

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129452/JO/2021

Date registered valid: 23 February 2021

Proposal: Variation of condition numbers 2 (specified plans) and 11 (landscaping) attached to planning approval reference 110496/FO/2015/S2 to allow for amendments to site layout to allow for provision of an electricity substation

Address: Dahlia House, 210 Burnage Lane, Manchester, M19 1FL

Ward(s): Burnage Ward

Applicant: Mr Mike Bagot, Rowlinson Constructions Limited, Gardale House, 118B Gatley Road, SK8 4AU

Agent (if any): Ms Natalie Wilson, Pozzoni Architecture Ltd, Woodville House, 2 Woodville Road, Altrincham, WA14 2FH

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24.06.2021

Application details

Type of application: Variation or Removal of Condition

Development type: Smallscale Major Other

Standard consultations:

Printed: 23 February 2021 Expired: 16 March 2021

Neighbour notifications

Printed: 23 February 2021 Expired: 16 March 2021

Site notice

Posted: 25 February 2021 Expired: 18 March 2021

Press advert

Published: 3 March 2021 Expired: 24 March 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

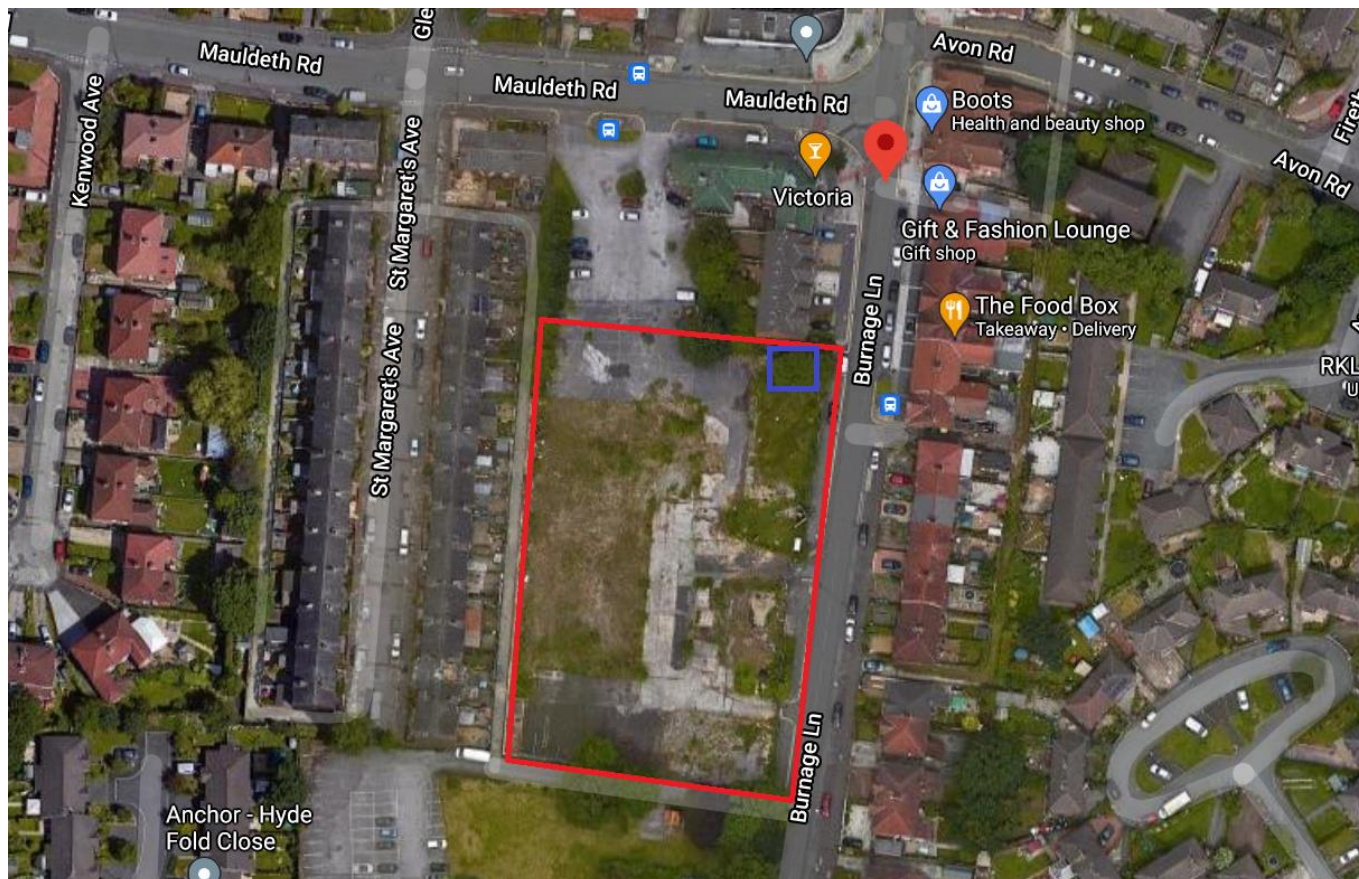
Tree Preservation Order: Not applicable

Description

The site relates to a roughly rectangular vacant site fronting Burnage Lane, close to its junction with Mauldeth Road, with a small terrace of residential properties and the car park of the Victoria Inn public house to the north, St Margaret's Church and rectory to the south and the rear of properties on St Margaret's Avenue to the west. The properties on St Margaret's Avenue form a two-storey terrace divided from the application site by a rear alleyway. Opposite the site is a parade of shops and commercial premises with some residential uses above along with two-storey terraced houses. At the corner of Burnage Lane and Mauldeth Road there is a small local hub of shops and commercial premises. The site was previously occupied by laundry buildings but was cleared in 2012 and is fairly level, with some tree cover to the front and side boundaries.

Description of development

Planning permission was granted in 2016 for the erection of a part three, part four storey building to form 56 extra-care apartments (21 two-bedroom and 35 one-bedroom). The buildings footprint has a long frontage to Burnage Lane, with two wings extending to the rear, enclosing and overlooking a landscaped garden area. The car park is positioned to the north of the site. Following delays on site the works are progressing towards completion, as part of the development it has been required to site an electrical substation towards the front of the site and has resulted in some consequential amendments to the layout. Following changes to the landscaping a revised scheme has also been submitted incorporating revised positioning of trees around the boundary of the site.



Aerial view of site prior to works commencing, blue box is approximate position of substation

Consultations & Notification Responses

A site notice was posted, an advert placed in the Manchester Evening News and nearby residential properties notified. No responses were received.

Highways Services - Subject to confirmation of no impacts on the car parking layout Highway services have no objections to the proposals.

Environmental Health - Have reviewed the noise assessment submitted for the substation are satisfied with the results and recommended a post completion verification condition to deal with noise levels from the substation.

Policy

National Planning Policy Framework

The National Planning Policy Framework replaced previous guidance in PPGs and PPSs, setting out the Government's planning policies and how they are expected to be applied. The NPPF underlines that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, and that the Framework is a material consideration in planning decisions. The core message in the document is that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Development Plan

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however,

some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester and states that, outside the City Centre and the Airport, the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including:

- o creating well designed places,
- o making a positive contribution to health, safety and well-being,
- o considering the needs of all members of the community, and
- o protecting and enhancing the built and natural environment.

Policy H1 states that proposals for new residential development should contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing population. The design and density of a scheme should contribute to the character of the local area and should include usable amenity space and be designed to give privacy to both residents and neighbours. Priority should be given to sites which are in close proximity to centres of high frequency public transport routes and to the re-use of previously developed sites in sustainable locations.

Policy H6 aims for South Manchester to accommodate around 5% of new residential development over the lifetime of the Core Strategy. Outside the district centre, priorities will be for housing which meets identified shortfalls including provision of housing that meets the need of older people.

Policy T2 seeks to ensure that new development is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and education opportunities.

Policy EN1 states that development in Manchester will be expected to have regard to the strategic character area in which the development is located. Opportunities for good design should be fully realised, particularly on major radial routes.

Policies EN4, EN5, and EN6 set out guidance aimed at reducing carbon emissions and the impact of climate change. All development must be designed to reduce the need for energy through design features such as provision of passive heating, natural lighting and cooling, and incorporating energy efficient features such as improved insulation and glazing.

DM1 seeks to ensure that new development contributes to the overall aims of the Core Strategy. The issues which should be considered are those which will ensure that detailed aspects of new development complement the Council's broad regeneration priorities and particularly by contributing to neighbourhoods of choice.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance advises that a high quality environment is created by buildings which reflect their purpose and respect the place in which they are located. It also requires buildings to relate well to each other in respect of setting and impact on the street-scene, roof-line and skyline.

Issues

The principle for the development of the site to form residential accommodation has been established through the original planning approval that is being delivered on site. The matters that need considering as part of this application are the installation of the substation and the consequential amendments to the site layout and landscaping scheme.

Visual Amenity – The substation is to be a standard GRP building to house the electrical equipment required for the development. Such installations generally fall within the realms of permitted development not requiring planning permission. The dimensions of the proposed cabin are 2.4m to eaves, 3.8m deep and 3.2 metres deep. The substation would be sited towards the northern edge of the site close to the vehicular and pedestrian access into the site from Burnage Lane. The substation would be sited away from the boundary to but adjacent the gable wall to number 208 Burnage Lane a residential property. Facing the site are commercial properties with residential flats above. There is proposed to be some landscaping around the substation which would allow some softening of the structure. It is considered that given the siting and landscaping it is not considered that the substation would give rise to unacceptable visual impacts on the streetscene or character of the area.

Residential amenity – The substation requires limited maintenance and would not give rise to impacts on privacy or overlooking, its servicing would take place from the front of the substation and would be accessed via the site access.

The substation is likely to generate a level of noise due to its function, such structures are commonly sited in residential areas. Environmental Health have reviewed the submitted noise assessment which is acceptable. They have requested that a condition be attached to any permission to ensure the equipment complies with the acoustic assessment.

Landscaping – Following concerns regarding the amendments to the landscaping scheme from that previously approved a revised planting plan has been provided that introduces a level of tree planting that is acceptable and reflects the previous approval within the rear amenity area for the development and the boundaries of the site.

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 application has been determined in a positive and proactive manner, issues that have arisen have been communicated to the applicant's agent.

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

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

P3725_001
P3725_100
P3725_106
P3725_107

Arboricultural Data Sheet ref D4234.001 dated 1 November 2013
Tree Constraints Report ref D4234.001 dated 5 November 2013
Transport Statement by SCT ref GW/15263/TS/1
Acoustic Statement by Echo Affiliates Ltd dated 26 October 2015
Sustainability Statement by Redloft dated November 2015
Design and Access Statement PP-04507926 dated 6 November 2015
Crime Impact Statement Version A ref 2014/0072/CIS/01
Drainage Design Strategy Ref 12/1479 by Clancy Consulting dated 26 October 2015

P3725_102 Rev E
P3725_103 Rev E
P3725_104 Rev C
P3725_105 Rev C

All received by the City Council as local planning authority on 12th June 2019.

ESL -900350-002 Rev 3;
P3725_101 Rev A 'Proposed Site Plan'
All received by the City Council as local planning authority on 18th February 2021

3336 03 J 'Planting Plan' prepared by DEP as received by the City Council as local planning authority on the 15th June 2021

All documents associated with the Condition Discharge notice references CDN/18/0869;
CDN/19/0139, Materials Schedule accompanying CDN/19/0774

Noise Assessment prepared by Azymuth Acoustics UK Ltd report reference AA0355 received by the City Council as local planning authority on the 16th June 2021

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

2) The development shall be carried out in accordance with the Materials schedule prepared by Pozzoni as received on the 10th December 2019 and approved under condition discharge reference CDN/19/0774.

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

3) 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.

4) Within 1 month of the date of this decision a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to, and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with policies SP1 and DM1 of the Core Strategy.

5) Deliveries, servicing and collections, including waste collections, shall not take place outside the following hours:

7.30 am to 8.00pm Monday to Saturday

No collections on Sundays and Public Holidays

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy.

6) The development shall be carried out in accordance with the details of the scheme for acoustically insulating the proposed residential accommodation as approved under condition discharge reference CDN/18/0869. The approved scheme shall be implemented in full before use of the residential premises first commences.

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

7) The development shall only be carried out in accordance with the details within the approved Crime Impact Statement. Within six months of the occupation of the buildings hereby approved, written confirmation of a Secured by Design accreditation must be submitted to the local planning authority.

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

8) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park 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 in order to comply with Policies SP1, T2 and DM1 of the core strategy.

9) Before the use commences, the hours of operation of the cafe/bistro located on the ground floor of the building hereby approved shall be submitted to and agreed in writing by the City Council as local planning authority.

Reason - In interests of amenity, pursuant to Policies SP1 and DM1 of the Core Strategy

10) The hard and soft landscaping scheme hereby approved and shown on drawing 3336 03 J 'Planting Plan' prepared by DEP as received by the City Council as local planning authority on the 15th June shall be implemented not later than 12 months from the date of commencement of works. 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.

11) The arrangements for the storage and disposal of refuse shall be carried out in accordance with the 'Waste Management Strategy' Pro Forma and drawing ref P3725-106. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity, pursuant to Policies SP1 and DM1 of the Core Strategy.

12) The surface water drainage scheme approved under condition discharge reference CDN/18/0869 shall be fully implemented in accordance with the approved details before the scheme is completed and maintained thereafter.

Reason - To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity by ensuring the satisfactory storage of/disposal of surface water from the site, pursuant to policy EN14 and DM1 of the Core Strategy.

13) The wheels of contractors' vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with the management scheme approved in writing by the City Council as local planning authority under condition discharge reference CDN/19/0139.

Reason - In the interest of pedestrian and highway safety, as specified in policies SP1 and DM1 of Core Strategy.

14) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans 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.

15) 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

16) The development hereby approved shall be implemented in accordance with the measures as set out within the Sustainability Statement prepared by Redloft and dated November 2015. Within six months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing by the City Council as local planning authority confirming the incorporation of the specified measures at each phase of the construction of the development, including dated photographic documentary evidence of the implementation and completion of required works.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy for the City of Manchester and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.'

17) Prior to the occupation of the development a verification report shall be submitted to and approved in writing by the City Council as local planning authority to validate that the work undertaken for the electricity substation conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policy DM1 of the Core Strategy and saved policy DC26.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Electricity Northwest

St Margaret's Rectory, 250 Burnage Lane, Manchester, M19 1FL
227A Burnage Lane, Manchester, M19 1FN
219 Burnage Lane, Manchester, M19 1FN
221 Burnage Lane, Manchester, M19 1FN
223 Burnage Lane, Manchester, M19 1FN
233 Burnage Lane, Manchester, M19 1FN
225 Burnage Lane, Manchester, M19 1FN
229 Burnage Lane, Manchester, M19 1FN
231 Burnage Lane, Manchester, M19 1FN
235 Burnage Lane, Manchester, M19 1FN
237 Burnage Lane, Manchester, M19 1FN
239 Burnage Lane, Manchester, M19 1FN
241 Burnage Lane, Manchester, M19 1FN
243 Burnage Lane, Manchester, M19 1FN
245 Burnage Lane, Manchester, M19 1FN
247 Burnage Lane, Manchester, M19 1FN
249 Burnage Lane, Manchester, M19 1FN
251 Burnage Lane, Manchester, M19 1FN
253 Burnage Lane, Manchester, M19 1FN
255 Burnage Lane, Manchester, M19 1FN
257 Burnage Lane, Manchester, M19 1FN
259 Burnage Lane, Manchester, M19 1FN
261 Burnage Lane, Manchester, M19 1FN
1 St Margarets Avenue, Manchester, M19 1EL
11 St Margarets Avenue, Manchester, M19 1EL
13 St Margarets Avenue, Manchester, M19 1EL
15 St Margarets Avenue, Manchester, M19 1EL
17 St Margarets Avenue, Manchester, M19 1EL
19 St Margarets Avenue, Manchester, M19 1EL
21 St Margarets Avenue, Manchester, M19 1EL
23 St Margarets Avenue, Manchester, M19 1EL
25 St Margarets Avenue, Manchester, M19 1EL
27 St Margarets Avenue, Manchester, M19 1EL
29 St Margarets Avenue, Manchester, M19 1EL
3 St Margarets Avenue, Manchester, M19 1EL
31 St Margarets Avenue, Manchester, M19 1EL
33 St Margarets Avenue, Manchester, M19 1EL
35 St Margarets Avenue, Manchester, M19 1EL
37 St Margarets Avenue, Manchester, M19 1EL
39 St Margarets Avenue, Manchester, M19 1EL
41 St Margarets Avenue, Manchester, M19 1EL
43 St Margarets Avenue, Manchester, M19 1EL
45 St Margarets Avenue, Manchester, M19 1EL
47 St Margarets Avenue, Manchester, M19 1EL
49 St Margarets Avenue, Manchester, M19 1EL
5 St Margarets Avenue, Manchester, M19 1EL
51 St Margarets Avenue, Manchester, M19 1EL
53 St Margarets Avenue, Manchester, M19 1EL

7 St Margarets Avenue, Manchester, M19 1EL
9 St Margarets Avenue, Manchester, M19 1EL
210 - 220 Burnage Lane, Manchester, M19 1FL
250 Burnage Lane, Manchester, M19 1FL
202 Burnage Lane, Manchester, M19 1FL
204 Burnage Lane, Manchester, M19 1FL
206 Burnage Lane, Manchester, M19 1FL
270 Mauldeth Road, Manchester, M19 1GR
208 Burnage Lane, Manchester, M19 1FL
266 Mauldeth Road, Manchester, M19 1GR
268 Mauldeth Road, Manchester, M19 1GR
227 Burnage Lane, Manchester, M19 1FN
196 Burnage Lane, Manchester, M19 1FL
2 Dahlia Close, Manchester, M19 1TA
4 Dahlia Close, Manchester, M19 1TA
231A Burnage Lane, Manchester, M19 1FN
223A Burnage Lane, Manchester, M19 1FN
229A Burnage Lane, Manchester, M19 1FN

Appendix 2 – Planning constraints

[illegible]