

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128854/JO/2020

Date registered valid: 10 December 2020

Proposal: Variation of conditions 2, 8, 16, 17 and 22 attached to planning permission ref:126099/FO/2020 to allow elevational changes to proposed new house, and creation of an additional off street parking space,

Address: 11 Slaithwaite Drive, Manchester, M11 4BA

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Dumitru Gornea T/A Roman Wings Ltd 32B North Berbeck Road, London, E11 4JG

Agent (if any): Mr Kevin Jones Barchington Architectural 9 Amethyst Drive, Teignmouth, TQ14 8GD

Case officer: Sue Wills
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Recommendation: Approve

Date of recommendation: 24 June 2021

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Dwellings

Date of site visit:

Standard consultations:

Printed: 27 January 2021 Expired: 6 February 2021

Neighbour notifications

Printed: 27 January 2021 Expired: 6 February 2021

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to an irregular shaped area of land between dwellinghouses situated at no.3 Slaithwaite Drive and the vacant plot formerly comprised of no.6 Slaithwaite Drive, and is located at the head of a small residential cul-de-sac comprising 4 properties, and two vacant sites. The site incorporates a narrow frontage which widens towards the rear due to the curvature in the road.

The application site is a disused parcel of land within a suburban residential area in east Manchester.

It appears that dwellings at the head of cul de sacs in the vicinity have been demolished over time leaving empty sites. The application site, which is understood to have been historically occupied by a dwellinghouse, was overgrown with self-seeded bushes and trees, but has been cleared recently, and is bounded by timber fencing to the rear.

PLANNING HISTORY

126099/FO/2020 - Erection of 1 no. two storey dwellinghouse (Class C3) incorporating second floor in roof space, rear solar panels with associated parking and landscaping. Approved 25.03.2020

111461/FO/2016/N2 - Erection of 1 no. two storey dwellinghouse (Class C3) Incorporating second floor in roof space, rear solar panels with associated parking and landscaping . Approved 19.05.16

101322/FO/2013/N2 - Erection of two storey detached house with associated car parking and boundary treatments Approved 25.03.13
092120 - Erection of a 2 storey dwelling house with roof space accommodation with

associated boundary treatment and new vehicular access Approved 27.05.2010 .

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The site is located within a predominantly residential area, largely comprising two storey, semi-detached dwellinghouses. To the rear of the site are properties on Craven Place and Ravensbury Street.

Description of development

The dwellinghouse approved as part of the previous planning permission comprised a two storey property, which had living/dining area, kitchen, storage, WC and front porch at ground floor level, 2 no. bedrooms, one with en-suite, bathroom, storage and landing area at first floor level and additional bedroom and storage area in the roof space, solar panels on the rear roof slop with associated parking and landscaping

The previous scheme included the provision of one off street car parking space behind the front building line, with direct access off Slaithwaite Drive. A cycle store was also proposed in the west corner of the site. The scheme also included the installation of a double access gate and a separate pedestrian gate set back from the frontage of the property and timber boarded fencing along the boundary of the site.

Consent is sought for the variation of conditions 2, 16, 17 and 22 attached to planning permission ref:126099/FO/2020 to allow elevational changes to proposed new house. The proposed elevational changes would comprise a window to the en-suite, removal of windows to the first floor of the rear elevation, with a window to serve the first floor bedroom relocated to the side elevation; a change to the proposed window frames from wood to UPVC and a changes from the approved roofing tiles to a fibre cement slate (Cembrit Jutland) . An additional off street parking space is also proposed.

In addition to the above changes being sought, the planning agent has also sought to discharge conditions which have pre-commencement elements as part of this application. Furthermore, the cycle store element of the scheme is now being considered as part of planning ref: 128986.

Consultations & Notification Responses

Local residents -An objection was received in regard to the changes proposed for the house for the following reasons:

1. Noise pollution - They have already been disturbed by the noise pollution during the removal of the waste in the area where the new proposed house will be built. Their youngest son is in university and studies from home, and other family members also work from home and noise impacts them negatively. Once the construction project gets bigger the noise will be a massive nuisance.
2. Mice - While living in the property for over 15 years they have never had a mice problem until recently when the removal of the waste and construction vehicles for the proposed new house, disturbed the rodents and the residents found a few mice in their house.

Highway Services - The proposed variation of conditions 2, 16, 17, 22 are acceptable from a highway perspective.

With regards to the submitted Construction Management Plan for application 128854.

The submitted Construction Management Plan is acceptable in principle. The contractor should continue to liaise with the MCC Highways and Resilience Team, for associated hoardings/fencing highway licences and any temporary traffic regulation orders for the closures of any highway on a temporary basis. As part of the licensing and approvals process the routing of construction traffic and site access arrangements will be determined.

The application references the need for vehicles to reverse onto the site which is not preferred from a Highways perspective. Where possible, all vehicles should access and egress within a forward gear. Should this not be feasible, a trained banksman must facilitate this at all times.

01.02. 2021 - Highways comments remain applicable.

Environmental Health - Have no comments in regard to the proposed variation of conditions. In regard to the discharge of the CMP condition, they have advised that the site working hours on a Saturday should be altered to 8:30am in accordance with MCC's guidance.

04.02.2021 -The report provided is a geotechnical assessment not a ground contamination investigation; it states in Section 1 that "The purpose of this Phase 2 investigation was to establish the true nature of the ground conditions at the site with regard to geotechnical hazards and foundation design. No Phase 1 Desk Study or contamination assessment was carried out as part of the current investigation".

The report therefore does not satisfy any part of condition 4.

The applicant should note that part a of the condition states that a Preliminary Risk Assessment (Phase 1 Desk Study) is required as a minimum, and should refer to the Council's guidance for further information.

26.04.2021 - Have reviewed the submitted Geoinvestigate Intrusive Site Investigation Report, Ref. G21100 dated April 2021, and can provide the following comments:

There are a number of apparent typos in the report, including that section 5.3 states that remedial works will be required, whereas sec 5.3.1 states that no remedial action is likely to be required. Sec 7.1 indicates that remedial works are required (clean cover system) and also states that a "remediation and validation strategy" is likely to be required by the LPA, which is agreed with, however the gas monitoring is stated to be ongoing and the report notes that no testing has yet been carried out at low or following falling atmospheric pressure - the latter is required as a minimum.

They therefore advised the following for the 3 relevant apps:

- o 128986 - watching brief still needed.
- o 126099 - report does not currently satisfy any part of condition 4.

- o 128854 - recommend that standard Contaminated Land condition is attached to this variation.

11.05.2021 - Requested the site plan that should be included in appendix 1 of the revised SI report.

It is also noted that sec 7.2 of the SI report states that gas monitoring is still ongoing, therefore the full contaminated land condition would still be recommended for 128854 (and watching brief still required for 128986).

17.06.2021 -The findings of the submitted Geoinvestigate Gas Monitoring Addendum Report are accepted, that no ground gas protection measures are required. However, the previously

submitted Geoinvestigate Intrusive Site Investigation Report, Ref. G21100 dated April 2021, indicated in Sec 7.1 that remedial works are required (clean cover system) and also states that a "remediation and validation strategy" is likely to be required by the LPA. The remediation strategy should be submitted with respect to part a of the standard ground contamination condition recommended for this application.

21.06.2021 - The submitted Remediation Strategy (RS) is not fully acceptable for the following reasons:

1. The RS states that if topsoil was stockpiled on site then the final validation of the site may be possible without having to wait for the development to be finished. This is not acceptable as the report also states that, as required by MCC, photographic records of works undertaken are required, together with hand dug trial pits in the completed proposed garden areas in order to confirm that a sufficient thickness of capping has been placed.
2. The RS states that validation sampling will be carried out in accordance with Yorkshire and Lincolnshire Pollution Advisory Group guidance. This is not acceptable as the proposed sampling frequency is not in accordance with MCC requirements.
3. The report refers to "soils sourced from elsewhere within the farm" - it is not clear if this is a typo.

23.06.2021 - Have advised that the revised report satisfies part a of the contaminated land condition for 128854.

GMEU - Have no comments to make on the variation of conditions attached to 126099/FO/2020.

Further comments have been received confirming that the submitted information South West Ecology 7th January) is proportionate and satisfactory. It would be sufficient to discharge the condition relating to the provision of bat and bird boxes.

01.02.2021- the information submitted 14th January 2021, is sufficient to meet the requirements of local and national policy and guidance for biodiversity enhancements.

Arboricultural officers- Have no further comments to make from an arboricultural perspective.

Flood Risk Management - originally objected to the scheme due to their records indicating the possibility of a culverted watercourse, which the proposals did not take account of. Extracts from their asset register which shows indicative culvert routes only, together with extracts from historic mapping showing the route of the historic watercourse were provided for the planning agent's information..

In order to overcome their concerns a site investigation was required to prove or disprove the presence of a culverted watercourse, using appropriate site investigative techniques which may include but not be limited to CCTV and GPR. Results of the site investigation should be presented to the LLFA. If the culvert is proven present, the precise route, condition, capacity and connectivity of the culvert should be determined. If the culvert is proven present, the proposal should be revised appropriately to protect the culvert and existing/proposed properties.

23.02.2021 - Acknowledged that the earlier approval had been issued without a request being made for a condition in regard to the culverted watercourse.

17.03.2021-have withdrawn their formal objection, but have advised following information is required if a pre-commencement drainage condition and permeable driveway condition attached to the original approval are to be avoided:
The following information is required:

1. Please submit construction drawings for attenuation tank (soakaway drawing has been submitted in error).
2. Please confirm your intentions regarding the permeable paving. Permeable paving is required under Condition 8 of 126099/FO/2020 and should be retained in design (unless it can be proven unpracticable). This is in line with government guidance for front driveway surfacing >5m2. Please note that planar discharge offered by a permeable surface rather than point discharge (as with traditional soakaway) can mean that permeable surfacing is still feasible, despite the results of the soakaway test. (Condition 8 is a pre-occupation condition.)

26.03.2021- Have advised that the updated information has been considered and is accepted, and are in agreement with approach proposed by Kevin Jones in his email of 19.03.2021 and will await further information from applicant in this regard.

Design for Security -having looked at the plans, have no further comments to add at this stage for the variation of conditions 2, 16, 17 & 22.

Issues

Policy

The following policies and guidance are considered relevant to the consideration of this application:

- Policies DM1, SP1, H1, H4, T2, EN1, EN8, EN14, EN17-19 of the Core Strategy;
- Saved policy DC7.1 and DC26 of the UDP;
- Guide to Development in Manchester (SPD);
- Residential Quality Guidance 2016;
- Greater Manchester Spatial Framework;
- National Planning Policy Framework (NPPF).

ISSUES

Principle

Having regard to the existing planning policy framework, City Council policy and national planning guidance, the principle of the development is considered acceptable.

Policy H1 outlines the strategic approach to housing growth in the City. Approximately 60,000 new homes need to be provided in the City between 2009 and 2027. This growth is expected to be accommodated principally within the North, East, City Centre and central areas of Manchester which fall within the Regional Centre and inner areas of Manchester. This is as a direct response to Manchester's growing economy and population growth the later which is expected to rise significantly over the next 20 years.

New developments in the City will therefore be expected to contribute towards this growth strategy ensuring that development takes place within the right areas to meet demands along with creating high quality places and neighbourhoods of choice.

Policy H1 goes on to state that the Regional Centre is a priority area for residential schemes in order to support regeneration and drive regional growth.

Policy H4 states further that East Manchester will accommodate East Manchester, over the lifetime of the Core Strategy, will accommodate around 30% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained.

Further policy support is also given within policies SP1 and H1 which seek to encourage development on previously developed land including the renewal of areas characterised by poor quality housing, whilst the NPPF advocates a presumption of sustainable development particularly where existing resources can be utilised and shared.

In this case, the site would regenerate a vacant, infill site on brownfield land that has fallen into a state of dereliction. Furthermore, the principle of a dwellinghouse on this site has been established through previous planning approvals.

The proposal would involve a number of elevational changes to the previously approved scheme. The proposed dwellinghouse would make best use of the site to provide a new family sized dwellinghouse, adding to the diversification of housing stock in the area. The site is also appropriately situated within a sustainable location close to local amenities and existing housing stock. On this basis, the principle of the proposed development is considered acceptable.

Design, Character and Appearance

The surrounding area is characterised by modern 2 storey dwellings in modest gardens. The proposed building would 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 site backs on to the side of the large garden of 7 Craven Place. This common boundary adjoins the front, side and back garden of 7 Craven Place. The site to the east side of the application site is vacant. The proposed revisions would not significantly impact on the approved scheme, and relate to primarily to the relocation of window openings at first floor level. However, a change to the proposed window frames from wood to UPVC and a change from the approved roofing tiles to a fibre cement slate (Cembrit Jutland) is also proposed. These revisions are considered to be acceptable in this location, with the roofing material being similar to the natural slate roofs of properties in the local area.

Residential Amenity

Due to the close proximity of the rear of the proposed dwelling house to the common boundary with the rear of 7 Craven Place and 68 Ravensbury Street, the applicant as part of the previous planning consent had incorporated windows with obscure glass windows to the first floor at rear. It is now proposed to remove both windows at first floor level on the rear elevation, and relocate them on the side elevation overlooking the side garden. No.3 Slaithwaite Drive has a large side garden which at present incorporates a garage with the remaining land facing the street being used for the storage of materials and tyres. Two of the three windows at first floor level serve a bathroom and en-suite facility and would therefore be obscurely glazed. It is considered that the location of a bedroom window at first floor level in the side elevation in the location proposed would not give rise to a significant loss of amenity by virtue of overlooking due it being set off the shared boundary with no.3 Slaithwaite Drive by 9m.

The layout arrangement is typical and the privacy distances are similar to those of other properties along the cul-de-sac.

Furthermore, the erection of fencing to the side and rear boundary with a height of fencing of 2.1m m would any potential loss of privacy from window openings at ground level within the proposed dwellinghouse.

Given the position of the building relative to nearby buildings, there would not be a significant effect in terms of loss of light or daylight.

The proposed building would be situated to the immediate south of 7 Craven Place. There would be a shadowing impact for part of the day. However this would not be unwarranted given that the garden is otherwise relatively open in aspect to the east and west, and the proposed building is in keeping with the existing development in the area.

Height, Scale and Massing

The previously approved proposals incorporated pitch roof elevations, the eaves and ridge levels more or less in keeping with the properties within the general area, therefore the overall height impact within the character of the street scene and area was considered to be acceptable.

The scale and massing was considered to be moderate within the cul-de-sac and general area, with the overall scale and massing of the development being in keeping with the character of the area. The proposed revisions do not change this aspect of the approved development.

Standard of accommodation

The layout of the proposed 2 storey, 3 bedroom, 5 person property, should accommodate a floor space of 96m² in total, when tested against the national space standards. The previously approved property consisted of the following: -

Ground Floor - 44.1m²

First Floor - 40.3m²

Roof Space - 12.1m²

Total = 96.5m²

and provided accommodation of a sufficient quality for future occupants of the development. The proposed revisions do not change this aspect of the approved development.

Trees

As part of the previously approved scheme a tree survey was submitted which identified 9 no. trees, young to mature nature and two groups of privet hedgerows within the curtilage and adjoining vacant site, all being in good condition.

As part of the assessment of the proposal the Arboricultural Officer was consulted. Comments related to the majority of trees are self set specimens and offer some visual amenity value, however, this site is situated at the end of a drive and it was not believed that amenity value alone is enough to justify TPO status at that time. Any work on this site must take into account the offsite trees and adequate tree protection measure must be put in place to protect the trees.

Conditions shall be applied relating to landscaping and replacement trees due to the loss of the existing ones. These conditions were also imposed on the previous approvals. Since this time all the trees within the site has been removed, however, conditions relating to the protection of trees on adjacent sites remain relevant.

Sustainability / Climate change

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

As part of the previously approved scheme, in terms of energy efficiency the agent has stated that the specification of a high performance building envelope would substantially reduce heat,

appropriate and well located windows would ensure good levels of daylighting reducing the need for artificial lighting, addition of water saving devices such as dual flush toilets and low flow showers would be specified, energy efficient lighting and 'A' rated white goods will be specified to reduce electricity demand.

As per previous approvals a condition was attached relating to the submission of an Environmental Standards statement.

The previously approved scheme identified renewable energy measures by incorporating solar thermal panels to the south facing roof providing renewable energy for future occupiers.

The site also benefits from in curtilage car parking spaces and proposed an electric car charging point and there was cycle provision which had also been incorporated into the scheme to reduce vehicle emissions.

In terms of biodiversity the agent has confirmed that the development will endeavour to cause minimum disturbance to existing wildlife and their habitats, the site also proposed soft landscaping which would help to enhance the green environment within this particular area. The addition of bat and bird boxes would also attract local wildlife to the site. The proposed revisions do not affect this aspect of the scheme. However, as advised earlier the planning agent has submitted information in the form of a SAP report to demonstrate the levels of energy efficiency that the proposed development would achieve. This is considered to be acceptable and the condition would be rephrased to make reference to the submitted report. Furthermore, the proposed bat and bird boxes are also considered to be satisfactory and the previously approved condition would be amended to reflect the implementation of the submitted details.

Accessibility

As part of the previously approved scheme a ground level WC has been included in the design and level access was shown. There are no changes proposed to these aspects of the approved scheme.

Waste

The previously approved plan showed 2 no. secure waste storage areas in the form of timber vertical slats, along the eastern boundary and the frontage of the property. The position of the bins was to enable them to be kept together and ease of collection.

The development proposed 4 no. bins to accommodate both recyclable and non-recyclable waste storage.

The refuse and servicing details were acceptable from a Highways perspective as the refuse bins were to be presented to the collection point on Slaithwaite Drive by the occupants on waste collection days.

As such, the proposed refuse arrangements were acceptable in principle however a refuse condition was attached to the previously approved scheme. There are no changes proposed to these aspects of the approved scheme.

Access and Parking

Policy T2 of the Core Strategy requires that adequate car parking is provided for new developments. The previously approved scheme indicated that 1 no. car parking space, was to

be provided within the private curtilage of the site, which would be accessed via the existing dropped vehicular access point and new point along the frontage of the property.

The entrance to the site would be located off the adopted highway of Slaithwaite Drive in the area of Clayton and Openshaw. Slaithwaite Drive is part of the Stadium 24hr Controlled Parking Zone (Etihad Zone E5), there is a 20 mph speed restriction in place.

The site is well accessed by sustainable modes, with regular bus services running along Clayton Street which is within a short walking distance, with the addition of the Metrolink, which is available along Ashton New Road.

Main vehicular and pedestrian access to the development is from Slaithwaite Drive.

One off-street car parking space was to be provided at the site, which was considered to be sufficient in terms of the length of the driveway and was in line with the 3.0m x 6.0m MCCs standard dimensions. As the car parking space was set within the site there appears to be no risk that the vehicle would overhang onto the footway.

The agent was made aware that the adopted highway at the front of the property would require a dropped kerb for access to a driveway, and the applicant would be required to enter into a section 184 agreement.

The agent was also made aware that the applicant would be required to liaise with MCCs Street Lighting Team regarding the potential requirement to relocate an existing street lighting column. Observations also showed a telecommunications pole which may also require removal/relocation and therefore the applicant should discuss with the relevant telecoms provider.

An Electric Vehicle Charging point (minimum 7kW) was made available, in line with MCC Residential Guidelines. As part of the previous scheme Highways Officers further reviewed the revisions and accepted them from a highways perspective. However, they did state that the applicant would be required to enter into a section 184 agreement, at their own cost, for the dropped kerb to access the driveway. An informative was applied to any approval.

The previously approved revisions also appeared to be acceptable from a sustainability and climate change perspective which would improve air quality by supporting the use of electric cars to the site.

Appropriately worded conditions in relation to highways works, boundary treatment and Electric Charging Points were applied to the previous consent

There are no changes sought to these aspects of the scheme, however, the submitted plans indicate that there would be the potential for two vehicles to be parked within the curtilage of the dwellinghouse.

A pre-commencement condition was previously attached in relation to construction management. As part of this application a construction management plan has been submitted in order to negate the need for a pre-commencement condition.

Cycle Storage provision

The previously approved scheme included the provision of a secure cycle storage, in the corner of the site along the western boundary, which appeared to be acceptable.

However, a condition in relation to the secured cycle storage and shelter was applied. This aspect of the scheme is now being assessed under a separate application ref: 128986.

Amenity Space

The previously approved plans showed garden areas to the front and rear and along the west elevation of the site. The garden area consisted of paving, low growing vegetation and soft landscaping. The overall garden area was considered to be adequate and sufficient relating to the size of the overall plot. The proposal therefore complied with Policy DM1 of the Core Strategy that adequate amenity space should be provided for developments of this nature. There are changes to this aspect of the scheme.

Boundary treatment

The existing boundary treatment around the perimeter of the site consists of high railings to the rear boundary .

The previously approved scheme involved new 2.1m high close boarded timber fencing along the perimeter of the site with part 1.1m high close boarded timber fencing along the eastern elevation of the site. New double vehicular timber gates were proposed within the site along with a single pedestrian gate to allow access to the rear from the main frontage of the property.

The agent confirmed that the boundary treatment with the frontage to the adopted highway retains visibility at a height of 600mm upwards and the proposed gating was 6m in curtilage, away from the highway and inwardly opening, in order to prevent obstruction to passing footway users.

The proposed works were to improve the security of the site and also help enhance appropriate boundary treatment around the site and within the immediate local area, therefore in terms of visual amenity and appearance the boundary treatment appears to be acceptable.

No changes to the boundary treatment are proposed , however, the gates have been remove to allow a second vehicle to park off street.

Landscaping

The previously approved proposal provided a permeable paving around the new property with low growing vegetation to the frontage around the remaining plot.

A condition was recommended to ensure that undertaking of landscaping within the first full planting season following the implementation of the development and maintained in situ thereafter. As part of the surface water drainage proposals, submitted as part of this application in order to address surface water drainage issues , it is not clear whether permeable paving could be used successfully due to the underlying ground conditions . A condition is therefore proposed which will allow the matter to be further explored , leaving the option to use permeable paving if it would be appropriate given the ground conditions.

Contaminated land

As the site appeared to have been used recently for non-residential purposes, it had been subject to potentially contaminative historic land uses, and lies within 250m of an historic landfill site. As such the previous approval was subject to a contaminated land condition . As part of the current application a number of intrusive site investigation reports , together with gas monitoring data have been provided for consideration . It is considered that on the basis of the information and data provided, that part a of the contaminated land condition which was

attached to the previously approved scheme has been complied with. As such the condition will be appropriately rephrased to reflect the submitted reports and data, but with the requirement for the submission of a verification report when the development has been constructed.

Ecology

As part of the previously approved scheme GMEU identified that the application was not submitted with any accompanying ecological assessment. They noted that government guidance (Defra Circular 06/2005) states that surveys for protected species should not be left for conditions, but that surveys should only be requested where there is a reasonable likelihood of protected species being present.

- o GMEU previously commented on an application for the site in 2010 (092120/FO/2010/N2 letter dated 17.3.2010) and identified that there were no known ecological reasons for the application to be refused.

- o Although the note that 10 years have passed since this time, an Arboricultural survey was submitted in 2016 and this noted young trees with little damage.

- o The condition of the site is highly unlikely to have altered substantively or materially in the intervening period of time.

- o Therefore it was GMEU's view that the previous application could be forwarded for determination with the following recommendations: - condition should be required to indicate that vegetation clearance of trees shrubs and undergrowth (including bramble) should occur in the bird breeding season (March - August incl) unless it can be demonstrated by a suitably qualified individual that no nesting activity is present. All nesting birds are protected under the Wildlife & Countryside Act 1981, condition should be used to require the use of wildlife friendly species of plants and bat/bird boxes. It would preferably include locally native species such as cherry (*Prunus avium*, *P.padus*), hawthorn (*Crataegus monogyna*) or rowan (*Sorbus aucuparia*). Bird boxes suitable for an urban location can include house sparrow terraces or swift boxes and informative should be used to draw the applicant's attention to the protected status of bats and bat roosts - even when unoccupied - and if these species are found or suspected then work should cease until advice is sought and implemented from a suitably qualified individual.

As part of this application information has been provided in regard to the provision of bird and bat boxes , and it is proposed to revised the wording of the previously attached condition to reflect the submitted information which is considered to be satisfactory.

Surface water drainage

Following trial trenching due the concerns expressed by the Flood Risk Management team in regard to the potential for a culvert it be present on the site , it has been clarified that no culvert appears to be present within the site . However , an informative has been attached at the request of the Flood Risk Management team to state that:-

Despite the site investigation undertaken and the recommendation of the Phase 2 site investigation that deep pile foundations should be used, a residual risk will remain that the culvert exists on site at a depth or location not penetrated by the investigation, and may pose risk to the development.

MCC strongly recommends further site investigation at greater depth and full transect length. Having issued this advice, MCC will accept no liability for any issues arising from an unlocated culvert at this site. Responsibility for damage caused to or by any culvert (should one be discovered in future) will fall under riparian ownership responsibilities.

The applicant should inform 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.

Furthermore , in an email received from the planning agent dated 19th March 2021, there remain two options in order to deal with surface water run off from the site . It is suggested that the use of permeable paving was unlikely to be suitable due to the prevailing ground conditions, and soils in this area comprising of high levels of clay which would not allow the water to drain readily into the ground . Furthermore the original company, 'Hydropave' referenced in the earlier application is also proving difficult to contact. The planning agent advises they have been in discussions with Marshalls who offer an identical system .

In essence a trial hole is suggested and if water readily drains through the hole, then surface water drains and permeable paving would be used.

If it fails then ordinary paving is suggested with gullies and channels directing the water to the tank, sized appropriately. Flood Risk Management officers have accepted this approach and a condition is proposed to be attached to any approval to require the submission of the scheme to be implemented prior to the installation of the area of hard landscaping and the driveway .

Conclusion

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. The proposal complies with policies in relation with the level of accommodation, amenity space, refuse/storage area and Core Strategy policies as stated.

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the agent in a positive and proactive manner by informing the agent of comments received regarding the scheme , in particular regarding drainage and contaminated land and appropriate conditions to the approval have also been attached.

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 one year and 9 months 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:

- o Site Location Plan drawing no: 090908/01 stamped and received by the City Council as Local Planning Authority on 4 February 2020
- o Site Plan drawing no: 090908/02 stamped and received by the City Council as Local Planning Authority on 4 February 2020
- o Proposed Ground and First Floor plan drawing no: 090908/03 Rev G stamped and received by the City Council as Local Planning Authority on 9 March 2020
- o Proposed East and West Elevations drawing no: 090908/05 Rev G stamped and received by the City Council as Local Planning Authority on 9 March 2020
- o Proposed Boundary Elevations drawing no: 090908/07 Rev E stamped and received by the City Council as Local Planning Authority on 9 March 2020
- o Proposed North and South Elevations and Section AA drawing no: 090908/06 Rev H stamped and received by the City Council as Local Planning Authority on 9 March 2020
- o Proposed Second floor and Roof plan drawing no: 090908/04 stamped and received by the City Council as Local Planning Authority on 4 February 2020
- o Proposed Cycle Storage Elevations drawing no: 090908/07 stamped and received by the City Council as Local Planning Authority on 4 February 2020
- o Agents email dated and received by the City Council as Local Planning Authority on 9 March 2020 ;

As amended by information and plans specified below:-

Phase II Intrusive Site Investigation report ref: G20367 dated November 2020 received 1st December 2020;

Drawing ref: 2017 AL(2-) 03 rev.C Second floor loft layout plan: 2017AL(4-)01 rev.C Front elevation : 2017AL (4-) 03 rev. C Side elevation facing east; 2017 AL (47) 01 rev.C Roof plan ; 2017 AL (3-) 01 rev.F Section A-A; received by the City Council as Local Planning Authority 10th December 2020;

MH(823) 02 A (Typical Fencing detail);

South West Ecology letter dated 7th January 2021 details type and location of the sparrow terrace and bat box.

2017 AL(2-) 01 rev.D Ground floor layout plan: 2017 AL(2-) 02 rev.E First floor layout ; 2017AL(4-)02 rev.E Rear elevation; 2017 AL (4-) 04 rev.D Side elevation facing west ; 2017AL (9-) 01 rev.H Site Layout Plan; received 21st January 2021

United Utilities Section 106 application to connect to a public sewer approval notice received 4th February 2021.

Construction Management Plan revision 2 dated 4th February 2021 (notwithstanding start time on Saturdays);

Agent email dated 9th March 2021, confirming following further site investigation trenches and bore holes that no culvert is present on the site; Photographic evidence of site investigations in connection with potential presence of a culvert on site received 9th March 2021;

Microdrainage data; Polystorm soakaway detail plan; Vortex Flow control chamber; Polystorm Installation Guide received 11th March 2021

Email from agent 19th March 2021 regarding surface water drainage attenuation measures;

Intrusive site investigation report ref: G21100 rev.A received 6th May 2021

Gas monitoring Addendum report ref: G21100 June 2021 received 14th June 2021

Gas monitoring Calibration Certificate received 16th June 2021

Remediation and Validation Strategy report ref: G21100 - REM rev.A dated May 2021 received 22nd June 2021.

Emails from planning agent dated 24.06.2021 09:37 and 12.09 relating to SAP calculations.

SAP Report Submission for Building Regulations Compliance dated 12.11.2020.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy.

3) The development shall be undertaken in accordance with the material specifications detailed drawing AL(410)01C, including the use of Weinerberger Sienna red brickwork and dark grey fibre cement slate (Cembrit Jutland). The development shall be fully implemented in accordance with the approved details, which shall be maintained in situ thereafter.

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

4) a) The development shall be undertaken in accordance with Phase II Intrusive Site Investigation report ref: G20367 dated November 2020 received 1st December 2020; Intrusive site investigation report ref: G21100 rev.A received 6th May 2021; Gas monitoring Addendum report ref: G21100 June 2021 received 14th June 2021; Gas monitoring Calibration Certificate received 16th June 2021; and Remediation and Validation Strategy report ref: G21100 - REM rev.A dated May 2021 received 22nd June 2021.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted for approval in writing by the City Council prior to the first 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) The development shall be implemented in accordance with the Construction Management Plan revision 2 dated 4th February 2021; notwithstanding the hours of working on Saturdays which shall be restricted to 08:30 to 13:00 hours.

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

6) The storage and disposal of refuse shall be carried out in accordance with the submitted Proposed site layout plan no: AL (9) 01 rev.H stamped and received by the City Council as Local Planning Authority on 21 January 2021. The approved details shall be implemented as part of the development and shall remain in situ whilst the use is in operation.

Reason - In the interests of residential amenity and public health pursuant to policies SP1, DM1 of the Core Strategy for the City of Manchester.

7) The car parking spaces indicated on the Proposed site layout no: AL (9-) 01 rev. H stamped and received by the City Council as Local Planning Authority on 21 January 2021 shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car parking spaces shall then be available at all times whilst the site is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied pursuant to policy SP1 and DM1 of Manchester's Local Development Framework: The Manchester Core Strategy.

8) Finalised details of the surfacing treatment to the driveway to the western elevation of the house hereby approved, in accordance the approach set out in the email from the planning agent dated 19th March 2021, shall be submitted to and approved in writing by the City Council as local planning authority prior to the implementation of the driveway. The driveway shall be installed in accordance with the approved details.

Reason - In the interest of surface water run off pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

9) Notwithstanding the submitted plans, prior to any above ground works a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. This scheme shall use of wildlife friendly species of plants, which may include locally native species such as cherry (*Prunus avium*, *p.padus*), hawthorn (*Crataegus monogyna*) or rowan (*Sorbus aucuparia*),

The approved scheme shall be implemented prior to the first occupation of the development 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 pursuant to policy SP1 and DM1 of Manchester's Local Development Framework: The Manchester Core Strategy.

10) No vegetation clearance shall take place during the optimum period for bird nesting (March - September inclusive) unless evidence of nesting birds is submitted to the satisfaction of the City Council that the nesting bird's nests are absent.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

11) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

12) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved 'ARBTECH Environmental Services - BS5837 Tree Survey, ARBTECH TCP 01 and BS5837:2012 Tree Survey' stamped and received by the City Council as Local Planning Authority on 4 February 2020, and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

13) The development hereby approved shall be carried out in accordance with an SAP Report Submission for Building Regulations Compliance dated 12.11.2020. A post construction review certificate/statement shall be submitted for approval, within a timescale that has been previously agreed in writing, to the City Council as Local Planning Authority.

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

14) The bat and bird boxes shall be installed in accordance with the locations , and specifications detailed in the South West Ecology letter dated 7th January 2021, prior to the first occupation of the development and therefore be retained and remain in situ.

Reason - To ensure the creation of new habitats in order to comply with policy EN15 of the Manchester Core Strategy (2012).

15) Finalised details of the surface water drainage arrangements , in accordance the approach set out in the email from the planning agent dated 19th March 2021, shall be submitted to and approved in writing by the City Council as local planning authority prior to the implementation of the driveway to the western elevation of the house hereby approved being installed, or any

areas of hard landscaping being implemented . The approved scheme shall be fully implemented prior to the implementation of the driveway and hard landscaped areas.

Reason - In the interest of surface water run off pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

16) Before first occupation the windows in the side elevation to the bathroom and ensuite facility shown on plan ref: AL(2-) 02 rev.E and AL(4-) 04 rev.D shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

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

17) 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 or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved plan ref: 2017 AL(2-) 03 rev.C Second floor loft layout plan; 2017AL(4-)01 rev.C Front elevation ; 2017AL (4-) 03 rev. C Side elevation facing east; 2017 AL (47) 01 rev.C Roof plan ; received by the City Council as Local Planning Authority 10th December 2020;
2017 AL(2-) 01 rev.D Ground floor layout plan; 2017 AL(2-) 02 rev.E First floor layout ;
2017AL(4-)02 rev.E Rear elevation; 2017 AL (4-) 04 rev.D Side elevation facing west ; 2017AL (9-) 01 rev.H Site Layout Plan; received 21st January 2021

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

18) 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.

19) Prior to the first use of the use of the development, 1 x 7Kw fast charging electric car charging point shall be installed within the car parking area in the location shown on plan ref: AL (9-) 01 rev. H .The approved scheme shall be implemented prior to the first occupation of the development and made available and thereafter retained for as long as the development is in place.

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

20) Prior to first use of the premises, details of the security measures to be incorporated into the development, which, shall be to secured by design specification, shall be submitted for approval in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details and shall be implemented prior to first use.

Reason - To reduce the risk of crime and safeguard the security of residential occupiers, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

21) The development hereby approved shall only be implemented in accordance with the boundary treatment detailed on drawing no: MH (823) 02 rev.A in the locations , and heights specified on plan ref: A L (9-) 01 rev.H . Finalised elevational design of the 1.1m high fencing to the eastern boundary shall be submitted to and approved in writing by the City Council as local planning authority prior to installation . The boundary treatment shall be completed before the development hereby approved is first occupied. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

For the avoidance of doubt any boundary treatment at the points of vehicle egress should be visually permeable from 600mm upwards and gates should open inwards.

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.

22) The solar panels, as indicated on drawing 2017AL(4-)01 rev.C Front elevation : and 2017 AL (47) 01 rev.C Roof plan ; and included as part of SAP Report Submission for Building Regulations Compliance dated 12.11.2020.
shall be installed and be operational prior to the first occupation of the development hereby approved.

Reason - In the interest of providing renewable energy at the site pursuant to policy DM1 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Environmental Health
MCC Flood Risk Management
Highway Services
Neighbourhood Team Leader (Arboriculture)
Greater Manchester Ecology Unit
Greater Manchester Police
Highway Services
Environmental Health
Greater Manchester Police
MCC Flood Risk Management
Neighbourhood Team Leader (Arboriculture)
Greater Manchester Ecology Unit

49 John Heywood Street, Manchester, M11 4BG
47 John Heywood Street, Manchester, M11 4BG
4 Slaithwaite Drive, Manchester, M11 4BA
47 Vale Street, Manchester, M11 4NR
45 Vale Street, Manchester, M11 4NR
76 Ravensbury Street, Manchester, M11 4JJ
74 Ravensbury Street, Manchester, M11 4JJ
72 Ravensbury Street, Manchester, M11 4JJ
70 Ravensbury Street, Manchester, M11 4JJ
68 Ravensbury Street, Manchester, M11 4JJ
66 Ravensbury Street, Manchester, M11 4JJ
45 John Heywood Street, Manchester, M11 4BG
39 Vale Street, Manchester, M11 4NR
1 Easthaven Avenue, Manchester, M11 4RN
3 Easthaven Avenue, Manchester, M11 4RN
5 Easthaven Avenue, Manchester, M11 4RN
6 Easthaven Avenue, Manchester, M11 4RN
3 Slaithwaite Drive, Manchester, M11 4BA
1 Slaithwaite Drive, Manchester, M11 4BA
Flat 9, Olivia Lodge, 50 Ravensbury Street, Manchester, M11 4BW
Flat 8, Olivia Lodge, 50 Ravensbury Street, Manchester, M11 4BW
Flat 7, Olivia Lodge, 50 Ravensbury Street, Manchester, M11 4BW
Flat 6, Olivia Lodge, 50 Ravensbury Street, Manchester, M11 4BW
Flat 5, Olivia Lodge, 50 Ravensbury Street, Manchester, M11 4BW
Flat 4, Olivia Lodge, 50 Ravensbury Street, Manchester, M11 4BW
Flat 3, Olivia Lodge, 50 Ravensbury Street, Manchester, M11 4BW
Flat 2, Olivia Lodge, 50 Ravensbury Street, Manchester, M11 4BW
Flat 12, Olivia Lodge, 50 Ravensbury Street, Manchester, M11 4BW
Flat 1, Olivia Lodge, 50 Ravensbury Street, Manchester, M11 4BW
Flat 11, Olivia Lodge, 50 Ravensbury Street, Manchester, M11 4BW
Flat 10, Olivia Lodge, 50 Ravensbury Street, Manchester, M11 4BW
Olivia Lodge, 50 Ravensbury Street, Manchester, M11 4BW
41 Vale Street, Manchester, M11 4NR
2 Slaithwaite Drive, Manchester, M11 4BA
80 Ravensbury Street, Manchester, M11 4JJ
78 Ravensbury Street, Manchester, M11 4JJ
7 Craven Place, Manchester, M11 4JR
5 Craven Place, Manchester, M11 4JR
3 Craven Place, Manchester, M11 4JR

1 Craven Place, Manchester, M11 4JR
51 John Heywood Street, Manchester, M11 4BG

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

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH2