

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 132185/FO/2021

**Date registered valid:** 13 April 2022

**Proposal:** Erection of two storey end terrace dwellinghouse (Class C3) involving rear roof dormers to both the existing property at No.229 and the proposed dwellinghouse

**Address:** Land Adjacent To 229 Moston Lane East, Manchester, M40 3HY

**Ward(s):** Moston Ward

**Applicant:** Game Major Group Developments Coopers House, 65a Wingletye Lane, Hornchurch, Essex, RM11 3AT

**Agent (if any):** Daniel Duke Duke Design Services Via Email,

**Case officer:** Janine Renshaw-Livesey  
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**Recommendation:** Approve

**Date of recommendation:** 7 June 2022

## **Application details**

**Type of application:** Full Application Consent

**Development type:** Minor Dwellings

**Date of site visit:**

**Standard consultations:**

Printed: 20 April 2022      Expired: 11 May 2022

**Neighbour notifications**

Printed: 20 April 2022      Expired: 11 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

## **Description of site/building**

**Listed building:** Not applicable

**Conservation area:** No

**Tree Preservation Order:** No

## **The site**

This application relates to a paved garden area to the side of number 229 Moston Lane East in the New Moston area of North Manchester. The surrounding area is predominantly residential in nature.

Planning permission was granted in June 2005 for the erection of a part single, part two storey and single storey rear extensions to number 229 Moston Lane East and planning application numbered 086800/FO/2008/N1 for the erection of a two storey end terraced house, with additional accommodation in the roof space, with car parking to the rear which was approved.

## **The proposal**

The proposal is for the erection of a two-storey end terrace dwelling house (Class C3) involving rear roof dormers to both the existing property at No.229 and the proposed dwelling house

The dwelling house would occupy a paved garden area to the side of 229 Moston Lane East, which according to the supporting information has in the past contained a detached garage. To the side of the paved area is an access road that leads to a group of garages to the rear of properties on Moston Lane East.

The proposed dwelling house will form a new end of terrace property incorporating details replicating those of the adjoining terraced properties. Materials are proposed to match those on the neighbouring properties; the roof will create a gable end and incorporate velux windows to the front and a dormer to rear of the proposed dwelling and the existing property 229 Moston Lane East. The footprint of the proposed end terrace replicates that of the neighbouring properties.

Living accommodation is to be provided over three floors incorporating:

- at ground floor, lounge area and kitchen/ dining room
- at first floor two bedrooms, one ensuite, including a bathroom; and
- within the loft space two bedrooms

## **Consultations & Notification Responses**

The occupiers of the surrounding properties were consulted, and one objection and one neutral letter was received.

The issue raised within the neutral letter from a local resident, expressed concern regarding whether the development would hinder access to the garage facilities to the rear of the site, via the adjacent alleyway during and after construction, and the resident requested a planning condition be attached to consent to control the matter.

The development sits within the existing garden to the side of 229 Moston Lane East and has no impact in terms of the current access arrangements to the rear garages. The resident suggested that the eroded 'H' bar that de marks the entrance to the alleyway be repainted and the city council highways team have been forwarded the request. Furthermore, a Section 278 agreement for the alterations to the existing highways, and for construction of the proposed works would be required and the applicant has been advised: any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams. These stipulations have been added to the consent as an informative and should satisfy the residents request to maintain vehicle access to the rear garages during and after construction.

One letter of objection was received. The issues raised are as follows:

- Due to the close proximity of the development to the boundary of the neighbouring council, there are currently 3 planning applications being considered by two local authorities at the same time, which collectively do not take into account the overall impact of the developed in term of traffic and parking provision within the area.
- The increase detrimental impact on car parking provision within the area as result of the are having a number of commercial uses close by that attract vehicular activity.
- The increase in noise pollution within area.
- Increase on off street parking demand could impact on the road safety for crossing pedestrians.

- overdevelopment resulting in the detrimental impact on the existing infrastructure of the street.
- 2013 and 2016 some properties were flooding in the area and, the proposal would have a detrimental impact on existing drainage provision.

The objections raised will be address within the issues section of the report.

**The Highways Team-** Highways raised no objection to the proposal and commented that the proposal was situated at a sustainable location for public transport services. Highways also commented that the redundant drop kerb be reinstated and temporary traffic management /scaffolding requirements that require a licence be added as an informative to the consent.

**Environmental Health-** Commented that a noise attenuation, a refuse and a contaminated land condition be attached to the consent should the proposal be supported.

**The Flood Management Team-** requested a sustainable drainage principle and method be conditioned as part of the consent.

**United Utilities** -recommend the applicant considers their drainage plans in accordance with the drainage hierarchy outlined above.

1. into the ground (infiltration).
2. to a surface water body.
3. to a surface water sewer, highway drain, or another drainage system.
4. to a combined sewer. An informative has been added to the consent.

**Greater Manchester Police** - commented that the proposal should incorporate secure by design measures and the details of these measures have been added to the consent as an informative.

**Oldham Metropolitan Council** - were consulted and raised no objection to the proposal.

## **Issues**

### **POLICIES**

#### **NPPF**

#### **Chapter 2. Achieving sustainable development**

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

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- o An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- o A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible

services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

o An environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

#### Chapter 9. Promoting sustainable transport

102. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed.
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised - for example in relation to the scale, location or density of development that can be accommodated.
- c) opportunities to promote walking, cycling and public transport use are identified and pursued.

#### Chapter 12. Achieving well-designed places

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

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

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

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

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Protect and enhance the built and natural environment

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.

- Vehicular access and car parking.
- Flood risk and drainage.

Policy H1 (Overall Housing Provision) - Sets the objectives for the delivery of new houses in Manchester. It encourages the re-use of previously developed sites, secure high quality urban design and secure an appropriate mix of housing tenure.

It is considered that the development would appropriately relate to these objectives.

#### Policy H3 - North Manchester

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

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

T2 Looks to manage the pattern of development to ensure that new development is located in accessible locations. Particular emphasis is given to the need to ensure residents are able to live in locations accessible to employment health, education, open space and leisure opportunities. The policy also states that all new development should provide appropriate car parking facilities.

Policy EN1 'Design principles and strategic character areas' states that all development in Manchester will be expected to follow the seven principles of urban design. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes. Proposals for new development must clearly detail how the proposed development addresses the design principle, reinforces and enhances the local character of that part of the City and supports the achievement of the Core Strategic objectives.

#### Policy EN 14 Flood Risk

o In line with the risk-based sequential approach contained within PPS25, development should be directed away from sites at the greatest risk of flooding, and towards sites with little or no risk of flooding; this should take account of all sources of flooding identified in the Manchester-Salford-Trafford Strategic Flood Risk Assessment (SFRA). In addition to the requirements for site-specific Flood Risk Assessments (FRAs) set out in PPS25, an appropriate FRA will also be required for all development proposals, including changes of use, on sites greater than 0.5ha within Critical Drainage Areas (CDAs) and Canal Hazard Zones identified in the SFRA.

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

o The City of Manchester contains many sections of rivers which are culverted or 'hidden'; where these are indicated in the SFRA beneath the proposed development site, further investigation will be required and the development proposal should take this into account; where feasible and appropriate development should seek to open up culverted/hidden rivers to reduce the associated flood risk and danger of collapse, taking advantage of opportunities to enhance biodiversity and Green Infrastructure

## Policy EN 17 Water Quality

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

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

## Policy EN 19 Waste

- o The Council will Work with other Districts through the Greater Manchester Joint Waste Development Plan Document (GMJWDPD) to safeguard existing sites for waste management and identify and safeguard new sites in existing areas of employment where appropriate.
- o Require all developers, including those of new waste management facilities within the District, to demonstrate the proposal's consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling/composting, energy recovery, final disposal)
- o Require all developers of new waste management facilities within the District to plan for and, where appropriate, use sustainable modes for waste transport, including use of modes such as rail and the Manchester Ship Canal.
- o Require all developers to submit a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled on site wherever possible and how the sustainable waste management needs of the end user will be met.
- o Have full regard to the economic and environmental benefits that well designed and run, waste management facilities can bring to the District, subject to any conditions required to protect the amenity of existing adjacent users.
- o Promote the development of innovation and technological advancement within the sustainable waste management industry, aiming to achieve a closed-loop waste management system.
- o Require waste management practices to have full regard to the environmental, social and economic impacts of such development and encourage long-term benefits in improving the environment, the regeneration of areas in need of investment and co-location with other employment uses where appropriate.
- o Encourage communities to take responsibility for the waste they create through the provision of accessible facilities.

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

2.3 'A high quality environment is created by buildings which reflect their purpose and respect the place in which they are located. Different parts of the City, its neighbourhoods and streets have distinct or individual characters which are a product of the design of their buildings, the nature of the streets, the quality of the landscape or the nature of their activities. Such positive characteristics should be recognised and enhanced by new development. Each new development should be designed having full regard to its context and the character of the area.

This should be demonstrated in planning submissions by way of design statements and where appropriate, visual means such as models and photomontages'.

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

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

Policy 2.13 The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline.

Policy 4.8 Code for Sustainable Homes

Policies 4.10 and 4.11 Waste Management

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

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

Policy 8 - Community Safety and Crime Prevention

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

## MANCHESTER RESIDENTIAL QUALITY GUIDANCE 2016

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

The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

## ISSUES

### Principle

The submitted application is for the erection of two storey end terrace dwelling house (Class C3) involving rear roof dormers to both the existing property at No.229 and the proposed dwelling house.

The site appears to be compatible with the surrounding terraced residential area. The layout and density of the development would match the immediate context and would therefore appear to be appropriate.

The proposed terraced property would also benefit from a rear and front amenity space.

The proposal also involves the installation of 2 no. roof lights to the front roof scape and the addition of a flat roof, rear dormer, which has been set below the ridge and above the eaves, as does the proposed dormer on the existing roof of 229 Moston Lane East. Initial plans showed 3 windows on the side elevation facing the alleyway however discussion with the applicant recommend their removal to prevent overlooking.

The building will be constructed with matching facing brick and slates and ridge tiles. With UPVC window and doors consistent with 229 Moston Lane East and the surroundings properties.

No off street car parking space is proposed consistent with the other terraced properties within the area. The site also proposes a gate access for pedestrian from the frontage of the property, along with a brick and metal boundary wall.

### **Design, Character and Appearance**

The surrounding area is characterised by 2 storey terraced dwellings with front garden areas and rear yard areas. The proposed building would appear to be appropriate in a suburban residential area such as this. The proposed building would address the street adequately and would respond to its context in layout, height and design.

The proposed dwelling aligns with the frontages of the adjoining terraced properties, continuing with existing building and ridge lines along the row. The width of the proposed dwelling is in line with existing property at 229 Moston Lane East and the proposal is considered to be visually in keeping with that of the terrace properties along the row and wider area, allowing the proportions of the properties in the row to be replicated.

It is considered that the size and layout of the development would follow the pattern of development along Moston Lane East, and would integrate sympathetically with surrounding buildings. The character of the area along Moston Lane East is defined by strong features such as brick boundary treatments and this proposal is consistent with this.

### **Height, Scale and massing**

The proposals incorporate a pitch roof extension that knits into the neighbouring property created by the extension to the rear of 229 Moston Lane East and the height, scale and massing of the rear element of the proposed building is much smaller than the build form of the property it is attached and albeit smaller in appearance, the rear is not at odds with the neighbouring property and is considered to sit comfortably as a stand-alone design and the overall, the scale and massing is moderate along the terrace row following the established building line and angles. It is therefore considered that the overall scale and massing of the development is in keeping with the character of the area.

## **Residential Amenity**

The proposed development will be positioned to tie in with the existing property to form the new end property in this particular terraced row.

Given the position of the building relative to nearby buildings, there would not be a significant effect in terms of loss of light, daylight or privacy for the occupiers of the surrounding properties. The dormers window are positioned one both properties a considerable distance away from residential properties to the rear and give non more overlooking of the existing rear windows. Three windows have been removed from the side elevation of the development and therefore, the development would not give rise to overlooking.

## **Sustainability**

The site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities. The existing building is therefore accessible by pedestrians and car and it is considered that the location is therefore sustainable.

In terms of energy efficiency. A condition shall be applied to any approval for a full Environmental Standards statement.

Highways have requested the development include an electrical vehicle charging point however, given that no car parking provision is provide within the curtilage of the site due to physical constraints there is no means of successfully changing an electric vehicle within the confines of the development.

## **Landscaping**

Limited details have been provided regarding hard and soft landscaping within the site. Therefore a condition has been attached to the consent to ensure that appropriate material and planting are incorporated into the proposal.

## **Waste**

The development proposes 4 no. bins to accommodate both recyclable and non-recyclable waste storage. These bins will be located along the rear boundary of the house, behind the access gates which are in line with the house. The position of the bins enables them to be kept together and for the ease of collection.

No waste management strategy was provided with the application therefore, a condition has been attached to the consent to ensure that waste segregation and recycling takes place at the site.

## **Highways**

Due to the nature of the terraced properties within the surrounding area the properties do not benefit from dedicated in curtilage parking.

Given that the proposed development is resultant in one additional residential dwelling, the number of vehicular trips associated with site is expected to be minimal. It is therefore accepted that the adjacent highway network can facilitate such additional demands with no highway safety or capacity concerns.

Pedestrian access can be made via the front of the site on Moston Lane East. A moderate/high level of on street car parking was observed on Moston Lane East. There is no on-site car parking associated with the development and as such, all vehicular demands associated with the site are anticipated to contribute to the level of vehicles parked on-street. Whilst this is not ideally preferred from a Highways perspective, it is acknowledged that the site offers no opportunity to provide on-site parking.

There is no on-site car parking associated with the development and as such, all vehicular demands associated with the site are anticipated to contribute to the level of vehicles parked on-street. Whilst this is not ideally preferred from a Highways perspective, it is acknowledged that the site offers no opportunity to provide on-site parking. It is also acknowledged that the site is highly accessible by sustainable modes, with regular bus services, rail services and walking route is located 5 minutes' walk away. As such, sustainable travel to and from the site is a viable choice of mode for future residents.

Policy T2 state's, 'new developments should include at least one car parking space'. However, in this instance consideration has been given to the physical constraints of the site, in terms of layout and it is also considered that the introduction of car parking to the front of the property would require boundary modification that would appear to be out of character within the parade of terraced properties, none of which have off street car parking.

## **Boundary Treatment**

The applicant has provided drawings showing the boundary treatment. The front boundary is consistent with the requirements set out by highways. The front brick bund wall measure 600mm in height with metal railing above which allows for pedestrian visible permeability. The design is consistent with the boundary treatments along this vicinity of Moston Lane East. A boundary condition has been attached to the consent to finalise the materials and exact positioning of the boundary.

## **Amenity Space**

The plans appear to show garden area to the front and rear of the site. The garden area consists of lawned area and hard landscaping. The overall garden area is adequate and sufficient relating to the size of the overall plot. Therefore, the proposal complies with Policy DM1 of the Core Strategy that adequate amenity space should be provided for developments of this nature.

## **Drainage**

The flood team have requested the development shall not begin until a surface water drainage layout for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details and details provided of how the scheme shall be maintained and managed after completion. The implementation these measures will prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy. A condition has been added to the consent.

## **Respond to Objection**

The objector raised issues regarding the overall impact of the proposal in terms of over development of the site in relation to car parking, noise, impact on infrastructure and drainage. Each of the issues have been addressed within the body of the report. However, in addition to the individual issues raised, consideration has been given to the size of the development and its potential overall impact. Due to the scale of the development, it is considered that the proposal is suitably related to the surrounding context, respects its setting, and creates no significant visual or residential amenity within the character of the overall general local area and no significant harm is caused which is detrimental to the current amenity levels and the proposal complies with policies in relation with the level of accommodation, amenity space, refuse/storage area and Core Strategy policies as stated and therefore on balance is considered to be acceptable.

The objector raised concerns regarding the collective impact of other planning proposals nearby that are being considered by Oldham Council. Manchester boundary runs along the middle of Moston Lane. East. Oldham Council were consulted regarding the proposal and commented that they had no objection to the proposal, and it is considered the remaining planning proposal within the area beyond Manchester boundary will be assessed against Oldham Council's development plan and judged on its own merits.

## **Human Rights Act 1998 considerations**

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

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

## **Recommendation:**

### **Article 35 Declaration**

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The proposal is considered to be in accordance with the Development Plan and therefore determined in a timely manner.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

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

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

21(04)\_010, stamped as received on the 9 November 2021,  
21(04)\_022 and 21 (04)\_022 1100 Boundary Plan, stamped as received on the 15 December 2021,  
21(04)\_200 Rev A and 21(04)\_201 Rev A, received electronically on the 6 June 2022.

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

3) Prior to the commencement of development, samples and specifications of all materials to be used on all external elevations of the development, external surfaces and boundary treatment shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be fully implemented in accordance with the approved details, which shall be maintained in situ thereafter.

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

4) 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 DM1 and EN18 of the Core Strategy.

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

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

6) Notwithstanding the submitted details, the development hereby approved shall not be occupied until a plan indicating the positions, design, materials and type of all boundary treatment (including gates) to be erected, has been submitted to and approved in writing by the City Council as Local Planning Authority. The boundary treatment shall be completed before the dwellinghouse hereby approved is first occupied. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason - To ensure that the appearance of the development is acceptable to the City Council as Local Planning Authority in the interests of the visual amenity of the area within which the site is located, pursuant to policies SP1 and DM1 of the Core Strategy.

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

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

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

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

19) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

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

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

11) Prior to the first occupation of the development the windows on the first floor bathroom, shown on drawings numbered 21(04)\_200 Rev A and 21(04)\_201 Rev A, received electronically on the 6 June 2022, shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

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

12) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

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

13) a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Moston Lane East 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 which may be significant sources of noise. 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 <sub>Amax,F</sub> by more than 15 times) |
|---------------------------------------|-------------------------------------------------------------------------------------------------------|

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

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

b) Prior to first occupation of the residential units, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason - To protect the amenity of the occupants of the premises once the development hereby approved is occupied, pursuant to policies SP1, H1 and DM1 of the Core Strategy.

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

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

## **Informatives**

1) The applicant should consider their drainage plans in accordance with the drainage hierarchy outlined above.

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system.
4. to a combined sewer.

2) The redundant dropped kerb should be reinstated. The reinstated footway will need to be built in accordance with MCC construction standards under a Section 278 agreement for the alterations to the existing highways, and for construction of the proposed works. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

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

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

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

Dusk till Dawn lighting should be installed on all external doors

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

4) The applicant is advised that any requirements for licensing, hoarding / scaffolding 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).

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

Highway Services  
Environmental Health  
MCC Flood Risk Management  
Greater Manchester Police  
Oldham Metropolitan Borough Council

223 Moston Lane East, Manchester, M40 3HY  
233 Moston Lane East, Manchester, M40 3HY  
235 Moston Lane East, Manchester, M40 3HY  
225 Moston Lane East, Manchester, M40 3HY  
237 Moston Lane East, Manchester, M40 3HY  
302 Moston Lane East, Manchester, M40 3HZ  
300 Moston Lane East, Manchester, M40 3HZ  
298 Moston Lane East, Manchester, M40 3HZ  
304 Moston Lane East, Manchester, M40 3HZ  
231 Moston Lane East, Manchester, M40 3HY  
227 Moston Lane East, Manchester, M40 3HY  
10 Chelston Avenue, Manchester, M40 3LD  
9 Chelston Avenue, Manchester, M40 3LD  
7 Chelston Avenue, Manchester, M40 3LD  
10 Kirkdale Avenue, Manchester, M40 3LB  
8 Kirkdale Avenue, Manchester, M40 3LB

## **Appendix 2 – Planning constraints**

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4  
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected  
Coal Authority - Development Low Risk - Name: DEVELOPMENT\_LOW\_RISK\_AREA  
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface  
Area Team Boundary - Name: NORTH1