Appeal at 7 Balmoral Road, Manchester

Appellant's Statement of Case

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1. Introduction

1.1. WSP | Indigo has prepared this Statement of Case on behalf of the appellant, Mr Rory Dillon.

1.2. It relates to an appeal against the decision of Manchester City Council (the Local Planning Authority) to refuse planning permission at 7 Balmoral Road, Manchester, M14 6WG for the:

> *Change of use from class C4 small HMO (6 bed) to Sui Generis large HMO (8 bed)*

1.3. The appeal is being submitted by way of written representations.

Background

1.4. The application was submitted on 8 August 2019.

1.5. On 12 August the LPA wrote to the appellant asking for clarification as to whether additional floorspace has been added to the property pursuant to Certificate of Lawfulness 123082/LP/2019. The answer (affirmative) was provided on 12 August.

1.6. On 14 August the LPA wrote to advise the application was valid from 12 August.

1.7. Following an exchange of correspondence, the LPA wrote on 15 August to confirm the application was actually valid from 8 August 2019.

1.8. On 13 September the case officer emailed the agent for the application asking certain questions and explaining that the LPA would not support the application. On 23 September the agent replied asking for clarification on a number of points. There was no answer to the question, only acknowledgement that the decision would be issued.

1.9. All relevant correspondence is submitted with the appeal forms.

1.10. The application was refused under delegated powers on 2 October 2019.

1.11. The appeal should be allowed because:

- The intensification of the property's use is entirely compatible with the characteristics of the property and the area, and is consistent with development

plan policy and material guidance;

- Any increase in noise and disturbance will be very modest and of a domestic characteristic, highly unlikely to harm residential amenity; the policies in the development plan relating to noise do not support the refusal of planning permission;
- Adequate space is provided for the storage of waste and recycling;
- There is adequate on-street parking available should the additional two bedrooms generate car ownership; and
- The proposal is consistent with the character and context of Fallowfield, which is a highly accessible location close to Manchester University and to Manchester's busies bus corridor.

2. Site Context

2.1. The appeal property is a mid-terraced 6-bedroom property situated on Balmoral Road in Fallowfield. Fallowfield is a suburb in southern Manchester in close proximity to Manchester University and very popular with students.

2.2. The property fronts directly on to the pavement and has a rear yard of 20.6 sqm. It backs on to an alley way, which residents have access to. It is currently let to students, as are the properties on either side.

2.3. Balmoral Road joins Moseley Road within 50m to the north, beyond which is the main campus of Manchester University. At this junction is a mini-mart. Roads to the east of Balmoral Road are traditional red-brick terraced roads.

2.4. Opal Court is located on the western side of Balmoral Road. This comprises purpose-built student accommodation, clustered around a large communal car park.

2.5. The property is located within walking distance of key services and amenities such as the Sainsbury's supermarket on Wilmslow Road (circa six minutes walk), Bodey Medical Centre on Fallowfield Loop (circa six minutes walk) and pubs, restaurants and shops situated along Wilmslow Road.

2.6. The property is well connected to public transport which links the site to Manchester city centre and the wider area.

2.7. There are bus stops on Mosely Road served by the 150 that provides a service every half hour west to Chorlton, Stretford and the Trafford Centre and east to Levenshulme, Denton and Hyde. The timetable is provided in **Appendix 1**.

2.8. There are bus stops on Wilmslow Road served by several routes, providing many services every hour along the Wilmslow Road / Oxford Road corridor to Manchester city centre (north) and Withington and Didsbury (south). Both Manchester University and Manchester Metropolitan University are located on the Oxford Road corridor, meaning very quick and very regular options for travelling by bus from the appeal property. This corridor also has cycle lanes along its length. An extract from Transport for Greater Manchester's bus map is provided in **Appendix 2**.

Planning History

122496/LE/2019

2.9. A Certificate of Lawful Use or Development (**Appendix 3**) confirms that the lawful use of the property on 22 February 2019 is Use Class C4, described by the Council in the First Schedule as 'the use of a residential dwelling as a small House in Multiple Occupation.' The first page of the Certificate states that the lawful use is 'a small scale house in multiple occupation (Class C4) for 4 people'.

2.10. The Use Classes Order (Amendment) 2010 defines Use Class C4 as 'Use of a dwellinghouse by not more than six residents as a "house in multiple occupation"'.

2.11. The Certificate does not limit the number of residents to four, rather to six as per the Use Classes Order.

123082/LP/2019

2.12. A second Certificate of Lawful Use or Development (**Appendix 4**) relates to the property's proposed roof extension. Although the first page of the Certificate refers to a use, the First Schedule is clear that it is the development that is lawful.

2.13. In deciding that the proposed development was lawful on 07 May 2019, by virtue of permitted development rights, the Council noted that it is on the basis that "the house would comprise no more than 6 bedrooms and be occupied by no more than 6 people." This extension has now been implemented.

3. Development plan

3.1. The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out mandatory requirements associated with the development management system. Article 35(b) states that:

> *Where planning permission is refused, the notice must state clearly and precisely their full reasons for refusal specifying policies and proposals in the development plan which are relevant to the decision. The reason for refusal refers to Policies DM1 and SP1 of the Core Strategy and Policy DC26 of the UDP.*

3.2. Therefore, in accordance with the DMPO, these should not only be the development plan policies which the LPA judge the proposal fails to accord with, but should also be the only development plan policies that are relevant to the decision. Nonetheless, there are other policies referred to in the officer's delegated report. For completeness, all such policies are set out below.

3.3. The statutory development plan comprises the Core Strategy (adopted July 2012) and saved policies of the Unitary Development Plan (adopted July 1995).

Core Strategy

3.4. The reason for refusal refers to Policies DM1 and SP1 of the Core Strategy.

Policy DM1 Development Management

> *All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-*
>
> *Appropriate siting, layout, scale, form, massing, materials and detail.*
>
> *Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development.*
>
> *Development should have regard to the character of the surrounding area.*

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

Community safety and crime prevention.

Design for health.

Adequacy of internal accommodation and external amenity space.

Vehicular access and car parking.

Effects relating to biodiversity, landscape, archaeological or built heritage.

Green Infrastructure including open space, both public and private.

The use of alternatives to peat-based products in landscaping/gardens within development schemes. Flood risk and drainage.

Existing or proposed hazardous installations.

Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows…

Policy SP1 Spatial Principles

The key spatial principles which will guide the strategic development of Manchester to 2027 are:

The Regional Centre will be the focus for economic and commercial development, retail, leisure and cultural activity, alongside high quality city living.

The growth of Manchester Airport will act as a catalyst for the regional economy, and will also provide the impetus for a second

hub of economic activity in this part of the City.

Beyond these areas, the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment. The majority of new residential development in these neighbourhoods will be in the Inner Areas, defined by the North Manchester, East Manchester and Central Manchester Regeneration Areas.

The City is covered by regeneration areas including the City Centre. All development should have regard to the character, issues and strategy for each regeneration area as described in the North, East, Central and South Manchester and Wythenshawe Strategic Regeneration Frameworks and the Manchester City Centre Strategic Plan.

The City's network of open spaces will provide all residents with good access to recreation opportunities. The River Valleys (the Irk, Medlock and Mersey) and City Parks are particularly important, and access to these resources will be improved.

New development will maximise the potential of the City's transport infrastructure, in particular promoting walking, cycling and use of the public transport. The extension to the Metrolink network through the Oldham and Ashton lines will create key corridors for new development.

Core Development Principles

Development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

creating well designed places that enhance or create character.

making a positive contribution to the health, safety and wellbeing of residents

considering the needs of all members of the community regardless

of age, gender,

disability, sexuality, religion, culture, ethnicity or income.

protect and enhance the built and natural environment.

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

3.5. The officer's report refers to Policies EN19 and T1.

Policy EN19 Waste

The Council will work with other Districts through the Greater Manchester Joint Waste Development Plan Document (GMJWDPD) to safeguard existing sites for waste management and identify and safeguard new sites in existing areas of employment where appropriate.

Require all developers, including those of new waste management facilities within the District, to demonstrate the proposal's consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling/composting, energy recovery, final disposal)

Require all developers of new waste management facilities within the District to plan for and, where appropriate, use sustainable modes for waste transport, including use of modes such as rail and the Manchester Ship Canal.

Require all developers to submit a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled on site wherever possible and how the sustainable waste management needs of the end user will be met.

Have full regard to the economic and environmental benefits that well designed and run, waste management facilities can bring to the District, subject to any conditions required to protect the

amenity of existing adjacent users.

Promote the development of innovation and technological advancement within the sustainable waste management industry, aiming to achieve a closed-loop waste management system.

Require waste management practices to have full regard to the environmental, social and economic impacts of such development and encourage long-term benefits in improving the environment, the regeneration of areas in need of investment and co-location with other employment uses where appropriate.

Encourage communities to take responsibility for the waste they create through the provision of accessible facilities.

Policy T1 Sustainable Transport

To deliver a sustainable, high quality, integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking, to support the needs of residents and businesses and to prepare for carbon free modes of transport, the Council will support proposals that: -

Improve choice by developing alternatives to the car.

Promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services, particularly for those most in need and for those without a car.

Improve access to transport services and facilities in order to enable disabled people and people with mobility impairments to participate fully in public life.

Improve pedestrian routes and the pedestrian environment.

Improve and develop further Manchester's cycle network (for example the Manchester Cycleway and the Trans Pennine Trail).

Contribute to improvements to the extent and reliability of the public transport network through safe and attractive waiting and interchange facilities, better priority, improved services and information provision.

Improve and develop appropriate road, rail and water freight transport routes and associated intermodal freight transport facilities in order to assist in the sustainable and efficient movement of goods.

Facilitate modes of transport that reduce carbon emissions eg by incorporating charging points for electric vehicles, subject to their appropriate design and location.

Would reduce the negative impacts of road traffic, for example, congestion, air pollution and road accident casualties.

Take account of the needs of road users according to a broad hierarchy consisting of, in order of priority:

1. pedestrians and disabled people

2. cyclists, public transport,

3. commercial access,

4. general off peak traffic,

5. general peak time traffic.

Saved policies of the Unitary Development Plan

3.6. The reason for refusal refers to Policy DC26 of the UDP; the officer's report clarifies it is DC26.1 that is relevant:

DC26.1 The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

a. the effect of new development proposals which are likely to be generators of noise; and

b. the implications of new development being exposed to existing noise sources which are effectively outside planning control.

3.7. For the avoidance of doubt, the other sub-sections of Policy DC26 are included in **Appendix 5**.

3.8. It should be noted that the reasons for these policies in the UDP include the following note:

> *(NOTE: The Council will issue more detailed advice on the subject as supplementary guidance, and this will have regard to current Government policy. The UDP policies therefore are limited to broad principles. Two key areas are:*
>
> *i) a presumption against allowing highly "noise sensitive" uses (such as housing and schools) so close to existing noise sources that problems would be likely to result. An existing noisy factory, for example, is entitled to some protection from objection about its activities from future residential neighbours, who would themselves feel entitled to a reasonable degree of residential amenity;*
>
> *and*
>
> *ii) the reverse situation, where there would be an equal presumption against allowing noisy, or potentially noisy, activities into an area with low ambient noise levels, and where people would have a reasonable expectation that no significant increase in those background levels would be allowed. Where the relationship is difficult to predict, the Council will place the onus for assessing the noise impact of, or upon, a proposed new development on the developer, and will consult (in particular) with the Director of Environmental Health. The policy sets out the range of measures which are available to help to reduce the noise effect to acceptable levels. As well as conditions on any planning permission, a "planning obligation" (for example, an Agreement under Section 106 of the Town and Country Planning Act 1990) may be appropriate to ensure key measures are taken effectively).*

Other relevant policies in the development plan

3.9. The decision notice does not refer to Policy H11 Houses in Multiple Occupation and therefore the LPA do not judge the proposal to be in conflict with it.

> *Change of use from a C3 dwelling house to a C4 HMO will not be permitted where there is a high concentration of residential*

properties within a short distance of the application site falling within one or more of the following categories:

Exempt from paying Council tax because they are entirely occupied by full time students.

Recorded on Private Sector Housing's database as a licensed HMO.

Any other property which can be demonstrated to fall within the C4 or sui generis HMO use class.

In cases where the concentration of such properties is significant but less high, the Council will examine property type and resident mix in more detail when considering an application for a change of use.

In areas of high concentration, extensions to HMOs (as defined in the Housing Act 2004) would not be permitted where this could reasonably be expected to lead to an increase in In parts of Manchester which do not have a high concentration of HMO/student housing but where the lack of family housing has threatened the sustainability of the community to the extent that regeneration activity with the specific intention of increasing the amount of family housing has taken place, there will be a presumption against changes of use which would result in the loss of a dwelling which is suitable for a family. Changes to alternative uses, including C4 and HMOs with more than six occupants, will only be acceptable where it can be demonstrated that there is no reasonable demand for the existing use.

The approach above will also be used for change of use to a HMO which is classified as 'sui generis'.

Not withstanding the policy requirements set out above, all proposals for change of use of existing properties into houses in multiple occupation, and all proposals for conversion of existing properties into flats (which might not necessarily fall within Class C4), would be permitted only where the accommodation to be provided is of a high standard and where it will not materially harm

the character of the area, having particular regard to the criteria in policy DM1.

3.10. The Planning Statement that accompanied the planning application sets out why the proposal complies with Policy H11.

4. Planning policy and guidance

4.1. In addition to the development plan policies above, there are other sources of planning policy and guidance material to this appeal.

National Planning Policy Framework

4.2. The officer's report to committee refers to Chapters 5 and 12, alleging that the scheme complies with neither chapter.

Chapter 5 Delivering a sufficient supply of homes

4.3. Paragraph 61 advises that planning policies should reflect the size, type and tenure of housing needed for different groups, including students and people who rent their homes.

4.4. The officer alleges that "the impact of the development on the character of the area would not secure the sustained occupation of the building and would thereby fail to be positively related to chapter 5."

4.5. It is inconceivable how the intensification of the HMO by two bedrooms would hinder its sustainable occupation, and it is unclear how the proposal would not help continue to deliver a sufficient supply of homes.

Chapter 12 Achieving well-designed places

4.6. The officer alleges that the "reconfiguration of the existing house would facilitate and overly intensive *(sic)* occupation the site *(sic)* that would be detrimental to the amenities of occupying and neighbouring residents."

4.7. Paragraph 127 (f) is relevant in this regard, as it is the only reference to amenity within this chapter (apart from another reference in relation to advertisements). It says that planning decisions should ensure that developments:

> *Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder and the fear of crime do not undermine the quality of life or community cohesion and resilience.*

Guide to Development in Manchester Supplementary Planning

Document and Guidance

4.8. Adopted in 2007, this SPD remains extant. Relevant extracts are provided in **Appendix 6**.

Manchester Residential Quality Guidance

4.9. Adopted in 2017, this is material to the appeal. Relevant extracts are provided in **Appendix 7**.

5. Reasons why the appeal should be allowed

5.1. This section of the Statement of Case refutes the LPA's reason for refusal. It divides the reason for refusal into several issues.

The proposed development will not be an overly intensive use

5.2. The LPA allege that "the proposed development would significantly increase the potential occupation of an existing house in multiple occupation and would therefore result in an over intensive use and transient occupation of the property."

5.3. Firstly, it should be noted that the officer's report (**Appendix 8**) describes the appeal property as a "2-storey" house. The officer has not understood the existing plans submitted with the application that show that the roof is already in habitable use, therefore the property should have been regarded as 2 ½ storeys. The property has an internal floor area of 159.9 sqm.

5.4. Manchester City Council has guidance on room size within HMOs (see **Appendix 9**, requiring each bedroom to have at least 6.5 sqm of space. The charity Shelter also has guidance on HMOs (**Appendix 10**), advising that double bedrooms should be at least 10.22 sqm. Each bedroom within the proposed development exceeds these guidelines. The terms of an HMO license and any planning permission (and Tenancy Agreement) could ensure a maximum of one person per bedroom, despite each bedroom being large enough for a double bed. Each bedroom will be furnished with desk, double bed, wardrobe and chest of drawers.

5.5. The officer's report implies that the property is constrained by having a "small rear yard" and "no off-street parking." Policy DM1 of the Core Strategy notes that the "adequacy of external amenity space" is an issue that development should have regard to.

5.6. The yard measures 20.6 sqm. The only local guidance on the size of external amenity space is provided in the 2017 Residential Quality Guidance; this states that private amenity space "should be no less than 5sqm in the case of one bed units, increasing to 7 sqm for two bed units and 9sqm for three bed units." For the avoidance of doubt, it gives no guidance for larger properties or HMOs. If the pattern of adding 2sqm per bedroom is continued, an 8-bed property should have 19sqm; the appeal property exceeds this.

5.7. The 2007 design guidance has no advice on the size of external amenity spaces, but paragraph 10.9 advises that "all residents should enjoy useable private amenity space wherever they choose to live in the city." The multiple purposes of external amenity space include: safe play for children (not relevant in this instance), additional storage, outdoor drying, space to relax, planting and home-grown food. The 20.6m yard could be used for all these purposes to some extent.

5.8. In terms of the absence of off-street parking, this is not a constraint to development that warrants refusal of planning permission. **Appendix 11** contains the highway authority's comments on the planning application, stating:

> *"no on-site parking is provided and we consider that any additional on-street parking demands generated can be accommodated within the local road network."*

5.9. Therefore, having regard to the policy and guidance framework, and the consultation response from the Council's own highways authority, the appeal property and surrounding area can sustain this increase of two bedrooms.

The proposed development will not lead to a material increase in noise and disturbance

5.10. The officer's report considers that HMOs attract people who live in a property for a relatively short period of time, who consequently "do not have the same interest in the well-being of an area as those who are less transient. It is believed that this cyclical change in occupiers has a negative impact on the character and appearance of the area."

5.11. It also states that "the surrounding area has a high proliferation of shared accommodation rented by students and it is likely that student rental would occur in this case. The transient and intensity (sic) nature of potential occupation and increased with additional level of concentrated noise activity and disturbance would be particularly significant as it would be related to a large scale 8 bedroom HMO, i.e., the development would exceed a characteristic level of occupation in a locality that more commonly accommodates Class C4 HMOs with occupation by no more than 6 people."

5.12. The report also states "in the case of the application site, the surrounding (sic) has a high concentration of HMO/student housing and the development contribute (sic) to an existing circumstance with a high potential for noise, disturbance and activity, including during the late evening and weekends. The resulting harm would be

contrary to saved policy DC26."

5.13. It is acknowledged that Policy DM1 lists noise as one of the issues for development to consider, in the context of effects on amenity. In this appeal, it is important to consider whether the increase in occupation of the property by a maximum of two persons will justify the refusal of planning permission on the grounds of noise and disturbance.

5.14. The relevant saved UDP section said that more detailed guidance would follow by way of SPG, but this has not happened. It also confirms the broad principles to the policy (DC26) of controlling new highly noise-sensitive development in proximity to existing noise sources, and the opposite scenario of not allowing new noisy or potentially noisy development into an area with low ambient noise levels. Neither scenario applies in this appeal: the proposed development is the intensification of use of an HMO within a residential area characterised by HMOs and similar homes. A noise assessment would not serve any meaningful purpose in this case, where the alleged increase in noise would come from increased human activity of two additional residents, rather than quantifiable noise such as industrial equipment, aeroplanes, trains, motorways of amplified music.

5.15. It should be noted that the Director of Environmental Health was indeed consulted on the application, as required by the UDP. The response (see **Appendix 12**) stated:

> *I write in response to your memorandum regarding the above application and to inform you that I have no adverse comment or objection to this application.*

5.16. The environmental health officer has linked to Council guidance on noise (which does not have the status of an SPD and is provided in **Appendix 13**). This provides no guidance whatsoever that would weigh in favour of the proposed development being refused on grounds of noise or disturbance.

5.17. Therefore, there is no conflict with the development plan in terms of noise or car parking or external amenity space, and the scheme complies with material guidance on both internal and external space.

The proposed development has adequate provision for the storage of waste and recycling

5.18. The officer's report notes concern "that the communal waste facilities may not

accommodate the additional demand, which would raise concern that policy EN19 could not be complied with." However, as the full reasons for refusal do not refer to Policy EN19, it must be concluded that the proposal does comply with Policy EN19. The report also states that "no information has been provided to demonstrate whether communal waste facilities would be capable of accommodating this additional waste."

5.19. A waste *pro forma* was submitted with the application. The property has the benefit of 4,400 litres of capacity stored in the alley to the rear and shared with nos. 1,3, 5, 9 and 11 Balmoral Road.

5.20. The Council's Domestic Waste and Recycling Service Standard is provided in **Appendix 14.** The use of 4x 1,100 litre bins is consistent with this standard. It should be noted that the shared bins and collection protocol has been agreed with the relevant Council department and will not need to change as a result of the increased number of bedrooms.

5.21. If each of the six properties along this stretch of Balmoral Road had their own bins, according to the waste *pro forma* it would total 3,360 litres of storage (6 x 4 types of 140 litre bins).

5.22. Therefore, the proposal accords with Policy EN19 and is consistent with the Council's own service standard.

There is adequate car parking available on-street to serve the proposed development

5.23. The officer's report says that it is likely that the potential number of occupants will generate some residents' car parking, which would be significant in a locality with a relatively high occurrence of on-street parking. It also acknowledges that the site is on a bus route, but the potential exacerbation of on-street parking would be "a significant concern".

5.24. Policy SP1 encourages development to be located in areas with good access to sustainable transport provision. The site is within very close proximity to a bus route, and is also within a few minutes walk of the Wilmslow Road / Oxford Road corridor, where there are very many buses per hour.

5.25. Policy T1 encourages a modal shift away from the car. A property without parking, and intended for occupation by students or similar, will not encourage the use of the private car.

5.26. None of the relevant development plan policies are negatively worded, ie provide clear policy to reject planning applications on the grounds of impact on the highway. Instead they are phrased positively, encouraging the granting of permission for developments that provide or offer certain advantages.

5.27. The reason for refusal includes the impact of a demand for car parking upon residential amenity (notwithstanding that Policy DM1 includes only traffic generation, noise and road safety within the potential effects on amenity associated with highways) and the undermining of the formation of sustainable communities.

5.28. It is noted that the highways authority responded to the application positively in the following respects (see **Appendix 11**):

- Suitably accessible site by sustainable modes and in close proximity to a range of public transport;
- Unlikely to generate a significant increase in vehicular trips;
- We consider any additional on-street parking demands generated can be accommodated within the local road network.

Parking survey

5.29. WSP | Indigo undertook parking surveys of the local area in the week commencing 7 October 2019.

5.30. An evening assessment was undertaken at 19:00 – 19:15 on 9 October.

5.31. A daytime assessment was undertaken at 14.00 – 14:10 on 11 October.

5.32. Approximately 750m of road frontage was included in the survey, comprising the full length of Balmoral Road, nos. 1-17 and 2-18 Braemar Road, 1-17 and 2-18 Brailsford Road, 1-15 Evelyn Street and 102-122 Ladybarn Road. There are no parking restrictions along these stretches of road.

5.33. This area was chosen as it covers an area where a resident of 7 Balmoral Road would reasonably expect to be able to park a car.

	Daytime	Evening
Balmoral Road	13	5
Braemar Road	10	6
Brailsford Road	13	10
Evelyn Street	10	8

Ladybarn Road	16	14

Parking survey: number of parked vehicles

5.34. Photos and details of the parking survey are provided in **Appendix 15.**

5.35. These surveys have shown that during both the day time and evening time (during university term time when the streets are likely to be most in demand), there is plenty of space to park additional cars on-street, if necessary.

Cycle storage

5.36. The highways officer has recommended that cycle storage is provided as part of the development.

5.37. Cycles are currently stored underneath the stairs, where three bikes are currently comfortably stored.

5.38. Should the Inspector feel external cycle storage is necessary in order to allow the appeal, a condition could be added requiring details of secure external storage to be provided in advance of development commencing. The yard could accommodate a shed or similar, which could be erected under permitted development.

Appeal decisions

5.39. In addition to the appeals referred to in the submitted Planning Statement, a further appeal has been identified that shares characteristics with this appeal, APP/B4215/A/12/2180840. In this appeal (in Manchester), the Inspector found:

> *I see no reason why the comings and goings and the general level of noise and refuse generated as a result of one additional bedroom would be discernible.*
>
> *No evidence has been advanced to suggest that on-street parking poses a particular problem in the area. I am also mindful that the appeal property enjoys a sustainable location and is well-served by public transport.*

5.40. This appeal decision is provided in **Appendix 16**.

The proposed development will not undermine the sustainability of the local community

5.41. Policy SP1 places an emphasis on creating neighbourhoods of choice, including the

provision of high quality and diverse housing around district centres, within a distinct environment. The development remains high quality insofar as the proposed accommodation exceeds local guidelines and standards. The site is close to the Fallowfield district centre. The development won't affect the distinctiveness of the local terraced, but street-treed environment.

5.42. Policy SP1 also encourages development to contribute positively to neighbourhoods of choice. The proposed development maintains the character of the area as a terraced part of Fallowfield popular with students.

5.43. Paragraph 6.8 supports Policy SP1 and states that:

> *New development can also play a key role in improving health. This will include the provision of pedestrian and cycling, facilities; good open space provision; sustaining local facilities and networks; good quality housing provision and choice; and good access for all to jobs and services. The design of a development can also contribute considerably to reducing crime and the fear of crime. Layout, informal surveillance, secure buildings and safe parking arrangements are all important.*

5.44. The proposed development does not undermine or impinge on any of these considerations, with external cycle storage able to be secured via planning condition if judged necessary.

The proposed development will not have a detrimental impact upon the amenity of neighbours

5.45. Policy DM1 is the source of development plan policy for general residential amenity issues. This includes the following 11 considerations.

Privacy

5.46. The proposed development involves internal alterations to create an additional two bedrooms, with no external alterations, so there can be no consequential impact on the privacy of nearby residents.

Light

5.47. There are no external alterations so there will be no impact on daylight or sunlight to neighbouring properties. Each bedroom within the appeal property will have at least one window.

Noise and vibration

5.48. As noted above, there was no objection to the planning application from the Director of Environmental Health. The principle of the development plan policy is to prevent new noise-sensitive development close to noisy operations, and to prevent new noisy operations from opening close to existing noise-sensitive uses. Whilst residential uses are sensitive to noise, the proposed development will increase the number of occupants of the appeal property by a maximum of two people. It is unreasonable to resist residential development in a residential area on the basis that the occupants may occasionally make noise.

5.49. Whilst it is true that anyone or anything can sometimes create noise, a level of harm or disturbance sufficient to refuse planning permission cannot be attributed to an increase in the potential population by two.

5.50. The Planning Statement submitted with the planning application referred to various appeal decisions in Manchester that support the grant of permission for the proposal. For example in APP/B4215/W/18/3214650, an Inspector found that the creation of additional flats within a building would only generate noise "domestic" and "modest" in nature, for example putting out bins and opening or closing windows and doors. In APP/B4215/W/16/3141967, the Inspector found that the change in use from a dwelling to an HMO would increase occupancy and would have a "very modest increase in domestic paraphernalia or parking."

5.51. The Planning Statement acknowledged that an appeal had been dismissed at Egerton Road in Manchester (APP/B4215/W/15/3002149), relating to the physical extension and consequential intensification of use at an HMO. In that appeal the Inspector had evidence from local residents on brawling, loud music and late night activity associated with the property and street. It should be noted that there were **no** comments on the application subject to this appeal from local neighbours. The South East Fallowfield Residents Association did object, but the objection was not on the grounds of noise, disturbance or other incivilities.

5.52. There are other regimes available to a local authority to handle the disturbance and nuisance that comes from intermittent, unneighbourly or excessive noise. The proposal clearly does not fail to satisfy the development plan or any material planning policy or guidance in this regard.

Air quality

5.53. Air quality has not been raised as an issue by the LPA and there will be no material

change to air quality from the development.

Odours

5.54. Odour has not been raised as an issue by the LPA and there will be no material change to odour from the development.

Litter

5.55. Litter has not been raised as an issue by the LPA and there will be no material change to litter from the development.

Vermin and birds

5.56. Vermin or birds have not been raised as an issue by the LPA and there will be no material change to vermin or birds from the development.

Road safety and traffic generation

5.57. Road safety or traffic generation have not been raised as an issue by the LPA and there will be no material change from the development.

Summary

5.58. Any increase in activity at the appeal property resulting from this appeal would be domestic in scale and would be modest. Given the characteristics and context of the appeal property and its surrounding area, there are no justifiable reasons to refuse permission due to impact upon the amenity of neighbouring residents. The proposal accords with the development plan in this regard.

6. Conclusion

6.1. An application to change the use of 7 Balmoral Road from Use Class C4 to a *Sui Generis* large HMO has been refused by Manchester City Council. The development involves no external alterations, with the change in use facilitated by subdivision of two existing very large bedrooms into four smaller bedrooms. All bedrooms remain larger than both Manchester City Council's and Shelter's guidance on minimum sizes for bedrooms within an HMO, and will be furnished with double bed, wardrobe, desk and chest of drawers.

6.2. The property also has the benefit of a rear yard that is large enough to be used for sitting out, drying clothes and growing plants, for example.

6.3. The appeal was refused for the following reason:

> *0) Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case the applicant was advised that it is not considered that the development would be capable of accommodating the proposed increase in the intensity of occupation. The surrounding area has a high proliferation of shared accommodation rented by students. It is likely that student rental would occur in this case and a relatively transient form of occupation would be increased with additional levels of concentrated noise activity and disturbance. The resulting impact would be harmful to residential amenity. It is also considered that the development would result in the cramped and overly intensive occupation of the property and quality of accommodation formed within it would not encourage its sustained occupation. Furthermore, given the proposed number of occupant it is likely that there would be some generation of residents' car parking. This would be particularly significant in a locality with a high occurrence of on-street car parking. The applicant was advised that the development would not be supported and the applicant was given the opportunity to withdraw the planning application. The applicant confirmed that the planning application should be determined so that an appeal could be pursued. On this*

basis no further negations was undertake, the planning application was supported with sufficient information to allow its determination.

1) The proposed development would significantly increase the potential occupation of an existing house in multiple occupation and would therefore result in an over intensive use and transient occupation of the property resulting in a consequential increase in the levels of noise and disturbance from associated activity and associated comings and goings, noise levels, waste generation and demand for parking. The potential intensity of occupation of the dwellinghouse as a large scale HMO would also undermine the formation of sustainable communities and have a detrimental impact upon the amenity of neighbouring residential occupiers, which would be contrary to policies DM1 and SP1 of the Core Strategy for the City of Manchester and policy DC26 of the Saved University Development Plan.

6.4. These reasons are unfounded and do not reflect the actual attributes of the property or the context of the appeal site.

6.5. The additional two persons living at the property will have rooms larger than the minimum guidelines. The external amenity space will remain sufficiently large and there are no policies or guidance standards that dictate that the amenity space is inadequate.

6.6. Students are less likely to own cars than permanent residents. Residential areas with very good public transport connections and in close proximity to large district centres are less likely to have a reliance on the private car than residential areas more remote from services and facilities.

6.7. If the additional bedrooms do give rise to additional cars needing to be parked in the local area, the recent parking survey has demonstrated that spaces are available during both the term-time daytime and evening.

6.8. The increased occupation of the property is unlikely to result in a material increase in noise or disturbance that would prejudice the residential amenity of neighbours. The activities will be domestic in nature and scale. Development plan policies and material planning policy and guidance is not aimed at resisting residential development in residential areas, rather genuinely protecting residents from intrusively noisy operations. Appeal decisions in Manchester support this position;

the appeals that have been dismissed are in locations where residents have already experienced nuisance and anti-social activity from occupants in HMOs. There have been no objections to this application from residents, or indeed the Director of Environmental Health.

6.9. The appeal property has adequate provision of bins for the storage of waste and recycling.

6.10. The intensification of this HMO will not impinge or undermine the character of this part of Fallowfield.

6.11. There are no amenity issues that warrant refusal of planning permission.

6.12. The proposed development does not conflict with the policies identified in the decision notice and officer's report, and it must be concluded that the development accords with the development plan. On this basis, the appeal should be allowed.

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Service
150

intu Trafford Centre - Hyde

Monday - Friday (not Bank Holidays)

Operated by: SMA
Stagecoach Manchester

Timetable valid from 1 Sep 2019 until 26 Oct 2019

	Service:	150	150	150	150	150	150	150
	Notes:	Aug	Aug	Aug	Aug	Aug	Aug	Aug
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	05:50	06:20	06:50	07:20	07:50	08:25	09:00
Stretford, Stretford Arndale (Stop B)		06:02	06:32	07:02	07:33	08:03	08:38	09:11
Chorlton, Chorlton Metrolink Stop (Stop F)		06:09	06:39	07:09	07:46	08:16	08:50	09:22
Chorlton, Alexandra Rd South		06:13	06:43	07:13	07:51	08:21	08:54	09:26
Levenshulme, Levenshulme Stn		06:28	06:58	07:31	08:09	08:38	09:07	09:38
Longsight, Slade Ln		06:35	07:05	07:39	08:16	08:44	09:13	09:44
Belle Vue, Belle Vue (Stop C)		06:53	07:23	07:59	08:36	09:02	09:30	10:00
Denton, Crown Point (Stop C)		07:07	07:37	08:15	08:51	09:17	09:45	10:15
Hyde, Hyde Bus Station	Arrive:	07:14	07:44	08:22	08:59	09:25	09:53	10:22

	Service:	150	150	150	150	150	150	150
	Notes:	Aug	Aug	Aug	Aug	Aug	Aug	Aug
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	09:30	10:00	10:30	11:00	11:30	12:00	12:30
Stretford, Stretford Arndale (Stop B)		09:41	10:11	10:41	11:11	11:41	12:11	12:41
Chorlton, Chorlton Metrolink Stop (Stop F)		09:52	10:22	10:52	11:22	11:52	12:22	12:52
Chorlton, Alexandra Rd South		09:56	10:26	10:56	11:26	11:56	12:26	12:56
Levenshulme, Levenshulme Stn		10:08	10:38	11:08	11:38	12:08	12:38	13:08
Longsight, Slade Ln		10:14	10:44	11:14	11:44	12:14	12:44	13:14
Belle Vue, Belle Vue (Stop C)		10:30	11:00	11:30	12:00	12:30	13:00	13:30
Denton, Crown Point (Stop C)		10:45	11:15	11:45	12:15	12:45	13:15	13:45
Hyde, Hyde Bus Station	Arrive:	10:52	11:22	11:52	12:22	12:52	13:22	13:52

	Service:	150	150	150	150	150	150	150
	Notes:	Aug	Aug	Aug	Aug	Aug	Aug	Aug
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	13:00	13:30	14:00	14:30	15:05	15:35	16:05
Stretford, Stretford Arndale (Stop B)		13:11	13:41	14:11	14:42	15:18	15:48	16:18
Chorlton, Chorlton Metrolink Stop (Stop F)		13:22	13:52	14:22	14:53	15:30	16:01	16:33
Chorlton, Alexandra Rd South		13:26	13:56	14:26	14:58	15:35	16:06	16:38
Levenshulme, Levenshulme Stn		13:38	14:08	14:43	15:18	15:56	16:26	16:58
Longsight, Slade Ln		13:44	14:14	14:51	15:26	16:03	16:33	17:05
Belle Vue, Belle Vue (Stop C)		14:00	14:30	15:07	15:43	16:23	16:55	17:27
Denton, Crown Point (Stop C)		14:15	14:46	15:25	16:03	16:47	17:19	17:49
Hyde, Hyde Bus Station	Arrive:	14:22	14:53	15:33	16:11	16:55	17:27	17:57

	Service:	150	150	150	150	150	150	150
	Notes:	Aug	Aug	Aug	Aug	Aug	Aug	Aug
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	16:35	17:05	17:35	18:05	18:35	19:30	20:30
Stretford, Stretford Arndale (Stop B)		16:48	17:18	17:48	18:18	18:47	19:42	20:42
Chorlton, Chorlton Metrolink Stop (Stop F)		17:03	17:31	18:00	18:28	18:56	19:51	20:51
Chorlton, Alexandra Rd South		17:07	17:35	18:04	18:32	19:00	19:55	20:55
Levenshulme, Levenshulme Stn		17:24	17:51	18:17	18:45	19:11	20:06	21:06
Longsight, Slade Ln		17:31	17:58	18:24	18:52	19:17	20:12	21:12
Belle Vue, Belle Vue (Stop C)		17:51	18:16	18:40	19:08	19:31	20:26	21:26
Denton, Crown Point (Stop C)		18:11	18:33	18:54	19:22	19:44	20:38	21:38
Hyde, Hyde Bus Station	Arrive:	18:19	18:40	19:01	19:29	19:51	20:45	21:45

	Service:	150	150	150
	Notes:	Aug	Aug	Aug
	Operator:	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	21:30	22:30	23:30
Stretford, Stretford Arndale (Stop B)		21:42	22:42	23:42
Chorlton, Chorlton Metrolink Stop (Stop F)		21:51	22:51	23:51
Chorlton, Alexandra Rd South		21:55	22:55	23:55
Levenshulme, Levenshulme Stn		22:06	23:06	00:06
Longsight, Slade Ln		22:12	23:12	00:12
Belle Vue, Belle Vue (Stop C)		22:26	23:26	00:26
Denton, Crown Point (Stop C)		22:38	23:38	
Hyde, Hyde Bus Station	Arrive:	22:45	23:45	

Aug Standard timetable re-introduced as from 1st September 2019

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intu Trafford Centre - Hyde

Monday - Friday (not Bank Holidays)

Service 150

Operated by: SMA
Stagecoach Manchester

Timetable valid from 27 Oct 2019 until further notice

	Service:	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	05:50	06:20	06:50	07:20	07:50	08:25	09:00
Stretford, Stretford Arndale (Stop B)		06:02	06:32	07:02	07:33	08:03	08:38	09:11
Chorlton, Chorlton Metrolink Stop (Stop F)		06:09	06:39	07:09	07:46	08:16	08:50	09:22
Chorlton, Alexandra Rd South		06:13	06:43	07:13	07:51	08:21	08:54	09:26
Levenshulme, Levenshulme Stn		06:28	06:58	07:31	08:09	08:38	09:07	09:38
Longsight, Slade Ln		06:35	07:05	07:39	08:16	08:44	09:13	09:44
Belle Vue, Belle Vue (Stop C)		06:53	07:23	07:59	08:36	09:02	09:30	10:00
Denton, Crown Point (Stop C)		07:07	07:37	08:15	08:51	09:17	09:45	10:15
Hyde, Hyde Bus Station	Arrive:	07:14	07:44	08:22	08:59	09:25	09:53	10:22

	Service:	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	09:30	10:00	10:30	11:00	11:30	12:00	12:30
Stretford, Stretford Arndale (Stop B)		09:41	10:11	10:41	11:11	11:41	12:11	12:41
Chorlton, Chorlton Metrolink Stop (Stop F)		09:52	10:22	10:52	11:22	11:52	12:22	12:52
Chorlton, Alexandra Rd South		09:56	10:26	10:56	11:26	11:56	12:26	12:56
Levenshulme, Levenshulme Stn		10:08	10:38	11:08	11:38	12:08	12:38	13:08
Longsight, Slade Ln		10:14	10:44	11:14	11:44	12:14	12:44	13:14
Belle Vue, Belle Vue (Stop C)		10:30	11:00	11:30	12:00	12:30	13:00	13:30
Denton, Crown Point (Stop C)		10:45	11:15	11:45	12:15	12:45	13:15	13:45
Hyde, Hyde Bus Station	Arrive:	10:52	11:22	11:52	12:22	12:52	13:22	13:52

	Service:	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	13:00	13:30	14:00	14:35	15:05	15:35	16:05
Stretford, Stretford Arndale (Stop B)		13:11	13:41	14:11	14:47	15:18	15:48	16:18
Chorlton, Chorlton Metrolink Stop (Stop F)		13:22	13:52	14:22	14:58	15:30	16:01	16:33
Chorlton, Alexandra Rd South		13:26	13:56	14:26	15:03	15:35	16:06	16:38
Levenshulme, Levenshulme Stn		13:38	14:08	14:43	15:23	15:56	16:26	16:58
Longsight, Slade Ln		13:44	14:14	14:51	15:31	16:03	16:33	17:05
Belle Vue, Belle Vue (Stop C)		14:00	14:30	15:07	15:48	16:23	16:55	17:27
Denton, Crown Point (Stop C)		14:15	14:46	15:25	16:08	16:47	17:19	17:49
Hyde, Hyde Bus Station	Arrive:	14:22	14:53	15:33	16:16	16:55	17:27	17:57

	Service:	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	16:35	17:05	17:35	18:05	18:35	19:30	20:30
Stretford, Stretford Arndale (Stop B)		16:48	17:18	17:48	18:18	18:47	19:42	20:42
Chorlton, Chorlton Metrolink Stop (Stop F)		17:03	17:31	18:00	18:28	18:56	19:51	20:51
Chorlton, Alexandra Rd South		17:07	17:35	18:04	18:32	19:00	19:55	20:55
Levenshulme, Levenshulme Stn		17:24	17:51	18:17	18:45	19:11	20:06	21:06
Longsight, Slade Ln		17:31	17:58	18:24	18:52	19:17	20:12	21:12
Belle Vue, Belle Vue (Stop C)		17:51	18:16	18:40	19:08	19:31	20:26	21:26
Denton, Crown Point (Stop C)		18:11	18:33	18:54	19:22	19:44	20:38	21:38
Hyde, Hyde Bus Station	Arrive:	18:19	18:40	19:01	19:29	19:51	20:45	21:45

	Service:	150	150	150
	Operator:	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	21:30	22:30	23:30
Stretford, Stretford Arndale (Stop B)		21:42	22:42	23:42
Chorlton, Chorlton Metrolink Stop (Stop F)		21:51	22:51	23:51
Chorlton, Alexandra Rd South		21:55	22:55	23:55
Levenshulme, Levenshulme Stn		22:06	23:06	00:06
Longsight, Slade Ln		22:12	23:12	00:12
Belle Vue, Belle Vue (Stop C)		22:26	23:26	00:26
Denton, Crown Point (Stop C)		22:38	23:38	
Hyde, Hyde Bus Station	Arrive:	22:45	23:45	

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Service
150

Hyde - intu Trafford Centre

Monday - Friday (not Bank Holidays)

Operated by: SMA
Stagecoach Manchester

Timetable valid from 1 Sep 2019 until 26 Oct 2019

	Service:	150	150	150	150	150	150	150	150
	Notes:	Aug	Aug	Aug	Aug	Aug	Aug	Aug	Aug
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand D)	Depart:	05:27	06:07	06:30	06:55	07:25	08:00	08:35	09:05
Denton, Crown Point (Stop E)		05:34	06:14	06:39	07:05	07:35	08:10	08:45	09:14
Belle Vue, Belle Vue (Stop B)		05:51	06:31	07:01	07:29	08:01	08:36	09:08	09:33
Longsight, Slade Ln		06:04	06:45	07:20	07:48	08:21	08:56	09:25	09:49
Levenshulme, Levenshulme Stn		06:11	06:53	07:29	08:00	08:33	09:08	09:35	09:56
Chorlton, Alexandra Rd South		06:22	07:09	07:46	08:17	08:46	09:21	09:46	10:08
Chorlton, Buckingham Rd		06:25	07:12	07:51	08:22	08:50	09:25	09:50	10:12
Stretford, Stretford Arndale (Stop D)		06:32	07:20	08:00	08:34	09:01	09:35	10:00	10:22
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	06:44	07:34	08:15	08:49	09:15	09:47	10:12	10:34

	Service:	150	150	150	150	150	150	150	150
	Notes:	Aug	Aug	Aug	Aug	Aug	Aug	Aug	Aug
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand D)	Depart:	09:35	10:00	10:30	11:00	11:30	12:00	12:30	13:00
Denton, Crown Point (Stop E)		09:44	10:09	10:39	11:09	11:39	12:09	12:39	13:09
Belle Vue, Belle Vue (Stop B)		09:58	10:23	10:53	11:23	11:53	12:23	12:53	13:23
Longsight, Slade Ln		10:14	10:39	11:09	11:39	12:09	12:39	13:09	13:39
Levenshulme, Levenshulme Stn		10:21	10:46	11:16	11:46	12:16	12:46	13:16	13:46
Chorlton, Alexandra Rd South		10:32	10:57	11:27	11:57	12:27	12:57	13:27	13:57
Chorlton, Buckingham Rd		10:37	11:02	11:32	12:02	12:32	13:02	13:32	14:02
Stretford, Stretford Arndale (Stop D)		10:47	11:12	11:42	12:12	12:42	13:12	13:42	14:12
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	10:59	11:24	11:54	12:24	12:54	13:24	13:54	14:24

	Service:	150	150	150	150	150	150	150	150
	Notes:	Aug	Aug	Aug	Aug	Aug	Aug	Aug	Aug
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand D)	Depart:	13:30	14:00	14:30	15:00	15:30	16:00	16:34	17:10
Denton, Crown Point (Stop E)		13:39	14:09	14:40	15:10	15:40	16:10	16:44	17:20
Belle Vue, Belle Vue (Stop B)		13:53	14:23	14:55	15:26	15:56	16:26	17:00	17:36
Longsight, Slade Ln		14:09	14:39	15:15	15:46	16:16	16:46	17:20	17:56
Levenshulme, Levenshulme Stn		14:16	14:46	15:22	15:54	16:24	16:54	17:30	18:07
Chorlton, Alexandra Rd South		14:27	14:57	15:39	16:11	16:41	17:11	17:46	18:23
Chorlton, Buckingham Rd		14:32	15:02	15:44	16:16	16:46	17:16	17:51	18:28
Stretford, Stretford Arndale (Stop D)		14:42	15:12	15:56	16:29	16:59	17:29	18:04	18:39
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	14:56	15:26	16:11	16:44	17:14	17:44	18:19	18:53

	Service:	150	150	150	150	150	150	150
	Notes:	Aug	Aug	Aug	Aug	Aug	Aug	Aug
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand D)	Depart:	17:45	18:20	19:10	20:05	21:05	22:05	23:05
Denton, Crown Point (Stop E)		17:54	18:29	19:18	20:13	21:13	22:13	23:13
Belle Vue, Belle Vue (Stop B)		18:09	18:44	19:29	20:24	21:24	22:24	23:24
Longsight, Slade Ln		18:27	19:02	19:42	20:37	21:37	22:37	23:37
Levenshulme, Levenshulme Stn		18:38	19:12	19:49	20:44	21:44	22:44	23:44
Chorlton, Alexandra Rd South		18:50	19:24	20:00	20:55	21:55	22:55	23:55
Chorlton, Buckingham Rd		18:55	19:29	20:04	20:59	21:59	22:59	23:59
Stretford, Stretford Arndale (Stop D)		19:04	19:37	20:11	21:06	22:06	23:06	00:06
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	19:17	19:50	20:23	21:18	22:18	23:18	00:18

Aug Standard timetable re-introduced as from 1st September 2019

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Service
150

Hyde - intu Trafford Centre

Monday - Friday (not Bank Holidays)

Operated by: SMA
Stagecoach Manchester

Timetable valid from 27 Oct 2019 until further notice

	Service:	150	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand A)	Depart:	05:27	06:07	06:30	06:55	07:25	08:00	08:35	09:05
Denton, Crown Point (Stop E)		05:34	06:14	06:39	07:05	07:35	08:10	08:45	09:14
Belle Vue, Belle Vue (Stop B)		05:51	06:31	07:01	07:29	08:01	08:36	09:08	09:33
Longsight, Slade Ln		06:04	06:45	07:20	07:48	08:21	08:56	09:25	09:49
Levenshulme, Levenshulme Stn		06:11	06:53	07:29	08:00	08:33	09:08	09:35	09:56
Chorlton, Alexandra Rd South		06:22	07:09	07:46	08:17	08:46	09:21	09:46	10:08
Chorlton, Buckingham Rd		06:25	07:12	07:51	08:22	08:50	09:25	09:50	10:12
Stretford, Stretford Arndale (Stop D)		06:32	07:20	08:00	08:34	09:01	09:35	10:00	10:22
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	06:44	07:34	08:15	08:49	09:15	09:47	10:12	10:34

	Service:	150	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand A)	Depart:	09:35	10:00	10:30	11:00	11:30	12:00	12:30	13:00
Denton, Crown Point (Stop E)		09:44	10:09	10:39	11:09	11:39	12:09	12:39	13:09
Belle Vue, Belle Vue (Stop B)		09:58	10:23	10:53	11:23	11:53	12:23	12:53	13:23
Longsight, Slade Ln		10:14	10:39	11:09	11:39	12:09	12:39	13:09	13:39
Levenshulme, Levenshulme Stn		10:21	10:46	11:16	11:46	12:16	12:46	13:16	13:46
Chorlton, Alexandra Rd South		10:32	10:57	11:27	11:57	12:27	12:57	13:27	13:57
Chorlton, Buckingham Rd		10:37	11:02	11:32	12:02	12:32	13:02	13:32	14:02
Stretford, Stretford Arndale (Stop D)		10:47	11:12	11:42	12:12	12:42	13:12	13:42	14:12
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	10:59	11:24	11:54	12:24	12:54	13:24	13:54	14:24

	Service:	150	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand A)	Depart:	13:30	14:00	14:30	15:00	15:30	16:00	16:34	17:10
Denton, Crown Point (Stop E)		13:39	14:09	14:40	15:10	15:40	16:10	16:44	17:20
Belle Vue, Belle Vue (Stop B)		13:53	14:23	14:55	15:26	15:56	16:26	17:00	17:36
Longsight, Slade Ln		14:09	14:39	15:15	15:46	16:16	16:46	17:20	17:56
Levenshulme, Levenshulme Stn		14:16	14:46	15:22	15:54	16:24	16:54	17:30	18:07
Chorlton, Alexandra Rd South		14:27	14:57	15:39	16:11	16:41	17:11	17:46	18:23
Chorlton, Buckingham Rd		14:32	15:02	15:44	16:16	16:46	17:16	17:51	18:28
Stretford, Stretford Arndale (Stop D)		14:42	15:12	15:56	16:29	16:59	17:29	18:04	18:39
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	14:56	15:26	16:11	16:44	17:14	17:44	18:19	18:53

	Service:	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand A)	Depart:	17:45	18:20	19:10	20:05	21:05	22:05	23:05
Denton, Crown Point (Stop E)		17:54	18:29	19:18	20:13	21:13	22:13	23:13
Belle Vue, Belle Vue (Stop B)		18:09	18:44	19:29	20:24	21:24	22:24	23:24
Longsight, Slade Ln		18:27	19:02	19:42	20:37	21:37	22:37	23:37
Levenshulme, Levenshulme Stn		18:38	19:12	19:49	20:44	21:44	22:44	23:44
Chorlton, Alexandra Rd South		18:50	19:24	20:00	20:55	21:55	22:55	23:55
Chorlton, Buckingham Rd		18:55	19:29	20:04	20:59	21:59	22:59	23:59
Stretford, Stretford Arndale (Stop D)		19:04	19:37	20:11	21:06	22:06	23:06	00:06
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	19:17	19:50	20:23	21:18	22:18	23:18	00:18

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Service
150

intu Trafford Centre - Hyde

Saturdays (not Bank Holidays)

Operated by: SMA
Stagecoach Manchester

Timetable valid from 1 Sep 2019 until 26 Oct 2019

	Service:	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:		08:00	08:30	09:00	09:30	10:00	10:30
Stretford, Stretford Arndale (Stop B)			08:11	08:41	09:11	09:41	10:11	10:41
Chorlton, Chorlton Metrolink Stop (Stop F)		07:25	08:22	08:52	09:22	09:52	10:22	10:52
Chorlton, Alexandra Rd South		07:29	08:26	08:56	09:26	09:56	10:26	10:56
Levenshulme, Levenshulme Stn		07:41	08:38	09:08	09:38	10:08	10:38	11:08
Longsight, Slade Ln		07:47	08:44	09:14	09:44	10:14	10:44	11:14
Belle Vue, Belle Vue (Stop C)		08:03	09:00	09:30	10:00	10:30	11:00	11:30
Denton, Crown Point (Stop C)		08:18	09:15	09:45	10:15	10:45	11:15	11:45
Hyde, Hyde Bus Station	Arrive:	08:25	09:22	09:52	10:22	10:52	11:22	11:52

	Service:	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	11:00	11:30	12:00	12:30	13:00	13:30	14:00
Stretford, Stretford Arndale (Stop B)		11:11	11:41	12:11	12:41	13:11	13:41	14:11
Chorlton, Chorlton Metrolink Stop (Stop F)		11:22	11:52	12:22	12:52	13:22	13:52	14:22
Chorlton, Alexandra Rd South		11:26	11:56	12:26	12:56	13:26	13:56	14:26
Levenshulme, Levenshulme Stn		11:38	12:08	12:38	13:08	13:38	14:08	14:38
Longsight, Slade Ln		11:44	12:14	12:44	13:14	13:44	14:14	14:44
Belle Vue, Belle Vue (Stop C)		12:00	12:30	13:00	13:30	14:00	14:30	15:00
Denton, Crown Point (Stop C)		12:15	12:45	13:15	13:45	14:15	14:45	15:15
Hyde, Hyde Bus Station	Arrive:	12:22	12:52	13:22	13:52	14:22	14:52	15:22

	Service:	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	14:30	15:00	15:30	16:00	16:30	17:00	17:30
Stretford, Stretford Arndale (Stop B)		14:41	15:11	15:41	16:11	16:41	17:11	17:41
Chorlton, Chorlton Metrolink Stop (Stop F)		14:52	15:22	15:52	16:22	16:52	17:22	17:52
Chorlton, Alexandra Rd South		14:56	15:26	15:56	16:26	16:56	17:26	17:56
Levenshulme, Levenshulme Stn		15:08	15:38	16:08	16:38	17:08	17:38	18:08
Longsight, Slade Ln		15:14	15:44	16:14	16:44	17:14	17:44	18:14
Belle Vue, Belle Vue (Stop C)		15:30	16:00	16:30	17:00	17:30	18:00	18:29
Denton, Crown Point (Stop C)		15:45	16:15	16:45	17:15	17:45	18:15	18:42
Hyde, Hyde Bus Station	Arrive:	15:52	16:22	16:52	17:22	17:52	18:22	18:49

	Service:	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	18:30	19:30	20:30	21:30	22:30	23:30
Stretford, Stretford Arndale (Stop B)		18:41	19:41	20:41	21:41	22:41	23:41
Chorlton, Chorlton Metrolink Stop (Stop F)		18:50	19:50	20:50	21:50	22:50	23:50
Chorlton, Alexandra Rd South		18:54	19:54	20:54	21:54	22:54	23:54
Levenshulme, Levenshulme Stn		19:06	20:06	21:06	22:06	23:06	00:06
Longsight, Slade Ln		19:12	20:12	21:12	22:12	23:12	00:12
Belle Vue, Belle Vue (Stop C)		19:26	20:26	21:26	22:26	23:26	00:26
Denton, Crown Point (Stop C)		19:38	20:38	21:38	22:38	23:38	
Hyde, Hyde Bus Station	Arrive:	19:45	20:45	21:45	22:45	23:45	

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Service
150

intu Trafford Centre - Hyde

Saturdays (not Bank Holidays)

Operated by: SMA
Stagecoach Manchester

Timetable valid from 27 Oct 2019 until further notice

	Service:	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:		08:00	08:30	09:00	09:30	10:00	10:30
Stretford, Stretford Arndale (Stop B)			08:11	08:41	09:11	09:41	10:11	10:41
Chorlton, Chorlton Metrolink Stop (Stop F)		07:25	08:22	08:52	09:22	09:52	10:22	10:52
Chorlton, Alexandra Rd South		07:29	08:26	08:56	09:26	09:56	10:26	10:56
Levenshulme, Levenshulme Stn		07:41	08:38	09:08	09:38	10:08	10:38	11:08
Longsight, Slade Ln		07:47	08:44	09:14	09:44	10:14	10:44	11:14
Belle Vue, Belle Vue (Stop C)		08:03	09:00	09:30	10:00	10:30	11:00	11:30
Denton, Crown Point (Stop C)		08:18	09:15	09:45	10:15	10:45	11:15	11:45
Hyde, Hyde Bus Station	Arrive:	08:25	09:22	09:52	10:22	10:52	11:22	11:52

	Service:	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	11:00	11:30	12:00	12:30	13:00	13:30	14:00
Stretford, Stretford Arndale (Stop B)		11:11	11:41	12:11	12:41	13:11	13:41	14:11
Chorlton, Chorlton Metrolink Stop (Stop F)		11:22	11:52	12:22	12:52	13:22	13:52	14:22
Chorlton, Alexandra Rd South		11:26	11:56	12:26	12:56	13:26	13:56	14:26
Levenshulme, Levenshulme Stn		11:38	12:08	12:38	13:08	13:38	14:08	14:38
Longsight, Slade Ln		11:44	12:14	12:44	13:14	13:44	14:14	14:44
Belle Vue, Belle Vue (Stop C)		12:00	12:30	13:00	13:30	14:00	14:30	15:00
Denton, Crown Point (Stop C)		12:15	12:45	13:15	13:45	14:15	14:45	15:15
Hyde, Hyde Bus Station	Arrive:	12:22	12:52	13:22	13:52	14:22	14:52	15:22

	Service:	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	14:30	15:00	15:30	16:00	16:30	17:00	17:30
Stretford, Stretford Arndale (Stop B)		14:41	15:11	15:41	16:11	16:41	17:11	17:41
Chorlton, Chorlton Metrolink Stop (Stop F)		14:52	15:22	15:52	16:22	16:52	17:22	17:52
Chorlton, Alexandra Rd South		14:56	15:26	15:56	16:26	16:56	17:26	17:56
Levenshulme, Levenshulme Stn		15:08	15:38	16:08	16:38	17:08	17:38	18:08
Longsight, Slade Ln		15:14	15:44	16:14	16:44	17:14	17:44	18:14
Belle Vue, Belle Vue (Stop C)		15:30	16:00	16:30	17:00	17:30	18:00	18:29
Denton, Crown Point (Stop C)		15:45	16:15	16:45	17:15	17:45	18:15	18:42
Hyde, Hyde Bus Station	Arrive:	15:52	16:22	16:52	17:22	17:52	18:22	18:49

	Service:	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	18:30	19:30	20:30	21:30	22:30	23:30
Stretford, Stretford Arndale (Stop B)		18:41	19:41	20:41	21:41	22:41	23:41
Chorlton, Chorlton Metrolink Stop (Stop F)		18:50	19:50	20:50	21:50	22:50	23:50
Chorlton, Alexandra Rd South		18:54	19:54	20:54	21:54	22:54	23:54
Levenshulme, Levenshulme Stn		19:06	20:06	21:06	22:06	23:06	00:06
Longsight, Slade Ln		19:12	20:12	21:12	22:12	23:12	00:12
Belle Vue, Belle Vue (Stop C)		19:26	20:26	21:26	22:26	23:26	00:26
Denton, Crown Point (Stop C)		19:38	20:38	21:38	22:38	23:38	
Hyde, Hyde Bus Station	Arrive:	19:45	20:45	21:45	22:45	23:45	

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Service
150

Hyde - intu Trafford Centre

Saturdays (not Bank Holidays)

Operated by: SMA
Stagecoach Manchester

Timetable valid from 1 Sep 2019 until 26 Oct 2019

	Service:	150	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand D)	Depart:	06:30	07:30	08:30	09:00	09:30	10:00	10:30	11:00
Denton, Crown Point (Stop E)		06:39	07:39	08:39	09:09	09:39	10:09	10:39	11:09
Belle Vue, Belle Vue (Stop B)		06:53	07:53	08:53	09:23	09:53	10:23	10:53	11:23
Longsight, Slade Ln		07:08	08:08	09:09	09:39	10:09	10:39	11:09	11:39
Levenshulme, Levenshulme Stn		07:15	08:15	09:16	09:46	10:16	10:46	11:16	11:46
Chorlton, Alexandra Rd South		07:25	08:25	09:27	09:57	10:27	10:57	11:27	11:57
Chorlton, Buckingham Rd		07:29	08:29	09:31	10:01	10:31	11:01	11:31	12:01
Stretford, Stretford Arndale (Stop D)		07:38	08:38	09:41	10:11	10:41	11:11	11:41	12:11
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	07:49	08:49	09:53	10:23	10:53	11:23	11:53	12:23

	Service:	150	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand D)	Depart:	11:30	12:00	12:30	13:00	13:30	14:00	14:30	15:00
Denton, Crown Point (Stop E)		11:39	12:09	12:39	13:09	13:39	14:09	14:39	15:09
Belle Vue, Belle Vue (Stop B)		11:53	12:23	12:53	13:23	13:53	14:23	14:53	15:23
Longsight, Slade Ln		12:09	12:39	13:09	13:39	14:09	14:39	15:09	15:39
Levenshulme, Levenshulme Stn		12:16	12:46	13:16	13:46	14:16	14:46	15:16	15:46
Chorlton, Alexandra Rd South		12:27	12:57	13:27	13:57	14:27	14:57	15:27	15:57
Chorlton, Buckingham Rd		12:31	13:01	13:31	14:01	14:31	15:01	15:31	16:01
Stretford, Stretford Arndale (Stop D)		12:41	13:11	13:41	14:11	14:41	15:11	15:41	16:11
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	12:53	13:23	13:53	14:23	14:53	15:23	15:53	16:23

	Service:	150	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand D)	Depart:	15:30	16:00	16:30	17:00	17:30	18:05	19:05	20:05
Denton, Crown Point (Stop E)		15:39	16:09	16:39	17:09	17:39	18:14	19:13	20:13
Belle Vue, Belle Vue (Stop B)		15:53	16:23	16:53	17:23	17:53	18:27	19:24	20:24
Longsight, Slade Ln		16:09	16:39	17:09	17:39	18:09	18:41	19:37	20:37
Levenshulme, Levenshulme Stn		16:16	16:46	17:16	17:46	18:16	18:48	19:44	20:44
Chorlton, Alexandra Rd South		16:27	16:57	17:27	17:57	18:27	18:59	19:55	20:55
Chorlton, Buckingham Rd		16:31	17:01	17:31	18:01	18:31	19:03	19:59	20:59
Stretford, Stretford Arndale (Stop D)		16:41	17:11	17:41	18:11	18:41	19:12	20:06	21:06
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	16:53	17:23	17:53	18:23	18:53	19:24	20:18	21:18

	Service:	150	150	150
	Operator:	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand D)	Depart:	21:05	22:05	23:05
Denton, Crown Point (Stop E)		21:13	22:13	23:13
Belle Vue, Belle Vue (Stop B)		21:24	22:24	23:24
Longsight, Slade Ln		21:37	22:37	23:37
Levenshulme, Levenshulme Stn		21:44	22:44	23:44
Chorlton, Alexandra Rd South		21:55	22:55	23:55
Chorlton, Buckingham Rd		21:59	22:59	23:59
Stretford, Stretford Arndale (Stop D)		22:06	23:06	00:06
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	22:18	23:18	00:18

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Service
150

Hyde - intu Trafford Centre

Saturdays (not Bank Holidays)

Operated by: SMA
Stagecoach Manchester

Timetable valid from 27 Oct 2019 until further notice

	Service:	150	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand A)	Depart:	06:30	07:30	08:30	09:00	09:30	10:00	10:30	11:00
Denton, Crown Point (Stop E)		06:39	07:39	08:39	09:09	09:39	10:09	10:39	11:09
Belle Vue, Belle Vue (Stop B)		06:53	07:53	08:53	09:23	09:53	10:23	10:53	11:23
Longsight, Slade Ln		07:08	08:08	09:09	09:39	10:09	10:39	11:09	11:39
Levenshulme, Levenshulme Stn		07:15	08:15	09:16	09:46	10:16	10:46	11:16	11:46
Chorlton, Alexandra Rd South		07:25	08:25	09:27	09:57	10:27	10:57	11:27	11:57
Chorlton, Buckingham Rd		07:30	08:30	09:32	10:02	10:32	11:02	11:32	12:02
Stretford, Stretford Arndale (Stop D)		07:39	08:39	09:42	10:12	10:42	11:12	11:42	12:12
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	07:50	08:50	09:54	10:24	10:54	11:24	11:54	12:24

	Service:	150	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand A)	Depart:	11:30	12:00	12:30	13:00	13:30	14:00	14:30	15:00
Denton, Crown Point (Stop E)		11:39	12:09	12:39	13:09	13:39	14:09	14:39	15:09
Belle Vue, Belle Vue (Stop B)		11:53	12:23	12:53	13:23	13:53	14:23	14:53	15:23
Longsight, Slade Ln		12:09	12:39	13:09	13:39	14:09	14:39	15:09	15:39
Levenshulme, Levenshulme Stn		12:16	12:46	13:16	13:46	14:16	14:46	15:16	15:46
Chorlton, Alexandra Rd South		12:27	12:57	13:27	13:57	14:27	14:57	15:27	15:57
Chorlton, Buckingham Rd		12:32	13:02	13:32	14:02	14:32	15:02	15:32	16:02
Stretford, Stretford Arndale (Stop D)		12:42	13:12	13:42	14:12	14:42	15:12	15:42	16:12
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	12:54	13:24	13:54	14:24	14:54	15:24	15:54	16:24

	Service:	150	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand A)	Depart:	15:30	16:00	16:30	17:00	17:30	18:05	19:05	20:05
Denton, Crown Point (Stop E)		15:39	16:09	16:39	17:09	17:39	18:14	19:13	20:13
Belle Vue, Belle Vue (Stop B)		15:53	16:23	16:53	17:23	17:53	18:27	19:24	20:24
Longsight, Slade Ln		16:09	16:39	17:09	17:39	18:09	18:41	19:37	20:37
Levenshulme, Levenshulme Stn		16:16	16:46	17:16	17:46	18:16	18:48	19:44	20:44
Chorlton, Alexandra Rd South		16:27	16:57	17:27	17:57	18:27	18:59	19:55	20:55
Chorlton, Buckingham Rd		16:32	17:02	17:32	18:02	18:32	19:03	19:59	20:59
Stretford, Stretford Arndale (Stop D)		16:42	17:12	17:42	18:12	18:42	19:12	20:06	21:06
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	16:54	17:24	17:54	18:24	18:54	19:24	20:18	21:18

	Service:	150	150	150
	Operator:	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand A)	Depart:	21:05	22:05	23:05
Denton, Crown Point (Stop E)		21:13	22:13	23:13
Belle Vue, Belle Vue (Stop B)		21:24	22:24	23:24
Longsight, Slade Ln		21:37	22:37	23:37
Levenshulme, Levenshulme Stn		21:44	22:44	23:44
Chorlton, Alexandra Rd South		21:55	22:55	23:55
Chorlton, Buckingham Rd		21:59	22:59	23:59
Stretford, Stretford Arndale (Stop D)		22:06	23:06	00:06
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	22:18	23:18	00:18

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Service
150

intu Trafford Centre - Hyde

Sundays and Some Bank Holidays

Operated by: SMA
Stagecoach Manchester

Timetable valid from 1 Sep 2019 until 26 Oct 2019

	Service:	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	07:30	08:30	09:30	10:30	11:30	12:30	13:30
Stretford, Stretford Arndale (Stop B)		07:41	08:41	09:41	10:41	11:41	12:41	13:41
Chorlton, Chorlton Metrolink Stop (Stop F)		07:51	08:52	09:52	10:52	11:52	12:52	13:52
Chorlton, Alexandra Rd South		07:55	08:56	09:56	10:56	11:56	12:56	13:56
Levenshulme, Levenshulme Stn		08:05	09:07	10:07	11:07	12:07	13:07	14:07
Longsight, Slade Ln		08:11	09:13	10:13	11:13	12:13	13:13	14:13
Belle Vue, Belle Vue (Stop C)		08:25	09:29	10:29	11:29	12:29	13:29	14:29
Denton, Crown Point (Stop C)		08:38	09:43	10:43	11:43	12:43	13:43	14:43
Hyde, Hyde Bus Station	Arrive:	08:45	09:50	10:50	11:50	12:50	13:50	14:50

	Service:	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	14:30	15:30	16:30	17:30	18:30	19:30	20:30
Stretford, Stretford Arndale (Stop B)		14:41	15:41	16:41	17:41	18:41	19:41	20:41
Chorlton, Chorlton Metrolink Stop (Stop F)		14:52	15:52	16:52	17:52	18:52	19:50	20:50
Chorlton, Alexandra Rd South		14:56	15:56	16:56	17:56	18:56	19:54	20:54
Levenshulme, Levenshulme Stn		15:07	16:07	17:07	18:07	19:07	20:05	21:05
Longsight, Slade Ln		15:13	16:13	17:13	18:13	19:13	20:11	21:11
Belle Vue, Belle Vue (Stop C)		15:29	16:29	17:29	18:29	19:29	20:25	21:25
Denton, Crown Point (Stop C)		15:43	16:43	17:43	18:43	19:43	20:37	21:37
Hyde, Hyde Bus Station	Arrive:	15:50	16:50	17:50	18:50	19:50	20:44	21:44

	Service:	150	150
	Operator:	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	21:30	22:30
Stretford, Stretford Arndale (Stop B)		21:41	22:41
Chorlton, Chorlton Metrolink Stop (Stop F)		21:50	22:50
Chorlton, Alexandra Rd South		21:54	22:54
Levenshulme, Levenshulme Stn		22:05	23:05
Longsight, Slade Ln		22:11	23:11
Belle Vue, Belle Vue (Stop C)		22:25	23:25
Denton, Crown Point (Stop C)		22:37	23:37
Hyde, Hyde Bus Station	Arrive:	22:44	23:44

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Service
150

intu Trafford Centre - Hyde

Sundays and Some Bank Holidays

Operated by: SMA
Stagecoach Manchester

Timetable valid from 27 Oct 2019 until further notice

	Service:	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	07:30	08:30	09:30	10:30	11:30	12:30	13:30
Stretford, Stretford Arndale (Stop B)		07:41	08:41	09:41	10:41	11:41	12:41	13:41
Chorlton, Chorlton Metrolink Stop (Stop F)		07:51	08:52	09:52	10:52	11:52	12:52	13:52
Chorlton, Alexandra Rd South		07:55	08:56	09:56	10:56	11:56	12:56	13:56
Levenshulme, Levenshulme Stn		08:05	09:07	10:07	11:07	12:07	13:07	14:07
Longsight, Slade Ln		08:11	09:13	10:13	11:13	12:13	13:13	14:13
Belle Vue, Belle Vue (Stop C)		08:25	09:29	10:29	11:29	12:29	13:29	14:29
Denton, Crown Point (Stop C)		08:38	09:43	10:43	11:43	12:43	13:43	14:43
Hyde, Hyde Bus Station	Arrive:	08:45	09:50	10:50	11:50	12:50	13:50	14:50

	Service:	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	14:30	15:30	16:30	17:30	18:30	19:30	20:30
Stretford, Stretford Arndale (Stop B)		14:41	15:41	16:41	17:41	18:41	19:41	20:41
Chorlton, Chorlton Metrolink Stop (Stop F)		14:52	15:52	16:52	17:52	18:52	19:50	20:50
Chorlton, Alexandra Rd South		14:56	15:56	16:56	17:56	18:56	19:54	20:54
Levenshulme, Levenshulme Stn		15:07	16:07	17:07	18:07	19:07	20:05	21:05
Longsight, Slade Ln		15:13	16:13	17:13	18:13	19:13	20:11	21:11
Belle Vue, Belle Vue (Stop C)		15:29	16:29	17:29	18:29	19:29	20:25	21:25
Denton, Crown Point (Stop C)		15:43	16:43	17:43	18:43	19:43	20:37	21:37
Hyde, Hyde Bus Station	Arrive:	15:50	16:50	17:50	18:50	19:50	20:44	21:44

	Service:	150	150
	Operator:	SMA	SMA
intu Trafford Centre, intu Trafford Centre Bus Station (Stand 2)	Depart:	21:30	22:30
Stretford, Stretford Arndale (Stop B)		21:41	22:41
Chorlton, Chorlton Metrolink Stop (Stop F)		21:50	22:50
Chorlton, Alexandra Rd South		21:54	22:54
Levenshulme, Levenshulme Stn		22:05	23:05
Longsight, Slade Ln		22:11	23:11
Belle Vue, Belle Vue (Stop C)		22:25	23:25
Denton, Crown Point (Stop C)		22:37	23:37
Hyde, Hyde Bus Station	Arrive:	22:44	23:44

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Service
150

Hyde - intu Trafford Centre

Sundays and Some Bank Holidays

Operated by: SMA
Stagecoach Manchester

Timetable valid from 1 Sep 2019 until 26 Oct 2019

	Service:	150	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand D)	Depart:		08:00	09:00	10:00	11:00	12:00	13:00	14:00
Denton, Crown Point (Stop E)			08:08	09:09	10:09	11:09	12:09	13:09	14:09
Belle Vue, Belle Vue (Stop B)			08:21	09:23	10:23	11:23	12:23	13:23	14:23
Longsight, Slade Ln			08:35	09:38	10:38	11:38	12:38	13:38	14:38
Levenshulme, Levenshulme Stn		07:42	08:42	09:45	10:45	11:45	12:45	13:45	14:45
Chorlton, Alexandra Rd South		07:51	08:51	09:55	10:55	11:55	12:55	13:55	14:55
Chorlton, Buckingham Rd		07:55	08:55	09:59	10:59	11:59	12:59	13:59	14:59
Stretford, Stretford Arndale (Stop D)		08:04	09:04	10:08	11:08	12:08	13:08	14:08	15:08
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	08:14	09:14	10:19	11:19	12:19	13:19	14:19	15:19

	Service:	150	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand D)	Depart:	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00
Denton, Crown Point (Stop E)		15:09	16:09	17:09	18:09	19:08	20:08	21:08	22:08
Belle Vue, Belle Vue (Stop B)		15:23	16:23	17:23	18:23	19:19	20:19	21:19	22:19
Longsight, Slade Ln		15:38	16:38	17:38	18:38	19:32	20:32	21:32	22:32
Levenshulme, Levenshulme Stn		15:45	16:45	17:45	18:45	19:39	20:39	21:39	22:39
Chorlton, Alexandra Rd South		15:55	16:55	17:55	18:55	19:49	20:49	21:49	22:49
Chorlton, Buckingham Rd		15:59	16:59	17:59	18:59	19:53	20:53	21:53	22:53
Stretford, Stretford Arndale (Stop D)		16:08	17:08	18:08	19:08	20:00	21:00	22:00	23:00
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	16:19	17:19	18:19	19:19	20:10	21:10	22:10	23:10

	Service:	150
	Operator:	SMA
Hyde, Hyde Bus Station (Stand D)	Depart:	23:00
Denton, Crown Point (Stop E)		23:08
Belle Vue, Belle Vue (Stop B)		23:19
Longsight, Slade Ln		23:32
Levenshulme, Levenshulme Stn		23:39
Chorlton, Alexandra Rd South		
Chorlton, Buckingham Rd		
Stretford, Stretford Arndale (Stop D)		
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	

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Service
150

Hyde - intu Trafford Centre

Sundays and Some Bank Holidays

Operated by: SMA
Stagecoach Manchester

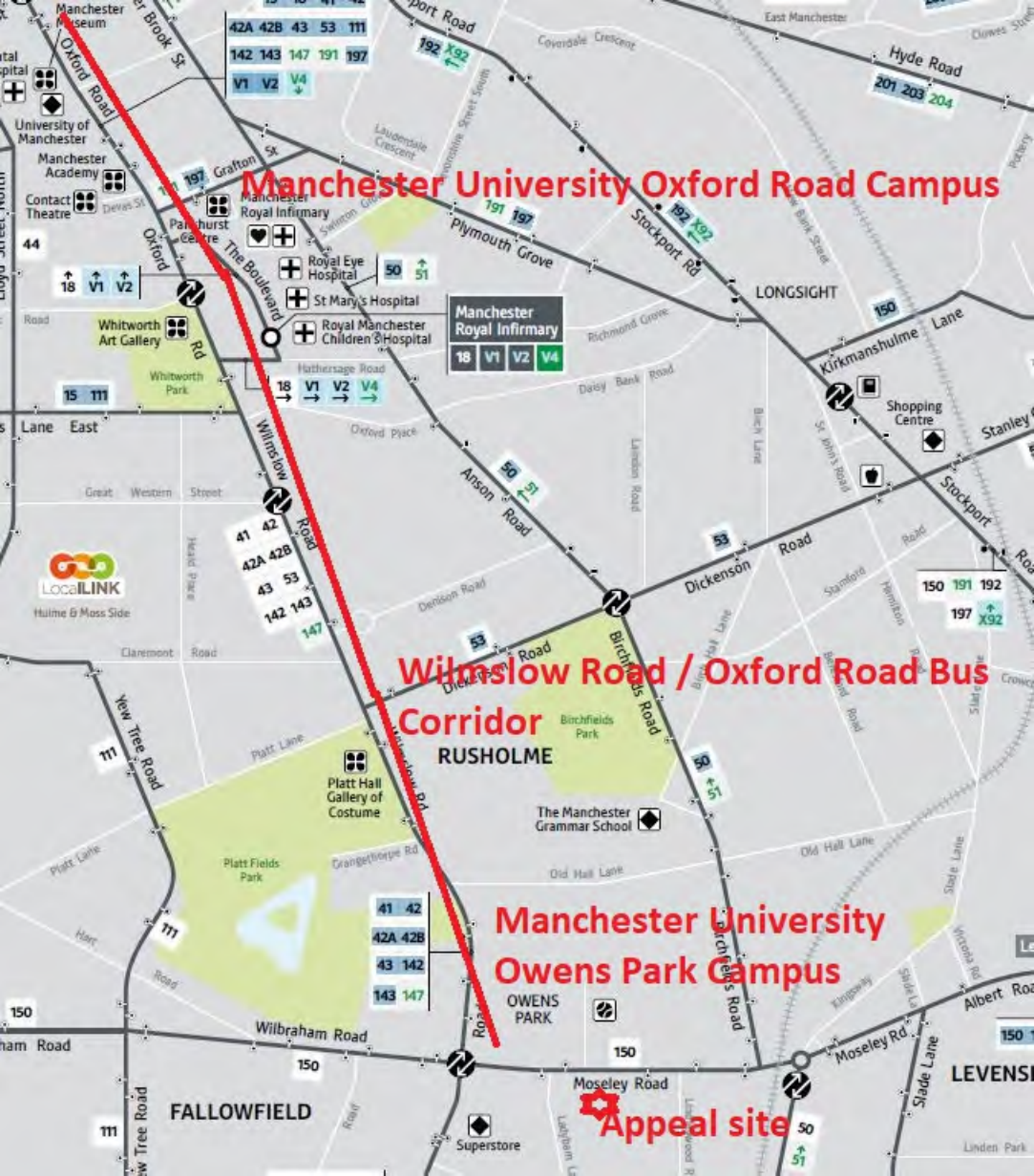
Timetable valid from 27 Oct 2019 until further notice

	Service:	150	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand A)	Depart:		08:00	09:00	10:00	11:00	12:00	13:00	14:00
Denton, Crown Point (Stop E)			08:08	09:09	10:09	11:09	12:09	13:09	14:09
Belle Vue, Belle Vue (Stop B)			08:21	09:23	10:23	11:23	12:23	13:23	14:23
Longsight, Slade Ln			08:35	09:38	10:38	11:38	12:38	13:38	14:38
Levenshulme, Levenshulme Stn		07:42	08:42	09:45	10:45	11:45	12:45	13:45	14:45
Chorlton, Alexandra Rd South		07:51	08:51	09:55	10:55	11:55	12:55	13:55	14:55
Chorlton, Buckingham Rd		07:55	08:55	10:00	11:00	12:00	13:00	14:00	15:00
Stretford, Stretford Arndale (Stop D)		08:04	09:04	10:09	11:09	12:09	13:09	14:09	15:09
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	08:14	09:14	10:20	11:20	12:20	13:20	14:20	15:20

	Service:	150	150	150	150	150	150	150	150
	Operator:	SMA	SMA	SMA	SMA	SMA	SMA	SMA	SMA
Hyde, Hyde Bus Station (Stand A)	Depart:	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00
Denton, Crown Point (Stop E)		15:09	16:09	17:09	18:09	19:08	20:08	21:08	22:08
Belle Vue, Belle Vue (Stop B)		15:23	16:23	17:23	18:23	19:19	20:19	21:19	22:19
Longsight, Slade Ln		15:38	16:38	17:38	18:38	19:32	20:32	21:32	22:32
Levenshulme, Levenshulme Stn		15:45	16:45	17:45	18:45	19:39	20:39	21:39	22:39
Chorlton, Alexandra Rd South		15:55	16:55	17:55	18:55	19:49	20:49	21:49	22:49
Chorlton, Buckingham Rd		16:00	17:00	18:00	18:59	19:53	20:53	21:53	22:53
Stretford, Stretford Arndale (Stop D)		16:09	17:09	18:09	19:08	20:00	21:00	22:00	23:00
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	16:20	17:20	18:20	19:19	20:10	21:10	22:10	23:10

	Service:	150
	Operator:	SMA
Hyde, Hyde Bus Station (Stand A)	Depart:	23:00
Denton, Crown Point (Stop E)		23:08
Belle Vue, Belle Vue (Stop B)		23:19
Longsight, Slade Ln		23:32
Levenshulme, Levenshulme Stn		23:39
Chorlton, Alexandra Rd South		
Chorlton, Buckingham Rd		
Stretford, Stretford Arndale (Stop D)		
intu Trafford Centre, intu Trafford Centre Bus Station	Arrive:	

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Manchester University Oxford Road Campus
Wilmslow Road / Oxford Road Bus Corridor
Manchester University Owens Park Campus
Appeal site
Oxford Road
Wilmslow Road
Plymouth Grove
Stockport Road
Hyde Road
Dickenson Road
Anson Road
Birchfields Road
Moseley Road
Wilbraham Road
Kirkmanshulme Lane
LONGSIGHT
RUSHOLME
FALLOWFIELD
OWENS PARK
Manchester Royal Infirmary
Royal Eye Hospital
St Mary's Hospital
Royal Manchester Children's Hospital
Whitworth Art Gallery
Platt Hall Gallery of Costume
The Manchester Grammar School
Shopping Centre
University of Manchester
Manchester Academy
Contact Theatre
Manchester Museum
Birchfields Park
Platt Fields Park
Whitworth Park
Superstore
LocalLINK
Hulme & Moss Side

MANCHESTER CITY COUNCIL
Planning
Telephone: +44 (0)161 234 4516
planning@manchester.gov.uk
PO Box 532 Town Hall
Manchester M60 2LA

Application for a Lawful Development Certificate for an Existing use or operation or activity including those in breach of a planning condition.

Town and Country Planning Act 1990: Section 191 as amended by section 10 of the Planning and Compensation Act 1991.
Town and Country Planning (Development Management Procedure) (England) Order 2015

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Site Address

Number	7
Suffix	
Property name	
Address line 1	Balmoral Road
Address line 2	
Address line 3	
Town/city	Manchester
Postcode	M14 6WG

Description of site location must be completed if postcode is not known:

Easting (x)	385998
Northing (y)	393902

Description

2. Applicant Details

Title	Mr
First name	Rory
Surname	Dillon
Company name	Fletcher Bond
Address line 1	Woolwich House
Address line 2	61 Mosley Street
Address line 3	

2. Applicant Details

Town/city	Manchester
Country	UK
Postcode	M2 3HZ
Primary number	
Secondary number	
Fax number	
Email address	

Are you an agent acting on behalf of the applicant? ● Yes ● No

3. Agent Details

No Agent details were submitted for this application

4. Description of Use, Building Works or Activity

Please indicate why you are applying for a lawful development certificate

- ● An existing use
- ● Existing building works
- ● An existing use, building work or activity in breach of a condition

Being a use, building works or activity which is still going on at the date of this application

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please state which one of the Use Classes of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use relates to

Use Classes	C3 - Dwellinghouses

5. Description of Existing Use, Building Works or Activity

Please fully describe each existing use, building works or activity for which you want the lawful development certificate. Where appropriate, show to which part of the land each use, building works or activity relates

The property was in use prior to 8/10/2011 as a small House in Multiple Occupation (class C4) when the Council's Article 4 Direction became effective. The use has continued and therefore remains lawful.

6. Grounds for application of a Lawful Development Certificate

Under what grounds is the certificate being sought

■ The use began more than 10 years before the date of this application

■ The use, building works or activity in breach of condition began more than 10 years before the date of this application

■ The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years

■ The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.

■ The use as a single dwelling house began more than four years before the date of this application

■ Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

If the certificate is sought for a use, operation, or activity in breach of a condition or limitation, please specify the condition or limitation that has not been complied with

Reference number

6. Grounds for application of a Lawful Development Certificate

Condition number

Date (must be pre-application submission)

Please state why a Lawful Development Certificate should be granted

The property was in use prior to 8/10/2011 as a small House in Multiple Occupation (class C4) when the Council's Article 4 Direction became effective. Prior to this the dwelling house class included small HMOs, so there was no change of use from a dwelling to HMO before that date. The small HMO use has continued and therefore remains lawful.

7. Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

01/07/2011

In the case of an existing use or activity in breach of conditions has there been any interruption? ○ Yes ○ No

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought? ○ Yes ○ No

Residential Information

Does the application for a certificate relate to a residential use where the number of residential units has changed? ○ Yes ○ No

8. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? ○ Yes ○ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

- ○ The agent
- ○ The applicant
- ○ Other person

9. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ○ Yes ○ No

10. Interest in the Land

Please state the applicant's interest in the land

- ○ a) Owner
- ○ b) Lessee
- ○ c) Occupier
- ○ d) Other

11. Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:
(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

11. Authority Employee/Member

It is an important principle of decision-making that the process is open and transparent.

○ Yes ○ No

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

12. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Date (cannot be pre-application)	23/01/2019

MANCHESTER CITY COUNCIL

Town and Country Planning Act 1990 : Section 191 & 192
(as amended by Section 10 of the Planning and Compensation Act 1991)

Town and Country Planning (General Permitted Development) (England) Order 2015

Certificate of Lawful Use or Development

Mr Rory Dillon
Fletcher Bond
Woolwich House
61 Mosley Street
Manchester
M2 3HZ

Date of Application
23 January 2019

Application No.
122496/LE/2019

The Manchester City Council hereby certify that on 23 January 2019 the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and more particularly identified on the plan attached to this certificate, was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason:

From the information that has been provided it is considered that, on the balance of probabilities, the lawful use of the premises (7 Balmoral Road. Manchester, M14 6WG) is a small scale house in multiple occupation (Class C4) for 4 people.

Date: 22 February 2019

Signed:

Julie Roscoe
Head of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Certificate of Lawfulness

First Schedule

Certificate of Lawful Use for the use of residential dwelling as a small House in Multiple Occupation (class C4)

Second Schedule

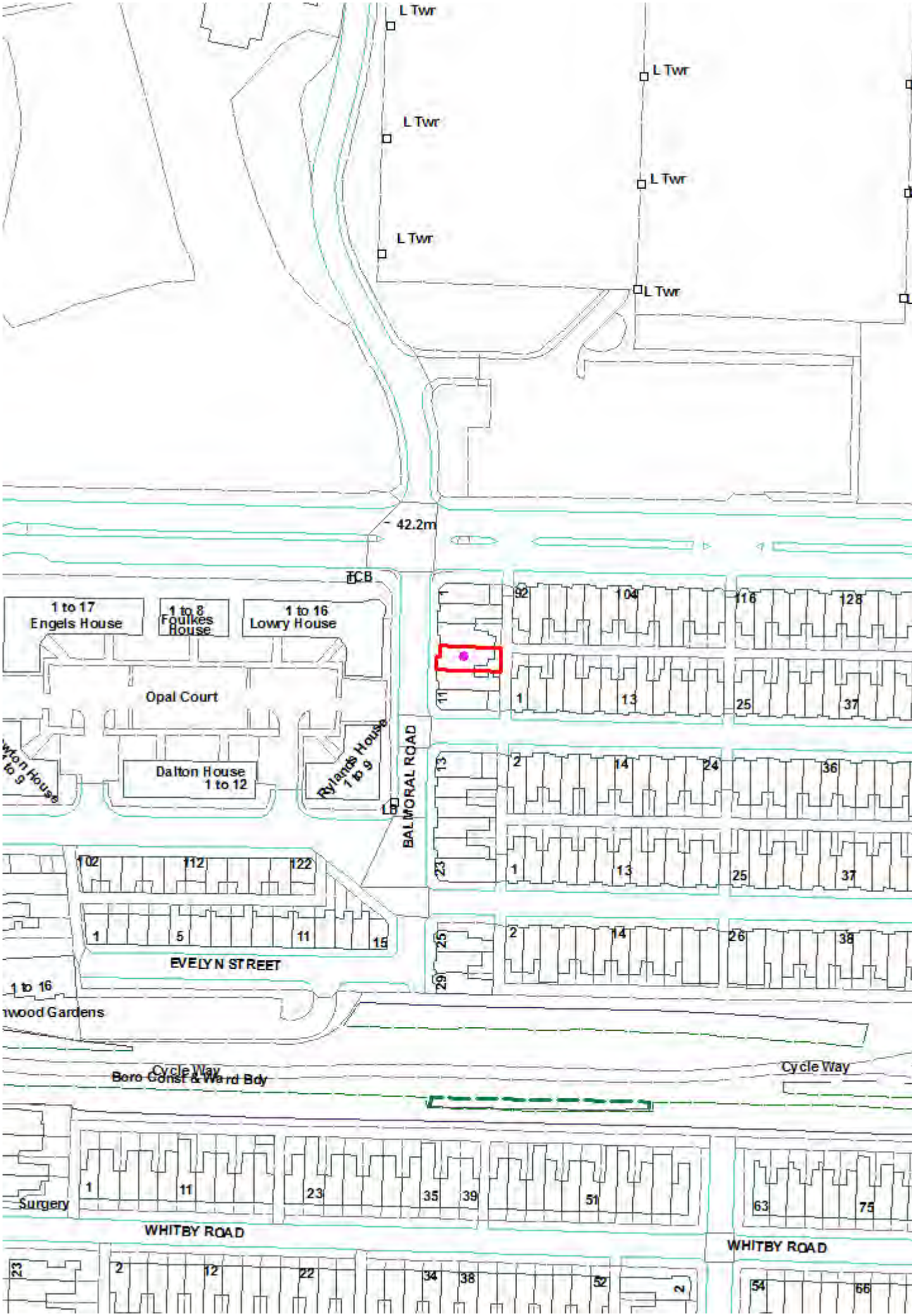
7 Balmoral Road
Manchester
M14 6WG

1. This certificate is issued solely for the purposes of section 191 of the Town and Country Planning Act 1990 (as amended).

2. It certifies that the use specified in the First Schedule, taking place on the land described in the Second Schedule, is lawful.

3. This certificate is issued solely to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

4. The effect of the certificate is also qualified by the proviso in Section 192 (4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.


L Twr
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42.2m
FCB
1 to 17
Engels House
1 to 8
Foulkes
House
1 to 16
Lowry House
Opal Court
Dalton House
1 to 12
Rylands House
1 to 9
LB
BALMORAL ROAD
92
104
116
128
1
13
25
37
11
2
14
24
36
13
23
102
112
122
1
5
11
15
EVELYN STREET
25
29
26
38
1 to 16
wood Gardens
Cycle Way
Boro Const & Ward Bdy
Cycle Way
Surgery
1
11
23
35
39
51
63
75
WHITBY ROAD
WHITBY ROAD
2
12
22
34
38
52
54
66

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61 Mosley Street
Manchester
M2 3HZ
rory.dillon@fletcherbond.co.uk

Manchester City Council
Planning Department
PO Box 532
Manchester
M60 2LA

20 January 2019

Dear Sir/ Madam

Application for Lawful Development Certificate
Existing Use as a small HMO (Class C4) 7 Balmoral Road, Fallowfield, Manchester M14 6WG

I enclose an application for a Lawful Development Certificate for an existing use a small HMO (Use Class C4).

The property has been occupied continuously as a small HMO since before the Council's Article 4 Direction came into force on 8 October 2011. The tenancy agreements submitted with the application provide evidence of this continued use from July 2011 to present.

Prior to the Article 4 Direction coming into effect, permission was not required to change a dwelling house into a small HMO. The small HMO use of this property is within class C4 and having commenced prior to the Article 4 Direction and continuing uninterrupted remains the lawful use.

A Lawful Development Certificate should therefore be issued for the use of the property as a C4 HMO.

Shol you require any further information, please do not hesitate to contact me.

Yours Sincerely

Rory Dillon MRICS

H. M. LAND REGISTRY

NATIONAL GRID PLAN SJ 8693 SECTION A

~~(MANCHESTER)~~

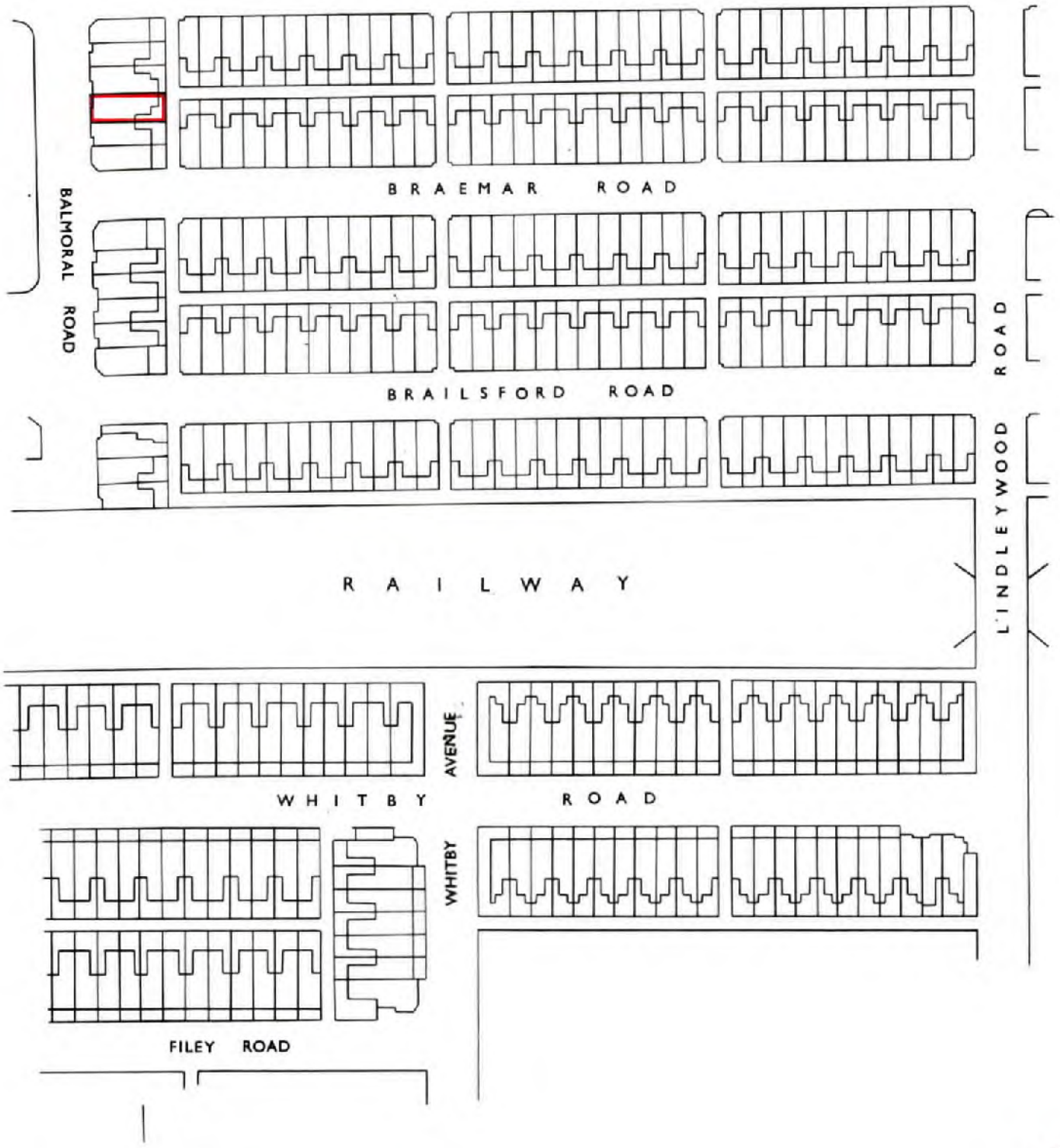
Scale 1/1250

COUNTY OF GREATER MANCHESTER

MANCHESTER DISTRICT

~~CITY of~~ MANCHESTER

SJ8693 NW
SJ8593 NE



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H.M. LAND REGISTRY 2.66. PLANS BRANCH

Filed Plan of Title No. LA746054

This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 23 January 2019 at 15:00:19. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

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H. M. LAND REGISTRY

NATIONAL GRID PLAN SJ 8693 SECTION A

~~(MANCHESTER)~~

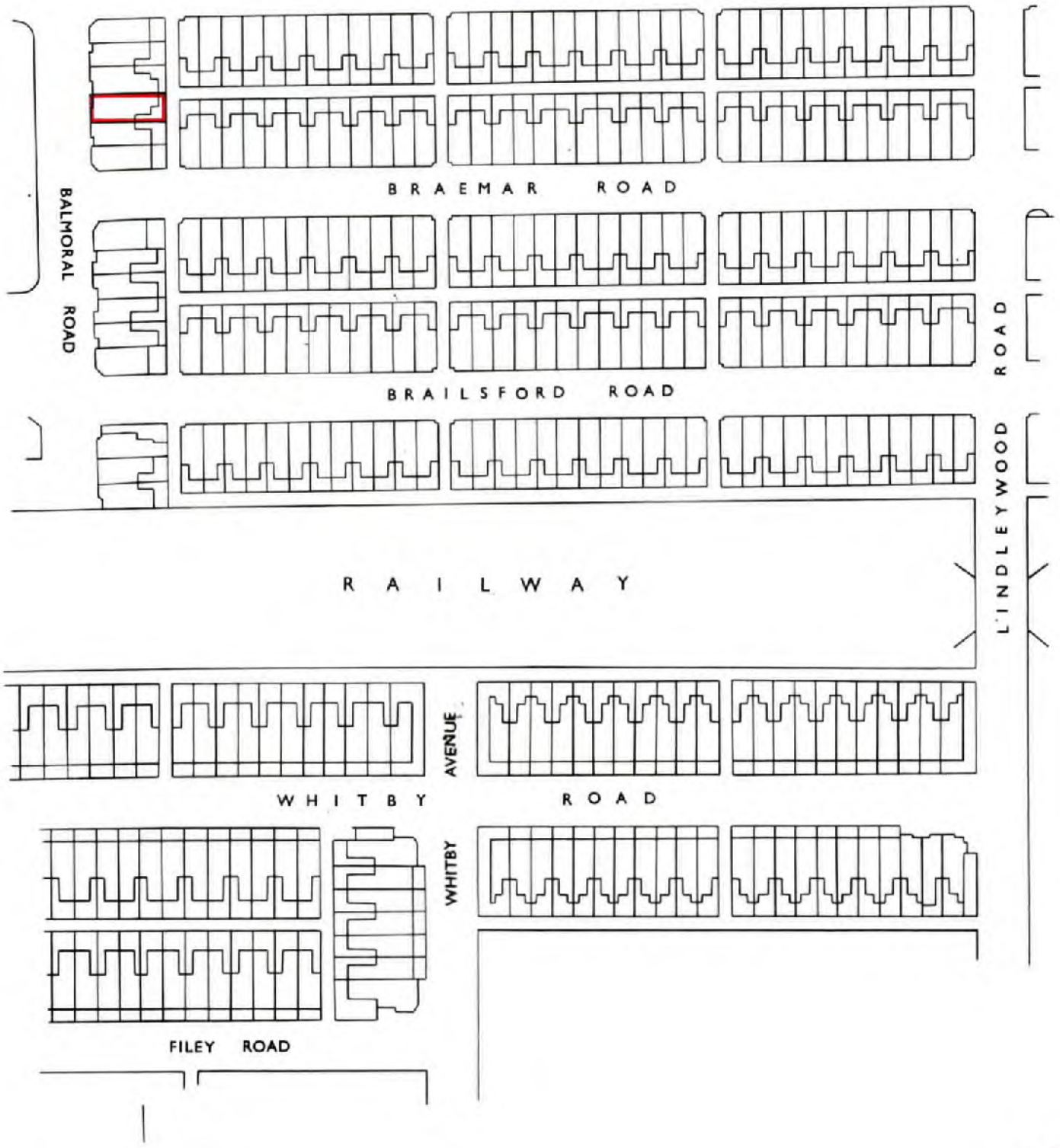
Scale 1/1250

COUNTY OF GREATER MANCHESTER

MANCHESTER DISTRICT

~~CITY of~~ MANCHESTER

SJ8693 NW
SJ8593 NE



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Filed Plan of Title No. LA746054

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MANCHESTER CITY COUNCIL
Planning
Telephone: +44 (0)161 234 4516
planning@manchester.gov.uk
PO Box 532 Town Hall
Manchester M60 2LA

Application for a Lawful Development Certificate for a Proposed use or development.
Town and Country Planning Act 1990: Section 192, as amended by section 10 of the Planning and Compensation act 1991.
Town and Country Planning (Development Management Procedure) (England) Order 2015

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Site Address

Number	7
Suffix	
Property name	
Address line 1	Balmoral Road
Address line 2	
Address line 3	
Town/city	Manchester
Postcode	M14 6WG

Description of site location must be completed if postcode is not known:

Easting (x)	385998
Northing (y)	393902

Description

2. Applicant Details

Title	Mr
First name	Rory
Surname	Dillon
Company name	Fletcher Bond Surveyors
Address line 1	61 Mosley Street
Address line 2	
Address line 3	
Town/city	Manchester

2. Applicant Details

Country	GB
Postcode	M2 3HZ
Primary number	
Secondary number	
Fax number	
Email address	

Are you an agent acting on behalf of the applicant? ● Yes ● No

3. Agent Details

No Agent details were submitted for this application

4. Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations? ● Yes ● No

Does the proposal consist of, or include, a change of use of the land or building(s)? ● Yes ● No

Has the proposal been started? ● Yes ● No

5. Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The dwelling was originally a terraced dwelling house (C3) converted into HMO (C4). We now propose to extend the house but still in the same use class.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

If you consider the existing or last use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended) state which one: Other

Other

C4

Information about the proposed use(s)

If you consider the proposed use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended), state which one: Other

Other

C4

Is the proposed operation or use ● Permanent ● Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

Under permitted development rights on a dwelling house it is permitted to make additions to roof for a loft conversion. All the materials used will be to match existing, the dormer addition is more than 200mm away from the eaves and also does not increases the space by 40m3.

6. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? ○ Yes ○ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ○ The agent
- ○ The applicant
- ○ Other person

7. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ○ Yes ○ No

8. Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:
(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent. ○ Yes ○ No

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

9. Interest in the Land

Please state the applicant's interest in the land

- ○ Owner
- ○ Lessee
- ○ Occupier
- ○ Other

10. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Date (cannot be pre-application) 19/03/2019

MANCHESTER CITY COUNCIL

Town and Country Planning Act 1990 : Section 191 & 192
(as amended by Section 10 of the Planning and Compensation Act 1991)

Town and Country Planning (General Permitted Development) (England) Order 2015

Certificate of Lawful Use or Development

Mr Rory Dillon
Fletcher Bond Surveyors
61 Mosley Street
Manchester
M2 3HZ

Date of Application	**Application No.**
20 March 2019	123082/LP/2019

The Manchester City Council hereby certify that on 20 March 2019 the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and more particularly identified on the plan attached to this certificate, was lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason:

The proposed roof extension to the rear of 7 Balmoral Road, on the basis of application forms and drawings stamped as received by the City Council as local planning authority on 20 March 2019 and 23 April 2019 and referenced:

Location plan with a red edge;
Existing Ref: 1084-001 Rev A;
Existing front and rear elevations Ref: 1084-002 Rev A;
Existing section A-A Ref: 1084-003 Rev A;
Proposed GF & FF plans Ref: 1084-004 Rev B;
Proposed loft and roof plan Ref: 1084-005 Rev B;
Proposed Elevations Ref: 1084-006 Rev B;
Proposed Section A-A Ref: 1084-007 Rev A

constitutes permitted development in accordance with 'The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Article 3, Permitted development rights, Part 1, Class B, Permitted development - The enlargement of a dwellinghouse consisting of an addition or alteration to its roof and Class C - other alterations to the roof of a dwellinghouse and on the basis that the house would comprise no more than 6 bedrooms and be occupied by no more than 6 people.

Date: 7 May 2019

Signed: 

Julie Roscoe
Head of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Certificate of Lawfulness

First Schedule

Application for Lawful Development Certificate for dormer roof extension to main roof and outrigger to rear of existing HMO

Second Schedule

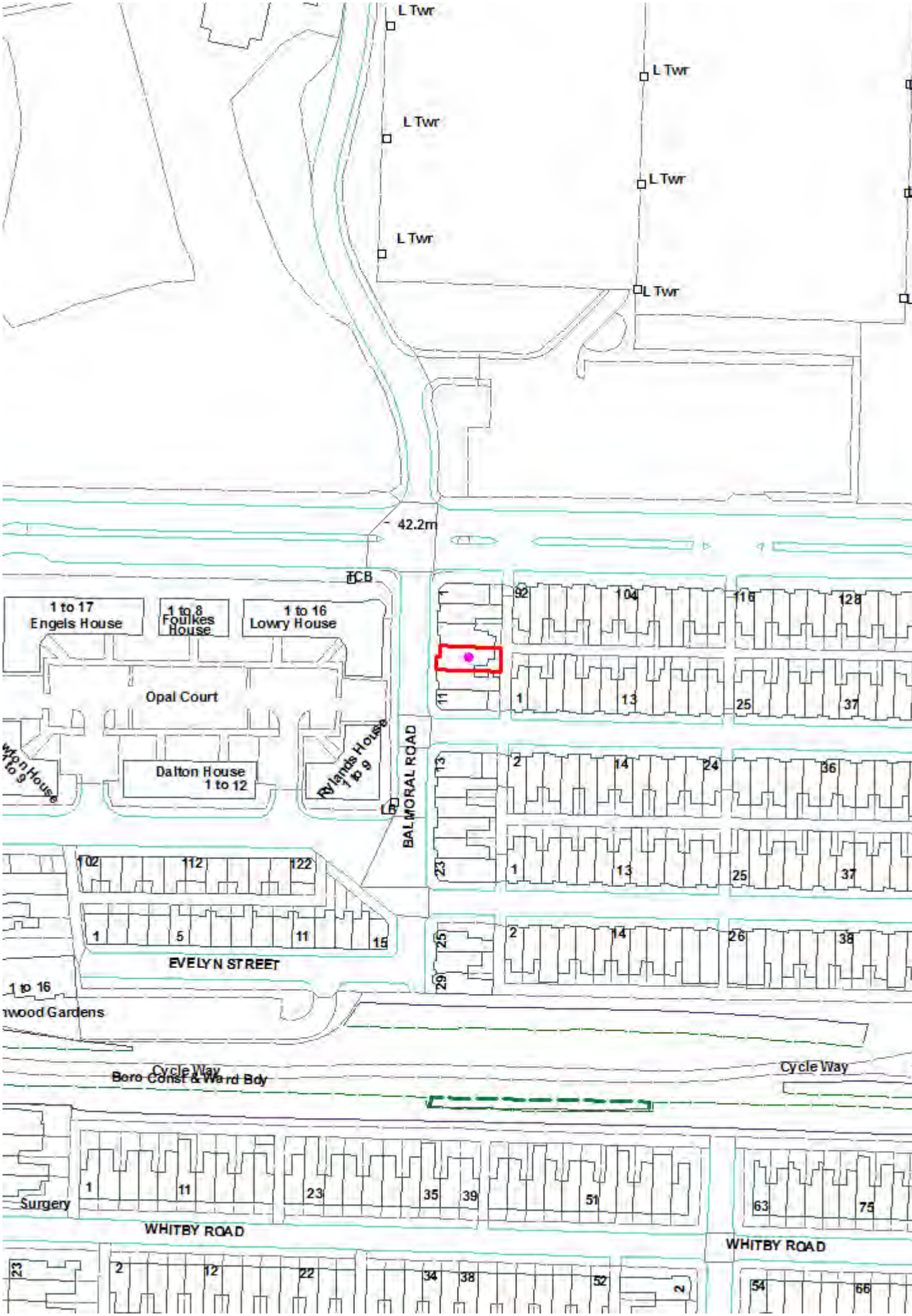
7 Balmoral Road
Manchester
M14 6WG

1. This certificate is issued solely for the purposes of section 192 of the Town and Country Planning Act 1990 (as amended).

2. It certifies that the use specified in the First Schedule, taking place on the land described in the Second Schedule, is lawful.

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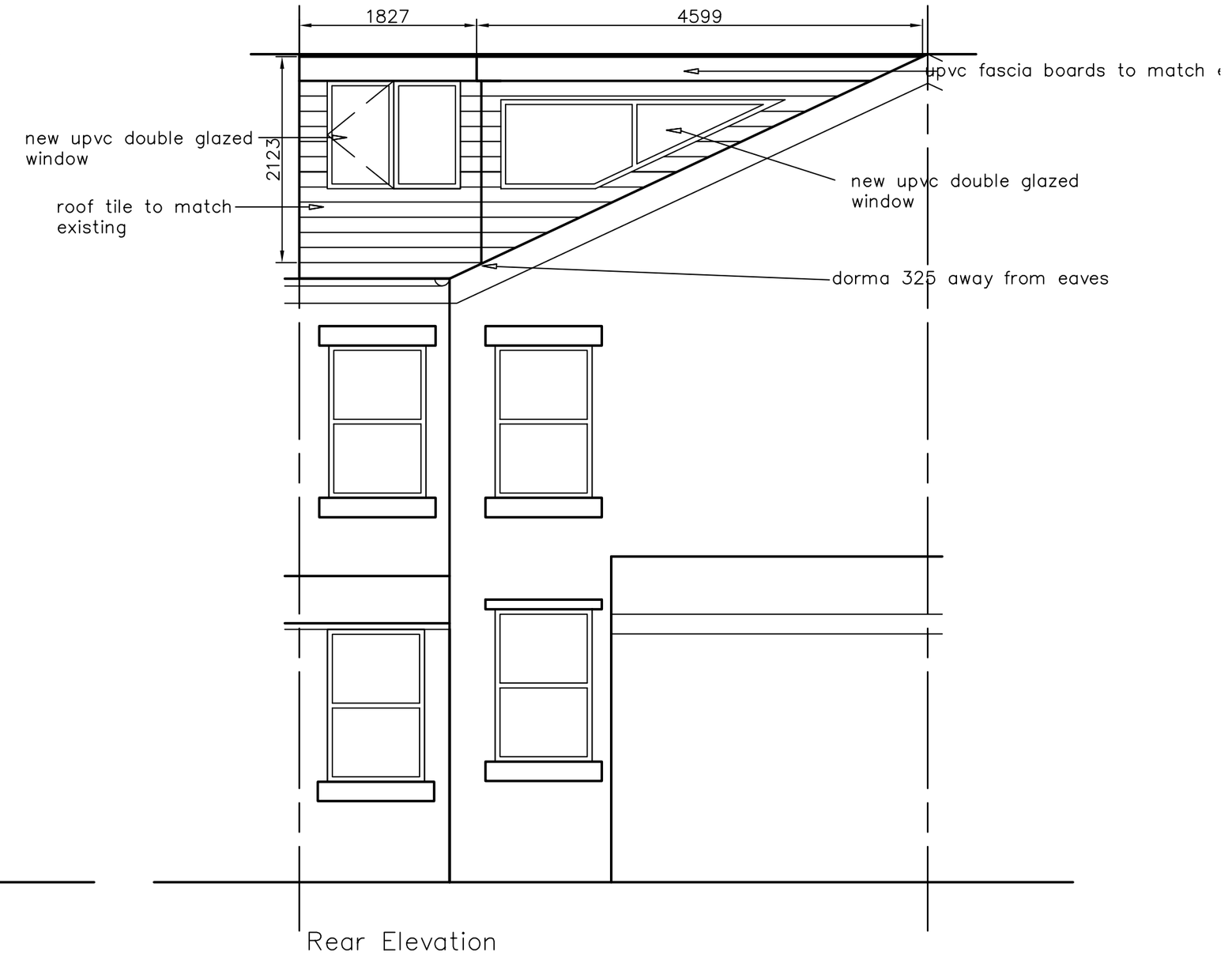
4. The effect of the certificate is also qualified by the proviso in Section 192 (4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.


L Twr
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42.2m
TCB
1 to 17
Engels House
1 to 8
Foulkes
House
1 to 16
Lowry House
Opal Court
Dalton House
1 to 12
Rylands House
1 to 9
LP
BALMORAL ROAD
92
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128
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23
102
112
122
1
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11
15
EVELYN STREET
25
29
26
38
1 to 16
Cycle Way
Boro Const & Ward Bdy
Cycle Way
Surgery
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WHITBY ROAD
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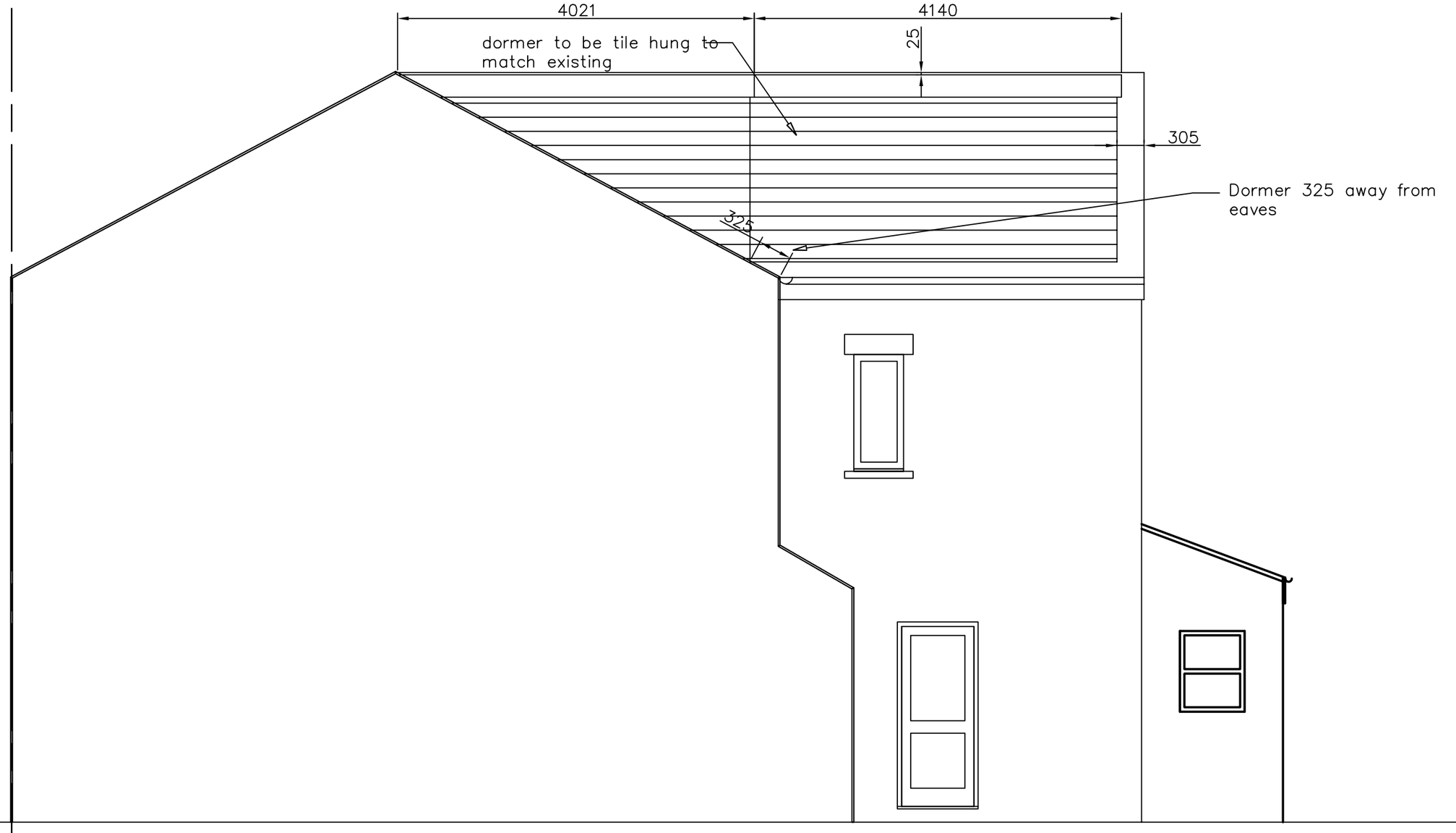
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Front Elevation



Rear Elevation



Side Elevation

Notes:

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2. Do not scale this drawing – Check all dimensions on site.

Checked by:

.....

Project: 7 Balmoral Road, Fallowfield, Manchester, M14 6WG

Client:

Dwg Title: Proposed Elevations

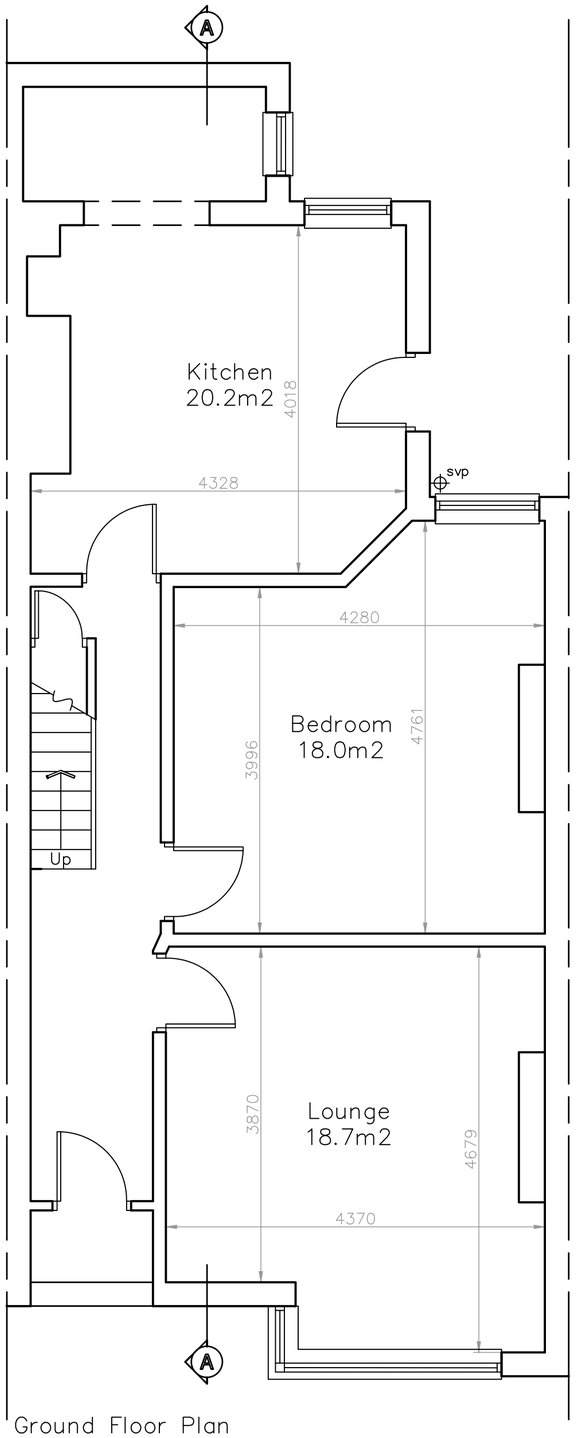
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Date: 09.12.18

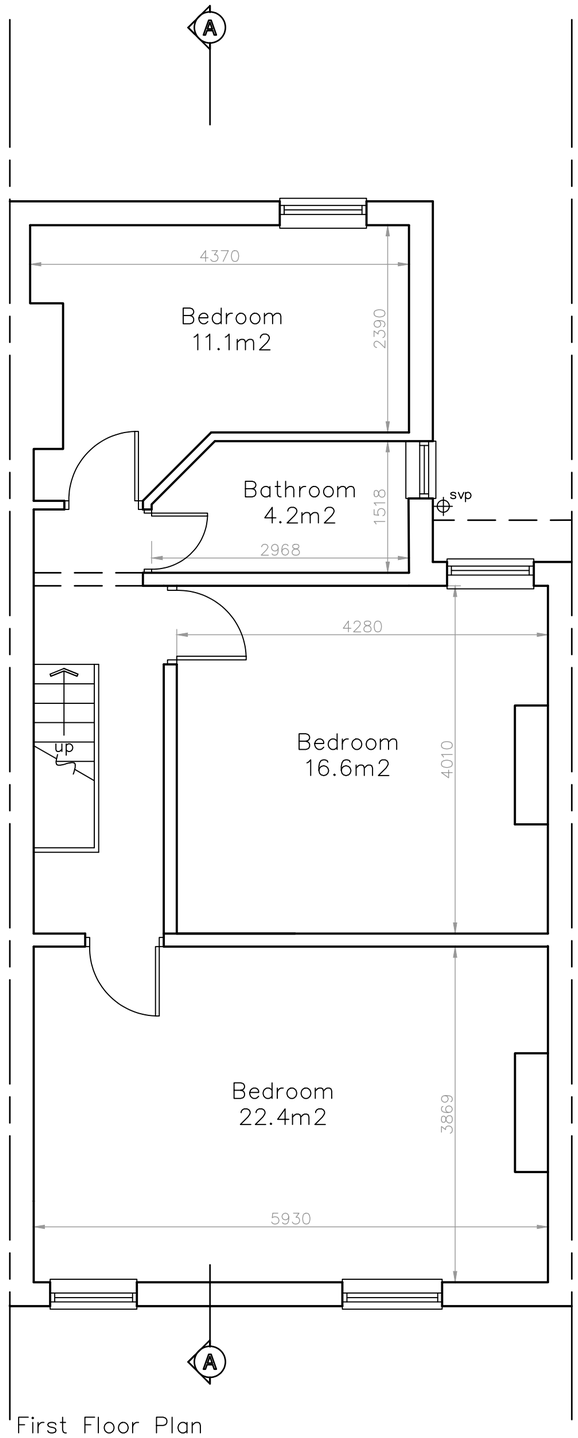
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Dwg No.: 1084–006

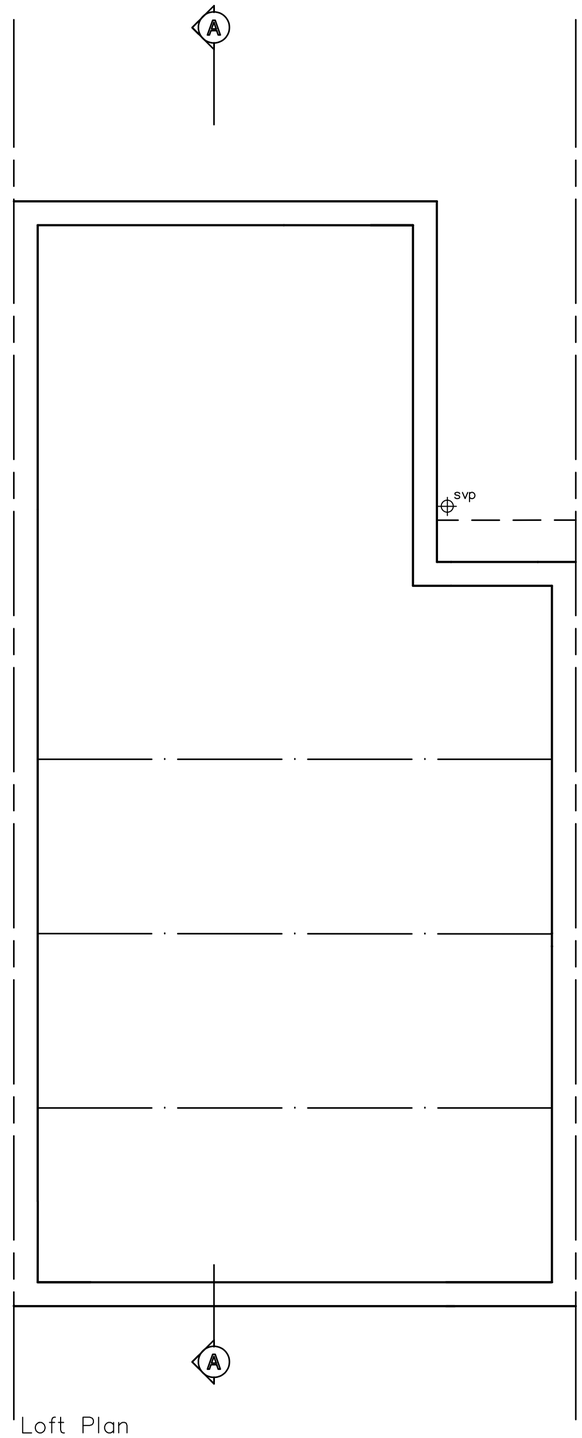
Rev.: B



Ground Floor Plan



First Floor Plan



Loft Plan

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.....

Project: 7 Balmoral Road, Fallowfield, Manchester, M14 6WG

Client:

Dwg Title: Existing

Drawn: AC

Date: 26.01.19

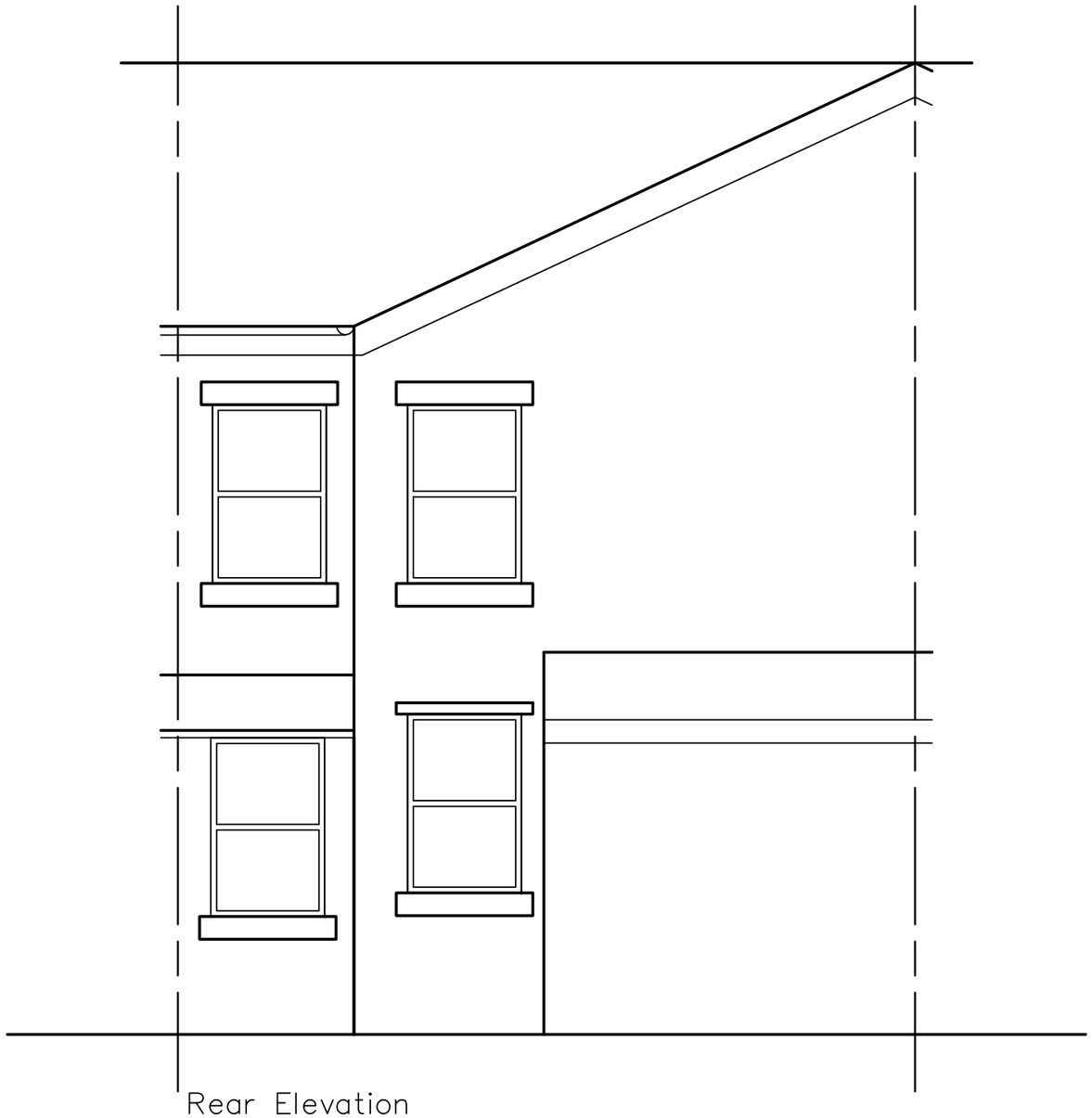
Scale@A3: 1:50

Dwg No.: 1084–001

Rev.: A



Front Elevation



Rear Elevation

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Checked by:

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Project: 7 Balmoral Road, Fallowfield, Manchester, M14 6WG

Client:

Dwg Title: Existing Front and Rear Elevations

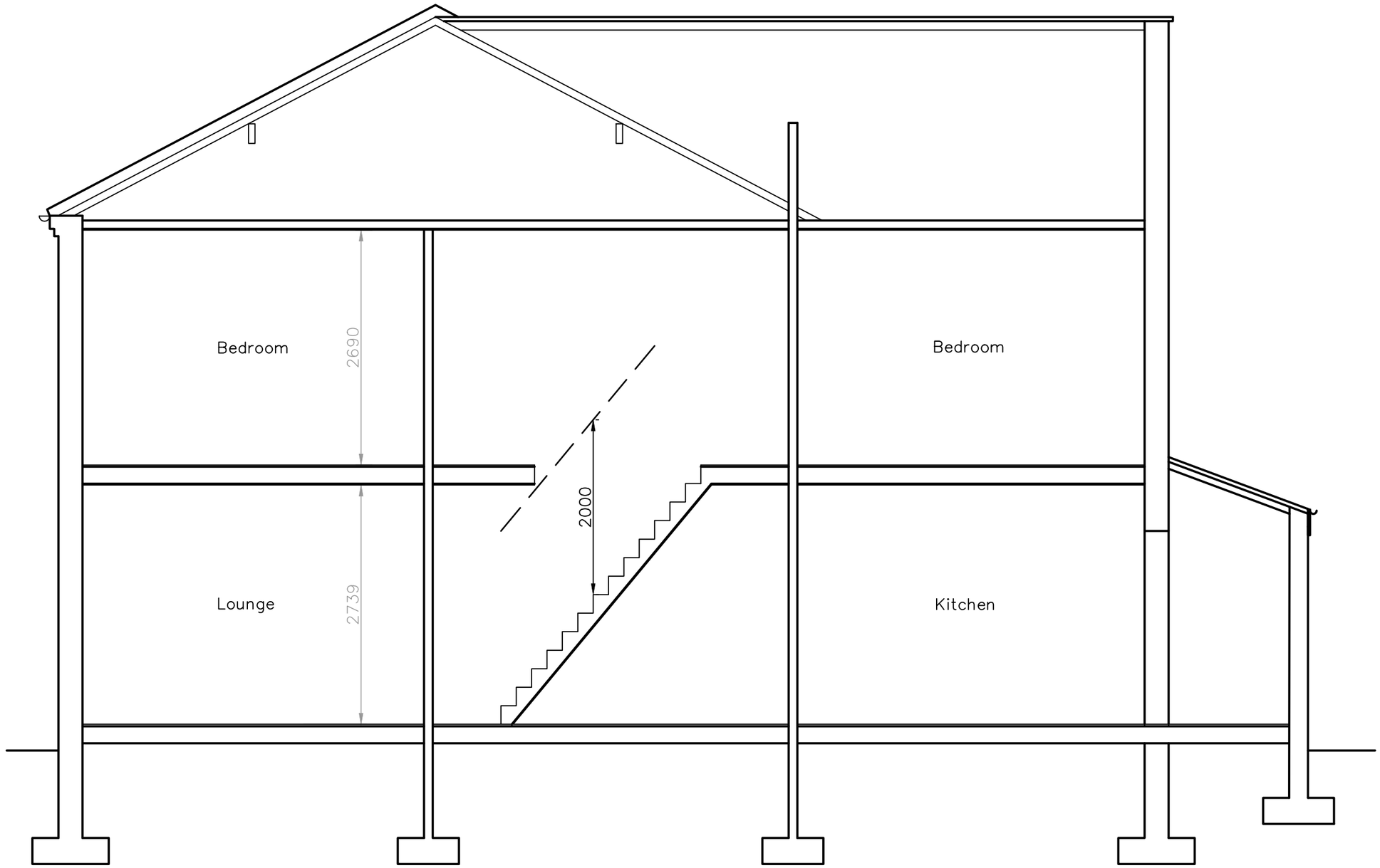
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Scale@A3: 1:75

Dwg No.: 1084–002

Rev.: A



Section A – A

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Project: 7 Balmoral Road, Fallowfield, Manchester, M14 6WG

Client:

Dwg Title: Existing section A – A

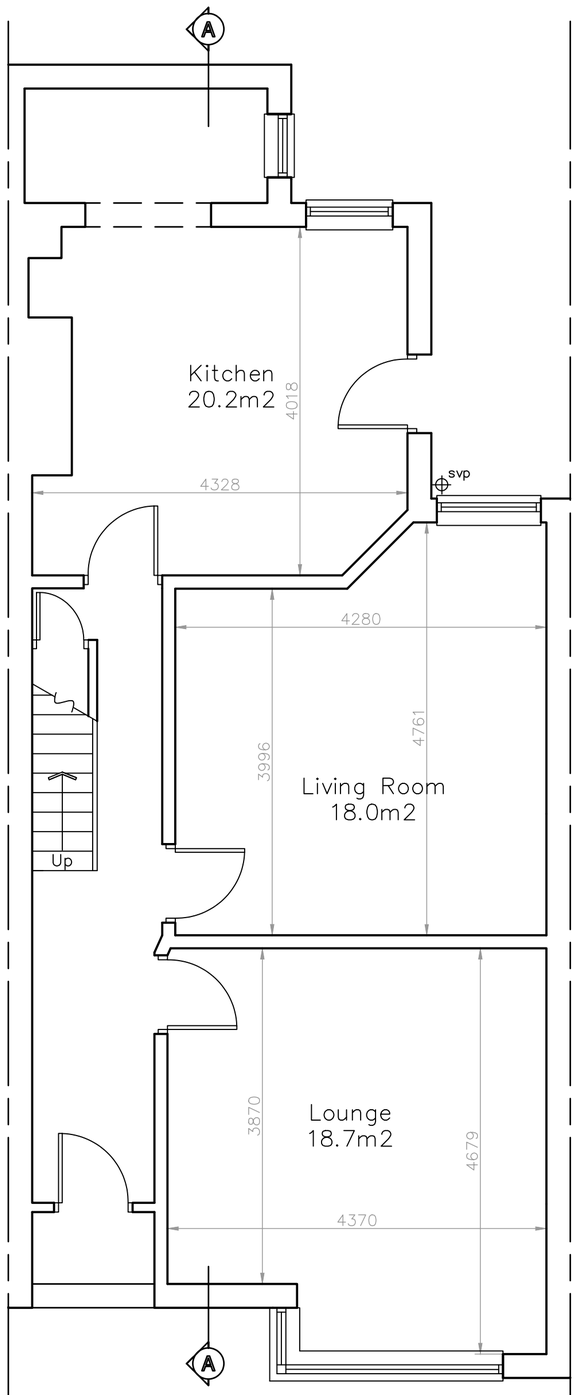
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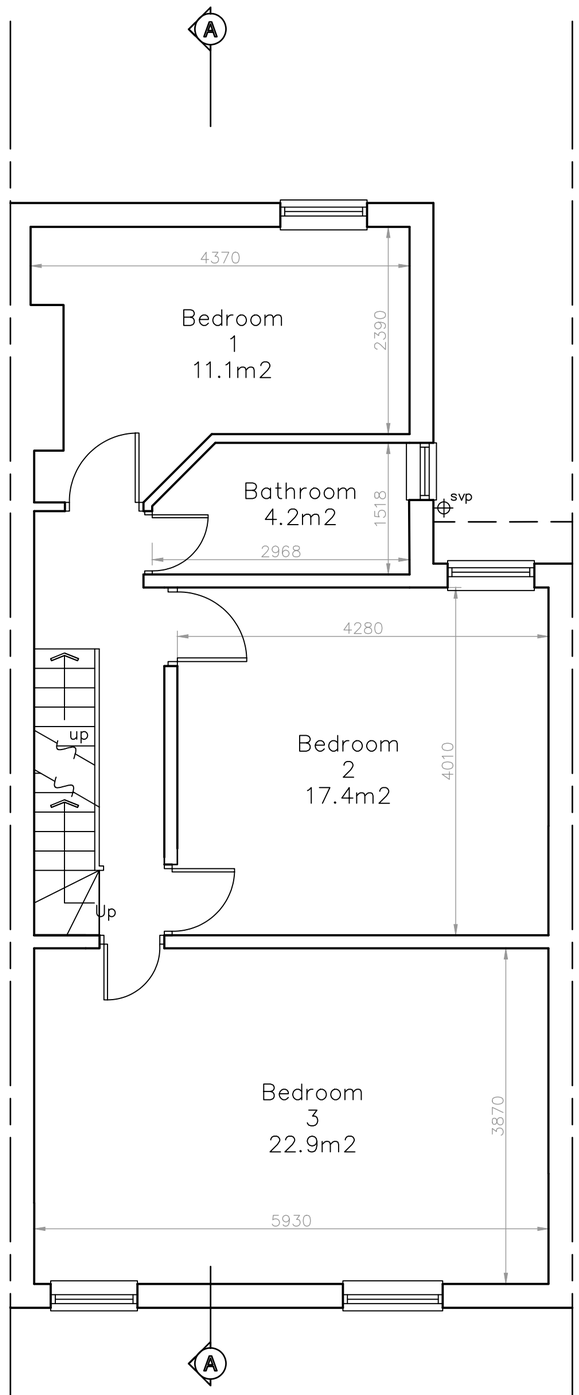
Scale@A3: 1:50

Dwg No.: 1084–003

Rev.: A



Ground Floor Plan



First Floor Plan

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Project: 7 Balmoral Road, Fallowfield, Manchester, M14 6WG

Client:

Dwg Title: Proposed GF + FF Plans

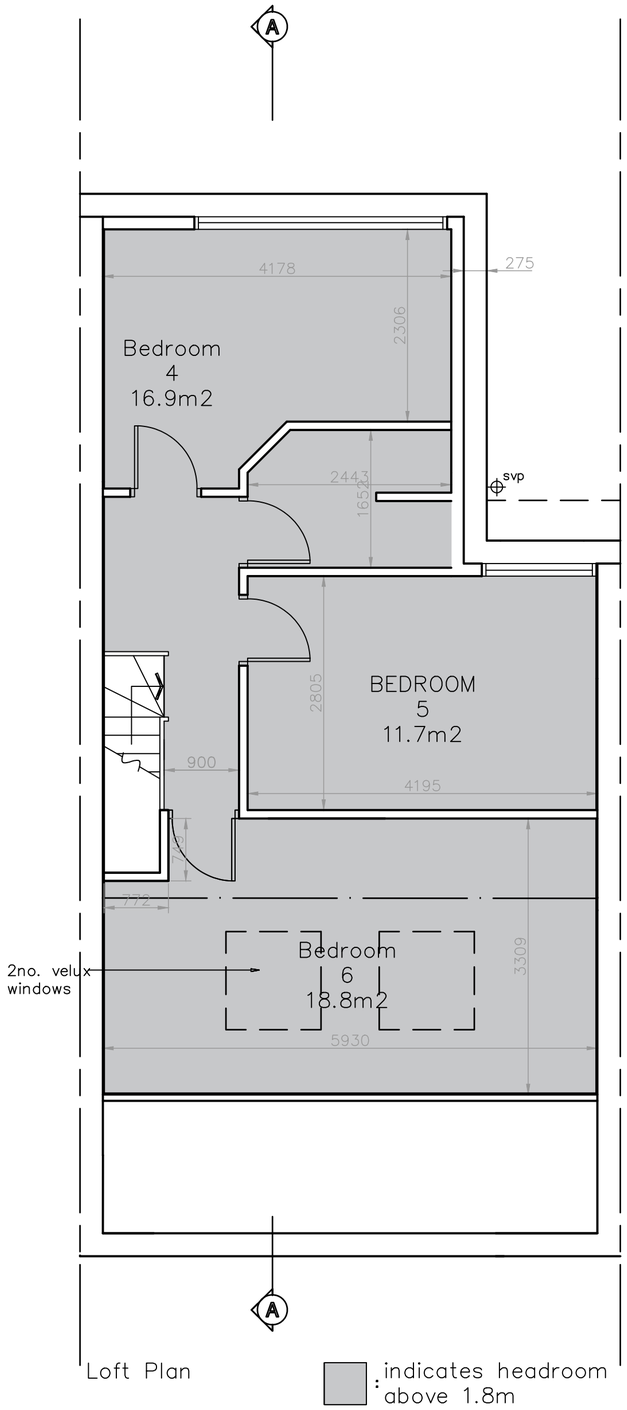
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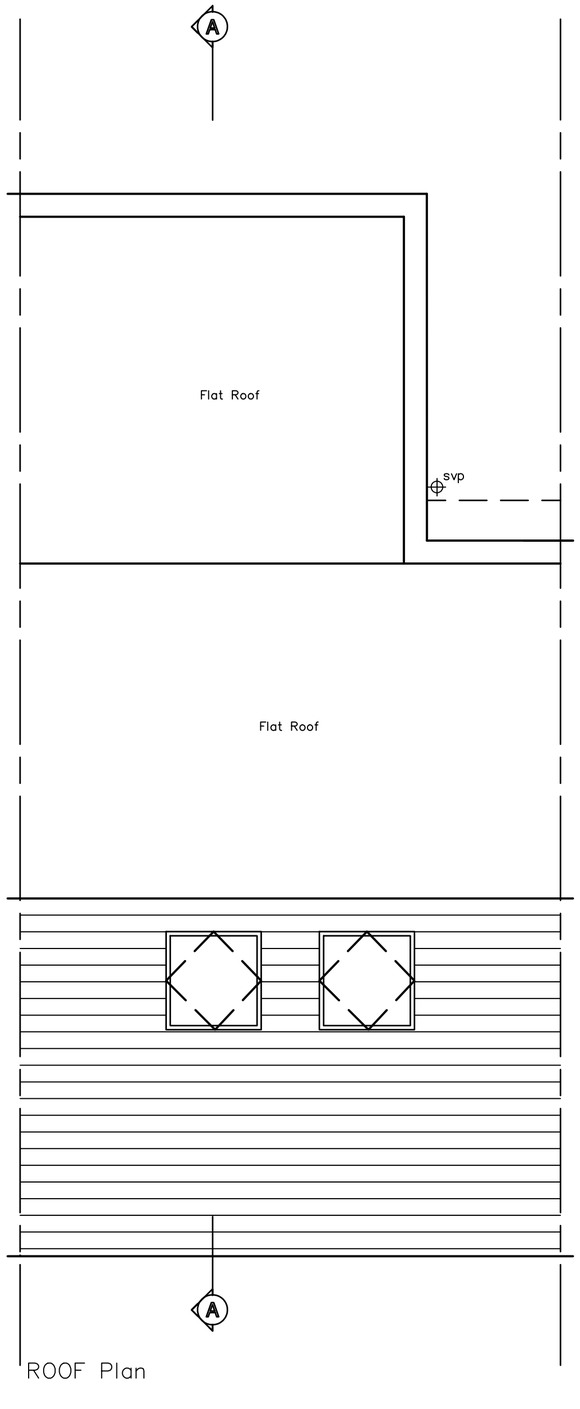
Dwg No.: 1084–004

Rev.: B



Loft Plan

: indicates headroom above 1.8m



ROOF Plan

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Project: 7 Balmoral Road, Fallowfield, Manchester, M14 6WG

Client:

Dwg Title: Proposed Loft + Roof Plans

Drawn: AC

Date: 09.12.18

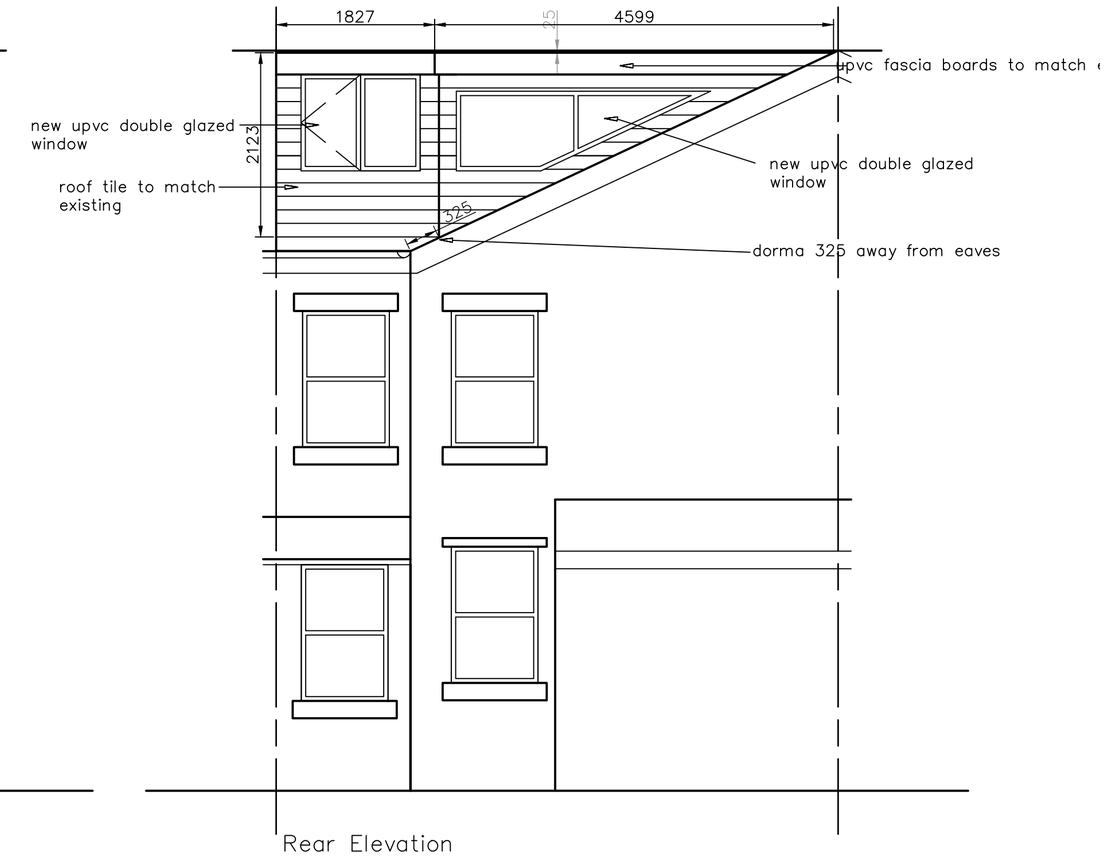
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Dwg No.: 1084–005

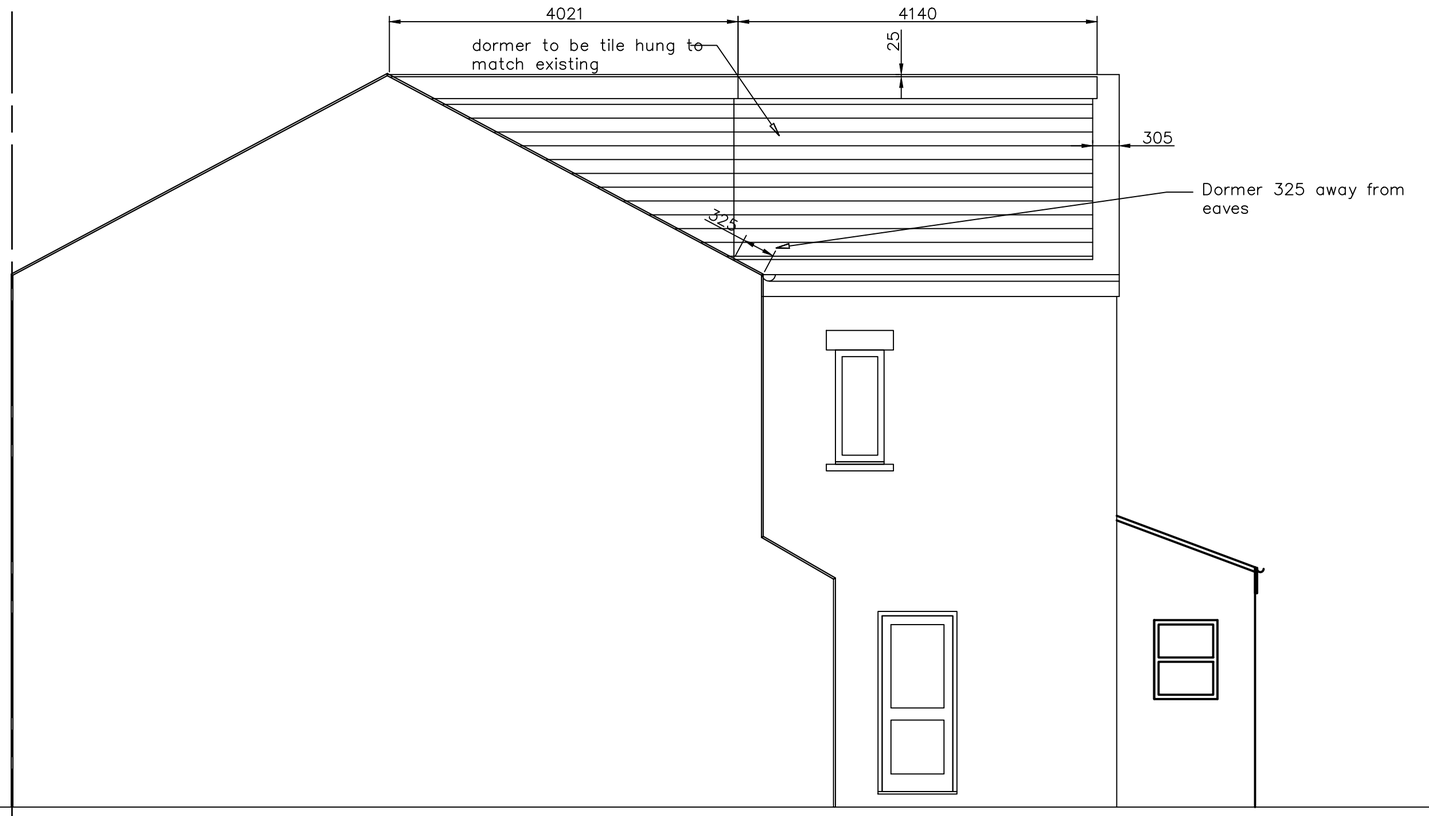
Rev.: B



Front Elevation



Rear Elevation



Side Elevation

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Project: 7 Balmoral Road, Fallowfield, Manchester, M14 6WG

Client:

Dwg Title: Proposed Elevations

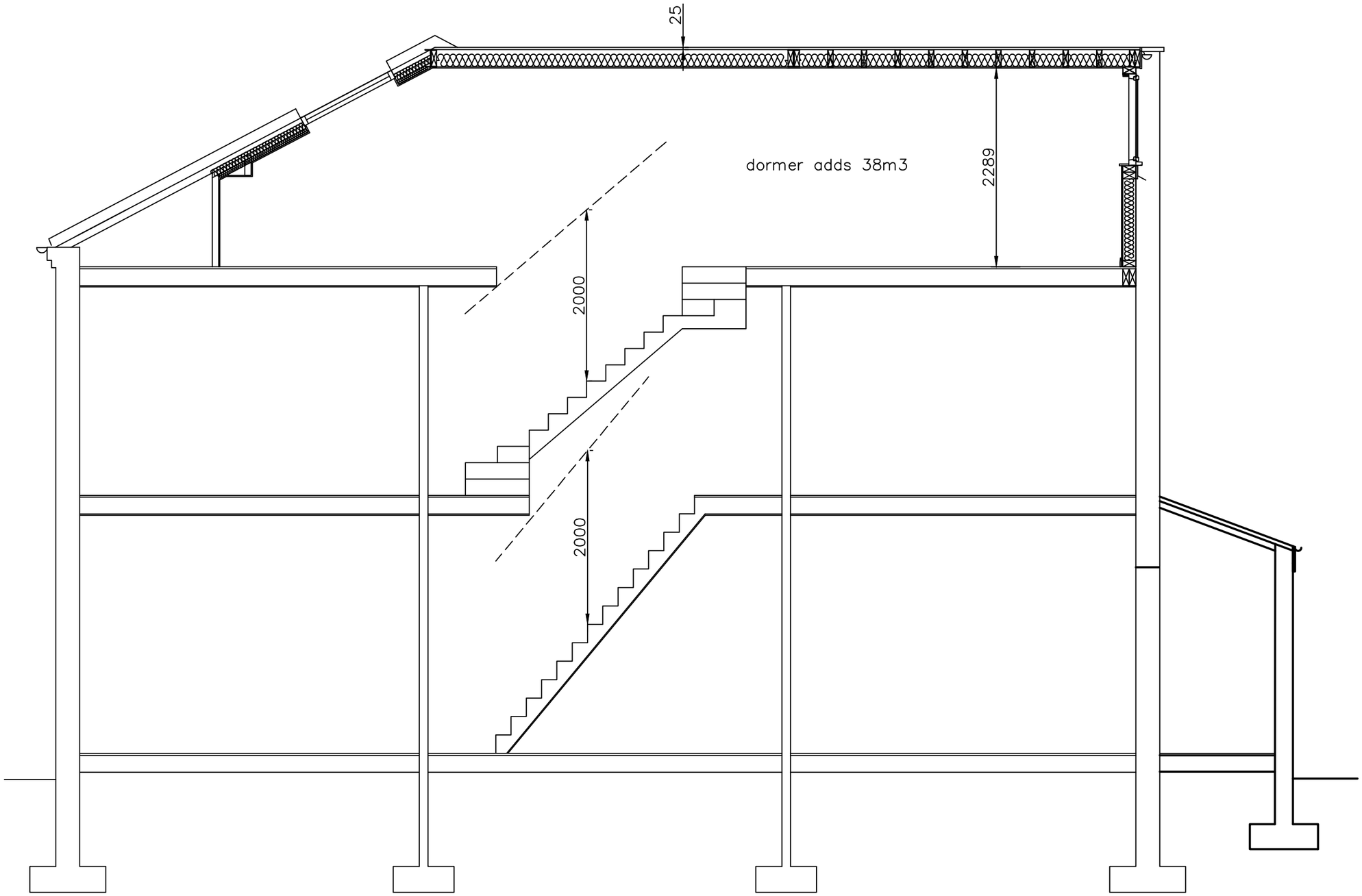
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Date: 09.12.18

Scale@A3: 1:50

Dwg No.: 1084–006

Rev.: B



Section A – A

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Project: 7 Balmoral Road, Fallowfield, Manchester, M14 6WG

Client:

Dwg Title: Proposed Section A – A

Drawn: AC

Date: 09.12.18

Scale@A1: 1:50

Dwg No.: 1084–007

Rev.: A

Citywide Development Control Policies

DEVELOPMENT CONTROL POLICIES - GENERAL STATEMENT

In addition to the policies set out in Part 1 of the Plan, and those contained within the 17 area statements, the Council will, as appropriate, apply detailed development control policies in relation to the following:-

1. Residential extensions
2. Rest homes and nursing homes (Class 2)
4. Bed and Breakfast establishments
5. Flat conversions
6. Housing proposals on "backland" sites
7. New housing development
10. Food and Drink uses
12. Commercial uses above shopping frontages
14. Shop fronts and related signs
15. Advertisements, hoardings and posters
17. Telecommunications
18. Conservation Areas
19. Listed Buildings
20. Archaeology
22. Footpath protection
23. Petrol filling stations
26. Development and Noise
28. Minerals

These development control policies may be supplemented from time to time with more detailed guidance for those applying for planning permission. These will not, in a legal sense, form a part of the Plan but, where they are prepared, the Council will have regard to them when considering whether to grant planning permission.

1. RESIDENTIAL EXTENSIONS

DC1.1 In determining planning applications for extensions to residential properties, the Council will have regard to:

a. the general character of the property;
b. the effect upon the amenity of neighbouring occupiers;
c. the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
d. the overall appearance of the proposal in the street-scene;
e. the effect of the loss of any on-site carparking.

DC1.2 Extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

a. they are not excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings);
b. they do not create an undue loss of sunlight, daylight or privacy;
c. they are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details;
d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:

possible. This policy will ensure that the matter is taken fully into account when applications for planning permission are considered.

23. PETROL FILLING STATIONS

DC23.1 In determining planning applications for developments involving petrol filling stations, the Council will have regard to:
a. the general location of the proposed development;
b. the effect on the amenities of neighbouring occupiers;
c. the need for safe and convenient arrangements for access, circulation, and egress;
d. road safety and the safety of pedestrians;
e. the adequacy of the local traffic circulation system and prevailing local traffic conditions;
f. ease of use for all, including disabled people;
g. the need to achieve a design which results in
a satisfactory relationship with the streetscene;
h. quality of materials, including hard and soft landscaping, and the amount and prominence of advertisements and signs.

DC23.2 The Council will normally accept the principle of developments of this kind in:
a. industrial and commercial areas;
b. in residential areas as part of a larger redevelopment scheme;
c. along major traffic routes.

DC23.3 Developments of this kind will not be permitted:
a. outside the general locations mentioned above;
b. where these would be a hazard to the safety of pedestrians or drivers;
c. where there are heavy pedestrian flows within shopping centres or near the entrances to schools etc;
d. where there would be significant detriment to the amenity of occupiers of nearby residential premises, either from the operation of the filling station itself, or associated facilities such as car-wash equipment;
e. unless the applicant submits an independent environmental assessment of pollution risks and adequate remedial plans.

Reasons :-

Filling stations are clearly necessary developments. As with any other land use, the planning system should not be used to attempt to regulate their numbers or distribution for reasons which go beyond planning considerations. The policy therefore restricts itself to dealing with their effects on public safety; the generation of noise and fumes and their impact on nearby residents; and the need to integrate what can often be visually awkward structures satisfactorily into the street-scene.

26. DEVELOPMENT AND NOISE

DC26.1 The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:
a. the effect of new development proposals which are likely to be generators of noise; and
b. the implications of new development being exposed to existing noise sources which are effectively outside planning control.

DC26.2 New noise-sensitive developments (including large-scale changes of use of existing land or buildings), such as housing, schools, hospitals or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the Council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.

DC26.3 Developments likely to result in unacceptably high levels of noises will not be permitted:
a. in residential areas;
b. near schools, hospitals, nursing homes and similar institutions;
c. near open land used frequently for recreational purposes.

DC26.4 Where the Council believes that an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, it will in either case require the applicant to provide an assessment of the likely impact and of the measures he proposes to deal satisfactorily with it. Such measures might include the following:
a. engineering solutions, including reduction of noise at source, improving sound insulation of sensitive buildings or screening by purpose-built barriers;
b. layout solutions, including consideration of the distance between the source of the noise and the buildings or land affected by it; and screening by natural barriers or other buildings or non-critical rooms within a building; and
c. administrative steps, including limiting the operating times of the noise source, restricting activities allowed on the site or specifying an acceptable noise limit. Any or all of these factors will be considered appropriate for inclusion in conditions on any planning permission.

DC26.5 The Council will control noise levels by requiring, where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate.

DC26.6 Exceptions to the general policy will be considered on their merits. The Council accept, as an example, that the occasional use of outdoor facilities such as sports stadia for concerts can be acceptable in certain circumstances. Any such proposal will be considered in the light of consultation with local residents and others, and the practicability of appropriate conditions on any approval.

Reasons :-
It has become increasingly accepted that noise is a major source of environmental pollution, affecting peoples' physical and mental health. The Council considers that the planning process has a role to play in reducing noise levels generally and, through the development control system, to consider carefully the relationship between different land-uses from the point of view of noise generation and impact. Reaching judgments on what is or is not an acceptable amount or type of noise is a complex matter, consideration of which will depend on the particular circumstances on the ground.

(NOTE: The Council will issue more detailed advice on the subject as supplementary guidance, and this will have regard to current Government policy. The UDP policies therefore are limited to broad principles. Two key areas are:
i) a presumption against allowing highly "noise sensitive" uses (such as housing and schools) so close to existing noise sources that problems would be likely to result. An existing noisy factory, for example, is entitled to some protection from objection about its activities from future residential neighbours, who would themselves feel entitled to a reasonable degree of residential amenity; and
ii) the reverse situation, where there would be an equal presumption against allowing noisy, or potentially noisy, activities into an area with low ambient noise levels, and where people would have a reasonable expectation that no significant increase in those background levels would be allowed. Where the relationship is difficult to predict, the Council will place the onus for assessing the noise impact of, or upon, a proposed new development on the developer, and will consult (in particular) with the Director of Environmental Health. The policy sets out the range of measures which are available to help to reduce the noise effect to acceptable levels. As well as conditions on any planning permission, a "planning obligation" (for example, an Agreement under Section 106 of the Town and Country Planning Act 1990) may be appropriate to ensure key measures are taken effectively).



Guide to Development in Manchester Supplementary Planning Document and Planning Guidance Adopted April 2007



Flexibility

10.5 *Developments that do not lend themselves readily to adaptation should be avoided, for example, a student hall of residence which cannot be easily converted to self-contained flats.*

Safety and Security

10.6 *Developers should avoid layouts that undermine the integrity of the means of escape, for example, one that requires occupants to escape from a room via a high-risk area such as a kitchen. In innovative layouts such as loft apartments and open-space multi-functional rooms, the layout should site the kitchen facilities well away from the expected escape route.*

10.7 *Designs must also feature a holistic approach to security – avoiding poorly designed common areas, and inadequate internal security features, for example. It will be important to ensure that no tension exists between safety and security, notably between the need to ensure unhindered escape from a property in case of fire and the need to prevent unauthorised access.*

Innovation

10.8 *The huge popularity of loft apartments has helped drive the conversion of industrial and warehouse buildings into residential accommodation and thus the growth of city-centre living. Innovative design approaches have enabled architects to tackle the inherent problems presented by the deep footprints of such buildings. We are keen to encourage and work with developers to find ways to facilitate innovation without undermining the other key design principles.*

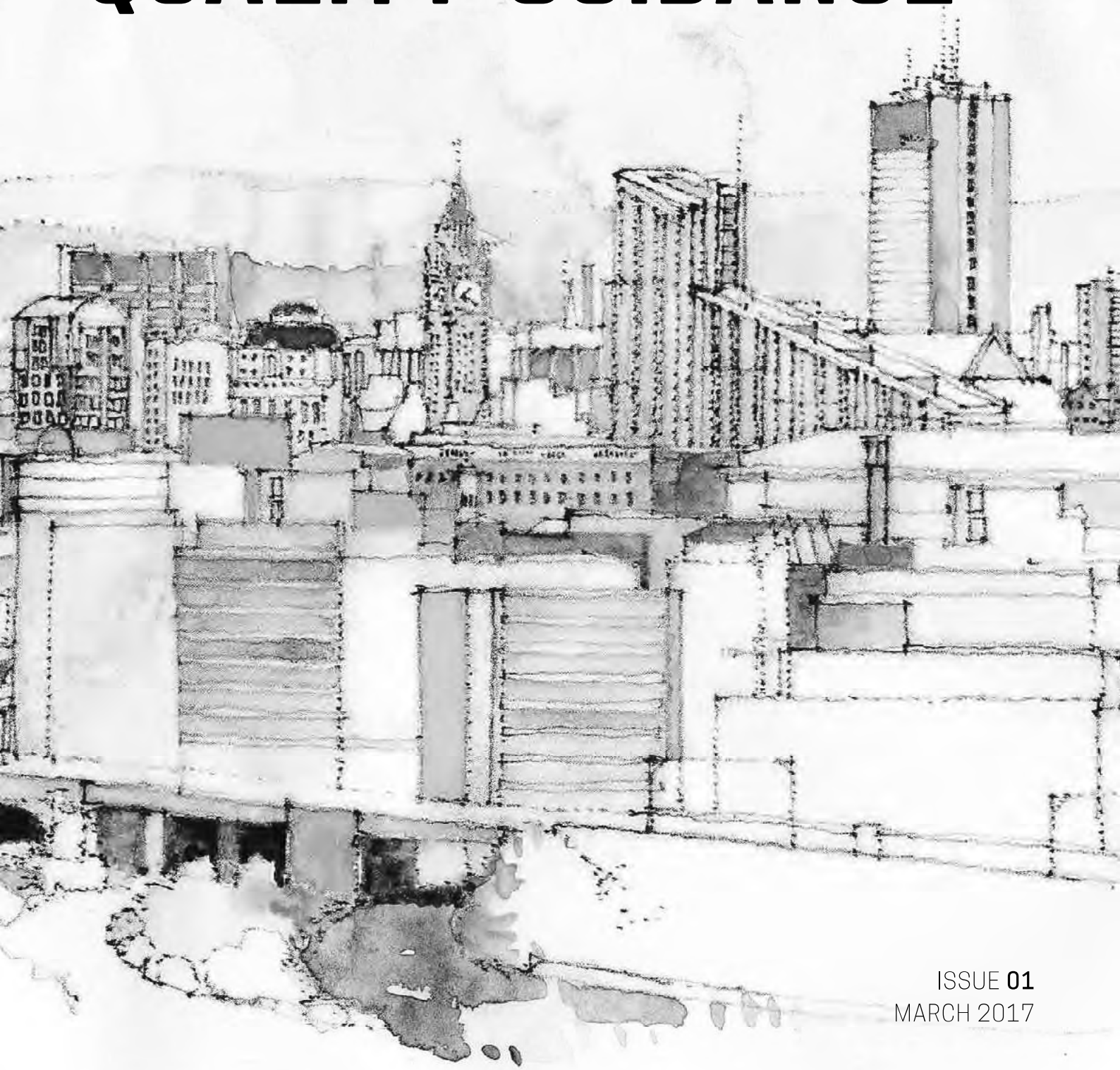
External Space

10.9 *All residents should enjoy useable private amenity space wherever they choose to live in the City. All new developments should be designed to provide on-site amenity space which is fit for purpose and which is informed by, and relates to, the character of the area. Simply this means the provision of gardens that perform well as multi-functional space. Gardens are valuable within any development by contributing the following:*

- *A safe play area for children*
- *Additional storage outside the house*
- *The provision of outside drying area for clothes which additionally assists the environmental sustainability of a development*
- *Space in which to relax which helps the overall sense of well-being*

MANCHESTER

RESIDENTIAL QUALITY GUIDANCE



ISSUE **01**

MARCH 2017

ADDRESS
NEIGHBOURHOOD
STREET/BLOCK
BUILDING

4 ENSURE VISUAL AND ACOUSTIC PRIVACY

Overlooking (back-to-back) distances between residential properties needs to balance the desire for sufficient residential privacy whilst offering scope for different development options to come forward in response to a site's context.

While the norm is for a back-to-back distance of 20m, this can be restrictive and a reduction may be appropriate where facing uses are compatible, there remains a sufficient amount of daylight and residents enjoy a sense of space without feeling overcrowded.

Consideration should be given to ways of reducing direct overlooking; for example organising internal rooms so that living spaces are not arranged opposite bedrooms.

Homes are places of retreat. Residents should be able to 'shut out' the external world and enjoy sleep without suffering from either external noise generated by traffic or the public realm; or from neighbouring homes, common spaces or other functions in the building.

Acoustic separation, when measured at the line of inside face of the external and party walls should achieve Building Regulations requirements plus 5dB.

ADDRESS
NEIGHBOURHOOD
STREET/BLOCK
BUILDING

5 DELIVER PRIVATE EXTERNAL AMENITY SPACE

Sufficient private amenity space that meet the demands and needs of the intended users will be encouraged.

This should be no less than 5 sq. m in the case of one bed units, increasing to 7 sq. m for two bedroom units and 9 sq. m for a three bed units.

Generally speaking, private space should be directly related to the home so that there is a sense of ownership, it is readily accessible and easily maintained.

For private amenity space to be successful and fulfil its function it also needs to be located in the right place to ensure that it is usable and therefore used and loved.

Account needs to be taken of its aspect, the orientation, levels of over shadowing and the prevailing weather direction.

MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	124480/FO/2019
Date registered:	8 August 2019
Proposal:	Change of use from class C4 small HMO (6 bed) to Sui Generis large HMO (8 bed)
Address:	7 Balmoral Road, Manchester, M14 6WG
Ward(s):	Fallowfield Ward
Applicant:	Mr Rory Dillon 61 Mosley Street, Manchester, M2 3HZ
Agent (if any):	Mr Matthew Hard WSP Indigo St James Tower, 7 Charlotte Street, Manchester, M1 4DZ
Case officer:	Carl Glennon Tel: 0161 234 4530 Email: c.glennon@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	1 October 2019

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 5 September 2019

Standard consultations:
Printed: 14 August 2019 Expired: 4 September 2019

Neighbour notifications
Printed: 14 August 2019 Expired: 4 September 2019

Site notice
No site notice has been produced

Press advert
No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application relates to a traditional 2-storey red-brick terraced house, in a residential location with high levels of student occupation. The building has a 2-storey outrigger projecting into a rear yard enclosed by brick wall with access into a gated alleyway. The site does not benefit from off street car parking.

The use of the house as a small scale [house in multiple occupation] HMO (Class C4) was established through the following application: 122496/LE/2019 (approved 22 February 2019). A roof extension is currently being implemented that relates to the following consent referenced:

123082/LP/2019 - Application for Lawful Development Certificate for dormer roof extension to main roof and outrigger to rear of existing HMO (Approved 7 May 2019).

Description of development

Permission granted under 123082/LP/2019 included the following caveat, which reflected the local planning authority (LPA) concerns regarding the future intensity of the occupation of the property:

‘The proposed roof extension to the rear of 7 Balmoral Road, on the basis of application forms and drawings stamped as received by the City Council as local planning authority on 20 March 2019 and 23 April 2019 and referenced:

Location plan with a red edge;
Existing Ref: 1084-001 Rev A;
Existing front and rear elevations Ref: 1084-002 Rev A;
Existing section A-A Ref: 1084-003 Rev A;
Proposed GF & FF plans Ref: 1084-004 Rev B;
Proposed loft and roof plan Ref: 1084-005 Rev B;
Proposed Elevations Ref: 1084-006 Rev B;
Proposed Section A-A Ref: 1084-007 Rev A

constitutes permitted development in accordance with 'The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Article 3, Permitted development rights, Part 1, Class B, Permitted development - The enlargement of a dwellinghouse consisting of an addition or alteration to its roof and Class C - other alterations to the roof of a dwellinghouse and *on the basis that the house would comprise no more than 6 bedrooms and be occupied by no more than 6 people.’*

The proposed development seeks to remove this occupancy restriction through the formation of a large scale HMO to be occupied by a maximum of 8 bedrooms. The roof extension would be accommodated over 3 floors following the construction of the roof extension. The configuration of the internal space would be arranged as follows:

i. Ground floor – Hallway with a front door directly accessing from Balmoral Road, lounge, Bedroom 1 (18 sq. metres), kitchen;
ii. First floor – Bedroom 2 (11.1 sq. metres) Bedroom 3 (12.8 sq. metres), Bedroom 4 (13.3 sq. metres), Bedroom 5 (15.6 sq. metres) and 1 x bathroom;
iii. Second floor (roof space) – Bedroom 6 (16.9 sq. metres), Bedroom 7 (11.7 sq. metres) and Bedroom 8 (18.8 sq. metres).

The property has a rear yard with access to an alleyway, which is gated and contains communal segregated waste storage.

Consultations & Notification Responses

Local Residents – No comments received.

Head of Highway Services – The following comments have been received:

i. The site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities;
ii. It is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns;
iii. No on-site parking is provided and we consider that any additional on-street parking demands generated can be accommodated within the local road network;
iv. It is recommended that cycle storage is provided as part of the development.
v. The existing waste management arrangements are being retained with bins stored in the gated alleyway to the rear with local authority collection from Braemar Road.

vi. The existing pedestrian access is being retained and is acceptable to Highways.

South East Fallowfield Residents Association - Object to the proposal on the following grounds:

i. A previous permission to extend the property was conditioned with limitation of occupation to 6 bedrooms and 6 people. An increase to 8 bedrooms would result in and over intensification of the use of the property;
ii. This will have a detrimental impact on the sustainability and character of an area in which there is already a high concentration of houses in multiple occupation.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system `only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through `which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

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

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

i. Chapter 5 Delivering a sufficient supply of homes - States that to support the Government's objective of significantly boosting the supply of homes, it is important that: a sufficient amount and variety of land can come forward where it is needed; the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay (paragraph 59). In this case, the development would increase the intensity of occupation and related noise and disturbance. The impact of the development on the character of the area would not secure the sustained occupation of the building and would thereby fail to be positively related to chapter 5.

ii. Chapter 12: Achieving well-designed places - States that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (paragraph 124). In this case, the reconfiguration of the existing house would facilitate and overly intensive occupation the site that would be detrimental to the amenities of occupying and neighbouring residents. It would therefore fail to accord with chapter 12.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key

planning issues of significance to applicants and local authorities. In considering this application consideration has been given to the following aspects of the PPG:

i. Consultation and pre-decision matters;
ii. Design;
iii. Health and well-being;
iv. Noise.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 (`the Core Strategy') was adopted by the Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

Policy SP 1 Spatial Principles - States the key spatial principles which will guide the strategic development of Manchester to 2027. The key areas of policy SP1, pertinent to this application, are:

i. The creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment;
ii. Ensuring that the proposed development has regard to the character, issues and strategy for each regeneration area.

The following principles as set out in policy SP1 and relevant to the proposal are:

i. The development should make a positive contribution to neighbourhoods of choice including:
a. creating well designed places that enhance or create character.
b. making a positive contribution to the health, safety and wellbeing of residents
c. considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
d. protect and enhance the built and natural environment.
ii. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

For the reasons, set out in this report it is not considered that the development would accord with policy SP1, particularly with regard to the intensity of the use and related excessive noise and activity.

Policy EN19 Waste - Relates to waste management and requires that consideration is given to consideration of the submitted details relating to the applicant's proposals for the provision of a waste management plan to demonstrate how:

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

In this case, there is concern that the communal waste facilities may not accommodate the additional demand, which would raise concern that policy EN19 could be complied with.

Policy T1 Sustainable Transport - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport. The policy states that the Council will support proposals that, amongst other things:

i. Improve choice by developing alternatives to the car;
ii. Promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services, particularly for those most in need and for those without a car;
iii. Improve pedestrian routes and the pedestrian environment;
iv. Reduce the negative impacts of road traffic, for example, congestion, air pollution and road accident casualties.

Furthermore, development should take account of the needs of road users according to a broad hierarchy consisting of (in the following priority):

i. Pedestrians and disabled people;
ii. Cyclists, public transport;
iii. Commercial access;
iv. General off peak traffic;
v. General peak time traffic.

Although the site is located on a bus route, it is the case that there is notable on-street car parking. The potential for the development to exacerbate on street car parking would be a significant concern; as would the lack of secured cycle storage to offset the need for private car usage.

Policy DM 1 Development Management - Discusses a range of issues that all development should have regard to. The following specific issues are relevant to the consideration of this application:

i. The impact of the development on the character of the surrounding area;
ii. Effects on amenity, including privacy, noise and traffic generation;
iii. Community safety and crime prevention;
iv. Design for health;
v. Adequacy of internal accommodation and external amenity space;
vi. Refuse storage and collection;
vii. Vehicular access and car parking.

Given the stated LPA concerns regarding the intensity of the proposed use and its harmful impact on residential amenity and well-being, it is not considered that the development would be appropriately related to policy DM1.

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

DC26 - Development and Noise

Policy DC26.1 - The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:
a. The effect of new development proposals which are likely to be generators of noise and
b. The implications of new development being exposed to existing noise sources which are effectively outside planning control.

In the case of the application site, the surrounding has a high concentration of HMO/student housing and the development contribute to an existing circumstance with a high potential for noise, disturbance and activity, including during the late evening and weekends. The resulting harm would be contrary to saved policy DC26.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. This includes the identification of issues and 'problems' associated with the proposals that have required positive consideration, dialogue and negotiation to secure positive outcomes.

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case the applicant was advised that it is not considered that the development would be capable of accommodating the proposed increase in the intensity of occupation. The surrounding area has a high proliferation of shared accommodation rented by students. It is likely that student rental would occur in this case and a relatively transient form of occupation would be increased with additional levels of concentrated noise activity and disturbance. The resulting impact would be harmful to residential amenity. It is also considered that the development would result in the cramped and overly intensive occupation of the property and quality of accommodation formed within it would not encourage its sustained occupation. Furthermore, given the proposed number of occupant it is likely that there would be some generation of residents' car parking. This would be particularly significant in a locality with a high occurrence of on-street car parking. The applicant was advised that the development would not be supported and the applicant was given the opportunity to withdraw the planning application. The applicant confirmed that the planning application should be determined so that an appeal could be pursued. On this basis no further negations was undertake, the planning application was supported with sufficient information to allow its determination.

Principle of the development – The City Council recognises the valuable contribution that well managed HMOs can make to the provision of affordable housing but stresses the importance of careful siting to avoid negative impacts on residential amenity. It is acknowledged that the intensity of use associated with unrelated households living together, different lifestyles and different patterns of behaviour can cause frequent comings and goings with associated noise and disturbance. It is considered that HMOs tend to attract people who will live in the property for a comparatively short period of time and consequently they do not have the same interest in the well-being of an area as those who are less transient. It is believed that this cyclical change in occupiers has a negative impact on the character and appearance of the area.

In this case, it is acknowledged that proposals relates to an established small scale HMO. Consideration has therefore been given to the potential impact of an increase in its occupation. A lawful development certificate in relation to application ref: 123082/LP/2019, facilitates the conversion of the property into a 6 bedroom Class C4 HMO (established through a certificate of lawful development ref: 122496/LE/2019). However, there is concern that the proposal would significantly increase the occupation of the property, which is currently being extended. It is considered that the application relates to a relatively modest terraced house with amenity space in a small rear yard and no off-street car parking. Given the constraints of the site, it is not considered that the development would be capable of accommodating the proposed increase in the intensity of occupation. The principle of the development is not considered to be acceptable.

Residential amenity - The surrounding area has a high proliferation of shared accommodation rented by students and it is likely that student rental would occur in this case. The transient and

intensity nature of potential occupation and increased with additional level of concentrated noise activity and disturbance would be particularly significant as it would be related to a large scale 8 bedroom HMO, i.e., the development would exceed a characteristic level of occupation in a locality that more commonly accommodates Class C4 HMOs with occupation by no more than 6 people. In addition to the potentially harmful impact neighbouring residents, it is also considered that the development would result in the cramped and overly intensive occupation of the property and quality of accommodation formed within it would not encourage its sustained occupation. Such circumstances would be potentially harmful to the residents of the application property.

Car and cycle parking - Given the potential number of occupants, it is likely that there would be some generation of residents' car parking. This would be particularly significant in a locality with a relatively high occurrence of on-street car parking along a short section of highway. No provision has been made for secured cycle storage. It is therefore considered that the development would thereby exacerbate these circumstances to the detriment of residential amenity.

Waste – Whilst acknowledging that the development would be serviced by communal waste storage, it is the case that the intensity of occupation may significantly increase the generation of waste. No information has been provided to demonstrate whether communal waste facilities would be capable of accommodating this additional waste.

Conclusion - The City Council maintains that the increased intensity of the potential occupation of the property would increase the levels of noise and activity in and around the site and thereby be harmful to residential amenity and the formation of sustainable communities.

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 polices 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: Refuse

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case the applicant was advised that it is not considered that the development would be capable of accommodating the proposed increase in the intensity of occupation. The surrounding area has a high proliferation of shared accommodation rented by students. It is likely that student rental

would occur in this case and a relatively transient form of occupation would be increased with additional levels of concentrated noise activity and disturbance. The resulting impact would be harmful to residential amenity. It is also considered that the development would result in the cramped and overly intensive occupation of the property and quality of accommodation formed within it would not encourage its sustained occupation. Furthermore, given the proposed number of occupant it is likely that there would be some generation of residents' car parking. This would be particularly significant in a locality with a high occurrence of on-street car parking. The applicant was advised that the development would not be supported and the applicant was given the opportunity to withdraw the planning application. The applicant confirmed that the planning application should be determined so that an appeal could be pursued. On this basis no further negations was undertake, the planning application was supported with sufficient information to allow its determination.

Reasons for recommendation to refuse

1) The proposed development would significantly increase the potential occupation of an existing house in multiple occupation and would therefore result in an over intensive use and transient occupation of the property resulting in a consequential increase in the levels of noise and disturbance from associated activity and associated comings and goings, noise levels, waste generation and demand for parking. The potential intensity of occupation of the dwellinghouse as a large scale HMO would also undermine the formation of sustainable communities and have a detrimental impact upon the amenity of neighbouring residential occupiers, which would be contrary to policies DM1 and SP1 of the Core Strategy for the City of Manchester and policy DC26 of the Saved Unitary Development Plan.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

5 Balmoral Road, Manchester, M14 6WG
3 Braemar Road, Manchester, M14 6PR
2 Braemar Road, Manchester, M14 6PS
9 Balmoral Road, Manchester, M14 6WG
92 Moseley Road, Manchester, M14 6PA
Lowry House, Opal Court, Moseley Road, Manchester, M14 6ZT
11B Balmoral Road, Manchester, M14 6WG
13A Balmoral Road, Manchester, M14 6WG
11A Balmoral Road, Manchester, M14 6WG
Lowry House Flat 14 – 16 (all) , Opal Court, Moseley Road, Manchester, M14 6ZT
Lowry House Flat 12, Opal Court, Moseley Road, Manchester, M14 6ZT
1 Balmoral Road, Manchester, M14 6WG
Lowry House Flat 13, Opal Court, Moseley Road, Manchester, M14 6ZT
Lowry House Flat 11, Opal Court, Moseley Road, Manchester, M14 6ZT
Lowry House Flat 1 – 9 (all), Opal Court, Moseley Road, Manchester, M14 6ZT
4 Braemar Road, Manchester, M14 6PS
1 Braemar Road, Manchester, M14 6PR
94 Moseley Road, Manchester, M14 6PA
Lowry House Flat 10, Opal Court, Moseley Road, Manchester, M14 6ZT
3 Balmoral Road, Manchester, M14 6WG
15 Balmoral Road, Manchester, M14 6WG
13 Balmoral Road, Manchester, M14 6WG

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Area Team Boundary - Name: NORTH2

MANCHESTER CITY COUNCIL

Houses in Multiple Occupation Guidance and Amenity Standards

Manchester City Council: Standards for Houses In Multiple Occupation

Contents

1. Introduction
2. Definitions
3. General Housing Conditions Applicable to all HMOs- HHSRS
4. Standards Applicable to HMOs
5. Space Standards
6. Amenity Standards
7. Means of Escape in case of Fire/ Fire Standards
8. Certification

1. Introduction

This booklet sets out Manchester City Council's Standards for Houses in Multiple Occupation operating within the borough. These standards are based on legislative requirements, and relevant guidance as well as Manchester City Council's expectations of HMOs in the City.

These standards are intended to provide landlords and tenants with guidance on the City Council's expectations and its interpretation of legislation. If you are in any doubt about any of these standards please contact the City Council and we will be happy to discuss them with you.

The accompanying document *Manchester's Houses in Multiple Occupation Conditions* sets out the conditions applicable for Licensable HMO properties and would form part of all HMO licences. Licensed HMO properties are required to comply with all conditions. These conditions are good practice guide for landlords with non licensable HMO's to follow.

It may be that you wish to vary one of more of the standards because your property's circumstances mean a different solution would work better. Providing the solution is within the legislative framework and provides tenants with a safe home and a better quality product, wherever we can Manchester City Council may adopt a flexible approach in discussions with a landlord, providing discussions take place ahead of any licensing inspection.

Enquires about HMOs can be made to:

Manchester City Council
Neighbourhood Services
P.O. Box 532
Town Hall
Manchester
M60 2LA

Tel: 0161 234 5500
Fax: 0161 234 5223

Email: HMOlicensingenquiry@manchester.gov.uk

2. Definitions

Meaning of "house in multiple occupation" under the Housing Act 2004

The Housing Act defines a building or a part of a building is a "house in multiple occupation" if it meets one of the following tests as set out in section 254 of the Housing Act-

- "the standard test";
- "the self-contained flat test";
- "the converted building test";
- an HMO declaration is in force;
- it is a converted block of flats

A building or a part of a building meets the standard test if:

1. it consists of one or more units of living accommodation not consisting of a self-contained flat or flats;
2. the living accommodation is occupied by persons who do not form a single household *(see section 258 of the Housing Act for a definition of persons not forming a single household)*;
3. the living accommodation is occupied by those persons as their only or main residence or they are to be treated as so occupying it *(see section 259 of the Housing Act for a definition of persons treated as occupying premises as only or main residence)*;
4. their occupation of the living accommodation constitutes the only use of that accommodation;
5. rents are payable or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation; and
6. two or more of the households who occupy the living accommodation share one or more basic amenities or the living accommodation is lacking in one or more basic amenities.

A part of a building meets the self-contained flat test if:

1. it consists of a self-contained flat; and
2. paragraphs (b) to (f) of subsection (2) apply (reading references to the living accommodation concerned as references to the flat).

A building or a part of a building meets the converted building test if:

1. it is a converted building;
2. it contains one or more units of living accommodation that do not consist of a self-contained flat or flats (whether or not it also contains any such flat or flats);
3. the living accommodation is occupied by persons who do not form a single household (*see section 258 of the Housing Act for a definition of persons not forming a single household*);
4. the living accommodation is occupied by those persons as their only or main residence or they are to be treated as so occupying it *(see section 259 of the Housing Act for a definition of persons treated as occupying premises as only or main residence)*;
5. their occupation of the living accommodation constitutes the only use of that accommodation; and
6. rents are payable or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation.

HMO declarations:

Where the local authority are satisfied that a building or part of a building meets one of the above tests they may serve a notice under section 255 of the Housing Act “an HMO Declaration” declaring that the building or part to be a house in multiple occupation. (See Manchester City Council Houses in Multiple Occupation Licensing Policy document)

(Also See Section 255 Of the Housing Act)

Converted blocks of flats:

Properties that have been converted into self contained flats will be required to provide evidence that the standard of conversion meets as a minimum the standards required by the Building Regulations 1991, i.e. Certificate of Completion. For the purposes of this section a converted block of flats means a building or part of a building:

1. On which building work was completed before 1st June 1992 or which is dealt with by regulation 20 of the Building Regulations 1991 (S.I. 1991/2768), and
2. Which would not have been exempt under those Regulations, building standards equivalent to those imposed, in relation to a building or part of a building to which those Regulations applied, by those Regulations as they had effect on 1st June 1992; and
3. In the case of any other converted block of flats, the requirements imposed at the time in relation to it by regulations under section 1 of the Building Act 1984.

(Also see Section 257 of the Housing Act)

Definition of a Bed and Breakfast House in Multiple Occupation:

In Bed and Breakfast establishments, residents usually occupy as "contractual licencees". Occupiers will have no right to "exclusive occupation" and will receive a service as part of their continued occupation such as, "a prepared breakfast".

Definition of a Student Hall House in Multiple Occupation:

This is a large unit or clusters of smaller units of accommodation incorporated into a main building exclusively occupied by full time students for part or all of the duration of their education. The make up of these properties can vary from:

- The traditional halls e.g. bedrooms along wings with large communal areas and shared facilities on each storey.
- To the more recent purpose built 4 – 6 bedroom self contained clusters.

Definition of a Bedsit:

These are houses occupied as individual rooms where there is some exclusive occupation (usually bedroom/living room) and some sharing of amenities (bathrooms and / or toilets). Cooking and food preparation facilities are usually provided within the individual units of accommodation but some occupants may share a communal kitchen. There is usually no communal living room and each occupant lives otherwise independently of all others.

Basic amenities means:

- A toilet,
- Personal washing facilities, or
- Cooking facilities

3. General Housing Conditions Applicable to All HMOs-

Housing Health and Safety Rating System

The Housing Act 2004 introduced the Housing Health and Safety Rating System (HHSRS) which provides a risk based methodology for assessing hazards in dwelling houses. The assessment considers the type of hazard, severity, potential of harm etc. The HHSRS is not a standard but a system to enable the hazards to be identified and the risks minimised or removed. This replaced the previous Fitness Standard.

As a standard Manchester City Council would expect any private rented dwelling house including HMOs to be free from hazards. Upon receipt of a complaint or upon the authority's own initiative the council will carry out an HHSRS risk assessment at a dwelling house and may choose to employ enforcement powers to remedy the hazards where the landlord is not co-operative or remedies forthcoming.

The HHSRS consists of 29 hazards including:

1. Damp and mould growth
2. Excess Cold
3. Excess Heat
4. Asbestos and Manufacture Mineral Fibers – MMF
5. Biocides
6. Carbon monoxide and fuel combustion products
7. Lead
8. Radiation
9. Uncombusted fuel gas
10. Volatile organic compounds
11. Crowding and space
12. Entry by intruders
13. Lighting
14. Noise
15. Domestic hygiene, pests and refuse
16. Food Safety
17. Personal hygiene, sanitation and drainage
18. Water supply for domestic purposes
19. Falls associated with baths etc
20. Falls on the level
21. Falls associated with stairs and steps
22. Falls between levels
23. Electrical hazards
24. Fire
25. Hot surfaces and materials
26. Collision and entrapment
27. Explosions
28. Ergonomics
29. Structural collapse and falling elements

Guidance for Landlord and Property Related Professionals on HHSRS can be obtained from; www.communities.gov.uk/documents/housing/pdf/150940.pdf

4. Standards Applicable to HMOs

Natural and artificial lighting

All habitable rooms should have an adequate level of natural light, provided via a clear glazed window or windows. (It is advisable that the glazed area is to be equivalent to at least one-tenth of the floor area). Where practicable, all staircases, landings, passages, kitchens, bathrooms and toilets should be provided, with a window. Windows to bathrooms and toilets should be glazed with obscured glass.

Artificial Lighting: - All rooms and circulations areas within the property should have provision for electric lighting and should be controlled from suitable located switch points. Lighting on stairs should be capable of being switched on and off from both upstairs and downstairs.

Ventilation

All habitable rooms require adequate ventilation
Either directly to external air by a window, with an openable area equivalent to at least 1/20th floor area of room
Or If there is no natural ventilation in kitchens, bathrooms, WC mechanical ventilation should be provided to allow an adequate number of air changes per hour

Habitable rooms need suitable and adequate floor to ceiling height to allow proper circulation of air

Space heating

Premises and each unit of accommodation should be provided with an adequate heating system capable of maintaining reasonable temperature in all parts of premises
Heating appliances dependent upon liquid fuel or liquid fuel gas under pressure are not acceptable

Security

All entrances to property should be well lit, especially ground floor/basement rooms/external staircases.
External entrance doors to communal area should be self closing.
Ensure security devices/locks do not hinder means of escape in case of fire.

Water supply

An adequate supply of cold drinking water under adequate mains pressure should be available from the kitchen sink.

Bathrooms and sanitary conveniences

Baths, showers, wash hand basins must reasonably sized compartments and constructed to maintain privacy.

All bathrooms and toilets must be suitably located in or in relation to the living accommodation in the HMO

“Suitably located bathrooms” means that they are not more than two floors distant in relation to the sleeping accommodation

“Suitably located water-closet (WC)” facilities shall be not more than one floor distant from living and sleeping accommodation

Self-catering kitchen facilities

To include suitable and sufficient:

- Sink and draining board with hot /cold water
- Storage for food, kitchen utensils and crockery
- Refrigerator and freezer of adequate capacity (may be combined)
- Work top area impervious for food preparation
- Proper cooking appliance with rings/grill/oven
- Appliances dependent on liquid fuel or liquefied gas under pressure not acceptable
- Storage for internal waste and recycling where there are communal street bins.

Refuse

- Sufficient refuse and recycling receptacles must be provided for tenants use
- An external hard standing area with suitable and convenient access for use by tenants for storage of receptacles.
- Area should be kept clean
- All refuse should be removed from the property
- Tenants to be made aware of refuse and recycling collection systems, including advising tenants that receptacles should be returned to the boundary of the property on collection day

Households with 6 or more people are entitled to an additional general refuse bin (black). Additional recycling containers can be requests and provided according to need.

For further information contact Environment On Call on 0161 234 5004 or email contact@manchester.gov.uk

Antisocial Behaviour

Antisocial behaviour covers a wide range of problems and includes any behaviour that is capable of causing nuisance or annoyance to an individual(s) or the wider community. This type of behaviour can include:

- Harassment and intimidating behaviour
- Hate crime, for example racist or homophobic abuse
- Behaviour that creates alarm and fear
- Noisy neighbours and loud parties
- Problems associated with people supplying, dealing or using drugs
- People acting in a manner which is likely to cause distress or nuisance to others, due to the consumption of alcohol

- Vandalism, graffiti and other deliberate damage to property
- Rubbish or litter lying around, abandoned cars etc

Anti-social behaviour may or may not constitute criminal activity. The key determinant in deciding whether particular behaviour is anti-social or not should be the impact of the behaviour on others.

Landlords have a duty to take reasonable steps to ensure that tenants and their visitors are not causing problems within the boundaries of the property through anti-social behaviour.

Manchester City Council where appropriate will support landlords who are working towards tackling any issues of anti-social behaviour and engage with the council.

General

Room divisions must provide adequate sound insulation
Each letting where divided in to separate lettings must have a separate supply gas/electricity.

All works must be completed in accordance with;

- Gas Safety [installation & use] regulations 1998
- IEE (Institute of Electrical Engineers) Wiring Regulations
- Furniture and Furnishings (Fire) (Safety) Regulations 1993

The City Council takes a serious view of the disconnection of Electricity, Gas or Water services. In appropriate cases they will utilise Section 33, Local Government (Miscellaneous Provisions) Act 1976 to sequestrate rents or recover costs direct from owners in order to pay outstanding accounts. In addition to (or instead of) utilising Section 33, owners and/or agents may be prosecuted for causing or allowing a disconnection in circumstances, which constitute an offence under any appropriate legislation (e.g. Breaches of Management Regulations, Protection from Eviction Act 1977 etc.)

If you wish to deviate from any of the above standards you must discuss this with the council. Manchester City Council encourages quality accommodation and adopts a flexible approach to discussions with landlords. If you are able to provide an alternative solution that works for your property that is within the legislative framework this will be considered by the council.

5. Space Standards

Room sizes must comply with the standards set out below. The calculation of room size only takes into consideration the part of the room where the ceiling height is greater than 1.5m, however assumes the majority of the room to be of a reasonable height and free of potential injurious obstructions (i.e. HHSRS hazard 'collision and entrapment').

Measurement of the Area of a room

-Vertical height by reason sloping roof/ceiling less than 1.525m (5 feet) not included
-Include bay windows, fixed cupboards
-Exclude projecting chimney breast
-Include projected skirting
-Exclude where space immediately behind the door is no wider than the door itself

Each person in addition to their individual rooms shall have access to; a kitchen, communal space (living/dining room)

Kitchen and dining rooms must be located on the same level

Where the landlord provides a catering service, through a communal kitchen, a separate dining space must be provided

The following are recommended as the minimum room sizes for HMOs:

Bedrooms	
1 Person (in addition to separate living room)	6.5 m^2 (minimum standard)

The minimum size for a bedroom is 6.5m^2, this is on the condition that separate living space is provided within the dwelling.

Bedrooms that have the living space combined within the room must be a minimum standard of 10m^2.

Where bedrooms fall below 10m^2, the extra living space required must be found within a communal room within the dwelling.

Dining Room	
2 to 5 Persons	9m^2
Area for each additional persons	+1.86m^2

Kitchens: The areas given below are a guide only. Other room sizes could be acceptable if the authority can be satisfied that the size, design and layout still allow the occupants to prepare, cook and serve food in a safe and hygienic manner.

Kitchens	
2 to 4 Persons	5.5 m^2
5 to 10 Persons	Additional 1.4m^2 per person

	to a maximum of 10 persons

* The above standards apply to existing HMOs; all new build accommodation will need to refer to Manchester City Councils Planning and Building Control departments for approval.

Combined Rooms (Bedsits)		
Bedroom/Living room	One Person	10.22 m^2
	Two Persons	14.86 m^2
Living Room/ Kitchen	One Person	11.15 m^2
	Two Persons	14.86 m^2
Bedroom/ Living room/Kitchen	One Person	13.00 m^2
	Two Persons	24.15 m^2

Bedsits

Adequate kitchen facilities must be provided to allow the storage, preparation and cooking of food in a safe and hygienic manner to the following minimum standard:

Two rings/hot plates together with a minimum of 1 cu. ft. (28 litres) oven and a grill. For occupancies of two persons, the minimum requirement is three rings/hot plates together with a full sized oven and grill. For occupancies of three or more persons a full size cooker is required. Cookers shall be positioned at a location and height to allow safe use

A sink with an adequate supply of cold and constant hot water;

A suitable work surface a minimum 0.5m deep and a length of 0.5m plus 0.5m per person using the facility shall be provided. An appropriate table in the kitchen area of suitable size and type may be considered an acceptable alternative for half of the requirement

Sufficient electrical sockets; a minimum of 3 single socket outlets shall be located above the work surface for the use of portable appliances in addition to any sockets for appliances required by these standards, situated in convenient positions for the user

Cupboards for the storage of kitchen utensils, crockery and food shall be required a minimum of one 500mm wide base unit or wall cupboard per person. The space located below the sink should not be treated as a food cupboard for the purpose of this standard

A refrigerator. (Fridge space shall be a minimum 1 cu. ft. (28 litres) of space per person plus a freezer compartment) The fridge shall be capable of maintaining an internal temperature of 5^{oc}

The standards referred to above regarding appliances do not apply where:
-the landlord is not contractually bound to provide such appliances or equipment;
-the occupier of accommodation is entitled to remove such appliances or equipment from the HMO; or
-the appliances or equipment are otherwise outside the control of the landlord

Self contained flats

Each aspect for a self contained flat shall be based on HHSRS and the officers' judgement.

Standards Specific to Hostels and Bed and Breakfast Establishments

Kitchen facilities used by the management to provide meals for residents must comply with the Food Safety Act are to be separate from the self-catering facilities.

The sharing of bedrooms is not permitted unless:
-They are married, or living together as if married.

-They are parent and child (as long as the child is the same sex as the parent, or the child is under 10 years of age if they are the opposite sex.

-They are members of the same family and are both of the same sex. For example 2 brothers, (if below 10 years of age, opposite sexes can share a room).

> *Note*: There may be exceptions to the above sharing rule in bona fide hostels and similar establishments. Advice should be sought from the City Council in these cases and any exceptions to the above sharing rule must be formally agreed.

-Suitable office accommodation for the staff is to be provided according to the needs of the establishment.

-In the event of living accommodation being provided for staff the accommodation must afford all amenities necessary to ensure reasonable comfort.

-Adequate staff supervision is to be provided according to the needs of the establishment. Where necessary the council may require the continuous presence of a member of staff 24 Hours per day.

6. Amenity Standards

Washing facilities

There must be an adequate number of bathrooms, toilets and wash-hand basins suitable for personal washing for the number of persons sharing those facilities

Amenity Provision

Amenity ratio will be **1:5**, however for every 5th person the WC must be separate from the bath or shower room. Separate WC must have a Wash Hand Basin with appropriate splash back contained within the unit.

Where there are 4 or less occupants sharing, there must be at least one bathroom with a bath/shower and a toilet with WHB.

See table below:

Facilities per person sharing	Shower or Bath	WHB & WC	WHB & WC must be separate from the existing bath or shower room
5	1		1
6-9	2	2	
10	2	1	1
11-14	3	3	
15	3	2	1
16-19	4	4	
20	4	3	1

Please note the table above is not exhaustive and alternative layouts will be considered where the local authority is satisfied that the arrangements are appropriate for the accommodation's use.

All baths, showers and wash hand basins in an HMO must be equipped with taps providing an adequate supply of cold and constant hot water

All bathrooms must be suitably and adequately heated and ventilated

All bathrooms and toilets must be of an adequate size and layout

All toilets and wash hand basins must be fit for the purpose

All bathrooms and toilets must be suitably located in or in relation to the living accommodation in the HMO

"Suitably located bathrooms" means that they are not more than two floors distant in relation to the sleeping accommodation

"Suitably located water-closet (WC)" facilities shall be not more than one floor distant from living and sleeping accommodation

Where reasonably practicable there must be a wash hand basin (WHB) with appropriate splash back in each unit of accommodation

Baths and showers must have appropriate splashback
Showers must have impervious surround – either a cubicle or tiled walls and a screen
The walls and floor covering of any bathroom or shower room must be reasonable smooth and non-absorbent and capable of being readily cleansed.

Suitable lock must be provided to all bath/shower rooms and WC

Where separate WC is provided, there must be WHB contained within the same unit
All baths, showers, WC and WHB should be properly connected to a soil drainage system

Kitchens

There must be a kitchen, suitably located in relation to the living accommodation, and of such layout and size and equipped with such facilities so as to adequately enable those sharing the facilities to store, prepare and cook food in a safe and hygienic manner.

The kitchen must be equipped with the following equipment, which must be fit for the purpose and supplied in a sufficient quantity for the number of those sharing the facilities:

Cookers with a minimum of 4 rings, a standard sized oven and a grill.

Cookers having 4 rings, an oven and a grill shall normally be provided at a ratio of one per 5 persons sharing the kitchen.

Sinks with draining boards – Sinks shall normally be at the ratio of one sink for 5 persons.

Each sink supplied must have an adequate constant supply of cold and hot water.

Worktops must be suitable and sufficient with impervious surface for food preparation. Suitable for the number of persons sharing the facilities

Suitable storage for food, kitchen utensils and crockery must be provided, suitable for the number of persons sharing the facilities

A refrigerator and freezer of adequate capacity (which may be combined when the freezer compartment is of adequate capacity), suitable for the number of persons sharing the facilities

All kitchens shall be provided with a non-asbestos fire blanket adjacent to the nearest exit door to the cooker, at a convenient height.

Minimum Amenity Provisions

Proposed Facilities per person sharing	Kitchen Sink	Cooker	Fridge
1-5	1 kitchen sink	1(4 ringed cooker, as a minimum)	1 fridge with adequate freezer space
6-8	1 sink and an	1 (4 ringed cooker) &	1 Fridge & a separate

	additional dishwasher, or double bowled sink and single drainer *	1 additional combi microwave, or an extra hob Or a large range cooker with more than 4 rings, with 2 oven compartments*	freezer *
9 - 10	2 kitchen sinks	2 (4 ringed cookers)	2 Fridges & a separate freezer *
10 - 14	2 sinks and an additional dishwasher, or 2 double bowled sinks with drainer *	2 (4 ringed cookers) & 1 additional combi microwave, or an extra hob	2 Fridges & 2 separate freezers*
15	3 Kitchen sinks	3 (4 ringed cookers)	3 Fridges & 3 separate freezers
Cupboards and worktops	Suitable for number of occupants		

*Where properties have more 10 people or more, alternatives may be considered for the additional appliances.

There must be appropriate refuse disposal and recycling facilities; and

Appropriate extractor fans, fire blankets and fire doors

Kitchens shall be fitted with an appropriate extractor fan. This shall be capable of achieving 6 air changes per hour

All kitchens are to have suitable and sufficient 13 amp electric power socket outlets, which must be fit for the purpose and supplied in a sufficient quantity for the number of those sharing the facilities

Where the landlord provides a catering service the facilities must comply with the Food Hygiene (England) Regulations 2006. In addition, some self-catering facilities will need to be provided and the level of facilities required will be determined on a case-by-case basis, taking into account the level of provision by the landlord. We will provide advice on request.

7. Means of Escape in case of Fire/ Fire Standards

Please see the Local Authorities Coordinators of Regulatory Services (LACORS) Fire Safety Guide. **www.lacors.gov.uk**

The Council primarily enforce fire safety issues using the Housing Health and Safety Rating System (HHSRS), which requires officers to assess the level of risk at residential premises. Manchester City Council will follow the LACORS guidance wherever possible, and works closely with Greater Manchester Fire and Rescue Service

Certain requirements may be in excess of what is needed following a fire risk assessment and, in some cases, additional fire provisions may be needed, any deviation from the LACORS guidance should be discussed and agreed with the council in the first instance.

Landlords of Houses in Multiple Occupation (HMO) must ensure that a fire risk assessment is made of the common areas, by a competent person. This is a legal requirement, enforced by the Fire Authority, under the Regulatory Reform (Fire Safety) Order 2005.

Please note: The case studies in Part D of the LACORS guidance are based on a number of assumptions and should not be interpreted as a standard that must be followed in every premises that match the basic descriptions given. In practice there are relatively few premises that will match these case studies exactly. The guidance must be read in full.

8.Certification

Gas Safety (Installation and Use) Regulations 1998

As a landlord, you are responsible for the safety of your tenants. The Gas Safety (Installation and Use) Regulations 1998 specifically deal with the duties of landlords to ensure that gas appliances, fittings and flues provided for tenants' use are safe.
As a landlord, you have a duty to ensure:

- Gas fittings (appliances, pipework) and flues are maintained in a safe condition;
- All installation, maintenance and safety checks are carried out by a Gas Safe registered Installer;
- An annual safety check is carried out on each gas appliance/flue by a Gas Safe registered Installer. Checks need to have taken place within one year of the start of the tenancy/lease date, unless the appliances have been installed for less than 12 months, in which case they should be checked within 12 months of their installation date;
- A record of each safety check is kept for two years;
- A copy of the current safety check record is issued to each existing tenant within 28 days of the check being completed, or to any new tenant before they move in (in certain cases the record can be displayed).

Electrical Safety

The electrical installation to the property should be installed and maintained in accordance with a recognised standard, such as the current edition of the IEE (Institute of Electrical Engineers) Wiring Regulations and certification should be provided as prescribed under Appendix 6 of BS 7671:1992 (as amended) to confirm that the whole installation is to a safe and satisfactory standard. The installation should be retested and certified, as described every five years, or following any alterations or extensions to the system.
All work to the electrical installation should be carried out and certified by a NICEIC (National Inspection Council for Electrical Installation Contracting) member or approved body or competent person.
All electrical work must be carried out in accordance with Part P of the Building Regulations.

Fire Safety

It is recommended that all detectors should be tested at least once a year to ensure that they respond to smoke. The test is usually carried out be a specialist alarm engineer under a maintenance contract and should be recorded in the log book, with a periodic inspection and test certificate issued.

Where fire extinguishers are provided, these should be checked periodically to make sure they are in place and available to use. Extinguisher must be tested and maintained on an annual basis in accordance with BS 5306-3 and with the manufacturer’s instructions.

Any emergency escape lighting present should be serviced and maintained in accordance with BS 5266-8: 2004 (BS EN 50172 : 2004) Emergency escape lighting systems. The requirements of BS 5266: part 8, require the annual test to be carried out by a competent person, usually a lighting engineer under a maintenance contract. The results of the test should be recorded in the log book with a periodic inspection and test certificate issued.

Furniture Safety

All furniture provided with the accommodation must comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended). You are required to sign a declaration on the application form to the effect that the above condition is met.

Houses in multiple occupation (HMO)

Your landlord has extra legal responsibilities if the house or flat you share with other tenants is a house in multiple occupation (HMO).

Extra legal protection in shared housing

Your landlord usually has extra legal responsibilities if the home you rent is a house in multiple occupation or HMO.

The extra rules are there to reduce the risk of fire and to make sure that people living in shared houses or flats have adequate facilities.

Extra responsibilities of HMO landlords

Landlords of HMOs must make sure that:

- proper fire safety measures are in place, including working smoke alarms
- annual gas safety checks are carried out
- electrics are checked every 5 years
- the property is not overcrowded
- there are enough cooking and bathroom facilities for the number living there
- communal areas and shared facilities are clean and in good repair
- there are enough rubbish bins/bags

Get advice about rights and responsibilities in an HMO.

Is your home a house in multiple occupation?

Your home is probably an HMO if:

- 3 or more unrelated people live there as at least 2 separate households – for example, 3 single people with their own rooms, or 2 couples each sharing a room
- the 3 or more people living there share basic amenities, such as a kitchen or bathroom

An HMO could be a:

- house split into separate bedsits
- shared house or flat, where the sharers are not members of the same family
- hostel
- bed-and-breakfast hotel that is not just for holidays
- shared accommodation for students – although many halls of residence and other types of student accommodation owned by educational establishments are not classed as HMOs

Ask your local council to check if your home is registered as an HMO.

Responsibility for repairs in HMOs

Your landlord is responsible for any repairs to communal areas of your home.

They are also responsible for repairs to:

- the structure and exterior of the house – including the walls, window frames and gutters
- water and gas pipes
- electrical wiring
- basins, sinks, baths and toilets
- fixed heaters (radiators) and water heaters

Check your rental agreement to find out who's responsible for what.

Find out more about responsibility for repairs in private rented homes.

HMO licence for a shared home

Your landlord must get a licence from the council if the HMO:

- has 5 or more unrelated people live in it
- has 2 or more separate households living there

Some councils also require other HMOs to be licensed. Some councils require all private landlords to get a licence.

> Check with your local council to find out if your landlord needs a licence and has obtained it.

HMOs don't need to be licensed if they are managed or owned by a housing association or co-operative, a council, a health service or a police or fire authority.

Licences usually last for 5 years but some councils grant them for shorter periods. When deciding whether to issue or renew a licence, the council checks that:

- the property meets an acceptable standard. For example, it looks at whether the property is large enough for the occupants and if it is well managed
- the landlord is a 'fit and proper' person

Minimum bedroom size for HMOs

Some houses in multiple occupation must be licensed by the council.

If your landlord applied for a HMO licence on or after 1 October 2018 or has renewed it since, bedroom sizes must be at least:

- 6.51 square metres for an adult
- 10.22 square metres for two adults
- 4.64 square metres for a child under 10 years old

Some councils may set higher standards for bedroom sizes.

If a room is used as bedroom and doesn't meet the size requirement, the council may allow your landlord up to 18 months to make the room larger or move you to a different bedroom.

The council can prosecute or fine your landlord if a bedroom is smaller than standards allow.

Right to rent

If you want to rent privately in England, the landlord must check that you have the 'right to rent'.

Landlord penalties for not having an HMO licence

Your landlord can be fined and ordered to repay up to 12 months' rent if you live in a HMO that should be licensed but isn't.

Apply for a rent repayment order within a year of the HMO being unlicensed using:

- this form if the HMO was unlicensed before April 5 2018 and your landlord has been convicted
- this form in all other cases

Any housing benefit or universal credit you have used to help you pay your rent will be reclaimed by the council.

Contact the council if you need help with your application or use the guidance that comes with the form.

Many people living in HMOs have an assured shorthold tenancy. If you're an assured shorthold tenant and the HMO should be licensed but isn't, your landlord won't be able to evict you using a section 21 notice.

How to complain about an HMO landlord

Contact the environmental health department of your local council if you live in an HMO and you don't think your landlord is following these rules.

The council can do an assessment using the Housing Health Safety Rating System. This assessment looks for specific hazards in the home. It allows councils to take action against landlords whose properties are not safe or fit to live in.

The council can prosecute landlords of HMOs, or any manager they have employed, if they break the law. In extreme cases, the council can take over the management of the property.

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MANCHESTER CITY COUNCIL

Development Management
Citywide Support (Highways)

Telephone:
a.connell@manchester.gov.uk

Hammerstone Road Depot,
Manchester M18 8EQ

Memorandum

To	Carl Glennon
From	Andrew Connell
Date	21 August 2019
Subject	**124480/FO/2019** **Change of use from class C4 small HMO (6 bed) to Sui Generis large HMO (8 bed)**

We have reviewed the above application in relation to highways and our comments are as follows:

The proposal is for change of use from class C4 small HMO (6 bed) to Sui Generis large HMO (8 bed) at 7 Balmoral Road, Manchester, M14 6WG.

HIGHWAY RESPONSE: -

The site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities.

It is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.

No on-site parking is provided and we consider that any additional on-street parking demands generated can be accommodated within the local road network.

We would recommend that cycle storage is provided as part of the development.

The existing waste management arrangements are being retained with bins stored in the gated alleyway to the rear with local authority collection from Braemar Road.

The existing pedestrian access is being retained and is acceptable to Highways.

The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Highways Reference: 09470/FU/2019

MANCHESTER CITY COUNCIL

Environmental Health
Internal Memorandum

To	Head of Planning	FAO: Carl Glennon
From	Strategic Lead, Compliance & Community Safety	
Contact Officer:	Karen Williamson	Our Ref: 640867
Date:	20 August 2019	Telephone: 31374

Consultation on Planning Application

Application No: 124480/FO/2019

Description: Change of use from class C4 small HMO (6 bed) to Sui Generis large HMO (8 bed)

Location: 7 Balmoral Road, Manchester, M14 6WG

I write in response to your memorandum regarding the above application and to inform you that I have no adverse comment or objection to this application.

Information for Developers guidance documents can be downloaded using the following link:
http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

Should you wish to discuss this matter further please contact Karen Williamson on extension 31374

Fiona Sharkey
Strategic Lead, Compliance & Community Safety

MANCHESTER
CITY COUNCIL

Planning & Noise

Technical Guidance

December 2015

Environmental Protection
Environmental Health
The Neighbourhoods Service
Manchester City Council

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Service Aim

This document has been prepared in response to recent changes in the planning system and requests from practitioners for additional technical guidance on the management of noise.

The guidance aims to provide help and advice in relation to noise in a planning context to encourage good acoustic design. It outlines what is expected in relation to current guidance and policy with the aspiration that new developments achieve the highest possible standards without compromising the health and well being of people that live and work within the City of Manchester.

Applicants, developers and acoustic consultants are advised to read this document prior to submitting a planning application.

This document is written to serve as an informative and a helpful source of advice. Readers must note that legislation, guidance and practical methods may be subject to change. The Council has taken all reasonable precautions to ensure the information is correct. However, the Council, its officers, servants, or agents, will not accept any liability for loss or damage caused by any person relying on this information, or for any errors or omissions in the information provided.

1.0 Introduction

Noise is often an important factor in assessing the environmental acceptability of a development proposal and it should be one of the factors addressed in a planning application submission. The planning process is the primary mechanism for local authorities to prevent serious conflicts between different land uses.

Many developments can generate significant amounts of noise or are sensitive to the impact of noise. It is the responsibility of Manchester City Council as Local Planning Authority to ensure that developments are appropriately designed so that they do not have an unacceptable impact on local communities and that noise sensitive developments are also appropriately designed and are not subjected to unacceptably high levels of noise.

Although undertaking a noise survey and assessment as part of the planning application process will incur a financial cost for a developer, the costs of remedying any noise problems after a development has been completed are likely to be much higher.

This document provides guidance to applicants and consultants concerning the assessment and prediction of environmental noise associated with a particular development. It does not provide guidance concerning Part E of the Building Regulations. The Building Control Department deal with all issues associated with the Building Regulations including Part E and F. If you have any questions or queries concerning compliance with the Building Regulations please contact the Building Control Department.

This document provides guidance that is not exhaustive. If you have any questions or wish to discuss the requirements of a specific noise assessment please contact Environmental Health by registering your enquiry at:

www.manchester.gov.uk

Building Regulations Approved Document E is the main reference document which relates to the insulation of buildings against airborne and structure borne noise. These regulations do not cover environmental noise, meaning that reference to other technical documents is required if environmental noise is a significant consideration.

Approved Document E covers general building situations and common issues, which could arise if appropriate attention is not paid to the construction elements of a building. It identifies minimum standards for airborne and impact noise within a building. It reviews both new build and conversion of existing buildings (i.e. a change of use). It identifies common structural designs and comments upon the level of acoustic protection that these may offer, allowing review of these factors against guideline values, which should *generally* protect residential amenity.

The document also covers impact noise arising from 'foot fall' on floors and details construction techniques designed to mitigate against such noise. The document either requires testing to be carried out to demonstrate compliance with the required standards or alternatively, construction to a 'robust detail' standard.

2.0 Noise

Noise is defined as unwanted sound (whether that is music, industrial machinery or road traffic) and is an unavoidable part of everyday life. It can be a source of stress and irritation and can have a detrimental impact on people's health and quality of life.

2.1 Noise & Planning

Typically any developments involving residential dwellings are the most noise-sensitive, whilst industrial developments such as general industry are one of the least noise-sensitive.

However, industrial and commercial uses are amongst the most likely to cause a noise impact. Thus many developments require noise control or protection measures to mitigate against the effects of noise from outside sources, which include the effects of noise from road or rail, industry or commercial premises.

The express inclusion of noise in the National Planning Policy Framework (NPPF) means that it is a material planning consideration for local planning decisions.

2.2 The role of Environmental Health

Environmental Health (EH) are consulted by the Planning Department on all planning applications within Manchester.

EH consider a number of environmental issues including noise and vibration, before making a recommendation to the Planning Department. Typically this recommendation is that the application be approved, be approved subject to appropriate conditions, or be refused.

The recommendations made by EH are not binding on the Planning Authority who will consider all relevant issues concerning a planning application.

In addition to making recommendations to the Planning Department, EH are also there to provide advice to applicants and their consultants prior to the submission of a planning application and/or the preparation of a noise assessment.

3.0 Planning Policy & Guidance

Practitioners will be aware that the previous policy and technical advice on planning and noise matters which was contained in PPG 24 has been cancelled. New concepts such as 'LOAEL' and 'SOAEL' have been introduced to the assessment, management and control of noise via the planning system.

However, whilst new policy objectives have been introduced, supporting technical advice and guidance is largely missing and Government has advised that it does not intend to provide such technical guidance. What is clear is that with the Government's localism agenda and the introduction of the national planning changes, they expect noise policy to be driven by local authorities.

3.1 National Planning Policy Framework

NPPF was published in March 2012 and sets out the Government's planning policies for England and how these are expected to be applied.

The framework states (among other commitments) that the planning system should **contribute to and enhance** the natural and local environment by:

*"preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or **noise pollution** or land instability".*

The express inclusion of noise in the NPPF means that it is a material planning consideration for local planning decisions.

It replaces the now revoked Planning Policy Guidance (PPG) Note 24.

Paragraph 123 of the NPPF document states that planning policies and decisions should aim to:

A. Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;

B. Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;

C. Recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and

D. Identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

In his foreword to The National Planning Policy Framework (NPPF), the then Minister for Planning - Rt Hon Greg Clark MP - claimed that "Our standards of design can be so much higher..." and that "Planning must be a creative exercise in finding ways to enhance and improve the places in which we live our lives."

3.2 Noise Policy Statement for England

The Noise Policy Statement for England (NPSE) launched in March 2010 states the long-term vision of Government noise policy is to *"promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development".*

The long-term vision is supported by the following aims; through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development:

- Avoid significant adverse impacts on health and quality of life;
- Mitigate and minimise adverse impacts on health and quality of life;
- Where possible, contribute to the **improvement** of health and quality of life.

The intention is that the NPSE should apply to all types of noise apart from noise in the workplace (occupational noise).

3.3 National Planning Practice Guidance

The National Planning Practice Guidance (PPG) is a web-based resource, launched by the Department for Communities and Local Government (DCLG) in March 2014 to support the NPPF and make it more accessible. It can be found at the following web address:

http://www.planningguidance.planningportal.gov.uk

It advises on how planning can manage potential noise impacts in new development. The guidance is regularly reviewed and updated and noise is listed as a specific category. The guidance is for ad hoc developments, as major infrastructure is covered by overarching National Policy Statements.

Listed below are the paragraph headings contained within the PPG and it is strongly recommended that the information presented in this document is read in conjunction with the web-based resource:

- When is noise relevant to planning?
- Can noise override other planning concerns?
- How to determine the noise impact?
- Observed Effect Levels
- How to recognise when noise could be a concern?
- What factors influence whether noise could be a concern?
- Enforcement action against a statutory nuisance
- How can the adverse effects of noise be mitigated?
- Are there further considerations relating to mitigating the impact of noise on residential developments?
- Can Local Plans include noise standards?
- Are noise concerns relevant to neighbourhood planning?
- What factors are relevant to identifying areas of tranquillity?

A summary of the effects of noise exposure (in terms of health and quality of life) associated with both noise generating developments and noise sensitive developments is presented within the PPG and reproduced in Table 1.

Table 1: Noise Exposure Hierarchy

Perception	Examples of Outcomes	Increasing Effect Level	Action
Not noticeable	No Effect	No Observed Effect	No specific measures required
Noticeable and not intrusive	Noise can be heard, but does not cause any change in behaviour or attitude. Can slightly affect the acoustic character of the area but not such that there is a perceived change in the quality of life.	No Observed Adverse Effect (NOAEL)	No specific measures required
Lowest Observed Adverse Effect Level (LOAEL)			
Noticeable and intrusive	Noise can be heard and causes small changes in behaviour and/or attitude, e.g. turning up volume of television; speaking more loudly; where there is no alternative ventilation, having to close windows for some of the time because of the noise. Potential for some reported sleep disturbance. Affects the acoustic character of the area such that there is a perceived change in the quality of life.	Observed Adverse Effect	Mitigate and reduce to a minimum
Significant Observed Adverse Effect Level (SOAEL)			
Noticeable and disruptive	The noise causes a material change in behaviour and/or attitude, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed most of the time because of the noise. Potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep. Quality of life diminished due to change in acoustic character of the area.	Significant Observed Adverse Effect	Avoid
Noticeable and very intrusive	Extensive and regular changes in behaviour and/or an inability to mitigate effect of noise leading to psychological stress or physiological effects, e.g. regular sleep deprivation/awakening; loss of appetite, significant, medically definable harm, e.g. auditory and non-auditory	Unacceptable Adverse Effect	Prevent

PPG does not provide numerical values for the different effect levels, instead recognising that 'the subjective nature of noise means that there is not a simple relationship between noise levels and the impact on those affected. This will depend on how various factors combine in any particular situation'.

It therefore remains for local authorities to consider the PPG noise exposure hierarchy and seek to align it with significance criteria, having regard to British Standards, World Health Organisation guidance and other relevant sources of information.

3.4 Local Policy

The Development Plan in Manchester consists of the following documents:

- The Manchester Core Strategy (2012); and
- Saved policies of the Unitary Development Plan for the City of Manchester (1995)

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) and sets out the long term strategic planning policies for Manchester's future development.

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

<u>Relevant policies within the Manchester Core Strategy</u>

Policy SP1 *'Spatial Principles'* states that one of the key spatial principles is the emphasis on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

All development should have regard to the character, issues and strategy for each regeneration area.

The policy goes onto to state that development in all parts of the City should make a positive contribution to neighbourhoods of choice including;

- Creating well designed places that enhance or create character.
- Making a positive contribution to the health, safety and well being of residents.
- Consider the needs of all members of the community.
- Protect and enhance the built and natural environment.
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM1 *'Development Management'* states that all development should have regard to the specific issues such as:-

- Appropriate siting, layout, scale, form, massing, materials and detail.

- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.

- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

- Design for health.

- Adequacy of internal accommodation and external amenity space.

Relevant policies within the UDP

Saved policies DC10 *'Food and Drink Uses'* and Saved policy DC26 *' Development and Noise'*

Policy DC10 determines that planning applications for development involving the sale of hot food to be consumed off the premises the Council will have regard to, particularly in this instance to:

- the general location of the proposed development;
- the effect on the amenity of neighbouring residents;
- the storage and collection of refuse and litter.

Where the Council considers food and drink premises to be acceptable in principle, conditions may be imposed in order to protect the amenity of nearby residents.

Saved policy DC26 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. Conditions will (where appropriate) be used to control the impacts of developments.

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (Adopted 2007)

This document provides guidance to help develop and enhance Manchester. In particular, the SPD seeks appropriate design, quality of public realm, facilities for disabled people (in accordance with design for access, pedestrians and cyclists. It also promotes a safer environment through secured by design principles, appropriate waste management

measures and environmental sustainability. Although there is no specific mention made to environmental noise and acoustic design.

3.5 National & International Standards

The following reference documents and guidance constitute some of the more important sources of information relating to noise and the planning process:

World Health Organisation (WHO) Guidelines for Community Noise 1999

The guidelines were prepared as a practical response to the need for action on community noise at a local level, as well as the need for improved legislation, management and guidance at the national and regional levels.

The health based guidelines serve as the basis for deriving noise standards within the framework of noise management. Key issues for noise management include models for forecasting and assessing noise.

WHO says that the health effects of noise exposure are considered to be a public health problem of growing importance, where specific effects include sleep disturbance, annoyance responses, cardiovascular/psychological effects, performance reduction effects and effects on social behaviour. The guideline values have been derived from scientific studies over many years.

Table 4.1 of the document provides guideline values for community noise in specific environments which are repeated below:

Specific environment	Critical health effect(s)	LAeq (dB)	Time base (hours)	LAmax, fast (dB)
Outdoor living area	Serious annoyance, daytime and evening	55	16	-
	Moderate annoyance, daytime and evening	50	16	-
Dwelling, indoors	Speech intelligibility and moderate annoyance, daytime and evening	35	16	-
Inside bedrooms	Sleep disturbance, night-time	30	8	45
Outside bedrooms	Sleep disturbance, window open (outdoor values)	45	8	60

BS 8233: 2014 Guidance on Sound Insulation and Noise Reduction for Buildings

Provides design guidelines for appropriate internal acoustic environments within buildings according to their function. It deals with control of noise from outside the building, noise from plant and services within it, and room acoustics for non-critical situations.

Table 4 in section 7.7.2 of the Standard provides indoor ambient noise levels for residential dwellings which are shown below:

Activity	Location	07.00 to 23.00	23.00 to 07.00
Resting	Living room	35 dB $L_{Aeq, 16hour}$	-
Dining	Dining room/area	40 dB $L_{Aeq, 16hour}$	-
Sleeping (daytime resting)	Bedroom	35 dB $L_{Aeq, 16hour}$	30 dB $L_{Aeq, 8hour}$

These are the sum total of structure borne and airborne noise sources. Ground borne noise should be assessed separately.

The levels are based on WHO guidelines and assume normal diurnal fluctuations in external noise. In cases where local conditions do not follow this typical pattern, i.e. a nightclub operating between 23.00hrs to 03.00hrs, a more focused assessment should be carried out e.g. 1 hour may be used.

Regular individual noise events (aircraft or trains) can cause sleep disturbance and therefore a guideline may be set in relation to the SEL or $L_{Amax,F.}$

If closed windows are to be relied upon to meet the values, there needs to be an appropriate alternative means of ventilation that does not compromise the façade insulation or the resulting noise level.

It states that where development is considered necessary or desirable, despite external noise levels above WHO guidelines, the internal target levels may be relaxed by up to 5dB. However, consultants should not base there assessment on the 5dB relaxation.

Annex G contains a calculation method for noise levels inside a room, which is expected to be used for residential uses.

BS 4142: 2014 - Methods for rating and assessing industrial and commercial sound

The assessment of noise of a commercial / industrial nature is commonly based on this standard. It describes methods for rating and assessing sound of an industrial and/or commercial nature, which includes:

- Sound from industrial and manufacturing processes;
- Sound from fixed installations which comprise mechanical and electrical plant and equipment;
- Sound from the loading and unloading of goods and materials at industrial and/or commercial premises; and
- Sound from mobile plant and vehicles that is an intrinsic part of the overall sound emanating from premises or processes, such as that from forklift trucks, or that from train or ship movements on or around an industrial and/or commercial site.

The assessment method in BS 4142 is based on the difference between the measured 'background sound level' without the influence of any industrial noise source, and the 'rating level' of the industrial source, at the receiver location.

The background sound level ($L_{A90,T}$) is the sound level existing in the absence of the 'specific sound level' at the receiver location. The specific sound level ($L_{Aeq,Tr}$) from the industrial source can be subject to a certain weighting (penalty) where it displays an identifiable character (such as tonality, impulsivity, intermittency or otherwise distinctive features) to provide a 'rating level' ($L_{Ar,Tr}$).

The background sound level is subtracted from the rating level and the difference used to inform the assessment of the effects. BS 4142 advises: 'The significance of sound of an industrial and/or commercial nature depends upon both the margin by which the rating level of the specific sound source exceeds the background sound level *and* the context in which the sound occurs'.

In the absence of any instruction in the Standard, Appendix A shows an example of how to calculate a 'typical' background sound level from a set of noise measurement data.

BS 4142 advises that an initial estimate of the impact of the specific sound be conducted by subtracting the measured background sound level from the rating level and consider the following:

- Typically, the greater this difference, the greater the magnitude of the impact.
- A difference of around +10 dB or more is likely to be an indication of a significant adverse impact, depending on the context.
- A difference of around +5 dB is likely to be an indication of an adverse impact, depending on the context.
- The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.

The standard is not designed to assess noise which is not of an industrial nature such as noise from sports facilities or noise from bars, pubs or clubs, public address systems or construction and demolition.

Key differences from 1997 Standard	
1997	**2014**
Class 1 or 2 Instrumentation	Class 1 only
Reference Time 1 hour day & 5 minutes night	1 hour Day & 15 minutes at night
Single correction of 5dB for one or several features	Up to 18dB corrections for tonal and impulsive. Corrections for other features.
Likelihood complaints	Adverse impacts
Rating minus background	Rating minus background plus context
Single figure result	Result with effect of uncertainty
20dB range (-10 to +10dB)	10dB range (0 to +10dB and beyond)
determine lowest L_{A90}	determine typical L_{A90}

BS 5228: 2009 Code of practice for noise and vibration control on construction and open sites

This Standard is divided into two parts.

Part 1 provides basic information on the prediction and measurement of noise from construction sites and operations. Methods of assessment are included as well as review of relevant legislation. A database of noise levels for a wide range of equipment is also provided.

Annex E provides example guidance on the assessment of construction noise, which includes a method of assessment of noise during daytime, evening and night-time periods (ABC method).

Part 2 deals with vibration from construction and open sites. The legislative background is provided, together with information on vibration control. A review of relevant vibration criteria is provided together with guidance on measuring vibration.

Annex B provides guidance on the effects of vibration levels on human receptors, as well as guide values for cosmetic damage to building structures. Vibration values have been presented as Peak Particle Velocity (PPV) parameters, measured in millimetres per second (mm/s).

BS 5228-2 indicates that construction activities (particularly piling) generally only generate vibration impacts when they are located less than 20 metres from sensitive locations. The effect depends on the type of piling, ground conditions and receptor distance.

'Best Practicable Means' (as per the Control of Pollution Act 1974) should be adopted as a minimum in order to mitigate against construction phase noise effects.

NOTE: Both parts of the 2009 Standard were slightly changed by the inclusion of Amendment no.1 in 2014.

BS 6472: 2008 Guide to the evaluation of human exposure to vibration in buildings

Provides guidance on the likely human response to differing levels of vibration. This standard should be used to assess the likely adverse impact of developments which are likely to cause significant levels of vibration. Where there is a concern that vibration caused by a development may damage or otherwise effect the structure of another building *BS 7385: 1990 Evaluation and measurement of vibration in buildings* can be used to determine the likelihood of this occurring.

3.6 MCC assessment criteria

In the context of government policy, Manchester City Council require that developments aim for:

1. A noise level between the **No Observed Effect Level** (this is the level of noise exposure below which no effect at all on health or quality of life can be detected) and the **Lowest Observed Adverse Effect Level** (this is the level of noise exposure above which adverse effects on health and quality of life can be detected). Conditions may be attached.

If point 1 cannot be achieved then:

2. If the assessment results in a level between the **Lowest Observed Adverse Effect Level** and the **Significant Observed Adverse Effect Level** (this is the level of noise exposure above which significant adverse effects on health and quality of life occur), mitigation will be necessary to reduce the level and thus conditions will be attached.

If points 1 & 2 cannot be achieved then:

3. If the assessment results in a **Significant Observed Adverse Effect Level** after mitigation, the application will be recommended for refusal.

3.6.1 MCC guidance

The NPPF, NSPE and NPPG do not present absolute noise level criteria which define SOAEL, LOAEL and NOAEL which is applicable to all sources of noise in all situations in a planning context.

One of the aims of this document therefore, is to address this ambiguity and provide a suite of noise level design targets for typical developments (which are in accordance with current policies and standards).

Where certain developments are not specifically covered, the applicant/consultant is encouraged to contact us with a view of discussing the best that can be achieved for the given situation (in the context of the scenarios listed in section 3.6).

3.6.1.1 Residential Developments

Manchester City Council has adopted the following internal noise limits for residential properties:

- **Bedrooms (night time - 23.00 - 07.00) 30 dB L_{Aeq} (individual noise events should not normally 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}**

These criteria have been adopted for the following reasons:

- BS 8233: 2014 recognises these levels as a good standard for resting/sleeping conditions.
- The WHO document 'Guidelines for Community Noise' recommends an internal L_{Aeq} of 30dB for optimal sleep conditions (and no more than 35dB for internal rooms during daytime).
- The performance of acoustic insulation schemes can often be below that specified, according to the quality of installation, materials, noise spectrum and deterioration / wear and tear of building elements. A high design specification introduces a 'safety margin' should building elements not perform as well as expected ('on-site' performance).
- Performance specification for glazing does not usually take into account the detrimental effect of vents on the sound insulation. Even 'acoustic' vents will reduce the performance of the facade insulation, as they will inherently contain a free open area for air exchange.
- There is a general increase in urban noise levels, which can in the future be reasonably accommodated by these standards.
- The standards support the Local Authority corporate objective to prevent ill-health and improve local people's health and well being.

3.6.1.2 Entertainment Venues

Noise from entertainment venues e.g. noise from recorded music, live bands, or karaoke, can be particularly annoying for local residents and businesses if it is not adequately contained within the venue.

When considering the potential impact of a proposal for an entertainment venue consultants should consider the overall noise level (L_{Aeq}) and the 63 Hz and 125 Hz octave band noise levels (L_{eq}).

Music noise in the 63 Hz and 125 Hz octave bands, which is often described as ‘bass noise’, is particularly difficult to contain and the impulsive and non-steady character of low frequency music noise is particularly disturbing for local residents exposed to it.

Applicants and consultants should note that although a particular business model may require a ‘chilled out’ or ‘acoustic’ venue, planning approval for an entertainment venue will remain in place as long as the development exists. Subsequent owners or tenants may wish to provide much louder entertainment in the future.

For this reason applicants and consultants should predict the noise impact of a proposed entertainment venue using noise levels that are representative of those found in ‘typical’ venues of the kind being applied for. Consultants should provide their rational for using particular noise levels and reference the source of the noise levels used during their predictions.

A lively city centre bar can operate around 95dB L_{Aeq} and nightclubs can be even higher at 105dB L_{Aeq}. The range of levels at 63Hz and 125Hz octave bands is wider than the A-weighted levels and can be up to 115dB L_{eq} and 110dB L_{eq} respectively (Davies *et al* 2005).

There is a lack of consensus on an assessment method for noise levels within habitable rooms with regard to entertainment noise. The design aim however, should be to design to 'inaudible'*. The building structure is therefore key, and will usually involve a high performing solution in loud music venues.

Existing noise standards/criteria are not appropriate for evaluating low frequency noise; in almost all other situations the established noise descriptors are based on the A-weighted sound level (dBA) which effectively filters out low frequency sounds (Moorhouse *et al* 2011).

When dealing with noise control, especially at the lower frequencies it is usual to look at the octave band data as a Z-weighting (linear) and not the A-weighting, due in main to the amount you have to 'take off', resulting in meaningless data (-26.2dB at 63Hz) and also with respect to the sound insulation performance of various constructions materials.

Rather than just A-weighted levels being assessed e.g. internal noise levels as per BS 8233: 2014; a low frequency band analysis should be carried out (McCullough *et al* 2004).

*Noise is considered to be inaudible when it is at a sufficiently low level such that it is not recognizable as emanating from the source in question and it does not alter the perception of the ambient noise environment that would prevail in the absence of the source in question.

The DEFRA report ‘Noise from Pubs and Clubs – Phase 1’, which, on page 17 reproduces the Institute of Acoustics (IOA) working group guidance to achieve music noise levels which are ‘virtually inaudible’ inside a residential property.

In the ‘Procedure for the assessment of low frequency noise complaints – Revision 1’, Moorhouse *et al* (2011**)** use limits for low frequency noise levels in 1/3 octave bands between 10Hz and 160Hz.

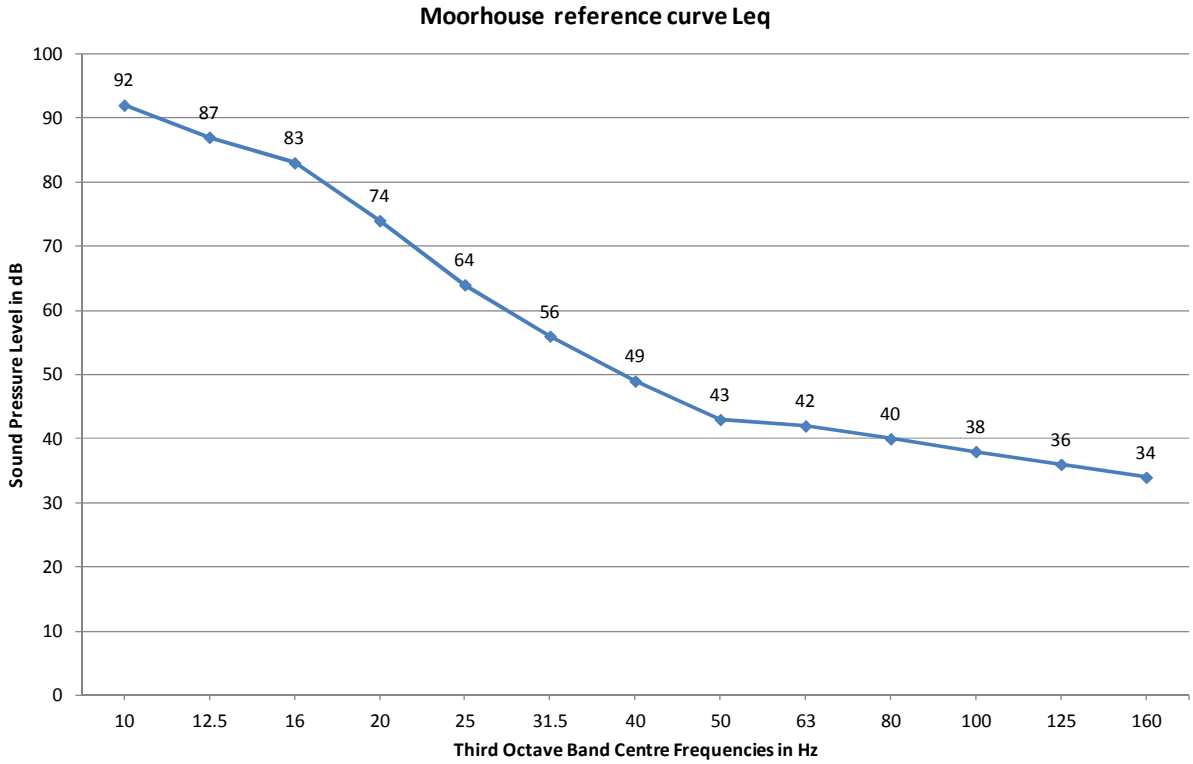


Figure 1*

For the assessment of low frequency music noise, it is more practical to consider the 63 Hz and 125 Hz octave bands. The Noise Council's Code of Practice on 'Environmental Noise Control at Concerts’ suggests limits on both these octave bands.

The DEFRA report ‘Noise from Pubs and Clubs – Phase 1’ suggests limits on 1/3 octave bands. However the problem with this particular suggestion, and one of the reasons it is not widely used, is due to the difficulty in obtaining 1/3 octave band sound insulation performance data for various construction materials.

With regards to assessing music noise the 63 Hz and 125 Hz octave band levels as shown in Figure 1 have been plotted against the NR 15 curve as shown in Figure 2, and a good correlation at low frequencies is evident (the octave bands were calculated from the ‘Moorhouse curve’ by logarithmically adding the adjacent 1/3 octave bands).

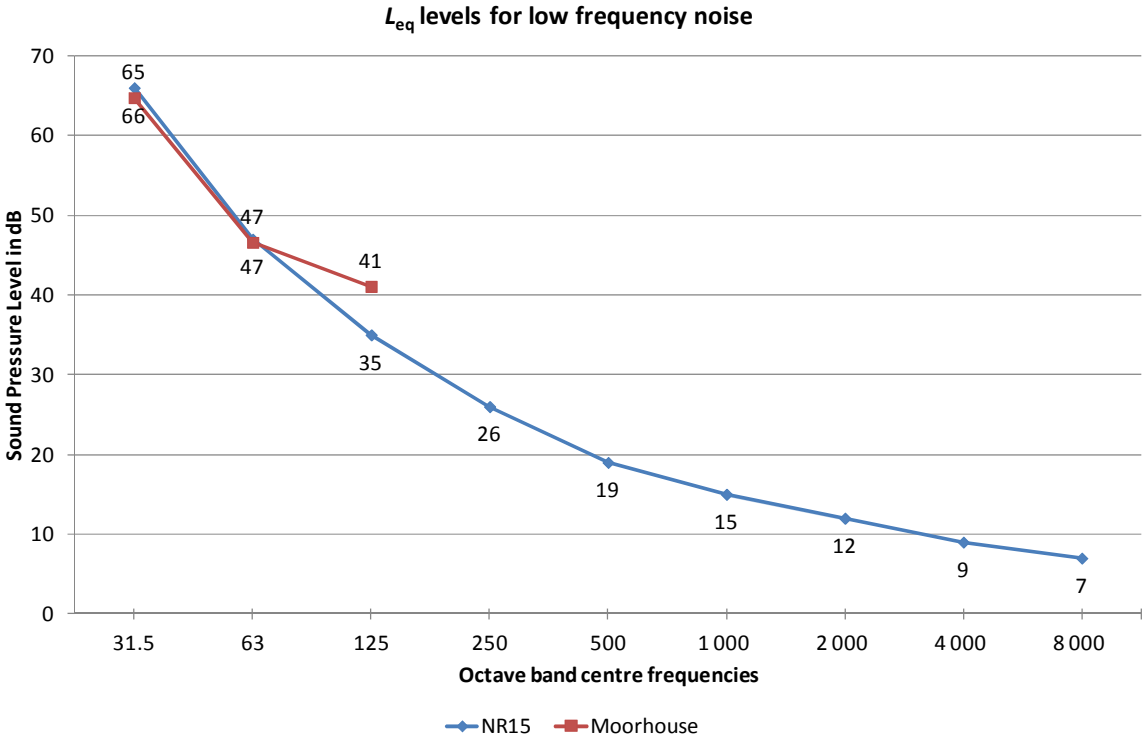


Figure 2

However, The NR curve may be too stringent at mid and higher frequencies and may be lower than background noise levels in habitable spaces. Further, the NR curve is most commonly used to set limits for mechanical services noise in buildings i.e. steady, continuous noise sources. Music noise has different characteristics and as such can be described as unsteady and non-continuous in comparison.

Even though the Moorhouse curve does not specifically relate to entertainment noise (as per the caveat in the revised edition) these levels provide a good practical basis to assess low frequency music noise. They also provide a workable prediction for planning applications and a measurement method and assessment for in-situ low frequency issues in existing habitable spaces.

Therefore a criterion that would achieve a condition of 'inaudible' / 'virtually inaudible' which is applicable for new residential developments that are structurally connected to entertainment venues (or vice versa) would be:

'Music noise levels in the 63Hz and 125Hz octave centre frequency bands (L_{eq}) should be controlled so as not to exceed (in habitable rooms) 47dB and 41dB (L_{eq}), respectively'.

This criterion may also be applicable for new residential developments that are structurally separate from an existing entertainment venue.

A planning application for a new entertainment venue that is structurally detached from other building uses should demonstrate that music noise from the proposal will not be 'audible' in nearby residential properties, assuming that the residential properties in question have their windows open. The criterion here is:

'Entertainment noise (L_{Aeq}) should be controlled to 10dB below the background noise level (L_{A90}) without the entertainment noise present, in each octave band at the nearest noise sensitive location'.

Depending on the circumstances it could be that both the above criteria are applicable for the same development (new entertainment venue). In order to control music noise levels so as not to exceed any agreed maximum permissible operating levels, a suitable noise limiting device will likely be necessary to install, in addition to structural acoustic treatments such as uprated lobby systems and size, location and fixing of loudspeakers.

3.6.1.3 Mixed Use Developments

Where a planning application includes a proposal to contain a potentially noisy development within the same building as a noise sensitive use or visa versa the noise survey should consider the transfer of noise between the noisy and noise sensitive uses. An example of where this should be considered would be a proposal for a bar or club within the same building as residential properties (see section 3.6.1.2).

Consultants should demonstrate that the structure of the development will be sufficient to adequately contain the noise generated within the development. In doing so consultants should consider:

- flanking noise;
- structure borne noise;
- the overall level of noise (L_{Aeq}) generated by the use in question and any tonal or impulsive characteristics that the noise may contain; and
- the acoustic properties of the development (Including the construction of party floors and/or walls, windows and doors, ventilation systems, and structural columns.)

3.6.1.4 Construction / demolition phases

Noise from construction or demolition works as part of a development can be intrusive or disruptive to local businesses and/or noise sensitive land uses. For this reason construction or demolition activities should be restricted to daytime periods and have finite start and finish times.

All noisy works (i.e. those that are audible beyond the site boundary) should be restricted to the following hours to minimise disruption:

- **Monday - Friday: 7.30am - 6pm**
- **Saturday: 8.30am - 2pm**
- **Sunday / Bank holidays: No work**

These restrictions apply to deliveries/collections to the site.

By utilising set working hours for activities on site as well as deliveries to the site, respite is provided for local residents and businesses near to the development. Noise and disruption to local residents will occur during development works, so it is important to remember that local residents may not necessarily be in favour of the development or all aspects of it. By keeping an open dialogue and attempting to placate any complaints or grievances, the development is likely to progress more efficiently.

For larger developments or developments that are likely to progress over a long period of time, it may be worth considering a 'Considerate Contractors Scheme'. These schemes suggest guidelines to minimise disruption to local residents and businesses and provide a code of conduct for employees on site so that their work does not unduly upset local residents and/or businesses. These schemes include noise as well as many other elements such as dust suppression, deliveries, working hours, behaviour on site, approved delivery routes, etc.

A Construction Management Plan (CMP) shall be submitted to and approved by the Council for large schemes. This should contain a Noise & Vibration section that bases the assessment on BS 5228 (see section 3.5), with reference to other relevant standards. It should also contain a community consultation strategy which includes how and when local businesses and residents will be consulted on matters such out of hours works. Any proposal for out of hours works will be submitted to and approved by this section, the details of which should be submitted at least 28 days in advance of such works commencing.

3.6.1.5 Industrial / commercial developments

BS 4142 should be used to assess the likely impact of noise from industrial and commercial sources at noise sensitive premises (section 3.5). One of the indications of the impact of a BS 4142 assessment is the lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, *depending on the context*.

The Council consider that new developments should contribute and enhance the area in which they are located and where possible, contribute to the improvement of people's health and quality of life as per the NPSE. With this in mind, the design objective should be:

'The development should be designed so as to achieve a rating level of 5dB (L_{Aeq}) below the typical background (L_{A90}) level at the nearest noise sensitive location'.

Where this criterion cannot be achieved, the various noise control measures considered as part of the assessment should be fully explained (i.e. relocation of noise sources, use of quieter equipment, enclosures, screening, restriction of the hours of operation) and the achievable noise level should be identified. This information will allow us to make a judgement concerning the application and its likely impact on the surrounding area.

In addition to the above, maximum noise levels should also be adequately controlled. Where Uses generate high noise levels of a short duration (e.g. loud bangs) on a regular basis, these should aim to be controlled so as not to exceed 60 dB (L_{Amax}) at the façade of

noise sensitive premises nearby in accordance with the recommendations of the World Health Organisation (section 3.5).

Deliveries and collections are usually controlled by restricting operational hours but depending on the extent of these activities, a Noise Management Plan (NMP) may be requested, which would include an assessment of noise. This would usually involve assessing the noise upon arrival, loading/unloading period and then departure.

The NMP may also need to include controls such as acoustically sealed delivery bays, and restrictions on vehicle mounted refrigeration units and audible alarm systems. Where applicable, the noise assessment will take account of multiple noise sources operating simultaneously and the state cumulative level of these.

3.6.1.5.1 Noise and Vibration from Fixed Plant / Equipment

Noise from fixed plant, equipment or machinery can be very annoying and disruptive to people living nearby particularly where that item involved emits a noise with impulsive or tonal characteristics.

Many of the noise complaints Environmental Health receive about noise from plant, equipment and machinery specifically concern the character of the noise emitted. Any noise assessment needs to consider not only the overall level of noise emitted but also its particular characteristics. The noise assessment should be based on BS 4142: 2014 and any application for fixed plant, equipment or machinery must demonstrate that:

'Externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (L_{Aeq}) below the typical background (L_{A90}) level at the nearest noise sensitive location'.

By designing the sound pressure level of any plant items to generate a noise impact of at least 5dB below the existing background level, any plant noise impact should be of a negligible level which should not give rise to complaints from users or occupiers of existing noise-sensitive usages.

Past experience has shown that this criterion can be readily achieved. Where available, product specification data for new items should be submitted with the acoustic report. Consultants should be using these to compare with data from the noise survey, and propose mitigation where the levels are above those specified in the criterion. Where this information is not available a consultant may choose to measure the noise levels generated by the equipment in question where the equipment has already been installed elsewhere (and in accordance with the guidance in BS 4142).

Where fixed plant, equipment or machinery is attached to a building the vibration caused by it can pass through the building structure and cause structure borne noise elsewhere in the building. Where it is to be installed in or on a building containing a noise sensitive use structure borne noise should be considered in the noise assessment and adequate control measures should be proposed. An example of where this would be required is where there is a proposal to install fixed plant or equipment on the roof of a residential apartment block.

3.6.1.6 Other Potentially Noisy Activities

The following types of development proposals or applications may have additional specific guidance published to review noise impacts or may otherwise be a potential source of noise.

It is recommended that pre-application discussions are held with Environmental Protection Team if any of the following application types are to be submitted:

- Motor car/bike tracks/speedways
- BMX, skateboard, scooter, mountain bike tracks
- MUGAs
- Sport stadia
- B2 Use Class developments
- Wind Turbines
- Gymnasia

The above list is far from exhaustive; however it highlights some of the applications that have been considered with particular attention to noise in the past.

If there is any doubt over whether noise issues may need to be addressed prior to submitting a planning application, please contact the Environmental Protection Team.

4.0 Determining planning applications

Consideration of noise will depend upon the development proposal. If a particular development is for a noise-sensitive end use then consideration of the locality of the proposal is an important aspect of any application.

The review will also consider the operational times of local businesses as well as any noise that they may emit. Transport noise sources may also affect recommendations made, especially if the development proposal is near to a busy road or rail/tram line.

Noise conditions may include recommendations for upgraded sound insulation, which can be a vital means of protecting future occupants from transport noise or industrial /commercial noise sources.

However, upgraded glazing, for example may only protect or mitigate against noise if windows are kept shut. As such, some developments may also need to provide acoustic trickle vents and/or acoustically-treated forced ventilation, to help reduce the need to open windows in the first place (see section 5.3).

Consideration for new businesses will typically involve a review of the noise likely to be emitted from the business. This can include plant or equipment associated with that business and its operation, but may also consider transport noise from deliveries or dispatched merchandise as well as possible increased traffic flows from visitors or staff arriving or leaving the site.

Certain types of business may also be expected to have similar patterns of operation; for example, bars and hot food takeaways tend to concentrate on afternoon and evening trade, whereas storage and distribution centres are likely to include overnight operations.

All development proposals should consider the ambient noise levels already present in a given area. For developments that are likely to have an impact as per what has been stated in section 3.6, consideration of appropriate acoustic mitigation measures will be necessary to reduce the impact from the development site to an acceptable level.

4.1 Planning Use Classes

The Town and Country Planning Order 2010 puts uses of land and buildings into various categories known as 'use classes'. Sufficient knowledge of where development proposals fit into the use class system may provide an indication of the key considerations with respect to noise.

It is important to note that noise impact from transport networks can only be dealt with at the planning stage, as current legislation prevents action being taken either to increase insulation at affected properties or to take action against road users for noise. As such, on a legislative basis, noise which is likely to affect development from traffic must be addressed at the planning stage if it is to be addressed at all.

Potentially noisy development may cover a large range of different activities and planning use classes. Typically the following use classes would be considered to have a greater impact on noise sensitive land uses at or around the proposal site:

- A3/A4/A5 Retail Food and Drink activities
- B2/B8 General Industry and Warehouse activities
- D1/D2 Non Residential Institutions and Assembly and Leisure activities
- Sui Generis uses are inherently more varied therefore specific consideration of any proposal within this category is required to ensure that any noise impacts are minimised.

4.2 Planning conditions

NPPF, Para 206, states that conditions should only be imposed where they are;

- Necessary
- Relevant to planning & the development
- Enforceable
- Precise
- Reasonable in all other aspects

Noise conditions often require an assessment of noise and the submission of a scheme of works to achieve target or previously agreed noise levels. Conditions may also relate to operating hours, opening hours or delivery hours where these are considered to be a key element for controlling noise levels.

Where complex or a combination of issues is likely within a development proposal, it is likely that post completion testing and reporting will be required before the condition can be discharged.

Any application for the discharge of a condition must be supported by all information requested in the condition. If any element of the condition has not been addressed either in part or fully, then it is likely that the condition discharge application will be recommended for refusal.

Due to the complex nature of noise and noise control engineering, it will often be necessary to engage an acoustic consultant to address the requirements of any noise conditions attached to a consent. The acoustic consultant may need to carry out noise surveys and recommend appropriate noise mitigation measures either in order to respond to pre-determination requests or in support of applications to discharge conditions.

5.0 Acoustic design

To achieve good acoustic design a hierarchal or sequential approach should be encouraged starting early in the development process, with control at source being the most preferable form of mitigation and façade or off-site treatment representing methods of last resort.

5.1 Stages

The recommended sequence of stages in the planning and early design stages of a development should be to:

1. assess the site; identify significant existing and potential sources of noise, and any nearby noise sensitive locations.

2. determine design noise levels based on the Council's requirements.

3. determine appropriate sound insulation and/or noise control measures.

4. establish quality control and ensure good quality workmanship.

5.1.1 Development considerations

When planning permission is sought for a new building, change of use to an existing building or any other type of development, the Council may:

a) refuse permission if the site is too noisy for the proposed use and local or national policies will not be met; or

b) refuse permission if the proposed use is likely to cause noise disturbance to the occupants of existing buildings such that local or national noise policies will not be met; or

c) grant permission, with or without conditions regarding noise levels, so that local or national policies are met.

Where the actual use of a development is unknown then the worst-case scenario should be assumed and corresponding noise levels should be used to predict the noise impact of the development.

Some noise sources (e.g. airports) might not always be active, or might change their mode of operation under different weather conditions and/or at certain times of day or night. Furthermore, buildings might not necessarily be occupied when the outside environment is noisy. It is therefore essential to make a full assessment of the site before considering the need for, and extent of noise control.

5.1.2 Noise generated within the development

The existing and expected noise source/s should first be identified and the following procedures should be applied:

1) select metrics to use for measuring or predicting noise levels (e.g. $L_{Aeq,T}$)

2) assess effects of topography and other features, such as noise screens or reflecting surfaces.

3) measure or predict noise levels at strategic points. In some complex situations it might be beneficial to produce a contour map of external noise levels.

4) if appropriate, assess noise levels due to user activities around the development.

The levels of existing noise and noise expected in the foreseeable future should be based on measurement where practicable, or may be predicted if there is reliable information.

5.1.3 Noise generated outside the development

For noise sources outside the building, the initial appraisal should take into account of the options for:

1) location of the site in relation to the noise source/s.

2) reduction of noise at source.

3) positioning of buildings on site.

4) Orientation of buildings on site.

5) provision of barriers.

6) increasing the sound insulation of the building envelope.

7) re-planning the interior layout of the building.

These options might also be applicable to protecting neighbouring buildings that are likely to be disturbed by noise generated within the building.

5.2 Assessing noise

In essence the applicant/developer should:

1) compare existing noise levels with the recommended design and/or Council criteria with the noise being produced by the proposal.

2) calculate the noise reduction required.

3) identify which noise control measures would be appropriate to deliver the noise reduction.

The main reasons for requiring a noise assessment would be if:

- there is a planning application for a noise sensitive development, such as a residential development, next to or near an existing noise source, such as busy transport route, or an industrial, commercial or recreational land use.

- there is a planning application for a development that has the potential to cause noise disturbance to existing residential or other noise sensitive properties.

The following information MUST be included in all acoustic reports:

- A statement of the reason for and scope of the report.
- Details of the proposed development to which the report relates.
- A location and development plan.
- A description of the area and environment surrounding the development site
- The methodology used to carry out the noise survey including the location of any noise monitoring locations, the equipment used and details of its last accredited calibration, and the weather conditions at the time the survey was carried out
- Full table of results.
- Assessment of the results in accordance to the relevant standards and policies.
- Recommendations for noise control measures if needed.
- Full calculations of the noise reductions expected to support any suggested noise control measures.

Environmental Impact Assessment

Certain planning applications may fall within the scope of the Environmental Impact Assessment Regulations 1999. Where this is the case an Environmental Statement will be required to support the planning application, as stipulated by these regulations. It is likely however, that additional information concerning each aspect of Environmental Protection will be required to fully assess an application, in addition to the consideration contained in a typical Environmental Impact Assessment.

Acoustic reports should be submitted as part of the planning application. The information is often essential to allow the Planning and Environmental Health Departments to assess the impact of the proposed development and make recommendations.

It may be that the Council cannot make a decision about the acceptability of the development until a noise survey has been received. Failure to submit an acoustic report with a planning application may therefore delay the application process.

A suitably qualified and experienced acoustic consultant should carry out the noise survey and complete an acoustic report.

The Council is unable to recommend a consultant. However a list of acoustic consultants can be obtained from the Institute of Acoustics website by following the Members Register link at:

www.ioa.org.uk

5.2.1 Introduction / Discussion

The introduction section will usually discuss the purpose/scope of the report, a summary of the main features of the development, and a description of the location, and factors around the site which affect the development. There may be mention of 'agreement' with Environmental Health of 'acceptable noise criteria'.

The City Council's noise level design criteria MUST be mentioned in the report because they are the foundation upon which a suitable noise control scheme will be based.

Recognition of local noisy factors need consideration early on in the report (nature of noise, time of day, duration, loudness etc.). Again, they set the foundation for the rest of the report.

If there are no significant noisy sources that are of concern, the report should say so. However, any significant noise sources, i.e. those which will have a direct impact on the development, should be identified and suitably accommodated in the discussion and noise measurement survey.

5.2.2 Noise survey

Examples of where these are required include:

- Before construction, to establish the existing noise climate at the site of a proposed development where reliable prediction is impracticable, as an aid to the design of the building envelope, either to protect against external noise or contain internally produced noise;

- During construction, to monitor noise (or vibration) from building activity, either to assess the likely nuisance to the local community;

- At the end of a building contract to check the insulation of the building envelope or the noise levels produced by the services;

- As part of a planning requirement.

A noise survey is used to determine the existing noise environment on or around a particular development site. It is an important part of a noise assessment, as it is the baseline against which any predictions of the noise impact of a development will be compared.

The date, time, and location used to measure noise levels and the methodology used are of the utmost importance to ensuring the survey is accurate and representative of the particular environment in question.

It is important that the survey considers the noise environment around a development at the most appropriate times and on the most appropriate day of the week.

For example:

a) A noise survey for a residential development lying near a busy road should consider the noise levels around the development site during rush hour, during the day, and during the night;

b) A noise survey for a proposed music venue should be carried out at the quietest times the premises will be in operation to ensure the noise survey will be representative of the environment at the most sensitive times when the venue is likely to have its greatest impact.

Depending on the development site and its environment it may be that a full 24 hour noise survey will be required.

Visits will often be necessary to the site to determine where those measurements can be taken, and assess any factors that might pose a problem which can include access and safety matters. A discussion and plan of the locations of measurement points around the development site should be provided.

5.2.3 The data

Tables of data associated with the noise survey should be provided in terms of location of measurement points, time taken, and measured or predicted level.

Where there are noise sources with time associated factors, such as a busy road with significant rush hour vehicle movements but possibly many fewer cars traveling on it between these hours, a local rail line with noisy individual night time train passes, local bar/club/take-away adjacent with opening times into the early morning, etc. then a more focused noise survey is needed to establish the impact of these sources (see section 5.3).

Consideration of L_{Amax} values is particularly important for developments near to railway lines, metrolink lines, Manchester International Airport, large commercial/industrial premises, where there are potentially high incident noise levels for short time periods which may affect sleep disturbance.

A noise survey may show only one or two exceedences over a long time period, some may indicate frequent exceedences which will represent a large number of potentially sleep disturbing events.

In this case, although a noise insulation scheme might deal effectively with the average L_{Aeq} levels, it may not be designed, or be capable of dealing with these intermittent, but possibly excessive numbers of exceedences of the L_{Amax} which will have a significant impact on sleep during the night time period.

5.3 Noise control

All reasonable noise control measures should be designed and implemented to ensure that noise level requirements are met. Where possible noise should be controlled at its source. e.g. selecting a quieter equipment specification.

Developers can also consider the design and layout of a development to see if changes would reduce the levels of noise emitted from the development or protect residents from the impact of externally generated noise.

For example, increasing the distance between the noise source and noise sensitive building, orientating a residential building so that bedrooms do not face or overlook a busy road, or placing non sensitive buildings or structures between a noise source and noise sensitive use.

Any proposals to reduce noise at source, by the design and layout of a development, or by building treatments such as acoustic glazing or ventilation should be supported by full calculations to indicate the likely level of noise reduction.

Where it is necessary to keep windows closed to achieve the required internal noise levels it may be a requirement to provide additional ventilation to ensure that residential properties can be adequately ventilated if residents choose to keep their windows closed for noise reasons.

Any ventilation will need to meet the requirements of Part F of the Building Regulations which will be assessed by the Building Control Department. Where additional ventilation is

required it should be capable of achieving the same noise reduction as the closed glazing and building structure.

5.3.1 Measures to deal with noise reduction

The control of noise is key to ensuring future noise problems are avoided and to ensure that any additional noise has a limited effect on people's health and quality of life.

5.3.1.1 Building orientation

A building should be orientated in such a way as to minimise noise exposure. For example, buildings can be arranged so that they form a natural acoustic barrier against noise sources. This is particularly effective where one side of the development has a dominant noise source, such as a busy road/factory.

The facade facing a noise source should be constructed with suitable acoustic mitigation measures built in. Acoustically-treated forced ventilation may also be necessary to minimise the need to open windows.

These techniques can be used to great advantage, particularly if designed in conjunction with the layout of the rooms, allowing bedrooms or living rooms to face away from a noise source (see section 5.3.1.3).

5.3.1.2 Screening

Complete enclosure of the noise source or receiver is the most effective form of barrier (providing it is impervious and sufficiently heavy). The walls and roof of a building usually perform this function for a noise sensitive development whereas acoustically enclosing plant or equipment may be applicable for noise making developments.

Barriers or acoustic screens that are not complete enclosures (e.g. screens/fences) are normally most effective when tall, long, sound-absorbent and close to either the noise source or receiver.

Whether they are an existing feature, such as a railway cutting or embankment; a purpose-designed acoustic barrier, such as a solid boundary fence or earth mound; a purpose-designed feature of the building, such as a courtyard; or the building itself, which attempts to arrange sensitive internal spaces away from any noise source, barriers can prove extremely effective in mitigating or attenuating noise.

They protect low-rise buildings better than high rise buildings. Generally the taller the barrier the better, but there are physical limits above which the barrier will not realistically offer any additional protection. They should usually extend well beyond the site boundary to ensure adequate protection is offered.

Acoustic barriers are usually constructed from timber, although any solid material with a sizeable mass per unit area will provide acoustic shielding. Barriers can even be made from transparent/opaque materials such as plastic, for areas where visual amenity may be of importance.

It is vital that an acoustic barrier does not have any gaps within it, as even a small gap or hole in the barrier at ground level is sufficient to render it ineffective.

If a barrier or enclosure is proposed or required as part of a development, full calculations will be necessary in addition to any related product specification data.

5.3.1.3 Building layout / design

When considering the layout of a proposed building, it may be better to locate non habitable rooms, such as kitchens, bathrooms and stairwells on the noisier aspects of the building. This allows these non-sensitive rooms to act as an acoustic barrier to the more sensitive, habitable rooms, which are located at the quieter side of the building.

For semi-detached/terraced houses and flats/apartments, the positioning of rooms relative to those in the adjacent residences is important to ensure that noisier areas such as kitchens, living rooms and bathrooms do not share party walls, ceilings or floors with bedrooms residing in separate occupancy.

Such incompatible adjacent room types are highly likely to give rise to noise complaints in the future. If the layout of a building is such that these incompatible room types are adjacent to each other, either vertically or horizontally, then it is likely that uprated acoustic measures will be required in the walls and/or floors to mitigate against noise transfer.

Building Regulations Approved Document E considers impact noise through floors and provides appropriate mitigation measures to counter the effects of footfalls, but it does not consider impact noise through walls that would be commonplace in kitchen areas through the closing/slamming of kitchen doors and drawers. This can be a significant source of noise if a kitchen in one property is adjacent to a bedroom in an adjoining property.

5.3.1.3.1 Sound insulation schemes

The required sound insulation should be determined on the basis of the assessment of:

1) the level and characteristics of the noise outside the building
2) the design criteria noise levels in the rooms and other spaces of the building.

A suitable sound insulation scheme should be suggested which meets the required Council internal noise criteria.

In its simplest terms, when the attenuation factor for the building element is subtracted from the measured noise level, the resulting figure should be at or less than the appropriate noise criterion target level.

Therefore if, for example, the night time average is 50dBL_{Aeq}, then the glazing must be capable of attenuating external noise by at least 20dB in bedrooms to achieve a level of 30dBL_{Aeq} in the bedroom at night time.

If the average daytime measured external level is 65dBL_{Aeq}, then a reduction of 30dB is needed to bring noise levels internally in living rooms down to 35dBA, which requires a higher specification window.

If this latter specification were applied to the whole development then both living room and bedroom noise reductions would be satisfactorily achieved.

The impact of trickle vents if to be fitted to the window panels needs to be considered, and either a higher specification window panel and/or fitting of acoustic trickle vents to restore internal room levels to within the required noise criteria would be necessary.

5.3.1.3.1.1 Windows and doors

The windows and external doors of a building should be to a specification that ensures they provide sufficient insulation against external noise.

To achieve a good standard of insulation external doors should be close-sealed with no gaps in or around them, and have sufficient mass to resist external noise.

Where necessary, higher standards may be achieved by providing entrance porches with double doors. Providing they are properly fitted, standard thermal double glazed window units will generally reduce external noise levels by approximately 30dB.

The amount of noise that is reduced by a feature such as a window is known as the Sound Reduction Index (R_w).

Sound reduction indices – R_w, R_{tra}, C_{tr}

Where no particular environmental noise predominates, then consulting a manufacturer's table of sound reduction figures for typical glazing specifications, you can determine the glazing panel which will achieve the level of sound insulation needed. This is expressed as the R_m or R_w. R_m is the 'mean reduction index', and R_w the 'weighted reduction' and incorporates a correction for the ear's response, and is often the index quoted.

If the main element of noise is likely to be traffic noise, then another corrective factor needs to be considered, and that is some 'weighting' of the sound reduction levels which accommodates typical traffic frequencies more closely. This is specified as the R_{tra}, Traffic Noise Reduction Index.

Example:

- A development close to a very busy main road is proposed and the noise survey carried out. The night time external noise measurement is 57dBL_{Aeq} and therefore a reduction of at least 27dB is needed to meet bedroom criteria. Looking at a manufacturer's glazing specification, a glazing panel of 4:12:4 will achieve a suitable reduction if in a general noise environment of mixed noise sources.

  BUT because the significant noise source here is traffic, this glazing specification fails to achieve a suitable reduction because the 'R_{tra} is 25dBA, (57-25=32dBA). A more suitable glazing panel would have a specification of 10:12:4 achieving an R_{tra} of 29dBA (57-29=28dBA).

In this case, if the R_{tra} figure was not quoted, the report would not be satisfactory.

Building Regulations and BS EN ISO 717-1 (standard for acoustic testing) introduce a 'correction factor' for low frequency noise, the C_{tr}.

Glazing (and other structural building components) specifications may now quote sound insulation data in terms of R_w with a C_{tr} correction. For example, a manufacturer's 6/16/6.8 glazing unit has an R_w of 38dB and C_{tr} of –6dB.

In a general noisy environment it will be acceptable to quote the R_w rating alone, but when considering specifications in environments where low frequency noise is the principal area of concern, which can include traffic and noise from clubs etc., then the C_{tr} correction should be applied.

Traffic noise can often result in reverberant noise being passed through glass into a building. This is usually due to the glazing panels being constructed of the same thickness of glass meaning that when the outer pane vibrates, it causes the inner pane to vibrate as well.

Acoustic glazing often has different thicknesses of glass incorporated into the glazing unit, meaning each pane has a different reverberant frequency and therefore noise is not transmitted through it as easily.

Increasing the thickness of the panes of glass (for example from 4mm to 6mm) provides an improvement in noise attenuation, as does increasing the air gap between the panes. For example panes of 10mm and 6mm with a 12mm gap between them will reduce noise levels by about 34dB.

Where external noise levels are very high, standard thermal double-glazing may fail to provide sufficient acoustic attenuation. If this is the case, then higher performance acoustic glazing, which utilises secondary glazing can be considered. This is usually characterised by an air gap between the panes of at least 100mm and can be constructed with secondary sashes.

Again, it is advisable for the two panes to be of different thickness and performance can be further improved if the sides of the air space between the panes are lined with sound absorbent material. Under some circumstances, triple glazing may be sought as a means of noise attenuation, but these measures are only usually required in proximity to sites exhibiting a significant noise impact.

If the rigorous calculation is used as per BS 8233: 2014, and included in the report (for each room type, façade and/or floor level, L_{Aeq}, L_{Amax}, day and night time) then the R_{tra} and C_{tr} correction would not need to be quoted.

Acoustic glazing is only of benefit when the windows are kept closed; this is obviously not always practical. Partially opening the window will typically reduce the acoustic performance to 10-15dB.

This is of great concern where the uprated acoustic performance is to protect occupiers of a bedroom, where opening the window to increase ventilation and comfort will instead introduce unacceptable levels of noise which may make sleep difficult.

Windows may also be fitted with acoustic trickle vents, but these are primarily for background ventilation as opposed to rapid ventilation or summer cooling. It may therefore be necessary to introduce alternative acoustically-treated mechanical ventilation to bedrooms and some lounge areas, the aim being to increase ventilation rates in a room without physically having to open the window.

Please refer to Appendix B for further technical information.

5.3.1.3.1.2 Ventilation

The Building Regulations (outside the scope of this guidance) recommend that habitable rooms in dwellings have background ventilation. Along with the specification of glazing for the development a scheme of how such ventilation is to be provided should also be included.

Occupants should be provided with a supply of fresh air in habitable rooms without having to open the windows (whilst also having the option to do this for purge ventilation, or at the occupants discretion).

If partially open windows were relied upon for background ventilation, the insulation would be reduced to 10-15dB. The indoor noise level criteria for bedrooms and living rooms do not need to be achieved when windows are opened to achieve Part F purge ventilation requirements*.

Where ambient noise levels are high a scheme of ventilation will need to be provided that does not compromise the acoustic attenuation afforded by the glazing. This may come in the form of individual window trickle vents or acoustic trickle vents.

Whilst these types of vents do not usually replace opening windows, they aim to minimise the need to open windows, providing a more comfortable internal noise level. The use of acoustic trickle vents can be used to permit adequate background ventilation as required by the Building Regulations Part F. Although it is worth noting that ventilation requirements can vary from dwelling to dwelling.

*Purge ventilation is the manual control of ventilation in rooms or spaces at a relatively high rate to rapidly dilute pollutants and/or water vapour. It may be provided by natural means (e.g. an openable window) or by mechanical means (e.g. a fan). It is an intermittent need i.e. painting & decorating, smoke from burnt food BUT is also used to improve thermal comfort.

These vent types usually have an acoustic performance in excess of that of uprated glazing, whilst still allowing background ventilation to occur.

Where ambient noise levels are more extreme and the opening of windows is likely to be required to increase ventilation rates, then it may be necessary to consider forced acoustically-treated mechanical ventilation.

This method utilises acoustically-treated fans (quiet running) that are capable of providing normal and summertime flow rates so occupants do not need to open windows during hot summer days.

If combined with a boost facility, then this may reduce the need to open windows for summer cooling or rapid ventilation purposes. Mechanical systems may include fans within individual rooms or may be incorporated as part of a larger scheme, which provides ‘whole house’ ventilation. This may operate in conjunction with kitchen and bathroom extraction systems to provide both input and output air to the building, sometimes with heat recovery to pre-heat the incoming air during colder periods.

These systems usually filter and acoustically shield the incoming air to prevent external noise entering a building. Sometimes 'make up' air is brought in from the quieter side of the building to utilise the natural acoustic shielding that the building itself provides. Ducted systems with intakes on the quiet side of the building might be required in very noisy situations, or where appearance rules out through-the-wall fans.

Mechanical ventilation is often utilised in Air Quality Management Areas where there is the need to shield both transportation noise and polluted air from the occupiers of the buildings. Proofing against noise will usually satisfy many air quality issues; reconfiguration of the system to provide make up air from the furthest point away from a transport source or emission will typically satisfy many air quality issues.

When undertaking residential environmental noise assessments noise break-in calculations (as per BS 8233: 2014) must be made to determine what ventilation strategy is required to achieve the internal noise level criteria.

Based on the results of the break-in calculations, the acoustician should advise the developer / design team when trickle ventilators are not a suitable background ventilation strategy, and include a suitable recommendation for a mechanical scheme in the acoustic report to accompany the planning application.

In areas where there are particularly high noise levels and attaining the internal target levels for bedrooms may be particularly difficult, consideration will be given to the installation of sealed glazed units with the provision of mechanical ventilation. It is up to Building Control and developers to ensure that adequate provision for ‘purge ventilation', as required under the Building Regulations Part F is met.

Please refer to Appendix C for further technical information.

5.3.1.4 Plant and Equipment

Noise from external plant, equipment or servicing items are assessed when determining planning applications. Typical equipment in both commercial and residential developments includes items such as air conditioning plant, retail refrigeration plant or lift motors.

Industrial developments are much more varied with the types of plant and equipment being entirely related to the industry in question.

The design aim here should be to meet the criterion in section 3.6.1.5.1. Consideration should initially be given to selecting the most low noise emitting models of plant and equipment possible. If this is not feasible, then it may be advisable to consider relocating noisy plant and equipment to a less noise sensitive area of the site and/or away from multiple reflecting surfaces.

It may also be possible to erect acoustic shielding around any necessary plant and equipment to contain noise and prevent it causing problems off-site. Some equipment may require additional acoustic mitigation measures to control the impacts from tonal noise or intermittent operation.

The use of any plant and equipment overnight usually causes an increase in noise sensitivity, so it may be advisable to limit use during night time periods if possible.

Consideration of the above measures at an early stage of the planning process is likely to progress an application more swiftly.

5.3.1.5 Vibration

Significant vibration within the City, with the exception of temporary construction works, is only likely to be generated by the movement of trains or trams travelling along railway lines.

Ideally, track form and wheel/rail interface would be in the optimum condition to minimise vibration generation and /or curving noise. However, wear and tear will over time change the condition of the track surfaces. Design and maintenance is therefore essential elements of any new lines / operations.

Road traffic is unlikely to generate any significant vibration, providing the road wearing surface is in reasonable repair. The exception to this is where there is a significant proportion of Heavy Goods Vehicle traffic present, as this can create vibration issues regardless of road surface condition.

A vibration assessment (which is usually based on BS 6472: 2008) may be required where railway/tram lines are within 75m of a proposed development site. It is important that vibration issues are considered, and measurement data supplied in the report, together with mitigation proposals if vibration without these works has been identified as a potential problem.

Building services, including air conditioning and air handling plant, may generate vibration and in turn, re-radiate noise within buildings. All building services plant and equipment should be supported on proprietary anti-vibration mounts. As such, planning permission

granted for the installation of services, plant and equipment may include a condition to assess or control plant vibration.

BS 5228-2 indicates that construction activities (particularly piling) generally only generate vibration impacts when they are located less than 20 metres from sensitive locations. The effect depends on the type of piling, ground conditions and receptor distance.

'Best Practicable Means' (as per the Control of Pollution Act 1974) should be adopted in as a minimum in order to mitigate against construction phase noise effects.

Ground borne noise may also be an issue and should be factored into any assessment/design where necessary. As this is a highly specialised area of acoustics it is advisable that the appropriate consultant is engaged if this has been identified as a potential impact.

5.3.1.7 Quality control & workmanship

Quality control and workmanship should always be considered very carefully. Noise control measures can fail to perform adequately if they are not built as the designer intended. Such failures can have serious implications for noise control e.g. incorrect fitting of windows will reduce the performance of the glazing system.

Effective sound insulation and noise control often require careful detailing on the part of the designer and a high standard of workmanship on the part of the contractor.

Correct execution of the detailing should be checked on site and the completed development should be fully commissioned where required before handover. As a result, post completion testing/reporting will likely be required as part of a planning condition.

Noise control is only one aspect of environmental design and designers should be aware that the solution to a noise problem can cause difficulties elsewhere e.g. thermal insulation, solar gain, cold bridging, ventilation and condensation. Much information on the environment in and around buildings is available and should be considered at an early stage of the design process.

The in-situ sound reductions of building elements are often less than the specified performance tested under laboratory conditions.

6.0 References

BS 4142: 2014 *Methods for rating and assessing industrial and commercial sound*

BS 5228: 2009 *Code of practice for noise and vibration control on construction and open sites*

BS 6472: 2008 *Guide to the evaluation of human exposure to vibration in buildings*

BS 7385: 1990 *Evaluation and measurement of vibration in buildings*

BS 7445-1: 2003 *The description and measurement of environmental noise: Guide to quantities and procedures*

BS 717-1: 2013 *Acoustics. Rating of sound insulation in buildings and of building elements. Airborne sound insulation.*

BS 8233: 2014 *Guidance on sound insulation and noise reduction for buildings*

Braiden, John (2015) 'Low frequency entertainment noise' memo

Davies, W.J *et al* (2005) Noise from pubs and clubs – Phase 1

Institute of Acoustics (2002) – Good practice guide on the control of noise from pubs and clubs – Draft Annex 2.

McCullough *et al* (2004) A practical evaluation of objective noise criteria used for the assessment of disturbance due to entertainment music

Moorhouse *et al* (2005) Proposed criteria for the assessment of low frequency noise disturbance, Defra (updated in 2008 and 2011)

Noise Policy Statement for England (2010) Department for Environment, Food and Rural Affairs.

National Planning Policy Framework (2012) Department for Communities and Local Government.

National Planning Policy Guidance (2014)
http://www.planningguidance.planningportal.gov.uk

The Building Regulations (2010) Resistance to the passage of sound, approved document E

The Building Regulations (2010) Ventilation, approved document F

World Health Organisation (1999) *Guidelines for Community Noise*

7.0 Glossary of acoustic terminology

Acoustic absorption
Is measurable and is defined by a coefficient between 0 (totally reflective) and 1 (totally absorbent) at each frequency. Although an anomaly in the standard laboratory test procedure can lead to absorption coefficients higher than 1, this is not achievable in real installations.

Acoustic trickle vent
Work by making air/noise pass over one or several layers of sound absorbing material.

Acoustic mechanical ventilators
Are a similar mechanical version of the acoustic trickle vent, and assist high levels of noise insulation when combined with sealed glazed units. Often installed when external noise levels are particularly high, e.g. houses close to motorways.

Ambient noise
This is the totally encompassing sound in a given situation at a given time usually composed of sound from many sources near and far. It is usually measured in terms of L_{Aeq}.

Acoustical material
A material used to alter a sound field. The material may be used to absorb, damp or block acoustical energy.

Airborne noise
A condition when sound waves are being carried by the atmosphere.

Damping
The process of dissipating mechanical vibratory energy into heat. In noise control, a damping material is usually applied to a vibrating surface to reduce the noise radiating from that surface.

dB(A)
The unit used to define a weighted sound pressure level, which correlates well with the subjective response to sound. The 'A' weighting follows the frequency response of the human ear, which is less sensitive to low and very high frequencies than it is to those in the range 500Hz to 4kHz. In some statistical descriptors the 'A' weighting forms part of a subscript, such as L_{A10}, L_{A90}, and L_{Aeq} for the 'A' weighted equivalent continuous noise level.

Decibel (dB)
This is the unit to measure sound. The human ear has an approximately logarithmic response to acoustic pressure over a very large dynamic range (typically 20 micro-Pascals to 100 Pascals). We therefore use a logarithmic scale to describe sound pressure level, intensities and sound power levels. Subjectively, an increase of 10 dB corresponds to a doubling in the perceived loudness of sound.

Directivity Index
The difference between sound pressure level in any given direction in the acoustic far field and the average sound pressure level in that field.

Equivalent Continuous Sound Level L_{eq} or L_{Aeq}
The continuous equivalent sound level, L_{Aeq} is a notional sound level. It is the sound level, which, if maintained for a given length of time, would produce the same acoustic energy as a fluctuating noise over the same time period. The A-weighted L_{eq} is widely used to measure any environmental noise which varies considerably with time and is denoted as the L_{Aeq}.

Far field
That part of the sound field in which sound pressure decreases inversely with distance from the source. This corresponds to a reduction of approximately 6 dB in level for each doubling of distance.

Flanking transmission
Noise that reaches an observer by paths around or over an acoustical barrier. Where a source and receiving point are within the same building, or in an adjoining structure, be aware of 'flanking' (aka structural) noise transmission, sound energy that may pass through roof voids, ducting and pipe-work or the building fabric itself, such as walls and floor joists, and may therefore simply bypass an acoustically treated structure.

Frequency
Frequency is the rate of repetition of a sound wave. The subjective equivalent in music is pitch. The unit of frequency is the hertz (Hz), which is identical to cycles per second. A 1000Hz is often denoted as 1kHz, e.g. 2kHz = 2000Hz. Human hearing ranges approximately from 20Hz to 20kHz. For design purposes the octave bands between 63Hz to 8kHz are generally used. The most commonly used frequency bands are octave bands, in which the mid frequency of each band is twice that of the band below it. For more detailed analysis, each octave band may be split into three one-third octave bands or in some cases, narrow frequency bands.

Frequency bands
Sound can be measured over discrete bandwidths across the frequency range. The coarsest bandwidths often used are octave bands followed by finer third octave bands. The Preferred Octave Band Centre Frequencies and associated bandwidths are:

(drone) 31.5Hz 63 125 250 500 1000 2000 4000 8000Hz (high pitched)

In all situations, low frequencies are harder to attenuate than higher frequencies.

Insertion loss
The reduction of the sound level attained by inserting a silencer or attenuator in an acoustic transmission system.

Loudness
Loudness is the subjective human definition of the intensity of a sound. Human reaction to sound is highly dependent on the sound pressure and frequency. In subjective terms the ear can distinguish a difference in 'loudness' between two simple noises sources when there is a 3 dBA difference between them. Loudness is not a measure of annoyance. Again for simple sources, when two sounds differ by 10 dBA one is said to be twice as loud as the other i.e. subjectively adding just 10 dBA to a noise makes it sound twice as loud.

Noise
Noise is commonly defined as unwanted sound and is generally audible over a vast pressure range from 20 micropascals to over 100 million micropascals. The decibel scale conveniently expresses this large pressure change over a range of 0 to 140 decibels. A decibel is not an absolute unit, but is a measure of the ratio of the sound level under investigation against a reference sound pressure level. The decibel is written as dB.

Noise barriers
A noise barrier can be constructed from almost any non porous material. Since sound is energy, an effective barrier must have enough mass (weight and density) and a low resonant frequency to stop (or reflect) this energy. Thus, a barrier with more mass will act as a more efficient barrier. If using a barrier to attenuate noise it should be erected as close to the source or receiving position as possible, not in the middle between them. Additionally, some of the sound energy may refract into the acoustic shadow area behind a barrier; this is particularly the case with low frequency sound energy.

Noise Rating curves
Developed by the International Standards Organisation in 1971 to rate noisiness with the 1000 Hz octave band as reference point - at NR 70, for instance, the curve has a level of 70 dB at 1000 Hz. Compared to NC curves, the NR curves permit higher levels at lower frequencies and dictate lower levels at higher frequencies. NR + 5 dB is roughly equivalent to the A-weighted sound pressure level e.g.: NR 35 equates approximately to a sound pressure level of 40 dBA.

Noise reduction
The reduction in sound pressure level caused by making some alteration to a sound field.

Radiation
The process whereby structure borne vibration is converted into airborne sound.

Reverberation
Reverberation is the echoing of previously generated sound caused by reflection of acoustic waves from the surface of enclosed spaces.

Reverberation Time, RT
The RT is defined as the time taken for an impulsive sound to die away to one thousandth of its original sound pressure level - that is, to decrease by 60 dB. The sound waves are reflected many times from each surface in the room, and are partly reduced at each reflection, the amount of reduction depending on the acoustic absorption of the surface.

Sound
Pressure waves that are travelling in the air or other elastic materials.

Sound absorption or attenuation
Involves the conversion of sound energy into heat as it passes through a structure (door, wall, window, acoustic panel etc.) or even through the air. Porous absorbent material such as Rockwool™ attenuates higher frequencies well but is a poor low frequency absorber.

Sound insulation
Is the reflection of sound energy from the surface of a structure such that it does not pass through that structure. A good insulator will have high mass and low stiffness.

Sound Reduction Index
(SRI), Insertion Loss (IL) and Sound Reduction (R or R_w) (especially in relation to glazing specifications).

Sound Level Meter
An instrument used to measure sound pressure level. Sound level meters are commonly either Type 1, precision instruments, or Type 2, general purpose instruments. Both types can have weighting and filter networks to provide dB readings by octave band in the A, B, or C scales.

Sound Power Level (Lw)
A measure of the total airborne acoustic power generated by a noise source, expressed on a decibel scale referenced to some standard (usually 10-12 watts).

Sound Pressure Level (Lp)
A measure of the air pressure change caused by a sound wave, expressed on a decibel scale referenced to 20µPa. The threshold of hearing is 0dB, while the threshold of pain is approximately 120dB. Normal speech is approximately 60 dBA and a change of 3dB is only just detectable. A change of 10dB is subjectively twice, or half, as loud.

Statistical Level: *Lmax,T*
The maximum noise level identified during a measurement period. Experimental data has shown that the human ear does not generally register the full loudness of transient sound events of less than 125ms duration and fast time weighting (F) has an exponential time constant of 125ms which reflects the ear's response. Slow time weighting (S) has an exponential time constant of 1s and is used to allow more accurate estimation of the average sound level on a visual display. The maximum level measured with fast time weighting is denoted as $L_{Amax, F}$. The maximum level measured with slow time weighting is denoted $L_{Amax, S}$.

Statistical Level: L90 or LA90
Sound pressure level that is exceeded for 90% of the measurement time. Consequently it is indicative of the general background noise level in the absence of any higher level short duration events that occur during the period.

Structure-borne noise
Mechanical vibration in a structure which can ultimately become audible sound. Until such time as radiation occurs, these vibrations are inaudible and of little concern.

Transmission loss
The reduction in sound level that is caused by placing a wall or barrier between the source and receiver. Transmission loss is expressed in decibels.

Typical levels

Noise level, dB(A)	Example
0 - 10	Threshold of hearing
10 - 20	Broadcasting Studio
20 - 30	Bedroom at night
30 - 40	Residential area at night
40 - 50	Domestic fan heater at 1m
50 - 60	Typical Business offices
60 - 70	Conversational speech
70 - 80	Average traffic on street corner
80 - 90	Heavy lorries at 6m
100 - 110	Burglar Alarm (1 metre)
110 - 120	Ships engine room (full power)
120 - 130	Jet aircraft on take-off
130 - 140	Threshold of pain

8.0 Appendices

APPENDIX A

EXAMPLE
BS4142 'Typical' background noise level calculation

	Measured LA90 levels													P
Time	8-9 Oct	9 to 10 Oct	10 to 11 Oct	11 to 12 Oct	12 to 13 Oct	13 to 14 Oct	14 to 15 Oct	15 to 16 Oct	16 to 17 Oct	17 to 18 Oct	18 to 19 Oct	19 to 20 Oct	20 to 21 Oct	arithmetic average
23:03	43.1	50.8	53.9	52.7	41.5	44.7	38.7	39.9	51.2	48.1	51.0	42.9	44.4	46.4
23:18	43.3	54.8	56.3	55.8	40.2	46.5	38.3	39.6	58.8	52.6	50.3	43.5	46.6	48.2
23:33	43.6	58.9	58.4	62.8	39.1	50.0	38.0	39.0	64.0	51.3	48.2	43.6	50.4	49.8
23:48	43.7	62.1	59.6	62.8	37.8	47.4	37.2	38.2	61.8	52.0	50.1	44.9	51.9	50.0
00:03	42.5	52.8	51.1	54.4	38.3	46.6	35.3	38.9	48.7	48.0	48.8	45.2	46.4	45.9
00:18	41.8	50.0	47.3	46.7	39.7	46.0	34.7	37.1	45.4	47.3	45.8	42.1	45.5	43.8
00:33	40.5	47.7	48.0	44.0	37.4	46.1	35.3	36.5	47.1	47.4	45.9	40.4	42.4	43.0
00:48	40.9	48.5	46.4	44.1	36.9	44.5	34.3	36.4	49.1	48.5	46.5	41.6	45.0	43.3
01:03	39.2	48.0	45.6	47.2	36.9	44.8	33.6	34.4	51.0	44.4	45.5	41.2	45.8	42.9
01:18	39.8	53.7	43.4	44.7	36.0	48.0	32.7	34.3	52.6	45.7	47.0	40.7	47.5	43.5
01:33	40.5	49.8	45.6	45.7	35.7	49.9	33.0	33.8	56.6	45.4	47.3	40.5	47.2	43.9
01:48	40.1	55.5	48.2	47.2	35.6	47.0	32.1	36.5	57.5	46.2	47.5	41.4	47.0	44.8
02:03	39.6	55.9	47.6	46.8	34.4	47.1	34.5	34.0	56.2	49.2	45.8	40.9	50.3	44.8
02:18	41.1	57.8	49.6	47.7	34.0	49.3	32.1	34.1	58.4	48.6	47.0	40.3	49.4	45.3
02:33	47.6	57.0	51.1	48.3	33.8	52.3	32.0	34.0	60.8	47.5	49.1	39.4	49.5	46.3
02:48	43.1	59.3	48.8	47.5	33.1	54.8	32.5	33.3	61.8	49.6	48.5	38.7	54.0	46.5
03:03	40.4	57.2	48.6	46.4	33.4	51.3	32.8	32.9	54.6	46.4	47.7	39.2	52.8	44.9
03:18	40.6	44.4	49.8	49.3	34.0	39.7	33.3	33.6	38.1	48.5	47.9	38.1	43.3	41.6
03:33	40.2	39.1	48.7	51.0	34.0	38.5	32.9	34.6	37.5	51.7	47.6	38.8	41.9	41.3
03:48	39.6	38.4	52.3	49.7	33.9	40.0	33.8	34.8	38.1	51.4	49.2	38.3	42.3	41.7
04:03	39.4	39.0	53.8	51.8	35.1	40.7	32.7	35.7	37.8	50.8	51.0	38.4	42.1	42.2
04:18	39.3	38.6	54.2	54.9	36.7	39.6	34.0	35.0	38.6	48.6	52.4	39.5	43.0	42.6
04:33	39.9	39.3	52.1	53.1	37.4	38.4	34.9	36.5	38.8	49.6	51.8	40.2	44.6	42.8
04:48	39.9	40.1	52.7	54.2	37.7	38.3	34.6	37.6	45.3	49.3	55.7	39.8	44.2	43.8
05:03	40.2	40.0	51.7	58.4	38.4	40.3	36.1	39.3	46.9	48.7	55.6	40.3	43.5	44.6
05:18	41.1	40.8	53.9	53.6	38.7	40.8	36.6	39.4	47.2	50.5	56.1	43.4	45.4	45.2
05:33	41.5	42.7	53.7	45.2	42.8	41.7	38.7	39.8	47.4	50.3	43.5	43.1	45.3	44.3
05:48	43.2	42.9	55.2	42.2	42.7	41.8	38.9	40.8	47.8	48.2	40.8	44.0	48.9	44.4
06:03	43.8	43.7	55.7	40.2	42.4	43.1	39.3	41.6	48.0	42.3	40.9	44.8	50.2	44.3
06:18	44.9	45.2	42.7	37.5	44.6	44.5	40.9	43.3	48.2	41.8	40.7	45.4	51.0	43.9
06:33	46.0	46.1	42.3	36.6	44.6	45.4	43.4	44.5	48.4	42.7	40.9	46.0	52.5	44.6
06:48	47.6	46.8	43.5	37.3	45.1	46.2	46.1	45.4	49.4	42.1	41.8	47.3	51.8	45.4

Arithmetic Average of Column P	44.6
Minimum value column P	41.3
Maximum value column P	50.0
Mean value of full data set	44.6
Minimum value full data set	32.0
Maximum value full data set	64.0

41dB is taken as the typical background as it is the minimum value of the averaged individual 15 minute periods

APPENDIX B

GLAZING
Technical Design Considerations

- Air gaps in windows have a profoundly detrimental effect on the performance of the window. Sealed windows provide the best insulation. Weather-stripping openable windows using neoprene or rubber weather seals can help eliminate air gaps, although the sound insulation is not as good as a sealed window. In addition, frequent opening of the window can lead to a deterioration in the ability of the weather-stripping to completely seal the gaps.

- There is very little variation in acoustic performance over the usual interpane spacing range of 6 to 20mm, because of the 'mass - spring - mass' resonance of the two panes. The two masses (the panes) are effectively joined by a spring, the air gap. Hence, the insulation provided by 6/12/6 glazing is not much better than 6 mm single glazing. Significant increases in acoustic insulation begin to occur only above interpane spacing of 50mm.

- The best isolation of panes occurs above 100mm where the two panes are in separate frames.

- Lining the reveals between the two panes further reduces resonance and so further improves the sound insulation.

- At small interpane spacing, the thickness of the glass is an important factor. Increasing the glass thickness, hence the mass, improves the performance at low frequencies. However, the benefit is only realised if the windows are fixed or are effectively weather-stripped as the influence of air gaps is overriding.

- For road traffic noise, where there is a dominance of low frequencies, reduction in noise is not greatly improved when only the thickness of the glass is improved. This effect can be offset by:
    - Using laminated glass (where the presence of the interlayer affects the bending wave in the glass panel).
    - Using differing pane thicknesses (preferably 30%) will also improve overall noise reduction potential of the glazing unit.

- A reduction in window area by a half, will usually give a 3dB improvement in sound insulation.

- Subdividing the cavity of a double window to form triple or multi-pane windows with the same total width of air space does not significantly improve the average sound insulation (although high frequency performance is increased at the expense of low frequencies). However, triple windows formed by additional air spaces do produce a gain in sound insulation.

- With fixed glazing, resilient mounting of the glass at its edges, e.g. in neoprene gaskets, gives an improvement in sound insulation (in middle frequencies) by damping resonances (sympathetic vibration) of the panes.

Summary

Air tightness, pane thickness, laminated glass, interpane spacing, absorbent reveals, area of glazing, resilient mounting are cumulative in their effects on sound insulation, and the benefits of each can be added to achieve optimum performance.

APPENDIX C

VENTILATION
Technical Design Considerations

Building Regulations

Any new residential acoustic insulation scheme must satisfy the requirements of Part F of the Building Regulations with regard to ventilation. The main method of supplying natural ventilation in accordance with the Building Regulations for habitable rooms is:

a) rapid ventilation;

b) background ventilation.

Both these methods are profoundly detrimental to the sound insulation of the window unit as a whole. Alternative approaches include extract mechanical ventilation or passive stack ventilation. Documents giving recommendations for such systems are detailed in section 1.9 of Part F1 of the Building Regulations.

Many of the available acoustic products are incapable of meeting these requirements and in some cases more than one vent may be required in rooms. If there is any doubt as to compliance with the Building Regulations then product data sheets are available and these should be checked with the Building Surveyors Office (234 4490). Options available to provide ventilation in accordance with the Building Regulations include:

Trickle Vents

Consist of a series of holes or long slots which are cut into the window frame with a cowl on the outside, and a closeable cover on the inside.

Poor insulation properties. Approximate $D_{n,e,w}$ = 21dB

Acoustic Trickle Vents

Fitted internally / externally over the existing trickle vent or purpose designed vent within window frame.

Moderate insulation properties. Approximate $D_{n,e,w}$ less than 39dB.

Acoustic Wall Vents (acoustic air bricks)

Consist of a sleeve or box fitting through the wall containing material with acoustic absorption properties such as mineral wool/fibre-glass.

Good insulation properties. $D_{n,e,w}$ up to 50dB.

Mechanical Ventilation Units

Such units are for situations where there are very high noise levels, where opening a window for rapid ventilation would cause unacceptably high noise levels. They consist of a wall mounted unit, under the control of the occupier.

Good insulation properties. $D_{n,e,w}$ up to 50dB.

British Board of Agreement Approved Products (BBA)

Some acoustic vents are approved by the British Board of Agreement (BBA) under the Noise Insulation Regulations 1975. Some products (notably Silavent) which comply with these regulations do not have a single figure performance specification, instead they have a figure at each 1/3 octave frequency. However, since they have one of the highest specifications for such products they will be suitable for most situations.

ADF (2010) is a reference to BRegs Approved Document F (Ventilation) - 2010 edition. This is the national standard for ventilation in buildings that is applied for the purposes of BRegs compliance.

The Domestic ventilation compliance guide (**DVCG**) is the accompanying guidance.

The Approved Document is available as a free download on the government website at http://www.planningportal.gov.uk/buildingregulations/approveddocuments/partf/approved

Similarly the DVCG can be found at http://www.planningportal.gov.uk/buildingregulations/approveddocuments/partf/associated

DOMESTIC WASTE & RECYCLING SERVICE STANDARD

Definitions of terms

- For the purposes of this document the Council includes Manchester City Council and Nominated Provider(s).
- Households are the resident(s) occupying the property or the owner of the property if it is empty.
- Container relates to any receptacle that contains waste (refuse or recycling).
- Mixed Development is where there is a mixture of property types including houses and flats.
- High Rise is any building where there are multiple occupants in individual flats.
- A House of Multiple Occupancy is:
    - An entire 3 storey house or flat which is let to 5 or more tenants, who form 2 or more households and who share a kitchen, bathroom or toilet.
    - A house which has been converted into bedsit or other non-self-contained accommodation and may include one or more self contained flats and which is occupied by 5 or more tenants, who form two or more households and who share kitchen, bathroom or toilet facilities.
    - A converted house which contains one or more flats that are not wholly self contained (i.e. each flat does not contain within it a kitchen, bathroom and toilet) and which is occupied by 5 or more tenants who form two or more households.
- Low Rise is any building, which is less than 3 storeys high and occupied as a single dwelling. For example: bungalow, terraced house, semi-detached house, detached house.
- Side waste is excess, unauthorised bags or waste from the household, which is presented for collection at the side of the container.

Introduction

This document gives details of Manchester City Council's service standard for the provision of domestic recycling and refuse collections. Unless there are exceptional circumstances in relation to a particular property (or particular residents at a property) this will apply equally to all properties and all residents across the City.

The aims of this service standard are to: -

- Support the implications of local, national and European pressures for change to reduce the amount of biodegradable waste that is sent to landfill.
- Ensure that the Council maintains safe, economic and efficient recycling and waste collections.
- Contribute towards the objective for Greater Manchester of zero waste to landfill

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1.0 Standard Services

The Council provides a recycling led service, and all its residents are expected to recycle their waste in accordance with the services provided:

Bin type	Material	Collection frequency
Blue bin / bag	Paper, card and cartons	Every two weeks
AND		
Brown bin / box	Glass, cans and plastic bottles	Every two weeks
Green bin (small)	Food waste	Weekly (fortnightly in winter)
OR		
Green bin	Food and garden waste	
AND		
Grey bin / Authorised Sack	Any other household waste that cannot be recycled using the services listed above	Every two weeks

Wherever operationally possible, refuse and recyclable material must be stored in, and collected from, a wheeled bin.

The Council, following consultation with residents, has assessed the appropriate container type, size and number required for each household. This could lead to households having their own individual containers, sharing containers, or a combination of the two.

The Council will take into consideration the factors - including the following - when determining the appropriate type, size and number of containers required for each household:

- House type
- Known number of occupants living in the property
- External storage space
- A household with excess domestic residual waste due to an occupier having a recognised medical condition.

Only in circumstances where it is operationally unsafe, uneconomic or inefficient, or where there are exceptional circumstances in relation to a particular property (or particular residents at a property), will alternative methods of storage and collection be offered.

Whilst the Council expects households to comply by presenting their recycling and refuse for collection in the containers deemed necessary for their particular premises, if persistent non-compliance is identified the Council will, if necessary, consider using formal powers in order to ensure compliance in accordance with section 16.0.

2.0 Individual Properties (low rise)

Where households have their own container(s):

The prescribed types of recycling and refuse containers used to collect from individual properties are:

Bin type	**Size (litre)**	**Material**	**Collection frequency**
Blue bin / bag	140 / 35 (minimum)	Paper, card and cartons	Every two weeks
AND			
Brown bin / box	140 / 55 Minimum	Glass, cans and plastic bottles	Every two weeks
Green kerbside caddy	23 Maximum	Food waste	Weekly (fortnightly in winter)
OR			
Green bin	240 Maximum	Food and garden waste	
AND			
Grey bin / Authorised Sack	140 Minimum	Any other household waste that cannot be recycled using the services listed above	Every two weeks

2.1 Refuse Bins

The presumption is that only one 140 litre refuse bin will be permitted per household, however exemptions may be made as per section 7.0 below. Whilst the Council expects households to comply by only presenting one refuse bin for collection (unless exemptions have been made) the Council will, if necessary, consider using formal powers in order to ensure compliance in accordance with section16.0.

3.0 Where Residents Share Containers (low rise)

The Council will assess the number of containers required for a specific area taking into account the proportion of waste disposed of that can be recycled. This is likely to include:

Bin type	Size (litre)	Material	Collection frequency
Blue Bin	1100	Paper, card and cartons	Every two weeks
AND			
Brown Bin	1100	Glass, cans and plastic bottles	Every two weeks
AND			
Green Bin	240	Food waste	Weekly (fortnightly in winter)
AND			
Black bin	1100	Any other household waste that cannot be recycled using the services listed above	Every two weeks (minimum)

The Council will periodically review container provision in these areas to ensure that it is appropriate and adequate.

4.0 Mixed Developments / High Rise / Houses of Multiple Occupation (HMOs)

Wherever operationally possible, refuse and recyclable material from mixed developments, high rise properties (e.g. flats) and HMOs must be stored in, and collected from, communal containers. The Council will work with Managing Agents/companies to achieve this service standard.

Only in circumstances where it is operationally unsafe, uneconomic or inefficient, or where there are exceptional circumstances in relation to a particular property (or particular residents at a property), will alternative methods of storage and collection be offered.

All appropriate containers must be presented at the designated collection point on the scheduled day of collection. If the designated collection point is within the grounds of a property it is the responsibility of the property owner or management company to arrange appropriate access before collections can be made.

Whilst the Council expects households to comply by presenting their recycling and refuse for collection in the receptacles deemed necessary for their particular premises, if persistent non-compliance is identified the Council will, if

necessary, consider using formal powers in order to ensure compliance in accordance with section 16.0.

The Council will assess the number of containers required for a specific area taking into account the proportion of waste disposed of that can be recycled. It is likely to include:

Bin type	**Size (litre)**	**Material**	**Collection frequency**
Blue Bin	1100 (maximum)	Paper, card and cartons	Every two weeks
AND			
Brown Bin	1100 (maximum)	Glass, cans and plastic bottles	Every two weeks
AND			
Green Bin	240 (maximum)	Food waste	Weekly (fortnightly in winter)
AND			
Black bin	1100 (maximum)	Any other household waste that cannot be recycled using the services listed above	Every two weeks (minimum)

It is the responsibility of the property owner to find appropriate space for the location of these containers. The Council will work with the property owner to comply with this service standard when requested.

5.0 Communication of Arrangements for the Collection of Recycling and Refuse

Households will receive adequate communication via a number of channels about when and how their recycling will be collected, including any planned changes to the standard collection. Information about collections can be accessed on the Councils' webpages: www.manchester.gov.uk/recycling

6.0 Designated Containers

Except for refuse and recycling collected and stored in sacks, as determined by the Council and communicated to the households affected, households must place their refuse and recycling in the appropriate designated container. The Council can only empty containers that comply with the Council's specification, in order to ensure that the containers are compatible with the lifting equipment on the refuse collection vehicles. The Council will make available a list of approved container manufacturers or container specifications which are compatible with such lifting equipment.

Whilst the Council expects households to comply by presenting their recycling and refuse for collection in the receptacles deemed necessary for their particular premises, if persistent non-compliance is identified, the Council will, if necessary, consider using formal powers in order to ensure compliance.in accordance with section 16.0.

7.0 Excess Waste

Providing all services are used appropriately, the standard service offered provides sufficient capacity for the average household. Additional waste capacity will not normally be offered except in the cases outlined below:

7.1 Larger Households

Larger households (6 persons or more) may request additional waste capacity. Households requesting additional capacity will be required to complete an application form which is subject to approval. The household's use of the additional capacity will be periodically reviewed.

7.2 Medical Conditions

A household with excess domestic residual waste due to an occupier having a recognised medical condition may request additional waste capacity. Households requesting additional capacity will be required to complete an application form which is subject to approval. The household's use of the additional capacity will be periodically reviewed.

7.3 Nappies

Households with 2 or more children (aged 2 or under), using nappies, may request additional waste capacity. Households requesting additional capacity will be required to complete an application form which is subject to approval. Approved applicants will be provided one years supply of approved sacks,

which will provide additional capacity. Households will have to re-apply for these sacks each year.

7.4 Exceptional Circumstances

Any other exceptional circumstances which cause the household to generate excess residual waste, which has not been detailed above, will be considered. Households requesting additional capacity will be required to complete an application form which is subject to approval. The household's use of the additional capacity will be periodically reviewed.

7.5 Excess Recycling

Households can request additional recycling containers free of charge, subject to the agreed collection point not being deemed unsafe due to the volume of containers presented for collection.

7.6 Excess Waste – Side Waste

Side waste is excess unauthorised bags or waste from the household, which is presented for collection at the side of the container. Households must place their refuse and recycling in the appropriate designated container(s).
If non-compliance is observed, a tag will be left on the container explaining that the householder could be subject to enforcement action. Side waste undermines the savings the Council are striving to achieve by increasing the amount of waste send to landfill. be advised to put the excess waste in their container and wait for their next collection or alternatively, households can take excess to the nearest Household Waste Recycling Centre.

Whilst the Council expects households to comply by presenting their recycling and refuse for collection in the receptacles deemed necessary for their particular premises, if persistent non-compliance is identified the Council will, if necessary, consider using formal powers in order to ensure compliance.in accordance with section 16.0.

7.7 Excess Waste – Overloading

Overloading is where a rubbish container has been filled with so much waste that it is too heavy or too unstable to be moved safely onto the bin lift.

It is not possible to collect containers that are overloaded as damage may be caused to the lifting equipment on the refuse vehicles. A tag will be left on the container explaining why the waste has not been collected and requesting the householder to remove the excess waste and present the bin on the next collection. Alternatively, it can also be taken to their nearest Household Waste Recycling Centre.

Whilst the Council expects households to comply by presenting their recycling and refuse for collection in the receptacles deemed necessary for their particular premises, if persistent non-compliance is identified the Council will, if necessary, consider using formal powers in order to ensure compliance in accordance with section 16.0.

8.0 Contamination

A recycling container may be contaminated with the wrong recyclate(s) or the refuse container may contain waste that could be recycled, or that could cause damage to the collection vehicle. This is not an acceptable way to present waste or recycling for collection. The Council has provided guidance regarding what can and can't be recycled which can be found at https://www.recycleforgreatermanchester.com/recycle/in-your-area/manchester

Containers that are contaminated will not normally be collected. A notice will be left on the container explaining why the waste has not been collected and requesting the householder to remove the contaminant and present the bin on the next collection day. Alternatively, it can be taken to the nearest Household Waste Recycling Centre.

Where residents share communal recycling containers, the Council will work with residents and Managing Agents (where applicable) to raise awareness about this issue.

Whilst the Council expects households to comply by presenting their recycling and refuse for collection in the receptacles deemed necessary for their particular premises, if persistent non-compliance is identified the Council will, if necessary, consider using formal powers in order to ensure compliance in accordance with section 16.0.

9.0 Collection Points

Except in the cases of households with specific needs (please see section 15.0), the general requirement will be that only recycling and refuse presented in their designated containers at an accessible point adjacent to the highway (e.g. pavement) will be emptied by the collection crews. In the event of this not being practicable or safe due to issues with vehicle access for example, then an alternative suitable location will be specified. In these circumstances, appropriate information will be provided to the households concerned.

Once the refuse or recycling containers have been emptied, the Council will return the container(s) to the agreed collection point. It is the responsibility of the household or management company to retrieve the container and return it to the property or designated storage area. It is not acceptable to leave containers unattended without a permanent frame on footways or roads. Requests for frames should be submitted for approval from the Council.

9.1 Individual Wheeled Bins

Unless otherwise agreed, the standard collection point is at the kerbside, adjacent to the front of the property where the container can be easily seen from the road and is not causing an obstruction.

In situations where collections cannot be made from adjacent to the front edge of the property, then the Council will, in order to maintain economic and efficient collections, identify other agreed collections points.

This will involve Council officers identifying a safe place for a number of bins to be temporarily stored by households by a specified time prior to emptying. This will apply to properties on walkways, a large proportion of terraced areas or where there are specific access issues for the collection crews.

In determining new collection points for those affected properties, consultation may take place with the households concerned where appropriate.

Once the refuse or recycling containers have been emptied, the Council will return the container(s) to the agreed collection point.

Householders will be expected to place their recycling or refuse bin at the specified collection point on their scheduled day and then retrieve their bin from the collection point at the end of the day once emptied. Where it is established that this service standard is repeatedly being ignored enforcement action will, if necessary, be considered in accordance with section 16.0.

9.2 Boxes and Sacks

Unless otherwise agreed, where a household has a box/sack collection they should be presented at the edge of the property where they can be easily seen from the road and are not causing an obstruction.

9.3 Communal Containers

9.3.1 Communal Containers in Passageways

Where households share waste and /or recycling containers that are in a fixed position in a frame, households will not have to move or present the containers. It will be the responsibility of the Council to empty the containers and replace them to their original location.

This may apply to properties on walkways, a large proportion of terraced areas or where there are specific access issues for the collection crews.

9.3.2 Communal Containers in High Rise Properties

All appropriate containers must be presented at the designated collection point on the scheduled day of collection. If the designated collection point is within

the grounds of a property it is the responsibility of the property owner or management company to arrange appropriate access before collections can be made.

10.0 Collection Times

Approved collection containers should be presented at the designated collection point by 7am on collection day (no earlier than 5pm on the evening before collection day) and be returned to the household's property after it has been emptied no later than 7pm on collection day.

11.0 Replacement Containers

Households will be responsible for the container(s) and should leave them with the property in the event of the household moving home. Households are required to identify their containers and take adequate precaution to prevent theft and arson – including, wherever possible, taking the container to within the property boundary following collection. The council makes a charge to cover the administration and delivery costs:

140 litre (current standard size) replacement rubbish bin: £20.
240 litre (for households who produce extra rubbish, as detailed in section 7.0,, and have been approved via the application process). The standard bin (140 litre) will be exchanged for a larger container. Any subsequent replacement rubbish bin: £20.(TBC)
The charge for any rubbish container will be for the household, landlord or Management Company to bear.

Households and landlords can choose to purchase their own container(s). Any such containers must comply with the Council's specification in order to ensure that the containers are compatible with the lifting equipment on the refuse collection vehicles.

Any damage to rubbish containers proven to be the fault of the Council will be replaced by the Council. Collection operatives have a duty to report any damaged containers caused through the operation of collection. If the container is supplied by the Council the charge will cover administration and delivery, it is not for the sale of the bin and therefore the bin remains the property of Manchester City Council.

If a customer has already paid for a replacement bin (within the same financial year), but require a replacement due to it being stolen, or subject to criminal damage, they will be provided one free of charge.

There will be no charge for replacement recycling bins.

The Authorised Officer has discretion in considering extenuating circumstances. These are:

1: It's claimed that the bin was damaged by the collection crews.

Biffa collection crews are required to record any and all damage to rubbish bins on the computerised data system they have in each of the vehicle cabs.

If a resident claims that their bin was damaged by the crews, the records will be checked. If it's found that the crew were to blame then the bin will be replaced with no administration and delivery charges. If the case has not been recorded at the time then a Biffa supervisor will review the case, and if the resident disagrees with the findings of the supervisor they can then ask that the local Strategic Area Manager reviews the case.

2: Assisted collection.
If a rubbish bin belonging to a resident who is registered for Assisted Collections has been stolen or damaged because the Biffa collection crews have not returned the bin to the property after collection, it will be replaced free of administration and delivery charges.

12.0 Missed Collections

In the event of a scheduled missed collection due to crew error, i.e. more than 5 bins have been missed then these will be emptied as soon as possible following collection . Where either recycling or refuse containers have not been emptied due to the waste being presented late or in the incorrect location, the household will be required to wait until the next programmed collection before it is removed. In these circumstances households will be required to return the refuse and or recycling containers to their property until the next collection.

In the event of a missed collection and if a household's bin is likely to be full before the next collection, additional authorised sacks can be requested for presentation at the next scheduled collection.

13.0 Properties that are Difficult to Access for Collection Vehicles

Due to the condition of some road surfaces particularly unmade/unadopted /private/weight restricted and rural roads, some roads in the City are unsuitable for collection vehicles. Access can also be limited by the physical width of the road or parking of other vehicles meaning the collection vehicle cannot access the property or collection point.

Where damage may be caused if a collection vehicle passed over the road surface, or damage could occur to the vehicle due to the condition of the road, the Council may agree an alternative collection point.

In the case of a private/ unadopted road if written authority from all households concerned is received indemnifying the Council from any claim for damages in taking the collection vehicle on the said road, consideration may be given to the practicalities of agreeing a suitable collection point on that road.

Where the Council has been undertaking refuse collections for a number of years there may be a continued right of access and the authority of households may not be required.

When a collection cannot be made due to access being restricted by parked cars or other vehicles, the Council will be informed. The collection crew will make a further attempt to make the collection (in most cases this will be in the presence of a supervisor). If access is still restricted then the collection must wait until the next scheduled collection. Alternatively it can also be taken to their nearest Household Waste Recycling Centre. If the problem persists it may be necessary to agree a new collection point as detailed in section 9.0.

The Council, in connection with its partners, may take action where there are repeated problems with access. This action may involve, although not exclusively, enforcing parking restrictions, changing collection day, changing collection points or consideration of new parking restrictions.

14.0 Bulky Refuse

Bulky refuse is household waste that is too large to fit in a standard rubbish bin. Often this waste can be re-used or recycled and the Council encourages households to consider these routes as a first choice including: Charity Shops, Furniture Re-use Organisations, Freecycle or the Household Waste Recycling Centres. Full information on these options can be found on our website at http://www.manchester.gov.uk/info/200084/recycling_rubbish_and_waste/4393/large_or_bulky_waste.

However, if a household has no other option for the removal of this waste, special arrangements for collection can be made.

Whilst the Council has powers to charge for every collection of such waste, the Council will provide one free collection per year (April to March) to every household. However, any subsequent collection will be charged at £27 per visit. Each visit is limited to the collection of up to 3 items.

Bulky waste should be presented for collection at the front edge of the property within the property boundary (unless an alternative collection point has been agreed). White goods should be presented separately to other items for collection as a different vehicle will collect these items. A list of the items for collection must be given when booking the appointment. Only items on this list will be collected.

Items should be presented at the designated collection point by 7am on the appointment day and no earlier than 5pm on the evening before the appointment day. Where it is established that this service standard is repeatedly being ignored, enforcement action will be considered, if necessary, as per section 16.0.

Arrangements can be made for households who need assistance with their collection as detailed in section 15.0

A detailed list of acceptable items can be found on the website at http://www.manchester.gov.uk/info/200084/bins_rubbish_and_recycling/5875/get_rid_of_an_unwanted_item

15.0 Special Assistance

The Council is committed to enabling all Manchester's households to participate in the City's recycling and refuse services. The Council recognises that, due to their personal circumstances, some households may have difficulty using the standard Council services and therefore, the Council needs to make alternative arrangements. One of the arrangements is the Assisted Collection Service. As in the application of all service standards the Council reserves the right to exercise discretion.

15.1 Assisted Collections - Refuse / Recycling Containers

An assisted collection is "the collection of a refuse or recycling container(s) by the collection crew from an agreed point at the households address and return of the said empty container(s) back to the agreed collection point".

The Council will provide, upon request, an Assisted Collection to households where there is a registered Blue Badge holder or they are unable to participate without assistance due to infirmity or disability.

However, should an able-bodied person aged 16+ years be resident in the house, it is expected that the able-bodied resident present the refuse and recycling containers at their usual collection point.

Proof of eligibility may be required **upon request.** The Council reserves the right to request documentary proof of eligibility, for example, a medical certificate (at no cost to the Council) in order to ensure this service is only provided to those who qualify.

If referrals are made to the Council directly from recognised voluntary groups or healthcare providers, who confirm in writing that clients meet the criteria in this service standard, documentary proof will not be requested.

Households will also be able to make a request for a temporary assistance should they only require help for a defined period of time.

The Council will, from time to time, issue an application to all those approved for an assisted collection to renew this service whereby the above criteria will need to be met.

The Council reserves the right to withdraw this service if it has reason to believe a resident is no longer eligible.

16.0 Enforcement

The Council recognises that the service requirements contained in this Service Standard will take time to be fully communicated and understood. The City Council's Corporate Enforcement Policy states that we will exercise our regulatory activities in a way which is:

- proportionate
- accountable
- consistent
- transparent
- targeted

Where appropriate, the City Council will seek to address issues relating to domestic waste management through advisory/educational means. It is recognised however, that use of formal enforcement powers may be necessary in some circumstances. Such powers will be utilised in a transparent, reasonable and proportionate way, in keeping with the Corporate Enforcement Policy. The Council also recognises that, from time to time, legislation can change, and therefore this service standard will be reviewed periodically to ensure that it fully complies with relevant legislation.

The Council has a number of powers to ensure household refuse and recycling is presented correctly either by position of the container, time of presenting for collection, content, deposit, or excess waste.

16.1 s46 of the Environmental Protection Act 1990

Under s46 of the Environmental Protection Act 1990, the Council has powers to serve a notice on all occupiers of a property to ensure that recycling and refuse is placed for collection in receptacles of a kind and number specified, or in a particular location at a particular time. The government has removed the criminal sanction associated with the failure to comply with a Notice under s46 of this act and as a result, failure to comply with such a notice can ultimately lead to an £80 fixed penalty notice (FPN) being issued. Within the legislation, a warning letter is first issued to give the resident the opportunity to rectify the situation before enforcement action is taken and the resident is also given the opportunity to make a representation to the Council prior to the service of the FPN. Furthermore, once an FPN has been issued, an appeal can be lodged with an independent tribunal. Following the changes to the legislation, non-compliance with such a Notice no longer results in a criminal record and therefore, if an FPN is issued and subsequently not paid then the Council will instigate debt recovery proceedings.

The City Council will use the enforcement powers under s46 of the Environmental Protection Act 1990 in a reasonable and proportionate manner in the following circumstances:

- where evidence of waste management issues is found relating to an individual property – for example, an overflowing bin, failure to acquire a bin or failure to properly present waste for collection
- where there is evidence of a wider waste management issue within a specific area – for example a block of terraced properties, flats/apartments or a house in multiple occupation

It is also noted that the procedure set out within the legislation allows the recipient opportunities to rectify the situation and challenge any potential enforcement action.

16.2 s87 of the Environmental Protection Act 1990

Under s87 of the Environmental Protection Act 1990, the Council has powers to issue a Fixed Penalty Notice (FPN) to a person who throws, drops or deposits litter on open land to which the public has access without payment. The Environmental Protection Act does not define litter and this can therefore be given a wide interpretation. Smaller scale dumping, such as a bag of domestic waste, can therefore be considered as litter.

Compliance Officers will investigate the deposit of domestic waste to find evidence amongst the waste. Where evidence is obtained, contact will be made with the alleged offender, which may result in the issue of a littering FPN, which is set at the amount of £80 payable within 14 days, reduced to £50 if paid within 10 days of issue.

If the FPN is refused or unpaid then the Council will consider taking legal action at the Magistrates Court to prosecute the alleged offender. The maximum penalty on conviction of a littering offence is £2500. Investigations into dumped waste may also result in the issue of a s46 EPA Notice where there is a clear domestic waste management issue (see 16.1).

Prior to taking action under s87 of the Environmental Protection Act 1990, the Council will consider any mitigation from the alleged offender and will consider each incident on its own merits.

16.3 S33 of the Environmental Protection Act 1990

Where evidence of larger scale fly tipping is obtained, an investigation will begin and in the absence of any evidence of any acceptable extenuating circumstances, the Council will always seek to initiate legal proceedings to prosecute the alleged offender and recover full costs. Small to medium scale fly tipping offences can be dealt with by issuing a FPN to discharge liability for the offence. The FPN is set at £400, reduced to £250 if paid within 10 days. The maximum penalty on conviction of fly tipping is an unlimited fine and/or 12 months imprisonment.

In investigating incidents of fly tipping, the Council would usually give the alleged offender the opportunity to be interviewed under caution in relation to the incident.

17.0 Wheeled Bin Cleaning

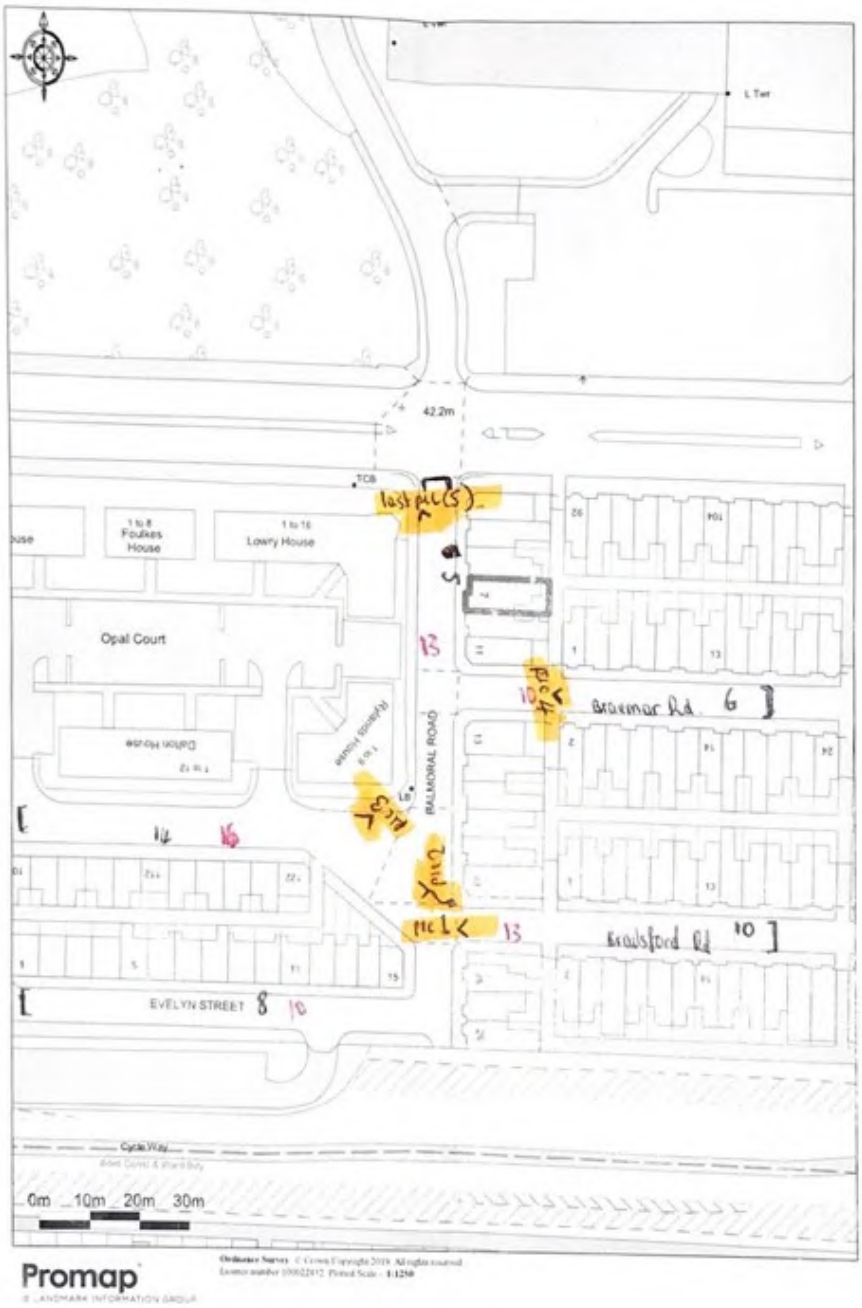
The Council does not offer a wheeled bin cleaning service.

7 Balmoral Road
Fallowfield
Manchester
M14 6WG

Parking survey @ 7:00 - 7:15pm.
09.10.19

Parking survey @ 2:00 - 2:10pm
11.10.19

[= where I counted up to.




for sale
TO LET
PJ56 OBU
SG58 OHE


FE09 AYX
LN08 WSO
V057 XAH


6 Bedrooms
M400 BPS
WW13 KRE


TO LET
OpenRent
LV60 CTX
VK13 FHJ


This is a
BRAEMAR RD
BK52 VDL
ONE

The Planning Inspectorate

Appeal Decision

Site visit made on 8 January 2013

by Beverley Doward BSc BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 February 2013

Appeal Ref: APP/B4215/A/12/2180840
130 Dickenson Road, Manchester, M14 5HT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr J Skelton (Central Properties Manchester) against the decision of Manchester City Council.
- The application Ref 098784/FO/2012/S1, dated 8 March 2012, was refused by notice dated 23 July 2012.
- The development proposed is rear extension to enlarge kitchen and front and rear dormers. Change in occupancy from a 10 bedroom let to an 11 bedroom let. Formation of car parking area at front.

Decision

1. The appeal in so far as it relates to the front and rear dormer windows and the car parking area at the front is dismissed.

2. The appeal in so far as it relates to the rear extension to enlarge the kitchen and the change in occupancy from a 10 bedroom let to an 11 bedroom let at 130 Dickenson Road, Manchester, M14 5HT is allowed and planning permission is granted in accordance with the terms of the application, Ref 098784/FO/2012/S1, dated 8 March 2012, subject to the following conditions:

    1) The development hereby permitted shall begin not later than three years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers 4521/1, 4521/2/C, 4523/1, Location Plan scale 1:1250 and Block Plan scale 1:500.

    3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Procedural matter

3. The appellant has suggested that the proposed increase in occupancy from a 10 bedroom house in multiple occupation (HMO) to an 11 bedroom HMO would not constitute a material change of use. I also note that the Council states that the application is not a change of use. However, the issue of whether or not planning permission is required for individual elements of the proposal is not for me to determine in the context of an appeal made under Section 78 of the Act. Accordingly, I have determined this appeal on the basis of the description of development provided on the planning application. It is open to the appellant to apply for a determination under sections 191/192 of the above Act

to determine this matter. My determination of this appeal under section 78 of the above Act does not affect the issuing of a determination under sections 191/192 of the same Act.

Main Issues

4. The Council states that it does not object to the proposed single storey rear extension as such. It considers that it is acceptable in terms of its physical size and location and that it would not impact on the amenity of adjoining neighbours and I have no reason to disagree. On this basis, the main issues in this case are:

   - the effect of the proposed development on the living conditions of neighbours and occupants of the HMO and on the residential character of the area; and
   - the effect of the proposed front and rear dormer windows and the proposed car parking area on the character and appearance of the host building and the surrounding area.

Reasons

Living conditions and residential character of the area

5. The appeal relates to a large end-terrace property in an area that is predominantly residential in nature. It is currently used as a 10 bedroom HMO.

6. Policy H11 of Manchester's Local Development Framework Core Strategy Development Plan Document 2012 (Core Strategy) indicates that in areas where the concentration of HMO type properties is high, extensions to such properties will not be permitted where this would reasonably be expected to lead to an increase in the level of occupation. The Council intends to define 'high concentration' in a Development Plan Document but indicates that during the preparation of the Core Strategy, and through consultation with local stakeholders, it concluded that a threshold of 10% would be appropriate. Council Tax records indicate that around 15% of properties within 100m of the appeal property are student accommodation. Therefore, in terms of the definition used by the Council, the appeal property is located in an area where the concentration of HMO type properties is high.

7. The proposed dormer windows would serve existing bedrooms on the front and rear elevations and would not increase the floorspace or the number of bedrooms. The single storey rear extension would provide an enlarged kitchen/diner arrangement. However, taken in isolation, this extension would not necessarily lead to an increase in occupation. It could, for example, be provided in order to improve facilities for existing occupants. Instead, in this case, it is the proposed use of an existing living room that would provide for an increase in occupancy. Furthermore, I have not been given any evidence that a kitchen extension is essential to achieve an increase from 10 to 11 bedrooms. Accordingly, it has not been clearly demonstrated that the dormer or kitchen extensions could reasonably be expected to lead to an increase in the level of occupation. In this respect, there would be no conflict with policy H11 of the Core Strategy.

8. Although the proposed conversion of the ground floor living room to a bedroom would provide for an increase in occupancy, in my view it would not be likely to

amount to a material intensification in the use of the property. I see no reason why the comings and goings and the general level of noise and refuse generated as a result of one additional bedroom would be discernible. The front garden currently provides some off-street parking provision and at the time of my site visit (which took place on a weekday afternoon) there was adequate on-street parking available on Dickenson Road. No evidence has been advanced to suggest that on-street parking poses a particular problem in the area. I am also mindful that the appeal property enjoys a sustainable location and is well served by public transport. Consequently, I consider that the additional demand for parking generated by one more bedroom would be minimal. Therefore, taking all these factors into account, I am not persuaded that the proposed development would have a material impact on either the living conditions of neighbouring occupiers or the occupants of the HMO, in relation to noise, disturbance, refuse storage and demand for parking.

9. The appeal property is already an HMO. Therefore, the proposed development would not significantly affect the mix between family housing and HMOs within the local area. The proposal would result in an additional bedroom. However, I have concluded above that any increase in activity, noise, refuse storage and demand for parking would be likely to be minimal. Accordingly, the proposed development would not result in any material intensification of the use nor would the increase in occupation necessarily be discernible locally. Therefore, I consider that it would not adversely affect the residential character of the area such as to make it significantly less attractive to potential permanent and longer term residents or undermine the sustainability of the area.

10. In these respects the proposed development would accord with policy DM1 of the Core Strategy in so far as it seeks to ensure that all development has regard to its effect on amenity, including noise, traffic generation and refuse storage and collection and its effect on the character of the surrounding area. Furthermore, it would not undermine the principle of the National Planning Policy Framework to deliver a wide choice of quality homes and create sustainable, inclusive and mixed communities.

Character and appearance - front and rear dormer windows and car parking area

11. The detailed design of the proposed dormer windows on the front and rear elevation of the property would, to some degree, reflect the Victorian architecture of the appeal property. However, the dormer windows on the front elevation, unlike the one at the adjoining property at no. 132, would not align with the windows below. They would appear imbalanced and consequently detract from the appearance of the host building and the surrounding area. The proposed dormer window on the rear elevation would align with the windows below. However, it would be significantly wider than them. Consequently, its scale would appear incongruous and out of keeping with the rear elevation of the property.

12. Part of the front garden is used for the parking of vehicles. However, a substantial proportion of the area at the front remains as soft landscaping. The appeal proposal to provide hard surfacing over all but a small part of the front garden to provide a formal parking area for 4 vehicles would remove the majority of the soft landscaping. When viewed from Dickenson Road, the front of the property would appear dominated by an expanse of hard surfacing which would detract from the character of the host property and the overall quality of

the streetscene, which is generally characterised by properties which have retained some front garden.

13. The proposed front and rear dormer windows and the proposed car parking area at the front of the property would conflict with policy DM1 of the Core Strategy in so far as it seeks to ensure that all development has regard to its impact on the surrounding area in terms of its design, scale and appearance. Furthermore, the proposed dormer windows would not accord with policy DC1.1 of the Unitary Development Plan for the City of Manchester which seeks to ensure that extensions to residential properties have regard to the general character of the property and the overall appearance of the proposal in the street scene.

Other matter

14. The Council has drawn my attention to a recent appeal decision on a nearby site (Appeal Ref: APP/B4215/A/12/2171167). The development proposed in that case was not the same, but in any case, I can find nothing inconsistent in terms of reasoning between my decision and it.

Conclusions

15. I consider that the single storey rear kitchen extension and the increase in occupancy would not lead to a material intensification in the use of the property. Therefore, these elements would be acceptable. However, the proposed front and rear dormer windows and car parking area at the front would cause material harm to the character of the area. Given that the former are functionally and physically severable from the latter, I am able to issue a split decision in this instance.

16. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed in so far as it relates to the rear extension and the change in occupancy from a 10 bedroom let to an 11 bedroom let but dismissed in so far as it relates to the front and rear dormer windows and the car parking area at the front.

Conditions

17. It is not necessary to require the submission of samples and specifications of materials as suggested by the Council but I do consider it necessary to impose a condition to ensure that the external materials of the rear extension match that of the existing building. In addition for the avoidance of doubt and in the interests of proper planning, a condition requiring that the development is carried out in accordance with the approved plans is imposed.

Beverley Doward

INSPECTOR