

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142051/JO/2025

Date registered valid: 13 February 2025

Proposal: Variation of conditions attached 2 (specified plans), 3 (materials) and 13 (boundary treatment) attached to planning permission referenced 138437/FO/2023 to allow layout, boundary treatment and elevational changes and the addition of solar panels and air source heat pumps to rear gardens

Address: Land Adjacent to The Footpath at The Terminus off Kenyon Lane and Duncombe Drive, Manchester

Ward(s):

Applicant: Mr Joshua Hart, Jigsaw Homes North

Agent (if any): Miss Jessica Ward, Bernard Taylor Partnership Ltd

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

Recommendation: Approve

Date of recommendation: 25 March 2025

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Dwellings

Standard consultations:

Printed: 20 February 2025 Expired: 13 March 2025

Neighbour notifications

Printed: 20 February 2025 Expired: 13 March 2025

Site notice

Posted: 28 February 2025 Expired: 21 March 2025

Press advert

Published: 25 February 2025 Expired: 11 March 2025

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site is located off Kenyon Lane and is roughly triangular in shape, measuring 0.38 hectares in area. The site now forms a development site with development having now commenced in connection with planning permission referenced 138437/FO/2023 for the erection of 9 dwellinghouses.

The site can be accessed from both Kenyon Lane and from the terminus of Dunscombe Drive. The site is currently vacant and comprises an open grassed area enclosed by low-level, post and rail fencing.

The site is bounded to the north by the road frontage of Kenyon Lane and two storey houses opposite, the gable ends of residential properties along Kenyon Lane and Duncombe drive and the rear of residential properties along Faversham Street to the west and open space and tree coverage to the east, associated with Lightbowne Country Park. Further to the east is Newton Heath Train Maintenance Depot.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The immediate area is characterised by a mixture of two storey terraced and semi-detached dwellinghouses. To the west lies an area of natural or semi-natural open space associated with Lightbowne Country Park.

Description of development

Variation of conditions attached 2 (specified plans), 3 (materials) and 13 (boundary treatment) attached to planning permission referenced 138437/FO/2023 which allowed for the erection of 9 x 2 storey dwellinghouses comprising 5 no. 2-bedroom 4- person, and 4no. 3-person 5-person units within 2 short terraces and a single pair of semis.

Following a design review and the discovery of a drainage easement, several changes are proposed which requires alterations to the approved conditions. The changes comprise the following:

- The addition of solar panel to rear roof slopes and air source heat pumps to rear garden areas;
- All fascias changed from white to grey on all properties to match windows;
- All buff brick replaced with main facing red brick;
- All bathroom window sizes update;
- All first-floor windows lifted 150mm;
- Boundary treatment to front of plots 1-4 amended from brick piers to metal railings due to drainage easement;
- Boundary treatment amended from brick piers to metal railings due to drainage easement;
- Plots stepped to work with site levels;
- All front door patterns updated to show reduced glazing;
- All timber trellis' and brick nibs to front of properties removed;
- Kitchen windows updated to remove lower panel in order to accommodate kitchen units;
- Roof verge profile and elevation to plots 2 and 3 amended in response to site levels;
- Plot 6 flipped to work in conjunction with site levels following receipt of levels information. Roof verge profile and elevation updated accordingly including rainwater goods and canopy;
- Timber panel fence to communal bin store.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Highway Services – No objection.

Environmental Health – No objection.

Flood Risk Management - Condition 5 (Surface Water Drainage) was discharged under CDN/24/1024. Provided the development is completed in accordance with these agreed details, there is no objection to the proposed variation.

Planning History

138437/FO/2023

Erection of 9 dwellinghouses (Class C3) with associated landscaping, car parking and access road. *Approved 2 February 2024.*

115903/VO/2017

CITY COUNCIL DEVELOPMENT Erection of 10 no. two storey residential dwellings with associated car parking, landscaping, boundary treatments and new access road. Approved 19 July 2017

Policy

Local Development Framework

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

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

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

The following policies within the Core Strategy are considered relevant:

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

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

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

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

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

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

Developers should take advantage of these opportunities by:-

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

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

Policy H3 (North Manchester) – relates to new housing in north Manchester and states that over the lifetime of the Core Strategy, north Manchester will accommodate around 20% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within or adjacent to the parts of North Manchester that fall within the Regional Centre (Strangeways and Collyhurst area) and within Cheetham Hill and Harpurhey district centres as part of mixed-use schemes, as well as along high frequency public transport routes.

Policy H8 (Affordable Housing) states affordable housing contributions will be considered of 0.3 hectares and 15 units or more.

Policy EN1 (Design Principles and Strategic Character Areas) - All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the city should be fully realised, particularly on major radial and orbital road and rail routes.

character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

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

Policy EN9 (Green Infrastructure) - New development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Where

the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

Policy EN10 (Safeguarding Open Space and Recreation Facilities) - The Council will seek to retain and improve existing open spaces, sport and recreation facilities to the standards set out above and provide a network of diverse, multi-functional open spaces. Proposals will be supported that: improve the quality and quantity of accessible open space, sport and recreation in the local area provide innovative solutions to improving the network of existing open spaces, increase accessibility to green corridors, and enhance biodiversity improve access to open space for disabled people Proposals on existing open spaces and sport and recreation facilities will only be permitted where: Equivalent or better replacement open space, sport or recreation facilities will be provided in the local area; or The site has been demonstrated to be surplus for its current open space, sport or recreation function and the City wide standards set out above are maintained, and it could not fulfil other unsatisfied open space, sport or recreation needs, and a proposed replacement will remedy a deficiency in another type of open space, sport or recreation facility in the local area; or The development will be ancillary to the open space, sport or recreation facility and complement the use or character

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

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

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

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

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

In addition to the above, a number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy.

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

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

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

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

The Guide to Development in Manchester (SPD)

This document contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Manchester Residential Quality Guidance (2016)

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

The purpose of the document is to outline the consideration, qualities and opportunities that will help to deliver high quality residential development as part of successful and sustainable neighbourhoods across Manchester. Above all the guidance seeks to ensure that Manchester can become a City of high quality residential neighbourhood and a place for everyone to live. The document outlines nine components that combine to deliver high quality residential development, and through safe, inviting neighbourhoods where people want to live. These nine components are as follows:

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

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

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

The Greater Manchester Strategic Housing Market Assessment (SHMA) (April 2021)

This document forms part of the evidence base for PfE and provides the most up-to-date published evidence with regard to housing needs across Greater Manchester.

In terms of affordable housing, the SHMA identifies a net annual affordable housing need of 1,810 dwelling in Manchester.

Manchester Climate Change Framework 2020 - 2025

The Manchester Climate Change Framework (2020-2025) was published in February 2020 and sets out the Council high level strategy for Manchester to be a thriving, zero carbon, climate resilient city.

National Planning Policy Framework

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

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

Sections 4, 5, 11 and 12 are considered relevant to the consideration of this application.

Other material considerations

Places for Everyone Plan - The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs. Securing higher densities in the most accessible locations is identified as helping to maximise the ability of people to travel by walking, cycling and public transport and reduce the reliance on the car. The universities and knowledge economy, with a high concentration on the Oxford Road Corridor is identified as an internationally important location and asset.

Issues

Principle

The principle of the proposed development has largely been established by the host permission. The only issues for consideration in this instance relate to the layout and elevational changes proposed and the additional of renewable technology to external areas.

It is considered that the changes in this case are minor in nature and have largely arisen due to a drainage easement which has resulted in changes to the layout and site levels and the replacement of brick boundary walls within railings due to the relationship of foundations and

the easement. In addition, renewable technology in the form of solar panels to the rear roof slopes and ground level air source heat pumps to rear garden areas are proposed.

It is considered that the proposed changes are acceptable. The proposed changes would not raise any new significant issues and would still allow the overall development to accord with the conclusions of the technical assessments approved as part of the host permission, whilst complying with all relevant, overarching policy and guidance, including that of the impact upon the character and appearance of the buildings within the area. The addition of renewable technology would also comply with the Council's carbon reduction and energy efficient objectives.

To ensure the air source heat pumps do not cause an undue noise impact, a further condition has been included with regard to compliance with acceptable noise criteria.

On this, basis, the proposed amendments are considered satisfactory and would have a negligible impact. Overall, the proposed scheme would ultimately make efficient use of previously developed land, whilst contributing to local and national residential growth objectives.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

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

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

Recommendation: Approve

Article 35 Declaration

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

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

1) The development must be begun not later than 2 February 2027.

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

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

Drawings referenced KL-BTP-00-LP-DR-A-3785_100.A received by the City Council as Local Planning Authority on 3 February 2025 and drawings referenced KL-BTP-00-ZZ-DR-A-3785_104.D, KL-BTP-00-SP-DR-A-3785_105.F, KL-BTP-00-E-DR-A-3785_106.E, KL-BTP-00-E-DR-A-3785_107.E, KL-BTP-00-ZZ-DR-A-3785_110.D, KL-BTP-03-ZZ-DR-A-3785_155.E, KL-BTP-03-ZZ-DR-A-3785_157.E, KL-BTP-01-ZZ-DR-A-3785_160.E, KL-BTP-01-ZZ-DR-A-3785_161.E, KL-BTP-01-E-DR-A-3785_162.E, y KL-BTP-02-ZZ-DR-A-3785_165.E, KL-BTP-02-ZZ-DR-A-3785_166.E, KL-BTP-02-E-DR-A-3785_167.E and KL-BTP-02-E-DR-A-3785_168.E, received by the City Council as Local Planning Authority on 13 February 2025.

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

3) The development hereby approved shall only be implemented in accordance with the external materials detailed within the submitted schedule prepared by John Southworth Builders Ltd, received by the City Council as Local Planning Authority on 12 November 2024, as agreed as part of discharge of condition application referenced CDN/24/1049.

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

4) The development hereby approved shall only be implemented in accordance with the Construction Management Plan prepared by John Southworth, received by the City Council as Local Planning Authority on 18 October 2024, as agreed as part of discharge of condition application referenced

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

5) The development hereby approved shall only be implemented in accordance with the following surface water drainage scheme, received by the City Council as Local Planning Authority on 27 November 2024, as agreed as part of discharge of condition application referenced
CDN/24/1024:

-Response from John Southworth (table);

-Drawing referenced KLM-AJP-XX-00-DR-C-0900-P08 (drainage layout);

-Drawing referenced KLM-AJP-XX-00-DR-C-1030-P02 (Plot 5 - Attenuation Tank Section);

-Drawing referenced KLM-AJP-XX-00-DR-C-1070-P03 (Attenuation Tank Details);

-Drawing referenced KLM-AJP-XX-00-DR-C-1090-P03 (Hydrobrake Details);

-222-100 P50 Kenyon Lane S.W Calculations prepared by I DRN ;

-Drawing referenced KLM-AJP-XX-00-DR-C-1020-P02 (Flood Routing Plan);

- Drawing referenced KLM-AJP-XX-00-DR-C-1071-P01 (Porous Paving Details).

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

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

- A verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

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

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

8) No construction works or vegetation clearance shall take place during the optimum period for bird nesting (1st March - 31st August inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

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

9) The development hereby approved shall only be implemented in accordance with the biodiversity enhancement measures shown on drawing referenced 7582.01/B, received by the City Council as Local Planning Authority on 19 December 2024, as agreed as part of discharge of condition application referenced CDN/24/1068.

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

10) (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than those identified with the Tree Survey (Rev C) produced by LM Ecology, received by the City Council as Local Planning Authority on 30 October 2024.

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

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

11) Prior to any site clearance or earthworks, a reasonable avoidance measures method statement for hedgehog and other mammals shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended and to comply with policy EN15 of the Manchester Core Strategy.

12) The development hereby approved shall only be implemented in accordance with the landscaping scheme shown on drawing referenced 7582.01/B and accompanying Landscape Management Plan prepared by TBA Landscape Architects (Ref: CS/7582/LMP/RevB), received by the City Council as Local Planning Authority on 19 December 2024, as agreed as part of discharge of condition application referenced CDN/24/1068.

The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

13) The development hereby approved shall only be implemented in accordance with the boundary treatment detailed on drawings referenced KL-BTP-00-ZZ-DR-A-3785_105.F and KL-BTP-00-ZZ-DR-A-3785_104.D, received by the City Council as Local Planning Authority on 13 February 2025. The boundary treatment/gates shall be completed before any of the houses hereby approved are occupied. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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

14) Prior to the first occupation of the development hereby approved, full details of electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the apartments and retained thereafter.

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

15) The development hereby approved shall include a scheme for the illumination of external areas during the period between dusk and dawn. Prior to the first occupation of each phase (save for the enabling works phase), full details of such a scheme for that phase shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of each phase and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using and ensure that lighting is installed which is sensitive to the bat environment the proposed development in order to comply with the requirements of policies SP1 and DM1 of the Manchester Core Strategy.

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

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

17) Notwithstanding details submitted, no part of the development hereby approved shall be occupied until full details of the space and facilities for bicycle parking have submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed cycling parking space and facilities shall the implemented as part of the development and retained thereafter.

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

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

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

19) The development hereby approved shall only be implemented in accordance with the measures contained with the Environmental Standards Statement (Ref: Z57879 revB) prepared by the Energy Counsel, received by the City Council as Local Planning Authority on 12 November 2024, agreed as part of discharge of condition application referenced CDN/24/1049.

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

20) The development hereby approved shall only be implemented in accordance with the waste management strategy and details shown on the site layout plan referenced 105/18, received by the City Council as Local Planning Authority on 11 December 2023 and 25 January 2024, respectively. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation. No bins shall be stored outside the curtilage of the site other than on the day of collection.

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

21) Any 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 (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. The scheme shall be submitted to and approved in writing by the City Council as Local Planning authority in order to secure a reduction in the level of noise emanating from the site. The approved scheme shall be completed before the apartments are occupied.

Upon completion of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria has been met. Any instances of nonconformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenity of existing and future occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

22) The development hereby approved shall be implemented in accordance with the landscaping maintenance details outlined with the submitted Landscape Management Plan prepared by TBA Landscape Architects (Ref: CS/7582/LMP/RevB), received by the City Council as Local Planning Authority on 19 December 2024, as agreed as part of discharge of condition application referenced CDN/24/1068.

The agreed Landscape Maintenance Plan shall be implemented as part of the development and shall remain in operation for the lifetime of the development.

Reason - To prevent neglect of communal areas of landscaping and in the interest of visual amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy and to reflect guidance contained within the National Planning Policy Framework (NPPF).

23) Prior to first occupation of the development hereby approved, full details of all necessary off-site highway works to be implemented via a S.278 agreement, shall be submitted to and approved in writing by the City Council as Local Planning Authority and be implemented in accordance with a timescale to be agreed by the City Council as Local Planning Authority. Such works should include:

- The creation of a vehicular access and dropped kerbs on Kenyon Lane;

- The provision of a footway or necessary resurfacing of the footway adjacent to the site on Kenyon Lane.

The development shall not be occupied until all the necessary off-site highway works have an agreed timescale for implementation. The development shall only be occupied in accordance with the agreed works.

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

24) Notwithstanding details submitted, no above ground works shall take place until full details of the internal access road shared surface/home zone, shall be submitted to and agreed in writing by the City Council as Local Planning Authority. Details shall include material, colouration and texture of the surface, pedestrian safety measures and details of kerb upstands. The development shall only take place in accordance with the agreed details.

Reason - In the interests of amenity and highway safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy and National Planning Policy Framework (NPPF).

25) The development hereby approved shall be implemented in accordance with the details contained within the approved Phase I Preliminary Risk Assessment prepared by Curtins (Ref: 077873-CUR-00-XX-RP-GE-019 - VO1) received by the City Council as Local Planning Authority on 10 May 2021 and received by the City Council as Local Planning Authority on 30 October 2023.

Notwithstanding these details and the details contained within the Phase 2, Geo Environmental Site Assessment, prepared by E3P (Ref: 16-717-R1-1), dated September 2023 an updated Phase 2 report outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) shall be submitted to and approved in writing by the City Council as Local Planning Authority prior to the commencement of development. The development shall only be implemented in accordance with the agreed details.

Reason - Further investigation is required in the area of dense vegetation/woodland which currently runs through the centre of the site and as ground gas monitoring at the site has not been completed. To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

26) The development shall only be implemented in accordance with the following ground remediation details, as agreed as part of discharge of condition application referenced CDN/24/1024:

- Curtins Phase 1 Preliminary Risk Assessment (Ref: 077873-CUR-00-XX-RPGE-019, Dated: 10 May 2021);

- E3P Phase II Geoenvironmental Site Assessment (Ref: 16-717-R1-1, Dated September 2023);

- E3P Ground Gas Addendum Report (Ref: 16-717-R2, Dated: November 2023);

- Remedial Strategy Report produced by IGE Consulting (Ref: 4260-01) dated October 2024, received by the City Council as Local Planning Authority on 5 November 2024;

- E-mail from John Southworth dated 20 December 2024 confirming the woodland area is not to be developed.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is

occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

27) a. The air source heat pumps hereby approved shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.

b. Prior to first operation of the air source heat pumps hereby approved, a verification report shall be submitted to and approved in writing by the City Council as Local Planning Authority to validate that the equipment conforms to the required noise levels. A report shall be submitted to demonstrate post completion testing to confirm that the noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to Policy DM 1 of the Manchester Core Strategy and DC26 of the Extant Unitary Development Plan.

28) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) none of the residential units hereby approved shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

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

29) The residential units hereby shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as short-term lets, serviced apartments/apart hotels, do not commence without prior approval; to safeguard the character of the area, and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework.

30) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no building or roof extensions shall be erected to the proposed dwellinghouses without the prior consent of the City Council.

Reason - To prevent over development and to protect the amenity of nearby residential occupiers, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

31) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any legislation amending or replacing the same, no windows or doors shall be inserted within the exterior of the dwellinghouse hereby approved, other than that expressly authorised by the granting of this planning permission.

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

Appendix 1 – List of consultees & neighbours notified

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

3 Duncombe Drive, Manchester, M40 5FB
1 Duncombe Drive, Manchester, M40 5FB
240 Kenyon Lane, Manchester, M40 5EH
7 Faversham Street, Manchester, M40 5AR
5 Faversham Street, Manchester, M40 5AR
3 Faversham Street, Manchester, M40 5AR
1 Faversham Street, Manchester, M40 5AR
27 Faversham Street, Manchester, M40 5AR
25 Faversham Street, Manchester, M40 5AR
23 Faversham Street, Manchester, M40 5AR
21 Faversham Street, Manchester, M40 5AR
19 Faversham Street, Manchester, M40 5AR
17 Faversham Street, Manchester, M40 5AR
29 Faversham Street, Manchester, M40 5AR
15 Faversham Street, Manchester, M40 5AR
11 Faversham Street, Manchester, M40 5AR
9 Faversham Street, Manchester, M40 5AR
236 Kenyon Lane, Manchester, M40 5EH
234 Kenyon Lane, Manchester, M40 5EH
6 Crofter's Hall Walk, Manchester, M40 5ED
8 Faversham Street, Manchester, M40 5EL
10 Faversham Street, Manchester, M40 5EL
258 Kenyon Lane, Manchester, M40 5EH
252 Kenyon Lane, Manchester, M40 5EH
4 Faversham Street, Manchester, M40 5EL
20 Faversham Street, Manchester, M40 5EL
7 Neilston Avenue, Manchester, M40 5HD
4 Neilston Avenue, Manchester, M40 5HD
10 Crofter's Hall Walk, Manchester, M40 5ED
8 Crofter's Hall Walk, Manchester, M40 5ED
4 Crofter's Hall Walk, Manchester, M40 5ED
2 Crofter's Hall Walk, Manchester, M40 5ED
16 Faversham Street, Manchester, M40 5EL
263 Kenyon Lane, Manchester, M40 5FH
238 Kenyon Lane, Manchester, M40 5EH
8 Neilston Avenue, Manchester, M40 5HD
6 Neilston Avenue, Manchester, M40 5HD
5 Neilston Avenue, Manchester, M40 5HD
254 Kenyon Lane, Manchester, M40 5EH
273 Kenyon Lane, Manchester, M40 5FH
271 Kenyon Lane, Manchester, M40 5FH
269 Kenyon Lane, Manchester, M40 5FH
267 Kenyon Lane, Manchester, M40 5FH
265 Kenyon Lane, Manchester, M40 5FH
6 Faversham Street, Manchester, M40 5EL

14 Faversham Street, Manchester, M40 5EL
12 Faversham Street, Manchester, M40 5EL
262 Kenyon Lane, Manchester, M40 5EH
260 Kenyon Lane, Manchester, M40 5EH
256 Kenyon Lane, Manchester, M40 5EH
24 Faversham Street, Manchester, M40 5EL
22 Faversham Street, Manchester, M40 5EL
2 Faversham Street, Manchester, M40 5EL
18 Faversham Street, Manchester, M40 5EL
10 Leyton Avenue, Manchester, M40 5HT
9 Leyton Avenue, Manchester, M40 5HT

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA