

Planning

Growth & Development

Delegated officer report for planning application

Application no. 127056/FO/2020

Date registered valid: 24 August 2020

Proposal: Erection of three storey building to form 6 no. three storey dwellinghouses and 3 x 2 bedroom apartments (Class C3) together with parking, landscaping and boundary treatment following demolition of existing building

Address: 94-102 St Marys Road, Manchester, M40 0AG

Ward(s): Moston Ward

Applicant: Mr Hashemi Whitehall Media Warren Bruce Court, Manchester, M17 1LB

Agent (if any): Mark Percival Architecture:M, 14 Fairfield Square, Manchester, M43 6AD

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 15 February 2021

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 15 September 2020

Standard consultations:

Printed: 26 January 2021 Expired: 9 February 2021

Neighbour notifications

Printed: 26 January 2021 Expired: 9 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 vacant, boarded up, former public house (Dean Brook Inn) situated on the northern side of St. Mary's Road. The entire site has been hoarded off from the road frontage.

The detached, two-storey, dilapidated, red brick structure is of an irregular shape with the front building line immediately adjoining the back of pavement along St. Mary's Road. Due to the site topography, the height of the building diminishes in a southerly direction.

The property includes a single storey garage structure attached to the main building at the rear, together with a dilapidated terrace area at first floor level. At the side and rear is an associated car park area accessed from the St. Mary's Road.

The property is immediately neighboured by two storey residential properties to the north and by an active railway line with associated embankment to the east and south. Opposite the site to the west is Broadhurst Park.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

Aside from the neighbouring railway line, park and a metal railway bridge that straddles St. Mary's Road to the south, the immediate area is predominantly residential in character, largely comprising of two and three storey, semi-detached and terraced dwellinghouses.

Description of development

Planning permission is sought for the erection of a single, three storey block to create 6 x 4 bedroom dwellinghouses, incorporating an additional, three storey, flat roof element at the southern gable, to create a further 3 x 2 bedroom apartments.

The proposed development has been designed to mirror the existing footprint of the original building, with the addition of a further block to the southern side of the existing building.

To the side, the existing car park area is to be retained, but formalised to create one parking space per unit, together with ancillary landscaped areas.

During the course of the application, negotiations have taken place in relation to alterations to the site layout, the car parking arrangement, the provision of electric vehicle charging points, rear boundary treatment and the design of the apartments, in order to prevent any potential overlooking. Revised drawings were subsequently received and neighbour re-notified.

The application also follows an earlier granting of permission the creation of 7 no. three storey dwellinghouses (Class C3) within the shell of the existing building, together with associated elevational and roof alterations, boundary treatment, car parking and landscaping (Ref: 111593/FO/2016/N1).

Consultations & Notification Responses

Local Residents/Occupiers – 3 representations have been received. Comments are summarised below:

- Support is expressed for the development for which it is hoped it will be a credit to the area;
- It is questioned where the proposed apartments will be positioned and how traffic will join St. Mary's Road without causing congestion;
- It questioned why the development has taken so long to go ahead and why demolition has not taken place sooner. The credentials of the developer are also questioned and whether they have the financial resources to undertake the development.
- The site is a poor condition, subject to rubbish being dumped, anti-social behaviour and vermin which needs to be sorted out.
- It is not felt that there is adequate parking for 3 tenanted flats.
- The proposed development will take light away from surrounding properties and gardens and infringe upon existing levels of privacy.

Environmental Health – No objection. Conditions are recommended with respect to refuse storage and acoustic insulation and construction/demolition management.

Contaminated Land - – A condition requiring the submission and approval of a contaminated land study, together with details of any subsequent remediation measures is recommended.

Flood Risk Management – Conditions are advised with respect to the need for a surface water drainage scheme to be incorporated and for its subsequent maintenance.

Highway Services – Highways are in-principle supportive of the proposal.

The overall level of car parking provision is accepted in-principle subject to marked bays according with the Council's minimum dimensions of 2.4m (w) x 4.8m (l) for standard spaces and 3.6m (w) x 6m (l) for accessible bays. The associated aisle width should be 6m minimum.

- In accordance with the Council's sustainable development objectives and requirements, it is recommended that the proposals should include some formal provision for electric vehicle charging.
- Highways welcome proposed on-site provision for 12 cycles and request that these are made appropriately secure for potential users.
- Intended arrangements for waste management and collection are accepted in-principle.
- Any intended frontage boundary treatment will need to be visually permeable upwards of 600mm to allow for appropriate inter-visibility between exiting drivers and passing pedestrians.
- Clarification will be required in due course around intended arrangements for site clearance and construction.

Any gates should open inwards and there should be minimum 5m to the gate from the edge of carriageway so waiting vehicles do not block through traffic.

- Dropped kerbs and tactile paving should be provided across the driveway. Should the planning application be approved, the applicant will be required to enter into a Section 184 agreement via the council's Highways Applications and Network Resilience team.

Greater Manchester Police (Design for Security) – It is recommended that the development be constructed to 'Secured by Design' standards.

- All rear boundary treatment should be at least 1800mm high.
- Pedestrian/Vehicular routes should be well illuminated.
- A pedestrian access gates should be installed for the area to the rear of the properties, to ensure the rear boundaries are not susceptible to entry.

Greater Manchester Ecology Unit - The Preliminary Bat Survey appears to have used reasonable effort to survey the structure both externally and in part internally for the signs of current or historic bat use. It also made an assessment of the likelihood that bats would use the structure at other times.

The survey assessment was constrained as the upper floors and roof voids could not be inspected due to Health & Safety reasons.

The Report found no evidence of bat usage, but assessed the structure as having high potential to support bats at other times.

The Report concludes that three additional bat activity surveys are required during the active season (May – September weather dependant). Two of the surveys should be undertaken

There are currently no known reasons to contradict the Report's findings and it is recommended that the application is not determined until such time as the additional work has been undertaken.

Following negotiations between GMEU and the LPA, the wording of a planning condition has been which requires further survey work to be undertaken, prior to demolition of the existing building in order to allow the application to be determined.

Network Rail – In response to the original application proposal, Network Rail objected to the proposal on the basis that the building to be extended would be too close to Network Rail land that there would need to be a minimum 3m gap between any outside party structure and the railway boundary.

Following revised drawings being submitted and a site between the applicant and Network Rail, the objection has now been removed in principle.

The applicant has provided site plans which demonstrate the building footprint being a suitable enough distance away from the toe of the embankment.

They were advised Network Rail Town Planning would need to be made aware of these plans via the standard planning application process.

The applicant was also advised that whilst in principle, the proposed building methodology appeared quite straight forward, there would be a requirement for section foundation drawings through the Network Rail boundary. This in turn would require the works to be managed via a BAPA (Basic Asset Protection Agreement). This will allow Network Rail to ensure that there is no detrimental impact to the earthworks asset through excavation and building works. Network Rail therefore request that this is conditioned.

Network Rail would also make the BAPA requirement a condition to ensure that the applicant engages the design assurance process required.

Providing the above are actioned, the initial holding objection can be removed.

Planning History

111593/FO/2016/N1

Creation of 7 no. three storey dwellinghouses (Class C3) within the shell of the existing building, together with associated elevational and roof alterations, boundary treatment, car parking and landscaping. Approved 14 October 2016.

105558/FO/2014/N1

Erection of single storey side and two-storey rear extensions to existing pub building and conversion of building into 9 two-bedroom self-contained apartments, with associated parking and other associated works. Approved 25 July 2014.

043934/FO/NORTH1/93

Construction of 8 no. houses with associated parking and landscaping. Approved 22 November 1993.

030514

Single storey extension at rear of public house to form a garage. Approved 21 December 1987

029864

Single storey extension rear of licensed premises. Approved 2 October 1987.

F15033

Formation of a car park on vacant land. Approved 25 May 1981.

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy H1 (Overall Housing Provision) states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors. New housing will be predominantly in the North, East, City Centre and Central Manchester, these areas falling within the Regional Centre and Inner Areas of Manchester.

The policy goes on to state that that new residential development should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed sites in sustainable locations and which takes account of the availability of developable sites in these areas;
- Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. Schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours.

Policy H2 (Strategic Housing Location) states that the key location for new residential development throughout the plan period will be within the area to the east and north of Manchester City Centre identified as a strategic location for new housing. Land assembly will be supported in this area to encourage the creation of large development sites or clusters of sites providing the potential for significant regeneration benefits.

Developers should take advantage of these opportunities by:-

- Diversifying the housing offer with particular emphasis on providing medium density (40-50 dwellings per hectare) family housing including affordable housing. In locations which are close to the City Centre, such as the Lower Irk Valley and Holt Town, higher densities will be appropriate. However, the provision of family homes should remain an emphasis in these areas, too.
- Including environmental improvements across the area.
- Creating sustainable neighbourhoods which include complementary facilities and services.
- Considering the scope to include a residential element as part of employment-led development.

The proposal will comply with the densities identified within this policy and bring about significant regeneration in an area identified for change.

Policy H4 – (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. High density housing will be permitted within the parts of East Manchester that fall within the Regional Centre which are adjacent to the City Centre. These neighbourhoods include Ancoats, New Islington, Holt Town and Chancellor's Place; to the west of Alan Turing Way, and within Eastlands, Newton Heath, Openshaw and Gorton district centres as part of mixed-use schemes.

Policy T2 (Accessible Areas of Opportunity and Need) states that the Council will actively manage the pattern of development to ensure that new development: is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international connections. Is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities.

Policy EN1 (Design Principles and Strategic Character Areas) - All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. 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.

Policy EN4 (Reducing CO₂ Emissions by Enabling Low and Zero Carbon Development) concerns reducing CO₂ emissions and states that where possible, new development and retrofit projects must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies. The use of building materials with low embodied carbon in new development and refurbishment schemes is also sought.

Policy EN14 (Flood Risk) – refers to flood risk and amongst other issues states that all new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of green infrastructure.

Policy EN16 (Air Quality) – states that the Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes. Developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself.

Policy EN17 (Water Quality) states that developments should minimise surface water run-off and minimise ground contamination into the watercourse construction.

Policy EN18 (Contaminated Land and Ground Stability) - The Council will give priority for the remediation of contaminated land to strategic locations as identified within this document. Any proposal for development of contaminated land must be accompanied by a health risk assessment.

Policy EN19 (Waste) states that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). Developers will be required to submit a waste management plan to demonstrate how construction and demolition waste will be minimised and recycled.

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policies of the Unitary Development Plan are also considered relevant:

Policy DC7.1 (New Housing Development) state that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disable people, including those that use wheelchairs wherever this is practicable.

Policy DC26 (Noise) states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise.

The Guide to Development in Manchester (SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development

should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Manchester Residential Quality Guidance (2016)

The City Council's Executive has endorsed the Manchester Residential Quality Guidance. As such, the document is now a material planning consideration in the determination of planning applications and weight should be given to this document in decision making.

The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a City of high quality residential neighbourhood and a place for everyone to live.

The document outlines nine components that combine to deliver high quality residential development, and through safe, inviting neighbourhoods where people want to live. These nine components are as follows:

- Make it Manchester;
- Make it bring people together;
- Make it animate street and spaces;
- Make it easy to get around;
- Make it work with the landscape;
- Make it practical;
- Make it future proof;
- Make it a home; and
- Make it happen.

The Manchester Green and Blue Infrastructure Strategy (G&BIS)

The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development. Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is: By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

Greater Manchester Spatial Framework (GMSF)

GMSF is a joint plan for Greater Manchester that seeks to provide land for jobs and new homes across the city region and will ensure that the right land is available in the right places for such needs.

National Planning Policy Framework (2019)

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

The Framework underlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Relevant to this application, Section 11 underlines the need to ‘Make Effective Use of Land. Section 12 provides design guidance – ‘Achieving Well-Designed Places’

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.

The proposed development will regenerate a vacant and dilapidated building and its associated grounds to form 6 family houses, as well as adding to the diversification of residential accommodation in the area, through the creation of 3 apartments.

The proposed development is considered to be of an acceptable design, which is unlikely to create any significant impact upon residential amenity, as a consequence of its function, position, design and relationship with adjoining properties.

On balance, the proposed development is considered to accord with the aforementioned policy and guidance. There are no material considerations of sufficient weight to indicate otherwise.

Specific planning issues are outlined further below.

Loss of Public House

It is important to realise the contribution public houses make to a community. Public Houses are a unique and intrinsic value of British life and in this case, Manchester culture and many are steeped in history and form part of local social and cultural heritage, often forming an essential part of an area's daytime and evening economy.

It is therefore important to protect public houses where they possess a heritage, economic, social or cultural value to local community or where they contribute to wider daytime/evening economic objectives.

In the case of the Dean Brook public house, the premises is not listed by the Council as a 'community asset'. The premises ceased trading several years ago and has been closed ever since, with the building left to substantially deteriorate

No interest for the reoccupation of the public house has been substantiated and realistically, particularly given the poor structural condition of the building, the building is highly unlikely to be reoccupied for its original use.

The building has been left empty for many years and it is felt that if the building was to be ever reoccupied, it would have been so by now. The poor condition of the building would also not represent a financially viable proposition.

There is also no shortage of alternative, community facilities in the immediate area to serve local people.

In light of the above, it is not believed that the loss of the public house should form a barrier to redevelopment in this instance.

Redevelopment of the Site and Contribution to Regeneration

The proposed development would regenerate a vacant unkempt site which has suffered from fly-tipping, anti-social behaviour and misuse over the last few years.

The proposed development would significantly improve the appearance of a site which could otherwise be left to further deteriorate and will substantially uplift the appearance of the area, by providing a high quality development, which will enhance the appearance of the section of St. Mary's Road to which the site relates.

Design, Scale and Appearance

The Guide to Development in Manchester (SPD) advocates that consideration should be given to the scale of new developments and to ensure that new development is informed by their context.

It is believed that the proposed development accords with such criteria, with the proposed units adopting a traditional form and pattern of development which will satisfactorily integrate into the surrounding scale and form of neighbouring development.

Whilst it would have been preferable to retain the shell of the existing structure for a more traditional conversion, the building is not listed and has deteriorated over the last few years. As such, there is nothing to prevent its demolition and to allow its demolition would allow for a more viable scheme to be developed, which until now appears to have formed a barrier to development.

To maximise the layout of the site, the main building element seeks an arrangement similar design to a traditional terraced house, with the incorporation of pitched, gabled roofs, with chimneys - which also serve as lightwells to the upper floor accommodation. To maximise the site, a further three storey, irregular shaped, flat roof element is added to the southern elevation to create 3 further apartments. A communal lawn separate the building from the adjoining railway bridge.

The building seeks to tie in with the existing building line, with the front façade maintaining the original demise of the existing building, but with the addition elevational adaptations, roof alterations, boundary treatment and landscaping.

In terms of appearance, the external walls are proposed to comprise of red brick, with grey concrete roof tiles. The front entrances are defined with a corten steel porch, whilst recessed brickwork forms a focal point to the front, first floor windows areas.

To the rear, are first floor terrace areas, separated by balustrades, incorporating a timber decking system. The first and second floor apartment incorporate rear balcony areas, with glazed balustrades.

Each dwellinghouse has a front and rear garden space with, a small triangular shaped area of communal lawn serving the end apartment element. To the front are timber enclosures for bin storage.

It is considered that due to the relatively detached position of the building in the area, its position in the street, its orientation, relationship with the nearest buildings and the lack of a homogenous architectural style in the area, the increase in height can be accommodated without being overbearing to nearby properties or out of keeping or over-dominant in the street-scene.

Residential Amenity

It is unlikely that the creation of 9 residential units would have an adverse impact upon the amenity of nearby residential occupiers, as a consequence of its use and associated activity.

Given the previous use of the site as a public house and an associated car park, coupled with the largely residential context of the immediate surroundings, there is unlikely to be any undue impact in terms of increased activity and any associated noise/disturbance. The impact upon the living conditions of nearby occupiers is therefore considered acceptable.

The proposal would remove a typical noise generating use in the form of public house away from the area and replace it with a use more consistent with its surroundings. The operation and siting of the car park would remain similar to the existing situation, but the associated activity is anticipated to much lower than the current, authorised use of the site, as well as leading to a reduction in late night activity.

In terms of privacy, the proposed accommodation does not directly face onto any neighbouring properties and the nearest habitable windows the north east along Dean Brook Close are sited and orientated sufficient distance away so not to suffer any direct overlooking. In order to prevent any potential overlooking from the firstfloor terrace areas, privacy screens have been incorporated to the side of affected balcony areas.

Space Standards

The proposed development would deliver living space on the ground floor with four bedrooms to the upper floors for each of the dwellinghouse units, with an internal floor area of 105 sqm.

For the two bedroom apartments, the internal floorspace is 75 sqm

This accords with the Council's minimal floorspace standards contained within the Council's Residential Quality Guidance.

On balance, it is considered that the development secures a satisfactory configuration of accommodation which in totality responds to the site boundaries. The density of the proposed development is related to the prevailing character of neighbouring residential development. Within this urban context it is considered that a satisfactory quality accommodation has been achieved, with appropriate arrangements for the external functional requirements of amenity space and car parking. It is therefore considered that the development responds positively to the Council's Residential Quality guidance.

Cycle storage

Each unit has a secure rear amenity space, where cycle storage units are proposed. In addition, the properties are all of an adequate size, which also allows the option of storage inside each property if necessary. This arrangement is considered acceptable and will aid travel by non-car modes.

Refuse Storage

The submitted information indicates that each property includes a bin storage area housed within a timber enclosure to the front, which will be moved to the kerbside on the day of collection.

This arrangement coupled with the number of receptacles to be provided, as well as recycling arrangements is considered acceptable and typical of the area. A condition has been included which required the proposed arrangement to be adhered to.

Impact on the Highway

In the case of the proposed development, one space is provided per unit within an existing communal car park to the northern side of the building. These spaces are aligned to the northern boundary and are to be demarcated and allocated to each property. The existing site access is to be retained and would allow for two way vehicle movements and also allow cars to enter and leave the site in a forward gear. Highways consider the proposed parking ratio acceptable.

Whilst ordinarily the Council would prefer car parking spaces to be provided within the individual curtilages in order to more closely define ownership and encourage natural surveillance, the proposal seeks to retain the original terrace format and given the existing context is considered appropriate.

Taking into account anticipated vehicular movements, Highway Services raise no objection to the proposal in terms of highway safety, on-street parking demand or impact on the function of the highway.

The proposal is therefore considered acceptable from a highway perspective and unlikely to lead to any unreasonable demand or increased competition for on-street parking which is unrestricted along the adjoining road frontage.

A condition has been included which will require tactile paving to be provided to the car park entrance off St. Mary's Road to safeguard highway safety.

Impact to Adjoining Railway Line

In response to the original proposal, concerns were raised by Network Rail in relation to the position of the proposed extension and its proximity to the adjoining railway line. An objection was raised on the basis that the footprint of the extension needed to be at least 3 metres away from Network Rail land.

In response to this, the proposal has been amended to allow maintain a 3m gap from the boundary to Network rail owned assets and a low-level wall along the boundary to Network rail land to prevent encroachment from vehicles has been included.

On the basis of the revised proposal, Network Rail have removed their holding objection, subject to the inclusion of a condition which requires the works to be managed via a BAPA (Basic Asset Protection Agreement). This will allow us to ensure that there is no detrimental impact to the earthworks asset through excavation and building works. A condition has been included accordingly.

Boundary Treatment

The submitted drawings show indicative boundary treatment in the form of a combination of brick wall and metal railings to the main site frontage and fencing to the side and rear boundaries.

Whilst considered acceptable in principle, a condition has been included which will require more detail on the type, design and materials to be incorporated within the boundary treatment, as well as details of an access gate to the car park.

Drainage and Flood Risk

The application site is located in flood zone 1 '*low probability of flooding*'.

The application has been considered by the City Council's Flood Risk Management section who advise that a condition should be included to ensure the submission and approval of a surface water drainage scheme and maintenance thereafter.

Security

To ensure all external fittings and associated works are of a satisfactory standard, it is recommended that a condition of the planning approval should require the completed development to achieve 'Secured by Design' accreditation.

In its current condition, it is considered that the derelict nature of the site has the potential to attract criminal activity and anti-social behaviour. Empirical evidence suggests that this is already the case.

With the redevelopment of the site, enclosure of the curtilage and compliance with the condition requiring fittings to be to certified 'secured by design' standards, it is considered that the redevelopment of the site will lead to enhancements to security and help design out crime.

Access

The site itself is relatively flat, providing no obstacle to level access across the site and to the entrance doors themselves.

Level access will be afforded to all entrance doors to incorporate level thresholds for wheelchair access.

The proposal will accord with current access standards contained within Part M of the Building Regulations.

Ecology

The submitted Bat Survey recognises that there is potential for roosting bats within the buildings. As such, an appropriate condition has been included which prevent demolition from being carried out to implement the development, until further survey work to identify the potential presence of bats has been undertaken and agreed with the Council. There are no other, known ecological issues.

Landscaping

Each property incorporates a front and rear garden areas laid to lawn. The rear gardens have access via gated entrances to the rear car parking area.

The site also includes areas of communal soft landscaping associated areas adjacent to the car park curtilage and a triangular area to the southern side of the building to provide communal amenity space for the apartments. The general arrangement is considered satisfactory, although full details are required by way of an appropriate planning condition.

Responsibility for the ownership, management and maintenance of the communal areas of landscaping is to be agreed by way of an attached planning condition, to ensure such areas are not neglected. The condition requires the submission and approval of a maintenance agreement for the upkeep of incidental, communal areas. The agreement will need to be in place prior to first occupation of the dwellinghouses hereby approved and is required to remain operational at all times during occupation of the development.

Affordable Housing

Due to the number of units proposed being less than 15 and as the site area is less than 0.3 hectares, there is no requirement to provide any units on an affordable basis, pursuant to policy H8 of the Core Strategy.

Environmental Standards

City Council policy requires that developers focus on achieving low carbon and energy efficient developments and therefore development should be expected to demonstrate its contribution to these objectives.

The application has been accompanied by an Environmental Statement which details how the development will incorporate sustainable design and resource efficiency in line with the both the Energy Hierarchy and national sustainable design definitions, so to meet the policy requirements and council targets contained within policies EN4 and EN6 of the Core Strategy.

The submitted Environmental statement indicates satisfactory fabric thermal resistance values, air permeability, glazing, insulation and energy use requirements, including the use of solar roof panels.

A condition has been included which would require the submission and agreement of a Verification Report to ensure the measures are incorporated within the development design.

Sustainability

The site is situated within a highly sustainable location a short distance from public transport provision in the form of the local bus network and nearby Metrolink tram stops.

The site is also situated within an established residential area where existing infrastructure and services can be utilised. The scheme therefore harnesses the objectives of sustainable development advocated by the National Planning Policy Framework (NPPF).

Climate Change and Air Quality

Given the loss of the public house use and as the proposal would result in a modest number of additional of residential units within the context of a principally residential environment, the impact upon climate change is considered negligible.

The site is located close to a busy, main arterial route and transport corridor, and is therefore unlikely that there would be any significant or harmful contribution to air quality or climate change as a consequence of vehicular movements or ongoing activity.

Through effective mitigation and construction management during the construction phase, the impact upon air quality can be adequately controlled.

Further, the proposal includes the provision of electric car charging points and cycle storage for each proposed property. Such measures will serve to limit the impact the upon climate change. The development will also incorporate energy efficient measures as part of the development, as outlined in the submitted Environmental Standards Statement.

Construction Management

To make sure demolition/construction is effectively controlled and to prevent any disruption to existing occupiers in the area or local air quality, a condition is included which requires the submission and approval of a construction management plan which details working practices, working hours, dust suppression, the parking of construction vehicles and the removal of waste.

Human Rights Act 1998 considerations

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and

owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

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:

Drawings numbered 001, 200, 201, 202, 203, 210, 211, 212, 213, 220, 221, 222 and 401 received by the City Council as Local Planning Authority on 24 February 2021.

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

3) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be implemented in accordance with the agreed materials.

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, pursuant to policies SP1, EN3 and DM1 of the Core Strategy.

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

- Measures to control noise and vibrations;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

The development shall only be carried out in accordance with the approved construction management plan.

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

5) Prior to above ground works commencing, full details of the proposed window design of the buildings hereby approved (including section drawings), shall be submitted to and approved in writing by the City Council as Local Planning Authority. Details should show a full brick reveal, including soffits. The development shall only be implemented in accordance with the agreed details.

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, pursuant to policies SP1 and DM1 of the Core Strategy.

6) Prior to first occupation of the development hereby approved, the City Council as Local Planning Authority must acknowledge in writing that it has received written confirmation of a 'Secured by Design' accreditation.

Reason - To reduce the risk of crime, pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

7) No development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt this shall include the following information:

- Consideration of alternative green SuDS solution if practicable;
- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Conurbation Core Critical Drainage Area;
- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for climate change in any part of a building. Hydraulic calculation of the proposed drainage system;
- Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site;
- As the proposed development would cause unusual pollution risk to surface water (large car park areas, evidence of pollution control measures (preferably through SuDS) is required.
- Hydraulic calculations of the existing and proposed drainage system;

- Construction details of flow control and SuDS elements.

Reason - To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN8 and EN14 of the Manchester Core Strategy.

8) The development hereby approved shall not be occupied until details of the implementation, maintenance and management of a sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- A verification report providing photographic evidence of construction as per design drawings;

-As built construction drawings if different from design construction drawings;

-Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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 Manchester Core Strategy.

9) The development hereby approved shall only be implemented in accordance with the submitted waste storage layout shown on drawing numbered 222 and accompanying Waste Management Strategy, received by the City Council as Local Planning Authority on 24 February 2021 and 10 July 2020 respectively. 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. No bins shall be stored outside of the waste store other than on the day of collection.

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

10) (a) Prior to the first occupation of the residential element of the development, a scheme for acoustically insulating the proposed residential accommodation against noise from St Marys Road and local traffic network shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved noise insulation scheme shall be completed before the first occupation of the development.

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

Bedrooms (night time - 23.00 - 07.00) 30 dB L Aeq (individual noise events shall not exceed 45 dB L Amax,F by more than 15 times)

Living Rooms (daytime - 07.00 - 23.00) 35 dB L Aeq

Gardens and terraces (daytime) 55 dB L Aeq

(b) Prior to the first occupation of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria. Any mitigation measures shall be implemented in accordance with a timescale to

be agreed with the City Council, as Local Planning Authority, and thereafter retained and maintained in situ.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance pursuant to policies SP1, H1 and DM1 of the Core Strategy (2007) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

11) Notwithstanding details submitted, before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

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

12) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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

13) The car parking area indicated on drawings numbered 001 and 221 received by the City Council as Local Planning Authority on 24 February 2021 shall be surfaced, demarcated and made available for use prior to any of the residential units hereby approved being occupied. The parking areas shall be for the sole use of residential occupants of the development and shall be available for use at all times whilst the residential units are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

14) No part of the development shall be occupied until space and facilities for bicycle parking, as shown on drawing numbered 001, received by the City Council as Local Planning Authority on 24 February 2021 is implemented. The approved space and facilities shall then be 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.

15) Notwithstanding details submitted, prior to the first occupation of the residential development hereby approved, full details and specification of 7kw electric car charging points to all car parking spaces shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the residential units hereby approved.

Reason - In the interest of air quality pursuant to policy EN16 of the Manchester Core Strategy

16) Notwithstanding details submitted, the residential units hereby approved shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of all boundary treatment to be erected. The boundary treatment shall be completed prior to first occupation of the residential units hereby approved. 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.

17) Within one month of any part of the development first being occupied, a resurfacing strategy for the public footway adjacent to the site along St. Mary's Road, as well as details for the installation of tactile paving across the car park entrance, shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be carried out in accordance with a timescale and programme to be approved by the City Council as Local Planning Authority.

Reason - In the interests of residential and visual amenity and to ensure that paving materials are consistent with the use of these areas as pedestrian routes, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

18) Notwithstanding details submitted no above ground 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.

19) Prior to first occupation of the residential units hereby approved, a maintenance agreement for the upkeep of incidental, communal areas of landscaping within the curtilage of the development site shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The approved agreement shall remain in operation at all times whilst the development is occupied.

Reason - To safeguard visual amenity and the character of the area, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

20) Prior to first occupation of the apartments hereby approved, a scheme for the enhancement of the site for biodiversity purposes shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

Reason - To mitigate the loss of vegetation and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

21) The development hereby approved shall not be occupied until there has been submitted to and approved in writing by the City Council as Local Planning Authority, a plan indicating the installation of a controlled access gate to the car park accessed off St. Mary's Road. Details shall also include the position, design, materials and type of gates to be installed. The gate shall be completed prior to first occupation of the development hereby approved and shall thereafter be retained.

Reason - To safeguard the safety and security of residential occupiers and to ensure that the appearance of the development is acceptable to the City Council as local planning authority, pursuant to policies DM1 and SP1 of the Core Strategy.

22) The development hereby approved shall include a lighting scheme for the illumination of external areas during the period between dusk and dawn. Full details of such a scheme shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to commencement of any lighting works. The approved scheme shall be implemented in full before the development is first occupied and shall remain in operation for so long as the development is occupied.

If any lighting at the development subsequently approved, when illuminated, causes glare or light spillage which in the opinion of the Council as Local Planning Authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as Local Planning Authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

23) Notwithstanding the details contained within the submitted Environmental Standards report, received by the City Council as Local Planning Authority on 10 July 2020, prior to any above ground works commencing, a more comprehensive Environmental Standards report shall be submitted to and approved in writing by the City Council as Local Planning Authority. Prior to the first occupation of the residential units hereby approved, a post construction review certificate/statement shall be submitted to and agreed in writing by the City Council as Local Planning Authority, to confirm the agreed measures have been implemented.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Manchester Core Strategy.

24) Prior to above ground works commencing, full details, design drawings and specification of the solar roof panels to be installed, shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed details.

Reason - In the interests of visual amenity and energy efficiency, pursuant to policies DM1, EN6 and SP1 of the Manchester Core Strategy.

25) The demolition of building has the potential to cause harm to bats. Demolition shall not in any circumstances commence, unless the City Council as Local Planning Authority has been provided with either:

a) a license issued by Natural England pursuant to Regulation 53, of the Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development go ahead: or

b) Further bat surveys and method statement that shall be submitted to and agreed in writing by the City Council as Local Planning Authority, in order to determine the presence of bats.

Demolition shall only take place in accordance with the agreed details.

Reason - To protect bats should they be found at the application site, pursuant to policy EN15 of the Manchester Core Strategy.

26) Prior to the commencement of development, A BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. Confirmation of the agreement and agreed measures shall be submitted to approved in writing by the City Council as Local Planning Authority prior to works commencing on site.

Reason - To safeguard adjoining railway land and in the interest of public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

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

Reason - In the 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.

28) Notwithstanding the General Permitted Development Order 2015 as amended by the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 or any legislation amending or replacing the same, no further development in the form of upward extensions to the building shall be undertaken other than that expressly authorised by the granting of planning permission.

Reason - In the interests of protecting residential amenity and visual amenity of the area in which the development is located pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

29) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any legislation amending or replacing the same, no building extensions or roof alterations shall be permitted to any of the residential units hereby approved, other than that expressly authorised by the granting of this planning permission.

Reason - In the interests of residential amenity, since any additions to the approved dwelling may adversely impact upon visual amenity or the amenity of neighbouring occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

30) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any legislation amending or replacing the same, no windows or doors shall be inserted within the exterior of the residential units, or any other boundary treatment erected to the road frontages, other than that expressly authorised by the granting of this planning permission.

Reason - In the interests of residential amenity, since any additions to the approved dwelling may adversely impact upon visual amenity or the amenity of neighbouring occupiers, pursuant to Policies DM1, EN3 and SP1 of the Manchester Core Strategy.

Informatives

1) A BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

Network Rail will require further details on the following before they can comment fully on the proposal:

1. Details of all crane working and scaffolding on site
2. Details of any and all excavation and earthworks within 10m of the railway boundary (note not the railway tracks)
3. Details of the proposed solar panels, as we will need to assess whether they might impact upon train drivers ability to see signals along the railway line.
4. Details of proposed drainage plans, and confirmation that surface/foul water is directed away from the railway
5. Confirmation that the developer has considered the impact of existing and potential noise and vibration from the existing operational railway.
6. The vehicle parking spaces adjacent to the railway boundary will require some form of high kerb to prevent vehicles accidentally rolling towards and damaging the railway.
7. Details of what measures will be included in the development adjacent to the railway boundary relating to anti-trespass fencing to prevent unauthorised access of the railway.
 - a. Network Rail is publicly funded and we believe that it is reasonable that third party developers undertake and fund mitigation works to protect the operational railway
8. There is a requirement on developer's to provide at least a 2m gap between any structure on site and the railway boundary - this is not the case with one of the dwellings which is hard against our boundary, therefore the location of the dwelling is not acceptable to Network Rail as this could increase our liability.

The developer is advised that all works on site and any future maintenance works will need to be undertaken wholly within the applicant's land ownership footprint without also over-sailing the boundary. Those dwellings hard against the boundary may not be able to be erected and maintained without over-sailing our land.

The developer should contact Network Rail directly, before any works take place - AssetProtectionLNWNorth@networkrail.co.uk

2) Dropped kerbs and tactile paving should be provided across the driveway. The applicant will be required to enter into a Section 184 agreement via the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

3) The applicant is reminded that under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Appendix 1 – List of consultees & neighbours notified

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

8 Dean Brook Close, Manchester, M40 0AZ
2 Dean Brook Close, Manchester, M40 0AZ
12 Dean Brook Close, Manchester, M40 0AZ
6 Dean Brook Close, Manchester, M40 0AZ
14 Dean Brook Close, Manchester, M40 0AZ
10 Dean Brook Close, Manchester, M40 0AZ
4 Dean Brook Close, Manchester, M40 0AZ

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 -
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH1