is similarly irregular with the extension projecting 3-metres which adds articulation to this elevation.

The extended property responds appropriately to the height, scale and massing of the original, reinforcing its Victorian aesthetic and brings an attractive but neglected vacant building back into active re-use to the benefit of the street scene. In the original (2019) application, the applicant who are the owners of the Bentley's building materials business facing the site, stated in a site meeting that she was keen to preserve the attractive features of the building. This approach is welcomed as it represents a non-designated heritage asset in Fallowfield's historic associations with the disused railway and the surviving station building which is located a few metres to the west on Wilmslow Road.

Current design guidance in the City is embodied within the Manchester Residential Quality Guidance, (adopted 2016) supports this approach: “New development should investigate and reference its historical context [...] that can reinforce local distinctiveness and a sense of place” (p43), whilst saved UDP policy DC1 guides development towards extensions which “are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details”. It is considered that the proposal meets these policy and guidance criteria utilising features which will forge a satisfactory relationship between the existing and extended Victorian building.

Materials

The materials to the external envelope; brick, roof, windows and rainwater goods (timber fascia / soffits), propose to match the existing with the exception of the ground floor windows. These are currently uncharacteristic faux-Georgian which will be replaced with more sympathetic simple 3-light vertically proportioned windows.

The materials are required to be implemented in accordance with the submitted details.

Car Parking

The development proposes 6 no car parking spaces within the curtilage of the development, for the 4 no apartments, which represents a 150% provision. This provision has the support of Highway Services. The car park is required to be made ready for use before the apartments are first occupied.

The development is of a small scale which is unlikely to place undue demand on highway capacity or overspill on-street parking which is nonetheless unrestricted along Ladybarn Road.

Spaces are located west of the site facing the entrances to apartments A and B with ground and first floor doors and windows overlooking giving good surveillance over the car park.

Vehicular access is taken off Ladybarn Road as at present with inward opening electronic gates and sufficient space for vehicles to turn and exit the site in forward gear. These arrangements are acceptable to Highway Services who have no concerns with this element of the proposal.

Furthermore, the site is also well-served by public transport along Wilmslow Road a short walk away and makes provision for 4 no cycle spaces within a secure cycle shelter which together offer alternative and sustainable modes of travel to and from the development, in line with Core Strategy policy T2.

Access

The development proposes 3 separate accesses; one from the existing access at the front to the first-floor apartments C and D, and 2 at the side leading to ground floor apartments A and B. The front entrance is highly visible whilst the entrance to apartments A and B will be taken from an existing and proposed new access at the side.

Concerns in the 2019 proposal with hidden corners for the side access were amended by bringing forward the ground floor footprint of apartment B, with the approved access arrangements reflected in the present proposal. As such, there are no concerns in this regard. Future occupiers can expect good visibility of the entrance threshold both from the street and within the car park. This will ensure the safety and security of future occupiers in accordance with Core Strategy policy DM1.

Security

GMP Design for Security were not notified of the present proposal. However, no concerns were expressed by them on the 2019 scheme but measures to improve the security of the site were recommended at the time. It is considered prudent to re-attach that guidance as an Informative at the end of this report in the interests of the security of residents and personal property within the site curtilage.

Space Standards

The DCLG Technical Housing Standards (Nationally Described Space Standard, March 2015) guides the Council's assessment of residential development. In relation to apartments, classified as 1-storey dwellings, it sets out the adopted standards as:

- 2 bed, 4 person 1-storey dwelling - 70m²
- 2m storage space per dwelling

Each apartment within the proposal comprises 2 x 2 double bedroom with an open plan kitchen/living/dining room and bathroom and en-suite to each apartment.

The apartments within this application propose:

2 x apartments at 71m²
1 x apartment at 70m²
1 x apartment at 81m²

The proposal meets or exceeds the Gross Internal Area floorspace standard but falls short of the adopted standard for storage space. However, the development is not a new build and involves the part refurbishment of an existing building with internal wall constraints, the shortfall is marginal particularly when the floorspace in excess of the DCLG standard is factored in.

Boundary Treatment

No new boundary treatments are proposed within the application site which makes use of the existing. Along the front elevation, the proposal is for black powder-coated steel railings on top of the existing dwarf brick wall and gate pier. This will be planted up with beech hedging in front of the building and along the turfed amenity area. This treatment is acceptable in this location. It will complement the appearance of the refurbished building within the street scene, helping to soften its overall appearance and will reinforce a sense of private ownership; creating defensible space to the benefit of the future occupiers' and site security.

Amenity Space

The proposal includes residents' amenity areas to the side and rear including both hard and soft landscaped areas enclosed by the existing and proposed boundary treatment. There are no concerns with the level of proposed external amenity space.

Waste Management

The application is accompanied by a Waste Management Proforma and block plan which shows the siting, type and size of waste containers. These would be located on the rear boundary adjacent to the car parking area and contained within a secure bin store. Provision is made for shared general, glass/metal and paper recycling in 660L Eurobins, together with a 240L green bin.

Waste provision has been assessed by Environmental Health who recommend that waste is segregated so that each apartment has its own external waste containers, and that details of an internal food waste bin for each apartment is provided. This ensures that the maximum opportunities for recycling are available and that there is no conflict between waste deposited by different occupiers.

The location is acceptable as the boundary is sufficiently high to screen the refuse area from the street scene. As detailed in the section above on car parking, sufficient space would be maintained within the car park for circulation and manoeuvring bins to the Ladybarn Road entrance on collection day.

Air Quality / Carbon reduction

The proposal is an existing building that is proposed to be re-used as 4no. private dwellings. This of itself reduces CO₂ emissions by containing the carbon that is embodied within the building. The new development together with the transportation and use of new materials, will however add to the carbon footprint of the site.

This will be balanced by the fact of the materials having a long life, the use of mechanical ventilation across the building, and introduction of planting, soft landscaping, and cycle parking. Furthermore, the site is within a sustainable location that is close to a range of amenities and a good reliable public transport network, thus reducing the need for car use for short journeys.

The scheme can be further enhanced by the introduction of electric vehicle charging to encourage a move away from fossil-fuel dependency, and the use of energy efficient boilers and lighting. A condition is appended for further details of these mitigation measures to be provided prior to first occupation of the dwellings.

Cycle storage

The proposed Block Plan indicates that 4no. cycle hoops capable of parking 8no. cycles is proposed in a secure cycle store. This is located on the rear boundary of the car park which has a large drop on the south side into the access road serving the Sainsbury's store. As the site access into the car park itself is proposed to be secured by electronic opening gates, there are no concerns that the siting of the cycle store will increase the security risk of the site.

The cycle hoops and shelter are required to be implemented prior to first occupation of the development on any approval.

Houses in Multiple Occupancy

The South-East Fallowfield Resident's Group has raised a concern that the change of use of the building to provide 4.no apartments, signifies the intention to create a house multiple occupancy. In assessing the application, there are no grounds on which to assume that this is the case.

It is however noted that the site is in a location where such accommodation is already over-represented and that the Councils' objective towards housing provision expressed in Core Strategy policy H11, is to create more balanced and sustainable communities through managing opportunities for transient populations such as students. To achieve this, a condition is recommended that limits use of the property to a C3(a) Use Class by way of a condition appended at the end of this report.

Conclusion

The proposal strikes a good balance between making the best use of available land to create 4 no apartments of a good standard, whilst providing private amenity space, cycle parking and car parking.

The application is considered to have a limited impact on residential and visual amenity and will preserve and enhance a non-designated heritage asset in Fallowfield. Improvements to the overall appearance of the building in the street scene and having an active use of the building will reduce the instances of vandalism that have blighted its appearance whilst it has remained unoccupied.

For the above reasons, the proposal is considered to have regard to the amenity elements of saved UDP policy DC1 and is in accordance with Core Strategy policies SP1, DM1, H6 and T2. It also meets the sustainable development objectives contained within Paragraph 124 of the NPPF for making efficient use of land, provision of infill housing within Core Strategy policy H6 and meets or exceeds the standards for new residential development contained within the Nationally Described Space Standards and the Manchester Residential Quality Guidance document (2016).

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 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 local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the delegated report. Notification of the application resulted in comments as noted in this report.

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 received on the 23rd of March 2022 or as stated:

Application Form Received on the 06 Apr 2022
Location Plan 19 160 PL000
Proposed Block Plan 19 160 PL100 REV A
Proposed Floor Plans 19 160 PL101 REV A
Proposed Elevations PL102 REV A
Existing Floor Plans 19 160 EX01
Existing Elevations 19 160 EX02
Design & Access Statement prepared by SR Miles Ltd
Schedule of Residential Accommodation
Waste Management Proforma

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) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture, as stated on the Application Form.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and the requirements of the National Planning Policy Framework.

4) Before first occupation the windows in the ground and first floor bathroom and en-suite windows, shall be obscure 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 residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from road traffic 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 such as the adjacent Timber storage yard, the nearby superstore and the builders' yard opposite.

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 of the dwelling units are occupied.

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 secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance and to reduce the potential for overheating in accordance with saved UDP policy DC26.1 and Core Strategy policies SP1 and DM1.

6) The car parking for the development indicated on the approved plans shall be surfaced, demarcated and made available for car parking use prior to the apartments hereby approved being first occupied.

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.

7) 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 premises 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 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 - 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.

8) a) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling, including food waste caddies in each apartment. Internal and external storage areas are required.

b) 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 Core Strategy policies SP1, DM1 and EN19.

9) The cycle parking and secure cycle shelter as shown on the proposed Block Plan, shall be implemented prior to first occupation of the dwellings hereby approved and shall remain in situ whilst the use or development is in operation and at all times thereafter.

Reason - In the interests of the sustainability of the site and to contribute towards an improvement in local air quality in accordance with policies EN16 and DM1 of the adopted Core Strategy for the City of Manchester and Chapter 15 of the NPPF.

10) The development shall be implemented in accordance with the hard and soft landscaping and boundary treatment as shown on the approved Proposed Block Plan. If within a period of 5 years from the date of the planting of any tree, hedge or shrub, that tree, hedge or shrub or any tree, hedge 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, hedge 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) a) Prior to commencement of the development, a scheme for electric vehicle charging and any other considerations, for example boiler emissions, shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy and Chapter 15 of the NPPF.

12) Prior to the commencement of the development a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- o Details of wheel washing during the construction period;
- o Dust suppression measures (based on British Standard 5228) and measures to control mud on roads;
- o Compound locations where relevant;
- o Location, removal and recycling of waste;
- o Routing strategy, swept path analysis and quantification/classification of construction vehicle activity;
- o Vehicular access points into the site and parking locations for construction vehicles, HGV's, contractors and staff;
- o Emergency telephone contact number for site contractor on display from the commencement to completion of the development;
- o Identify advisory routes to and from the site for staff and HGV's;
- o A highway dilapidation survey including photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

Development shall be carried out in accordance with the approved construction management plan.

Reason - In the interest of pedestrian and highway safety and to ensure that the proposed development is not prejudicial or a nuisance to adjacent dwellings pursuant to policy DM1 of the Core Strategy. Details are required prior to works commencing on site as the impacts of construction works to deliver the development require mitigation.

Informatives

1. 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_{Amax,F} by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB LAeq

Gardens and terraces (daytime) 55 dB LAeq

2. 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

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

3. The developer should refer to MCC's AQ Guidance Note for EV charge point recommendations, and also IAQM Planning guidance for further information on boilers etc if relevant.

4. The proposed bin provision is inadequate for the development. Each apartment will need its own set of bins and a food caddy. The applicant will need to demonstrate that the bin storage area will be big enough with the additional bins.

5. MCC records indicate that the proposal site is on or in the vicinity of potentially contaminative historic land uses.

6. Information for Developers guidance documents can be downloaded using the following link: http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

7. Greater Manchester Police recommend that the following measures are incorporated into the development to secure the site and future occupiers:

Boundary Treatment

Vehicular entrance gates should be installed at the vehicular access path so that residents can converse with, and vet, visitors prior to allowing entry.

Flats

Access into the flats should be controlled by a video entry phone system (with the picture viewable on the phone unit, rather than on a television set) so that residents can vet visitors before allowing them access in to the building. Trade access is not permitted.

The flat entrance doors must be compliant with and certified to BS PAS 24, STS201, or LPS 1175 SR2. It is advised that these doors do not have fixed sidelights and are provided with door viewers instead.

Management & Maintenance

The success of the proposed development will be dependent upon the effective management and maintenance of the site. A security management plan should include measures to deal with the following:

Frequent inspection and prompt repair of security features (e.g., lighting CCTV, signage, barriers, locks, fencing and rails).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
South-East Fallowfield Residents Association

J CAVANAGH LTD, Fallowfield Timber Co, Ladybarn Road, Manchester, M14 6WW
Flat 1, 42 Ladybarn Road, Manchester, M14 6WW
7B Ladybarn Road, Manchester, M14 6WN
7A Ladybarn Road, Manchester, M14 6WN
9A Ladybarn Road, Manchester, M14 6WN
Sainsbury's, 347 Wilmslow Road, Manchester, M14 6SS
Flat B, 5 Ladybarn Road, Manchester, M14 6WN
3A Ladybarn Road, Manchester, M14 6WN
Flat 10, 15 Ladybarn Road, Manchester, M14 6WN
Flat 7, 15 Ladybarn Road, Manchester, M14 6WN
Flat 4, 15 Ladybarn Road, Manchester, M14 6WN
Flat 6, 13 Ladybarn Road, Manchester, M14 6WN
Flat 3, 13 Ladybarn Road, Manchester, M14 6WN
Flat 3A, 15 Ladybarn Road, Manchester, M14 6WN
Flat 9, 13 Ladybarn Road, Manchester, M14 6WN
Flat A, 5 Ladybarn Road, Manchester, M14 6WN
3B Ladybarn Road, Manchester, M14 6WN
Bentleys, Harburg House, 11 Ladybarn Road, Manchester, M14 6WN
Flat 1, 15 Ladybarn Road, Manchester, M14 6WN
Flat 9, 15 Ladybarn Road, Manchester, M14 6WN
Flat 8, 15 Ladybarn Road, Manchester, M14 6WN
Flat 6, 15 Ladybarn Road, Manchester, M14 6WN
Flat 5, 15 Ladybarn Road, Manchester, M14 6WN
Flat 3, 15 Ladybarn Road, Manchester, M14 6WN
Flat 8, 13 Ladybarn Road, Manchester, M14 6WN
Flat 7, 13 Ladybarn Road, Manchester, M14 6WN
Flat 5, 13 Ladybarn Road, Manchester, M14 6WN
Flat 4, 13 Ladybarn Road, Manchester, M14 6WN
Flat 2, 13 Ladybarn Road, Manchester, M14 6WN
Flat 1, 13 Ladybarn Road, Manchester, M14 6WN
9 Ladybarn Road, Manchester, M14 6WN
Flat 2, 15 Ladybarn Road, Manchester, M14 6WN

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 Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH