

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128577/JO/2020

Date registered valid: 14 June 2021

Proposal: Variation of conditions 2 (specified plans) 6 (windows) and 9 (waste management) attached to planning permission referenced 125127/FO/2019 to allow addition of rear roof dormer, elevational alterations and changes to the refuse storage arrangement

Address: Vacant Land , 25 Prestage Street, Manchester, M12 4GQ

Ward(s): Levenshulme Ward

Applicant: Mr. Rasheed Ahmed 12 Slade Grove, Manchester, M13 0QF

Agent (if any): Mr Muthahar Khan Studio Tashkeel Architecture 89 Princess Street, Manchester, M1 4HT

Case officer: Carl Glennon
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Recommendation: Approve

Date of recommendation: 6 August 2021

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Dwellings

Date of site visit: 26 February 2021 & 28 June 2021

Standard consultations:

Printed: 16 June 2021 Expired: 7 July 2021

Neighbour notifications

Printed: 14 July 2021 Expired: 21 July 2021

Site notice

Posted: 28 June 2021 Expired: 19 July 2021

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

Description of area

This planning application relates to an enclosed plot adjacent to the gable elevation on No 23 Prestage Street. Given the configuration of neighbouring houses and the position of the end elevation of No 23, it appears that the site would have formerly accommodated a terraced house, i.e., No 25. The neighbouring traditional 2-storey terraced houses are constructed to the back of pavement with enclosed rear yard area. The neighbouring housing is characterised by single storey rear extensions covering significant proportions of rear yard areas. The adjacent properties have access to communal bin storage in the adjacent gated alleyways. The site is enclosed by timber fencing.

The applicant has partially implemented a development approved under planning permission referenced: 125127/FO/2019 involving:

- i. The construction of a 2-storey dwellinghouse, which would adjoin the side (east) elevation of No 23 and positioned at the back of pavement to Prestage Street and Matthews Lane and respond to the angled configuration of the site. The proposed house would respond to the alignment of the building line to Prestage Street and the rear first floor building line. At ground floor level a single storey extension with a flat roof would be formed;

- ii. The ridge line and eaves would reflect the neighbouring houses. The roof would terminated in a hipped ridge to reflect the style of neighbouring houses;
- ii. The rear yard area would be enclosed to Matthews Lane by a 2 metre high brick wall returning to the alleyway boundary with a 2 metre high closed timber boarded fence and matching gate;
- iii. The proposed house would be constructed in matching brickwork and red clay roof tiles. Proposed white uPVC windows window be set within lintels and sills to match the neighbouring arrangements. A landing winding windows at first floor level would relieve the expanse of brickwork the Matthews Lane elevation;
- iv. Internally, the previous development involved:

Ground floor - living room, dining room and kitchen;
First floor - 2 x bedrooms and a bathroom.
- v. Amenity space would be formed within the enclosed rear yard.



Site visit : 26 February 2021



Fig 2 – Second site visit and site notices 28 June 2021

Description of development

The proposed development would involve:

- i. The replacement of the previously approved hipped roof to the authorised house with a pitched roof with a continuous ridge line and gable elevation;
- ii. The formation of a flat roof bay that would be set below the ridge line of the main roof and offset from the eaves and the boundary with No 23. The outside elevation would be formed by raising the brickwork to meet the eaves. The rear elevation would have a window in its east elevation. The elevations would be composed in matching brick and roof tiles;
- iii. The formation of the roof extension would facilitate the formation of a third bedroom.
- iv. As previously established the site has the capacity to a bin storage should changes occur to the existing communal storage arrangements be withdrawn. The condition is referenced in the description to ensure the appropriate changes to the drawing reference.
- v. In all other respects, the development would replicate the previous planning permission.

The application was re-validated during its consideration to allow Certificate D to be submitted and related advertising to be undertaken.

Consultations & Notification Responses

Local Residents – No comments received.

Environmental Health – No objection to the proposed amendment.

Highways – No objection subject to appropriate waste management arrangements being provided.

Flood Risk Management Team – Recommends that the development includes appropriate drainage arrangements taking into consideration the proximity of the Nico Ditch.

GM Police Design for Security – No objection but recommend that glazing meets secured by design standards.

Issues

National Planning Policy Framework (NPPF) – This Framework came into effect on 27th March 2012 and was amended and updated in July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 10 states that 'at the heart of the Framework is a presumption in favour of sustainable development.' In 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- i. Chapter 5 Delivering a sufficient supply of homes - States that to support the Government's objective of significantly boosting the supply of homes, it is important that: a sufficient amount and variety of land can come forward where it is needed; the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay (paragraph 59). This should be reflected in the consideration of the size, type and tenure of housing needed for different groups in the community (paragraph 61). Chapter 5 states that the provision of affordable housing should not be sought for residential developments that are not major developments and that the re-use of brownfield sites should be encouraged (paragraph 63). It further requires that local planning authorities should support the development of entry-level exception sites, suitable for first time buyers (paragraph 71). In this case, it is considered that the size and tenure of the proposed development would positively contribute to the quality and supply of housing in the local area, secure the development of a brownfield site and responds to an identified local housing need. It would also help to diversify the local housing market through the provision of high quality design that is capable of achieving sustainable future occupation. Chapter 5 would thereby be complied with.
- ii. Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion (paragraph 91). These considerations have been related to the layout and design of the proposed development and the incorporation of measures to address issues of security and potential

opportunities for criminal and anti-social behaviour. On the basis of the submitted design would respond positively to Chapter 8.

iii. Chapter 9: Promoting sustainable transport - States that in assessing specific applications for development, it should be ensured that:

- a) Appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
- b) Safe and suitable access to the site can be achieved for all users; and
- c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree (paragraph 108).

It is considered that, given the magnitude of the development, the generation of traffic and vehicular movement would be predictable and capable of being accommodated within the local highway infrastructure. Given the magnitude of the development it is not considered that the development would generate significant on-street car parking. The site has access to bus routes and local services and shops. The development would thereby positively related to Chapter 9.

iv. Chapter 11: Making effective use of land - States that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. It also encourages the use of previously developed or 'brownfield' sites (paragraph 117). Paragraph 122 states, amongst other things, that planning decisions should support development that makes efficient use of land. It is considered that chapter 11 has been positively responded to as it would secure the re-use of previously developed land and secures housing with a satisfactory quality of urban design. It is also considered that the development would be appropriately related to the scale, proportions and character of the development in the surrounding area.

v. Chapter 12: Achieving well-designed places - States that 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 (paragraph 124). Paragraph 127 further states that planning decisions should ensure that developments:

- a. Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b. Are visually attractive as a result of good architecture, layout and landscaping;
- c. Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d. Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials;
- e. Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.

The proposed development achieves a layout that relates appropriately to the surrounding context, including its acknowledgement of the character neighbouring houses. Given the quality of the proposed design, it is considered that the development would contribute to place making and the character of the local area thereby according with chapter 12.

vi. Chapter 14: Meeting the challenge of climate change, flooding and coastal change - States that new development should be planned for in ways that:

- a. Avoid increased vulnerability to the range of impacts arising from climate change;

b. Can help to reduce greenhouse gas emissions, such as through its location, orientation and design (paragraph 150).

In this case, the development would represent a small scale development and that its contribution to reduction in climate change would be achieved through application of contemporary building techniques and incorporation of double glazing etc. This would relate the development would be appropriately related to chapter 14.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In the following assessment of the proposed development has been given to the following aspects of the PPG:

- i. Consultation and pre-decision matters;
- ii. Design;
- iii. Flood Risk Planning and Flood Risk;
- iv. Health and well-being;
- v. Air quality;
- vi. Land affected by contamination;
- vii. Noise.

It is considered that the development responds to the above points through the submitted details, which are discussed below.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles)

Policy SP1 specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

It is considered that the proposed development would contribute positively to the formation of a sustainable community, which would be beneficial to the quality of the living environment experienced by existing and future residents. This would be achieved through the quality of the development and its contribution to local housing provision in the local area. Policy SP1 would therefore be positively responded to.

Policy EN1 (Design Principles and Strategic Character Areas)

Policy EN 1 states that opportunities for good design to enhance the overall image of the City should be fully realised through the implementation detailed design principles that reinforce and enhance the local character of that part of the City and supports the achievement of the Core Strategy Strategic Objectives. In this case, it is that the proposed design would achieve a high quality that would positively contribute to the character of the area and improve the standard of residential accommodation in the locality. The demarcation of public and private space formation of amenity space and boundary treatments would secure a satisfactory relationship to the streetscene. The applicant has previously agreed to a condition to ensure that satisfactory and inclusive access to the rear of the property and this has been re-attached. The development would satisfactorily related to the characteristic appearance of housing in the local area. The development would thereby comply with policy EN1.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development)

Policy EN4 has been related to the assessment of the submitted statement detailing measures to reduce CO2 emissions and to secure energy efficiency.

Policy EN 8 (Adaptation to Climate Change)

Policy EN8 states that all new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces.

The development represents a small scale in-fill development that is capable of achieving sustainable design through its construction techniques, glazing and related heating systems. On this basis, policy EN4 and EN8 would therefore be appropriately responded to.

Policy EN 14 (Flood Risk)

Policy EN 14 states that in line with the risk-based sequential approach, development should be directed away from sites at the greatest risk of flooding and towards sites with little or no risk of flooding. The site is with Flood Zone 1 and the previous application was not subject to a drainage condition. The comments of United Utilities relating to the previous planning permission have again been included.

Policy EN 16 (Air Quality)

Although an air quality assessment would not be required in this case, a report has been received and assessed. It is accepted that impacts on air quality would be mainly related to the construction stage and that impacts during the operational stage would be limited to residential traffic movement. Given the magnitude of the development and the limited frequency of vehicle movement, it is not anticipated that there would be a significant impact on local air quality. As car parking is not proposed as part of the development the provision of an electric vehicle charging would not be appropriate in this case.

Policy EN18 (Contaminated Land and Ground Stability)

Policy EN18 states that any proposal for development of contaminated land must be satisfactorily responded to. A watching brief condition to address encounter land contamination has been included in response to policy EN18 and previous Environmental Health comments.

Policy EN19 (Waste)

Policy EN19 requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. The sustainable waste management needs of the end user will be met.

Policy EN19 has been related to the proposed waste management arrangements, which are considered to be acceptable in terms of capacity, with issues relating to the transfer of waste containers to collection points addressed within this report.

Policy H1 (Overall Housing Provision)

Policy H1 relates to the City Council strategy for the delivery of new housing between March 2009 and March 2027. The proposed development responds positively to policy H1 by:

- i. Contributing to the creation of mixed communities by providing house types to meet the needs of a diverse and growing Manchester population, including elderly people, disabled people and people with specific support requirements;
- ii. Supporting growth on previously developed sites in sustainable locations and which takes into account the availability of developable sites in these areas;
- iii. Ensuring that the design and density of the a scheme contributes to the character of the local area;
- iv. Making appropriate provision for parking cars and appropriate levels of sound insulation;
- v. Being designed to give privacy to both its residents and neighbours.

Policy H 6 (South Manchester) - Seeks to encourage the provision of sustainable family housing. The development would positively related to policy H6.

Policy H11 (Houses in Multiple Occupation)

Policy H11 has been related to a condition to ensure that the proposed housing is retained as Class C3 accommodation. This accords with the requirement of policy H11 by contributing to the supply of family housing and maintaining an appropriate mix housing type and tenure.

Policy T1 (Sustainable transport)

Policy T1 relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport. In this case, would not generate significant traffic and the site has the capability of incorporating cycle storage if required. On this basis the development would be suitably related to policy T1.

Policy DM1 (Development Management)

Policy DM1 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. Relevant considerations in this case are:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- c. Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- d. Accessibility: buildings and neighbourhoods should be fully accessible to disabled people with new development providing access to all via sustainable transport modes;
- e. Community safety and crime prevention;
- f. Design for health;
- g. Adequacy of internal accommodation and external amenity space;
- h. Refuse storage and collection.

Policy DM1 points a - h (inclusive) have been related to the assessment of the proposals with regard to its potential impact on residential amenity and the contextual relationship of the new housing to the local built environment. Although inclusive access to the rear of the property cannot be achieved due to the position of the proposed house to the back of footpath, a condition would achieve satisfactory access via the rear yard. It is considered that, for the reasons set out in this report, the above points have been responded to satisfactorily.

Unitary Development Plan saved policies -The following policies are considered to be relevant:

Policy DC7 (New Housing Development)

Policy DC7.1 states that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, including those who use wheelchairs, wherever this is practicable. Policy DC7 also requires that a satisfactory quality of development is achieved. In this case the layout of the proposed houses and the quality of design would accord with residential quality guidance. It is also considered that satisfactory access for people with disabilities would be achieved. Policy DC7.1 would therefore need to be complied with.

Policy DC26 (Development and noise)

The following elements of policy DC26 are considered to be relevant:

Policy DC26.1 has been related to the proposals contribution to the local noise environment and how existing noise sources, including noise from neighbouring industrial / commercial uses, may impact on the proposed housing.

Policy DC26.4 requires that where 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, consideration is given to measures to deal with it satisfactorily.

Policy DC26.5 has been related to the assessment of the development, in terms of measures to minimise the impact of noise on future residents, including the incorporation of noise insulation.

The development has been assessed by Environmental Health and there is no recommendation for specific noise insulation. Beyond traffic there is no apparent noise sources that would affect development and the development is related to a residential context.

Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance - 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.

The following paragraphs are of particular relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals. It is considered that these design principles have been incorporated into the development.
- ii. Section 3 Accessibility - In order to relate the development to ground levels and the continuous terrace of houses, including eaves and ridge heights, is necessary to form a step to front and rear entrances. The provision of a ramp to the principal entrance cannot be achieved as the house would be sited at the back of pavement but, as stated, inclusive rear access via level threshold can be achieved.
- iii. Section 7 Housing Density and Mix - States that the composition of the residential development has been assessed to determine if the development positively contributes to the range of housing choices and assists the sustainability of these neighbourhoods. It is considered that the development responds positively to these objectives.
- vi. Section 8 Community Safety and Crime Prevention - Relates the importance of creating safe environments through the incorporation of informal surveillance and crime prevention measures as an integral part of new development. These objectives have been related to the assessment of the proposed design and layout of the development.

Manchester Residential Quality Guidance (MRQG) - 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. It is therefore essential for applicants to consider and integrate the design principles contained within the 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. It is considered that the proposed house layout would not fully achieve the space criteria for a 2 bedroom, 4 person, and 2-storey house. This considered to be justified in this case as the applicant has been asked to reduce the footprint of the single storey extension to reduce its impact of the neighbouring property and increase the amount of amenity in the rear yard. Notwithstanding the above, the proposed house would reflect the scale of magnitude of neighbouring housing and responds positively to the constraints of the site. The proposed development is therefore considered to be acceptable.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application.

In this case, 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. Discussions have been undertaken to ensure that the revised development satisfactorily relates to the constraints of the site and character and appearance of housing in the local area.

Discussions were undertaken to ensure that appropriate landownership notices and certificates were provided in support of the application. These submission of these details allowed the development proposals to be appropriately assessed.

Principle of the development - The application relates to a brownfield site and, given the site configuration, it is considered that it is likely that the site has been formerly accommodated a house. The development has been related to the constraints of the site, in terms of its siting. The parameters of the proposals would also be related to the height and proportions of houses within the street. The proposal would contribute positively local housing provision. The formation of an additional bedroom would give greater flexibility to its use and increase the likelihood of its sustained occupation. The principal of the development is therefore considered to be acceptable.

Future use of the development - A condition has been included for purposes of clarity and to confirm that the authorised development relates to the formation of 3 x bedroom x three storey house. A separate condition has been included to facilitate the appropriate future use and management of the authorised apartments limiting their future occupation to Class C3 (a) not precluding occupation by two unrelated people sharing a property. This condition is considered necessary to secure the appropriate and sustainable occupation of the proposed houses.

Residential amenity - The development at first floor level would reflect the distances achieved between existing houses and, at ground level, the positioning of the single storey extension would also be reflective of existing circumstances. Proposed ground floor rear windows would be screened by proposed fencing to reduce any harmful impact on privacy. A rear yard depth of 2.3 metres would be achieved. It is considered that the achieved amenity would reflect the nature and density of the development that characterises the locality. It is therefore acceptable in this context.

Permitted development restrictions - In order to maintain and safeguard residential amenity and in response to the constraints of the substantive site, it has been considered appropriate to restrict the permitted rights that would otherwise be available to householders. Conditions have therefore been recommended to ensure that the following development is not undertaken without the permission of the City Council as local planning authority:

- i. The erection of extensions, porches and outbuildings;
- ii. The replacement of authorised boundary treatments;
- iii. The insertion of additional windows.

Residential space standards – The development has been assessed on the basis that the house would form a 5 person, 3 bedroom houses over 2-storeys. The achieved space of 87 sq metres and would thereby be below 96 sq metre threshold. However, this shortfall is considered to be acceptable in this case given the nature of the housing development, its locality and the benefits of securing satisfactory amenity space.

Magnitude of development - It is considered that the development appropriately relates to the constraints of the application site, which is considered to have capacity for the proposed terraced house. A condition has been recommended that relates the undertaking of the proposed development in accordance with specified number of units and ensures their future use for Class C3 purposes.

Siting - The proposed house would maintain the existing building line to Prestage Street, which is appropriate. To the rear distances of 14 metres would be maintained to the nearest facing terraced house. It is not considered that the positioning of the dormer extension would affect the relation of the development to houses to the east of the site.

Height, scale and massing - The proposed development would be related to the scale and proportions of the neighbouring 2-storey houses and single storey extensions. The formation of a gable elevation and dormer extension would have some visual impact. However, the development would replicate existing eaves of ridge heights to achieve visual cohesion within the streetscene. The dormer would also be offset from the ridge and eaves and respond to the angle alignment of the eastern elevation to secure a cohesive relationship to the house building. On balance, the development is considered to be acceptable.

Design - The proposed design and materials has been satisfactorily related to the style and character of neighbouring terraced houses. The appearance of the roof extension would be comparable to the design of other dormer extensions approved elsewhere in the neighbourhood. The formation of gable elevation would depart somewhat for the hipped roofscape to properties to the west and east of the site. The development would be comparable to the formation of a hipped to gable extension and dormer, which would be potentially be permitted in relation neighbouring houses. There also incidence of houses on the southern side of Matthews Lane and it is considered that development has been informed by neighbouring built form. The external elevations of the dormer would be constructed in matching brick (to the gable and roof tiles (to the remaining external faces).

Accessibility – The amendments to the development relate to the upper floors and new issues relating to access would not be raised. A condition relating to the formation of an accessible rear entrance has been re-attached.

Crime and Security - The site benefits from a gated alleyway and satisfactory boundary treatment and natural surveillance would be achieved. A previous condition relating to finalised details of the rear boundary has been re-attached and the recommendations of Design for Security are related to the development as an informative. The development would not present ant new issues.

Car parking - No provision is made but there is some capacity for car parking in street and the site is located on a bus route and local centres are accessible on foot and cycle. The lack of car parking would not be unduly harmful and is acceptable in this case.

Cycle storage - The site has the capacity to accommodate limited cycle storage if required.

Waste management - The site benefits from communal bin storage, the applicant has previously demonstrated that the site has the capability and capacity to accommodate waste and recyclable material, which accords to current City Council guidance, i.e.,

- 1 x mixed waste bin (grey);
- 1 x glass and plastic (green);
- 1 x cardboard / paper (blue);
- 1 x food caddy.

In the event that the communal segregated waste storage arrangements cannot be utilised, an attached condition would ensure that the specified refuse storage arrangement would be implemented and maintained in situ thereafter.

Noise - Noise from the development would be commensurate with residential occupation and would not be unduly affected by any apparent local noise sources.

Land conditions - The watching brief condition relating to planning permission ref: 125127/FO/2019 and requested by Environmental Health has been included for completeness.

As the site appears to have been previously developed as housing significant land contamination is not anticipated and no issues have been issued following the commencement of the development.

Flood risk and site drainage - The site is located in Flood Zone 1 and it is not considered that the magnitude of development would significantly increase flood risk. The previous planning permission was not subject to a drainage condition. The request from the Flood Risk Management Team for drainage condition to address potential impact on the Nico Ditch has been assessed in the light of the previous condition. Given the nature of the development it is considered that a drainage condition at this stage would be an unreasonable condition. The previous comments of United Utilities have been attached as an informative.

Ecology - The application site has no apparent ecological features.

Conclusion - The development would secure the residential use of a previously developed parcels of land. It is considered that a satisfactory quality of elevational design. On balance, it is considered that the amendment to the roof design appropriately related to the surrounding context. Any potentially harmful impact of the development on residential amenity has been either addressed through the submitted details or is capable of being addressed by condition. The proposed development is therefore considered to be acceptable.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

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

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Discussions have been undertaken to ensure that the revised development satisfactorily relates to the constraints of the site and character and appearance of housing in the local area. Discussions were undertaken to ensure that appropriate landownership notices and certificates were provided in support of the application. The submission of these details has allowed the development proposals to be appropriately assessed.

Condition(s) to be attached to decision for approval

1) The development hereby approved shall be carried out in accordance with the following drawings and documents stamped as received by the City Council as local planning authority on 21 December 2020, 11 February 2021, 12 May 2021 and 14 June 2021:

Planning application forms (amended by Certificate D received 14 June 2021);
GA Plans (Proposed) 1909107_PL_001 Rev E;
GA Elevations (Proposed) 1909107_PL_002 Rev D;
Floor plans and location plan (Previously approved) 1909107_PL_002 Rev B;
Elevations (Previously approved) 1909107_PL_001 Rev E;
Manchester Evening News Press Notice received 15 June 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 for the City of Manchester.

2) The development shall be fully implemented in accordance with the following materials, which shall be maintained in situ thereafter:

Quinn Tile Trench B5 73 mm Red engineering brick;
Quinn Tile Western Clay Red roof tile.

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

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

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

4) 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, porches or outbuildings shall be erected other than those expressly authorised by this permission.

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

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order

with or without modification) no windows shall be inserted into the elevations of the dwellinghouse hereby approved other than those shown on the approved drawings referenced:

GA Plans (Proposed) 1909107_PL_001 Rev E;
GA Elevations (Proposed) 1909107_PL_002 Rev D;

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

6) Before the occupation of the authorised development, full details and specifications of all off-site highways works, including footpath reinstatement to Prestage Street and Matthews Lane shall be submitted to and approved in writing by the City Council as local planning authority. The required works shall be fully implemented prior to the first occupation of any part of the development and maintained in situ thereafter.

Reason - In the interest of pedestrian and highway safety and in the interests of local amenity, as specified in policies SP1, T2 and DM1 of the Core Strategy for the City of Manchester and guidance contained within the National Planning Policy Framework.

7) In the event that ground contamination, groundwater contamination and/or ground gas is 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.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

8) In the event that the communal segregated waste storage arrangements cannot be utilised, before the occupation of the authorised development, refuse storage arrangements shall be undertaken in accordance with the waste management strategy (comprising documents referenced below), which shall remain in situ thereafter:

Waste Management Proforma received 15 October 2019;
GA Plans (Proposed) 1909107_PL_001 Rev E.

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

9) Before the occupation of the authorised house, details of arrangements to secure level thresholds to the rear ground entrance to the proposed house should be submitted and approved by the local planning authority, including detail of related gradients and groundworks to secure access across the rear yard area. The works would be required to be undertaken prior to the occupation of the house and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate and inclusive access arrangements pursuant to policies SP1, EN19 and DM1 of the Core Strategy for

the City of Manchester.

10) Before the occupation of the authorised house details of the appearance and specification of the proposed fencing and gates to the rear yard boundary shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall then be implemented prior to the occupation of the approved house.

Reason - In the interests of residential amenity and to ensure appropriate security measures and to reduce the risk of crime pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

11) Before first occupation of the development thereby approved, the proposed window to the roof dormer on the rear elevation of the proposed house as shown on: GA Plans (Proposed) 1909107_PL_001 Rev E; GA Elevations (Proposed) 1909107_PL_002 Rev D; 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 Manchester Core Strategy (2012).

Informatives

1) Environmental Guidance for developers can be found via the following link:
http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

2) Any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with MCC Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

3) The development should be constructed to secure by design standards. Advice relating to site security and crime reduction can be found via the following website:
www.designforsecurity.org/secured-by-design/ or www.securedbydesign.com

4) Prior to the commencement of development, contact should be made with the telecommunications operator, which has an equipment box on the pavement on Mount Road adjacent to the site. Measures should be taken to ensure that any construction works in connection with proposed development do not impact on the operation of the local telecommunications network.

5) MCC records highlight that the underground ordinary watercourse the Nico Ditch is located within close proximity to the site (approximately 4m to the South of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

6) It is recommended that consideration be given to the incorporation of a sustainable drainage system as part of the development.

Appendix 1 – List of consultees & neighbours notified

BT
Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
Environmental Health
MCC Flood Risk Management
Highway Services
BT
Greater Manchester Police

24 Prestage Street, Manchester, M12 4GQ
1 St Oswald's Road, Manchester, M19 3DR
10 St Oswald's Road, Manchester, M19 3DR
28 Prestage Street, Manchester, M12 4GQ
22 Prestage Street, Manchester, M12 4GQ
21 Prestage Street, Manchester, M12 4GQ
Flat Above, 2 St Oswald's Road, Manchester, M19 3DR
4 St Oswald's Road, Manchester, M19 3DR
8 St Oswald's Road, Manchester, M19 3DR
6 St Oswald's Road, Manchester, M19 3DR
2 St Oswald's Road, Manchester, M19 3DR
16 Matthews Lane, Manchester, M19 3DS
14 Matthews Lane, Manchester, M19 3DS
22 Newdale Road, Manchester, M12 4GG
20 Newdale Road, Manchester, M12 4GG
26 Prestage Street, Manchester, M12 4GQ
23 Prestage Street, Manchester, M12 4GQ

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH2